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HOUSE OF COMMONS

Tuesday, February 10, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

SCIENCE AND TECHNOLOGY

LONG-TERM FUNDING FOR RESEARCH COUNCILS—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I rise under the provisions of Standing Order 43 to propose a motion of urgent importance, as it relates to the keystone of opportunity for our young people. In view of the government's shameful decade of neglect toward scientific and technological research, which has seen a continual erosion of financial support for research laboratories and scientific training programs across Canada, and in light of the recent disgusting flip-flop by cabinet, which effectively scuttles the five-year plan of the National Sciences and Engineering Research Council, I move, seconded by the hon. member for Scarborough East (Mr. Gilchrist):

That the government be required to reinstate immediately the NSERC five-year plan, which had been approved by the former Clark government, and to adopt corresponding long-term plans of funding for the medical and social sciences so that our scientific researchers may develop, with some assurance, their research interests here in Canada instead of packing up their bright ideas and heading to the United States or elsewhere.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

SUGGESTION MINISTER ATTEND INDEPENDENT CONFERENCE OF WOMEN—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise under the provisions of Standing Order 43. Because the minister responsible for the status of women has manipulated the postponement of the conference on women and the Constitution planned by the Advisory Council on the Status of Women so as to avoid embarrassing the government, women from across Canada have organized their own independent conference this coming weekend. I move, seconded by the hon. member for Malpeque (Mr. Gass):

That the House urge the minister responsible for the status of women to attend the weekend conference, humbly realizing that such conferences can be a learning experience even for him, and that if he is discharging his responsibilities properly, their discussions will not embarrass either him or his government colleagues.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

MEDICAL CARE ACT

SYSTEM OF PREMIUM PAYMENTS IN ONTARIO—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise pursuant to Standing Order 43. Whereas the Medical Care Act states that each province's health care plan must provide for universal coverage, whereas the Ontario government does not seem to know, or otherwise refuses to admit, that between 15 per cent and 20 per cent of Ontarians are not covered, according to the figures available through research done by certain community health groups in Toronto, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That this House instruct the federal government to investigate how many people in Ontario are actually not covered by OHIP because of the inadequate and unfair premium system employed in Ontario which has led to the present situation in which it can truthfully be said that Ontario is not living up to its technical and moral obligations under the Medical Care Act and the Established Programs Financing Act.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

ALLIANCE OF LIBERAL AND NEW DEMOCRATIC PARTIES—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the Leader of the New Democratic Party (Mr.

Broadbent) was quoted as saying on the weekend that whether or not the Prime Minister (Mr. Trudeau) told the whole truth about his dealings with Westminster was irrelevant, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That this House commend the Leader of the NDP for his unusually candid admission that in the decision-making process of the NDP, expediency rather than truth is the main criterion, and invite him to revoke the ill-advised decision he has made to ally his party with the Liberals on the Constitution by applying the biblical principle that "The truth shall make you free".

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*Translation*]

SPORTS

TRIBUTE TO MEMBERS OF CANADIAN DOWNHILL SKIING TEAM—MOTION UNDER S.O. 43

Mr. Irénée Pelletier (Sherbrooke): Madam Speaker, under Standing Order 43, I request the unanimous consent of the House to present a motion dealing with an important and urgent matter.

As Canada has in the last few years made quite a name for itself in the field of downhill skiing, as the members of the Canadian ski team have contributed in no small measure to our unity and national pride, and as three of the most illustrious members of that team are present in the Speaker's gallery, I move, seconded by the hon. member for Parkdale-High Park (Mr. Flis):

That this House pay tribute to the members of the Canadian downhill ski team and congratulate them warmly for their determination, courage and performance.

Some hon. Members: Hear, hear!

Madam Speaker: I see the House is enthusiastic about the skiers; I thank hon. members for their enthusiasm.

* * *

● (1410)

[*English*]

EXTERNAL AFFAIRS

DIFFERENTIATION BETWEEN NATO AND NORAD—MOTION UNDER S.O. 43

Mr. Ron Stewart (Simcoe South): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the Prime Minister (Mr. Trudeau) revealed last week in Brandon that, after 16 years as a Member of Parliament and 12 years as Prime Minister, he does not yet know the difference between NATO and NORAD, I move, seconded by the hon. member for Haldimand-Norfolk (Mr. Bradley):

That the Prime Minister be enrolled in a special course for slow learners on the nature of Canada's treaty obligations.

Some hon. Members: Hear, hear!

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NATURAL RESOURCES

CAUTION AGAINST NATIONALIZATION OF COAL INDUSTRY—MOTION UNDER S.O. 43

Mr. Vince Dantzer (Okanagan North): Madam Speaker, I too rise under the provisions of Standing Order 43. In the aftermath of the signing of the multibillion dollar coal mining contracts in northeastern B.C., creating some 2,300 jobs and placing Canada in the top five of the world's coal exporting nations, and in view of the fact that these long awaited contracts will benefit not only the residents of British Columbia but will reflect on individual Canadians from sea to sea, I move, seconded by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen):

That this House instruct the Minister of Energy, Mines and Resources and the Minister of Finance to refrain from any attempt to nationalize and plunder the coal industry as they have the oil industry.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PARLIAMENTARY AFFAIRS

VOTING RECORDS OF OPPOSITION PARTIES—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the voting record of this Thirty-second Parliament shows that the Tories have voted 19 times with the Liberals, while the NDP have voted only seven times with the Liberals, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Tories admit they are in bed with the Liberals almost three times as often as the NDP and that Joe publicly formalize his secret organic union with Pierre.

* * *

AGRICULTURE

SUGGESTED CHANGES IN HERD MAINTENANCE PROGRAM—MOTION UNDER S.O. 43

Mr. Len. Gustafson (Assiniboia): Madam Speaker, I rise under the provisions of Standing Order 43. Due to the very confusing situation which exists under the herd maintenance program, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the government take immediate steps to stop this confusion and to cut administrative costs by paying producers on a straightforward plan, on established boundaries, based on a fixed sum, on a per annum basis, to all farmers within the boundaries.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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FORESTRY

CALL FOR TABLING OF OMOND SOLANDT REPORT—MOTION UNDER S.O. 43

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I too rise under the provisions of Standing Order 43. Having regard to a report entitled Forest Research in Canada, which was commissioned and filed with the government in 1979, and which lists some startling conclusions and wide-ranging recommendations, and having regard to the fact that the report predicts the most serious consequences should the governments of the provinces and Ottawa fail not only to improve forest-related research efforts but as well to assure that the universities are sufficiently funded to produce scientists and engineers for the task, I move, seconded by the hon. member for Richmond-South Delta (Mr. Siddon):

That the report by Omond Solandt entitled Forest Research in Canada be tabled in the House and referred to the appropriate standing committee for study and that the minister be required to report on the action the government intends to take to implement the recommendations contained in the document.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

SCIENCE AND TECHNOLOGY

GOVERNMENT'S CONTRIBUTION TO RESEARCH FUNDING

Mr. Gordon Gilchrist (Scarborough East): Madam Speaker, I welcome the Minister of State for Science and Technology back. We can now get to some of the really important questions of the day.

I would like to remind the minister of his highly touted press announcement of January 19 wherein he reaffirmed the government's commitment to increase spending on research and development to 1.5 per cent of gross national product by 1985. In the same breath he announced that the government's share

would be reduced from 39 per cent to 33 per cent. Would the minister now explain to the House that he has failed to meet this commitment which he has been expressing for a year and that he has misled the House, the entire science community I might add, and the people of Canada by reversing this policy in the most important economic back-up structure the country could be involved in today?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, the hon. member is in error in thinking that I may have misled the House. The increase in expenditure in relation to science and technology over the past year is well on that track for achieving that 1.5 per cent figure, which we had established. Indeed, I am confident that the estimates for next year will again show the kind of significant increases which are necessary for us to reach the objective we have established for 1985.

• (1415)

The hon. member refers to the decline in the percentage of government effort as a proportion of the over-all efforts within our economy directed toward research and development. It should be clear to all hon. members that what we are projecting is the participation by the federal government of one third in the over-all objective of 1.5 per cent. Although it is a decline in percentage, it is a decline over a much higher over-all figure and, indeed, it represents a very significant increase in effort on the part of the federal government.

Mr. Gilchrist: Madam Speaker, on May 5, 1980, I asked the minister if he would be supporting the five-year plan for funding to NSERC, MRC and other councils. He assured me by saying:

I will do more than that; I will increase the funding considerably above the figures put forward by the Conservatives.

Would the minister now explain the reduction in NRC funding from 24 per cent to the 11 per cent or 12 per cent or 13 per cent rates of which I have just been advised rather peripherally?

Mr. Roberts: Madam Speaker, the hon. member referred to the granting councils in the first part of his question, and in the second part he referred to the NRC, the National Research Council. I take it that the hon. member is referring to the Natural Sciences and Engineering Research Council. In that case I can say that the five-year plan presented by NSERC is one which I support. The funding which is required for the first year to meet the commitments under that plan has been granted. While definitive decisions have not yet been taken with regard to funding for the second year, I am seeking to obtain as much funding as I possibly can for those programs.

Mr. Gilchrist: Madam Speaker, there has been universal condemnation of the MRC and NSERC funding announced by the government of late. All the newspaper are carrying reports on the matter and all the scientists are deploring the

government's broken promises. Would the minister explain why he has failed with his cabinet colleagues to obtain sufficient funding for this most vital sector of Canada's economy where there are problems with creating jobs and upgrading careers? The minister's failure is probably the result of not enough effort in cabinet and because of his two hats, namely, the important matter of the environment which he shares with science and technology, to the serious detriment of science and technology and the condemnation of the science community.

Mr. Roberts: Madam Speaker, generally I try to accommodate the hon. member, but I would be misleading the House if I were to say that I failed. I have not failed.

Mr. Nielsen: Roberts for leader.

Mr. Roberts: The hon. member is forecasting, I hope pessimistically, what the level of funding will be. As I said in my earlier response, those decisions have not yet been definitively taken. I do not believe that I shall fail in meeting the expenditures which are required.

COMPARISON OF RATES OF GOVERNMENT FUNDING

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I would like to determine, perhaps once and for all, the rate of the minister's failure—

Mr. Crosbie: It is total.

Miss MacDonald: —and to point out to him that last year the Conservative government increased funding to the Natural Sciences and Engineering Research Council by $41 million, to the Social Sciences and Humanities Research Council by $5.8 million, and to the Medical Research Council by $12 million. The minister said on May 5 that he would do more than the Conservative government, that he would increase the funding considerably above figures put forward by the Conservatives. I have listed the levels of funding that would have been granted to each of those councils. Will the minister stand by his commitment that he will increase, this year, the amount to those granting councils by more than the Conservative government? Is that what he is now saying?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I am saying that there will be further increases in the budget of the Natural Sciences and Engineering Research Council. I am also saying the government has far exceeded the figures which were established by the Conservative government with regard to science and technology development and research and development.

Miss MacDonald: Madam Speaker, the minister, of course, would not give the commitment now which he gave in May; he is backing away. That is the flip-flop which the minister has made with regard to these very important research granting councils and which we would like to point out. That flip-flop has been condemned by the whole scientific community Madam Speaker. They have termed the action of the minister the ultimate doublecross. In face of the charges that have been made, does the minister realize that this program of funding for the research councils cannot be something that is started and stopped, something that is a stop and go policy? What explanation does he have for the approach that is taken, that in one year under the Conservative government it is adequately funded, and the next year it is severely cut back?

● (1420)

Mr. Roberts: Madam Speaker, I am sorry, but I simply have to reiterate what I have already said. The hon. lady is anticipating a cutback which has not taken place and which I do not expect to take place. The basis of her question is erroneous.

CONCERN EXPRESSED BY SCIENTIFIC COMMUNITY

Mr. Simon de Jong (Regina East): Madam Speaker, my question is also directed to the Minister of State for Science and Technology. The scientific community is indeed interested in the long-term funding plans and the intentions of the government. There are rumours of zero growth. The increases that have been announced are not increases that will cover the increased operating costs for scientific research. There is chaos, anger and frustration in the scientific community. That is shown in all the press releases that the scientific community has put out in the last few days. Will the minister tell this House and the scientific community what the funding will be for the federal granting agencies, and will he clearly state what they can expect?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, there are expressions of concern on the part of the scientific community. I admit that, and I welcome it. I am glad that the scientific community is making its concerns known as dramatically as possible. The hon. gentleman has asked me to announce what will be in the estimates before the decisions on the estimates have definitively been taken. Clearly, I cannot make an announcement on a decision that has not been taken.

Mr. de Jong: A supplementary question, Madam Speaker. Normally the scientific community knows by the previous November what the funding will be but it is now in a state of utter confusion. When will the minister let the scientific community know what is in store in the years to come? The president of the Natural Sciences and Engineering Research Council, Dr. Gordon MacNabb has stated that funding of at least $27.8 million above inflation is needed to maintain the five-year plan for R and D which was endorsed by the Liberal government last year. By slashing the budgets of the granting councils—

Madam Speaker: Order, please. I have to ask the hon. member to come to his question.

Mr. de Jong: My question is this, Madam Speaker. Does the government now mean to repudiate the five-year plan it originally requested and approved, reducing to a charade its commitment to reach 1.5 per cent of GNP for research and development by 1985?

Mr. Roberts: Madam Speaker, certainly not. We are not repudiating the plan. What we are doing, as is normal in the estimates process each year, is determining the amount of money required to keep us on track with the planned objective.

AMOUNT OF FUNDS COMMITTED TO MEDICAL RESEARCH COUNCIL

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, my supplementary question is directed to the Minister of National Health and Welfare. Could the minister tell the House why there is as yet no announcement of a renewed five-year plan for medical research in Canada? In doing so, would she please confirm or deny reports from the research community itself that there is only to be a paltry 7.9 per cent increase in funds for medical research, thus severely hampering the ability of the research community to do needed work in areas which the minister herself has indicated need attention, such as toxicology?

[*Translation*]

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I must point out to the hon. member that the budget of the Canadian Medical Research Council is now under study. Naturally, we will do the best we can.

* * *

[*English*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF CANADIAN SKIER MISS GERRY SORENSEN

Madam Speaker: I just cannot resist recognizing the presence in our gallery of Miss Gerry Sorensen, who last weekend won her first women's world cup downhill.

Some hon. Members: Hear, hear!

* * *

• (1425)

PETRO-CANADA

ACQUISITION OF PETROFINA—ROLE OF FEDERAL GOVERNMENT IN FINANCING TAKEOVER

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. Last week I drew attention to the existence of sloppy management on the part of Petro-Canada in the takeover of Petrofina. Yesterday we were treated to an incredible display of this same sort of management when the chairman of Petro-Canada announced that he had reached agreement to acquire Petrofina but he did not have any understanding with the federal government as to what role the federal government would play in financing the large expenditure of $1.5 billion. This amazing lack of control causes me to ask the minister the following: what instructions did he give to the chairman of Petro-Canada as to the basis on which they will take over Petrofina? Were there any limits set on the total size of the transaction? Was there any direction regarding the size of the company or the role which the government would play in the acquisition, or did the minister just simply say, "Bill, hop out and buy me an oil company and send me the bill later" ?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, cabinet examined the negotiations with Petrofina and it authorized the acquisition, setting a maximum limit on the price to be paid.

Mr. Siddon: What was that?

Mr. Lalonde: The exact way this is to be financed is a matter which will be discussed between cabinet and the president of Petro-Canada.

Some hon. Members: Oh, oh!

Mr. Andre: When?

Mr. Siddon: Who is going to pay it?

Mr. Lalonde: Some funds may come from equity, some from borrowings and some from taxation. This is a matter we will review with the authorities of Petro-Canada, and a decision will be made in due course.

Mr. Wilson: Madam Speaker, the chairman of Petro-Canada said yesterday that he could not support any financing on the financial statements of Petro-Canada, that the total amount would be financed by the government through its tax. Mr. Hopper also said that the government "played no role in choosing the target or setting the price." Since the federal government has been called on to finance the entire amount of the transaction, could the minister explain why the federal government did not play a role in setting the price when in fact it is going to be called on to levy the taxes which will finance the entire transaction?

Mr. Lalonde: Madam Speaker, I regret that my hon. friend is distorting the facts even more than his leader does when he talks about Petro-Canada. The statement Mr. Hopper made was quite clear. He said it was considered conceivable that Petro-Canada could get less than 100 per cent equity from the government, and if it got less it would have to borrow the balance. I have not seen a report anywhere where the president of Petro-Canada said that it would all have to come out of equity and that they could not borrow for this particular purpose. I would hope that my friend would have a little more respect for the truth.

Some hon. Members: Oh, oh!

Mr. Lalonde: He might pass on the message to his leader when talking about Petro-Canada and this particular deal.

Some hon. Members: Oh, oh!

Mr. Lalonde: As far as the point raised by my hon. friend is concerned, the decision to go after and take over Petrofina was made by the board of directors and management of Petro-Canada. Negotiations were carried out on a business basis by the management of Petro-Canada. The government has approved the takeover. It also fixed a maximum limit that we were ready to consider for that takeover.

An hon. Member: How much was that?

Mr. Lalonde: Within that mandate, the rest of the deal was carried out by Petro-Canada, as it should have been in such a situation.

DATES OF GOVERNMENT ACTION RESPECTING ACQUISITION OF PETROFINA

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I have a couple of supplementary questions for the Minister of Energy, Mines and Resources. They both relate to dates. Will the minister of energy tell us on what date cabinet began to examine the acquisition by Petro-Canada of Petrofina, and on what date did cabinet approve that acquisition?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the authorization to Petro-Canada was given on the Tuesday, the week before the takeover actually took place. If my hon. friend could give me a calendar, I can tell him the exact date. If he checks, it would be Tuesday about two weeks ago. The takeover took place at the weekend.

● (1430)

Mr. Clark: That was half my question. The other half of the question is: on what date did the examination of that acquisition begin? When did the cabinet first consider that matter? While I am on my feet may I point out that the minister has told us that it was approved on Tuesday. I want to know the date on which the consideration began.

Second, I should like to ask the minister to give us an indication as to whether he has satisfied himself that no knowledge of that intention on the part of the cabinet or of Petro-Canada came into the hands of anyone other than the people authorized by cabinet to know that information. Can he give us the assurance that he has looked into that matter and that there was no insider information?

Mr. Lalonde: Madam Speaker, I apologize. I said Tuesday to the hon. member. It was on Thursday at the end of the day that cabinet considered this particular acquisition proposal, and the final negotiations took place on that weekend. So cabinet was acquainted with this proposal and took the decision on Thursday at the end of the afternoon.

So far as the question raised by my hon. friend is concerned, I notice that he cast some completely unfounded and rather despicable innuendoes in a speech to students in British Columbia in this regard. I have indicated that if there is any evidence and any information to the effect that any improper action has been taken by anyone in this deal, it should either be drawn to the attention of the government or to the attention of the Ontario Securities Commission or the Quebec Securities Commission which have authority in this respect to carry out a full investigation. If the Leader of the Opposition has no evidence of anything, I do not think he should carry on in this manner.

Madam Speaker: Order.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, we would not want the Minister of Energy, Mines and Resources to be less than candid with the House on this matter.

Some hon. Members: Oh, oh!

Mr. Clark: I notice that the minister himself has not answered my question. My question was whether he has satisfied himself, as the minister responsible, that such information was not in the hands of anyone other than people authorized by cabinet.

Mr. Baker (Nepean-Carleton): Yes or no?

Mr. Lalonde: Quite obviously, Madam Speaker, I have no evidence at all that any such information would have been given to anyone not authorized to receive the information. The cabinet was seized with this issue, as I indicated, the Thursday before the deal was made in Brussels. Frankly, I find it quite offensive that the Leader of the Opposition should cast general aspersions on officials or unnamed persons without having a shred of evidence to substantiate them.

Some hon. Members: Hear, hear!

Mr. Andre: Have you looked at how the stocks have performed?

* * *

ASTRA TRUST

DEPARTMENTAL DELAY IN LAUNCHING INVESTIGATION

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I should like to put a question to the Minister of State for Finance in view of the fact that the first failure of a trust company in 50 years in Canada is apparently a subject which is not sufficiently important to merit the attention of the Minister of Finance. I should like to put to the minister the same question I put yesterday to the Minister of Finance with respect to the collapse of Astra Trust and the affairs of Mr. Carlo Montemurro and his associated companies, incorporated in the province of Ontario.

With your permission, Madam Speaker, I should like to repeat the question I asked yesterday for the benefit of the minister. I am sure that it would be of some interest to the House to know that there were already so many problems with this company—I am referring to Astra Trust—and with associated companies, that in 1978 the federal Superintendent of Insurance attached conditions and renewed the trust company's charter for only a three-month period.

My question to the minister is this: why did it take the department two years, between 1978 and 1980, to find out the nature of the scam which was involved, and the scam is the relationship between the four companies in question, and how was it possible for the department to continue to allow investors in southern Ontario to put their money in Astra Trust when the department itself had severe suspicions about the integrity of these four companies?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, in the introductory remarks to his question the hon. member describes the extremely complex situation surrounding this case. As the hon. member is fully aware the situation grows even more complex owing to the fact that two levels of government are involved. One company, Astra, is incorporated under federal legislation while others hold provincial charters. The hon. member is asking me how it can be that although very stringent conditions were imposed on its operations in 1978, the company was not liquidated until 1980. I should like to indicate to the hon. member that some conditions were imposed precisely because the office of the Superintendent of Insurance was keeping a very close watch over the operations of that company. However, the hon. member ought to understand that monitoring operations were all the more difficult as the other companies did not come under the jurisdiction of the Superintendent of Insurance. As evidence of that, it was not before 1980 that the Superintendent of Insurance was made aware of the Re-Mor operations.

[*English*]

REQUEST FOR PARLIAMENTARY COMMITTEE INQUIRY

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, the minister himself has just said that the situation is very complicated, and I agree with him. When you look at the transcript of the evidence before the Ontario select committee, you find that it is a very complex story, in fact, as scam going back to 1972. In view of the complexity of the situation and the fact that a select committee of the Ontario legislature has said, as it appears in the interim report of that select committee before it was dissolved because of the Ontario election:

> —it has received evidence indicating that political influence was exerted on federal officials to incorporate and licence Astra Trust as a federal trust company. The committee invites the Parliament of Canada to examine the transcript of its proceedings and to take such action as it deems appropriate.

It is precisely because of what the minister calls the complexities in this case that the Ontario committee has asked that this be referred to Parliament. Why does the minister not refer this matter to a parliamentary committee so that we ourselves can examine the complexity and try to come to a solution of this very difficult problem?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, concerning the fact that a licence was issued to the Astra Company, I have already explained that, contrary to what may have been said, the Superintendent of Insurance has assured me that never was there any political pressure on him with respect to the recommendation. Madam Speaker, he made a serious and thorough investigation just as is done before it is recommended that a trust company be incorporated. I would suggest that what matters is to make sure indeed that there is a thorough investigation before incorporation papers are issued and, second, that proceedings are taken against any person who might have been involved in criminal activities and have benefited from the complexity of the situation. In that respect the Department of the Superintendent of Insurance works closely with the Ontario Provincial Police to bring criminals to justice if they are involved in illegal activities.

* * *

[*English*]

PETRO-CANADA

GOVERNMENT FINANCING FOR ACQUISITION OF PETROFINA

Hon. John C. Crosbie (St. John's West): Madam Speaker, I would recommend that the Minister of Energy, Mines and Resources consult the Prime Minister on his definition of the truth.

Some hon. Members: Oh, oh!

Mr. Crosbie: My question to the Minister of Finance is this. Mr. Hopper said yesterday that he wants federal assistance in purchasing Petrofina because his cash flow will be limited, that his investments in other activities will be limited if the government does not supply the $1.46 billion after collecting it from the Canadian consumers of oil products, regardless of their ability to pay, and that the government should give it to him to buy Petrofina. To collect that amount of money in one year will cost at least 8 cents a gallon on gasoline and 6 cents on heating oil. There have already been eight increases in oil product prices since the end of December of last year under this government, and this will be the ninth.

Will the minister now tell the House what the government intends to do, particularly in view of the fact that there is no equity in this matter, that everybody, rich or poor, will have to pay it, that the poor will pay more in proportion than the rich, that there will be no tax credit for lower income taxpayers as we proposed, and that there will be no exemption for farmers, fishermen or urban transit systems? How is he going to collect this amount of money for Mr. Hopper?

Madam Speaker: Order, please.

• (1440)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member will recall that in the budget speech it was stated that in the event of an acquisition there would be the imposition of a particular tax, and that is how we will propose to finance whatever portion, still undetermined, we would put into this acquisition.

Mr. Crosbie: Madam Speaker, this government is going down the slopes faster than Miss Sorensen went down the slopes. The minister will remember that on January 23 he had an advertisement in the *Scotia Sun* which said, "Vote Liberal and the price will stay down". It has gone up eight times since. Now the minister talks about the ninth time the price of gasoline products will go up. I wonder if the minister will resign, or will he continue to be a living example of hypocrisy and stay here in this House as Minister of Finance.

Madam Speaker: Order. Does the hon. member have a question?

Mr. Baker (Nepean-Carleton): He was just clearing his throat.

Mr. Crosbie: My supplementary question to the minister is this: will he reject Mr. Hopper's pleas that he take another $1.4 billion from the oil consumers of Canada, and will he follow his own election promise and keep the prices down and reverse the last eight price increases?

Mr. MacEachen: Madam Speaker, the answer to both questions is probably yes.

* * *

RAILWAYS

IMPLEMENTATION OF PROMISE TO DOUBLE TRACK CNR LINE FROM WINNIPEG TO WEST COAST

Hon. George Hees (Northumberland): Madam Speaker, I have a question for the Prime Minister. It is exactly one year since the Prime Minister made his famous election promise to double track the CNR from Winnipeg to the Pacific Ocean. I wonder if the Prime Minister would bring the House up to date on the progress he is making with his favourite project, in addition, of course, to the 30 per cent of the line which had already been double tracked before the Prime Minister made his promise.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, knowing his ardent interest in sports, I am sure the hon. member would permit me to preface my answer by saying that in addition to the lady already recognized in the gallery, there are two excellent male speakers—

Some hon. Members: Oh, oh!

Mr. Clark: Skiers.

Mr. Trudeau: —skiers, and I would be happy to give Your Honour an opportunity to recognize them, unless you want me to do it on your behalf.

Seated in the gallery are Mr. Ken Read, who was the first male skier to win the World Cup—

Some hon. Members: Hear, hear!

Mr. Trudeau: —and Mr. Steve Podborski, who is the current leader of the World Cup men's downhill division.

Some hon. Members: Hear, hear!

Mr. Trudeau: As to the question raised by the hon. member, he was kind enough to give me notice of the question.

Some hon. Members: Oh, oh!

Mr. Trudeau: I am sure he is distressed that his colleagues in his own party are always side-tracked because, as a former distinguished minister of transport himself, he is not used to being put on the sidings as, through the fault of his party, he has been.

An hon. Member: You are not laughing, Joe.

Mr. Baker (Nepean-Carleton): You were better with skiing, Pierre.

Mr. Clark: Have you got the answer, Pierre?

Madam Speaker: May we have that answer?

Some hon. Members: Oh, oh!

Mr. Trudeau: Madam Speaker, there is some concern opposite.

Mr. Clark: The concern was the Chair's.

Madam Speaker: I was asking the Right Hon. Prime Minister if we could have his answer.

Mr. Clark: No.

Mr. Trudeau: Well, Madam Speaker, in addition to the 30 per cent which was under construction at the time I gave my last answer to the hon. member in the House—that was in April—I want to give more details today. There are three sections to the project. There is the Edmonton to Valemount section.

Mr. Clark: That is Valemount.

Mr. Baker (Nepean-Carleton): That is like NORAD.

Mr. Trudeau: I am told by the right hon. member that is pronounced Valemount.

Mr. Beatty: Take the train and visit.

Mr. Trudeau: Madam Speaker, I have a lot of time. All the answers are written, so if hon. members want to continue—

Mr. Baker (Nepean-Carleton): Table it.

Mr. Trudeau: I will gladly do that.

Madam Speaker: I wonder if the Prime Minister would please give the answer in his usual brief manner.

Mr. Baker (Nepean-Carleton): Go ahead, George, ask a supplementary question.

Mr. Hees: Madam Speaker, I did send the Prime Minister notice in the hope that this would help him not to mess it up.

Some hon. Members: Hear, hear!

Mr. Hees: But it is obvious that more than notice is necessary.

As a practical politician, does the Prime Minister not regret very much the fact that he offered so much and received so very little in return for his promise, and could he also bring us up to date on his other favourite project—and tell us how he is making out—which is to twin western ridings with eastern Liberal members of Parliament?

Mr. Trudeau: Madam Speaker, the first section, which is some 310 miles long, is under construction, and it will be double tracked by the mid-1980s. With respect to the Valemount to Vancouver section, some 440 miles, about half of it will be completed by 1988. In so far as the third section, that is the Winnipeg-Edmonton section, 50 miles of it has already been completed. We figure that by 1988—

An hon. Member: Before they get back to power.

Mr. Trudeau: —while this government is renewing the mandate which will come a couple of years down the road, at least 40 per cent of the whole line will be double tracked. That will be some 590 miles out of 1,450. In this way we will permit at least the CN to be moving those rich resources which are so bountiful in the west and which would not have been able to move if we had not double tracked and continued to double track the CNR.

Some hon. Members: Hear, hear!

* * *

ENERGY

POSSIBLE DEVELOPMENT OF BAY OF FUNDY TIDAL POWER

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. In view of the fact that Japan has a project to harness tidal power and is about to build a number of artificial concrete estuaries in Japan—Bay of Fundy, so to speak—to harness tidal power and transform it into electricity, will the minister indicate if he will consider such a project for the Bay of Fundy to provide electricity for New Brunswick, Nova Scotia and Prince Edward Island so that these provinces will have less reliance on oil, and will he look into the Japanese project to obtain expertise, if necessary, to develop the electric tidal power potential of the Bay of Fundy?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, there is already a management committee under the Canada-Nova Scotia agreement on oil conservation and substitution, and that committee has been approached to update the federal-provincial study on tidal power out of the Bay of Fundy. An extensive study has already been carried out. The government is willing and ready to update that study.

The hon. member has referred to the Japanese experience or project in this regard. I am sure that the federal-provincial group which is examining this situation will want to review the project which is being considered by Japan.

* * *

● (1450)

LABOUR RELATIONS

B.C. TELEPHONE COMPANY—POSSIBLE ACTION BY MINISTER TO EFFECT SETTLEMENT OF DISPUTE

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my question, directed to the Minister of Labour, concerns a very serious labour matter in British Columbia. Despite the acceptance on the part of the telecommunications workers of at least three mediation reports, the foreign-owned B.C. Telephone company continues to ignore our Canadian labour traditions and to behave like some cross between a southern textile corporation and a nineteenth century Texas cattle baron. I should like to ask the minister what he intends to do, from the vantage point of his high office, to get these two parties to settle this matter, especially to lean on the British Columbia Telephone company and to bring an end to this long and bitter labour dispute which has gone on for far too long, and is likely to escalate.

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I thank the hon. member for a very important question because this topic is one of very severe concern to people in British Columbia at this moment. I had the opportunity of being in Victoria and Vancouver last Thursday and Friday and of examining the situation at a meeting with the labour department officials in that area. There is no question this is a particularly difficult work stoppage. I express my regret as the Minister of Labour that the B.C. Telephone Company has not seen fit to accept the Peck conciliation report which was accepted by the union. What I also found in British Columbia was very widespread concern that the management of B.C. Tel owned, as it is, in the United States, was perhaps not as sensitive to the situation in British Columbia as might be desired and, if they were, then perhaps a settlement might come more rapidly.

Mr. Rose: I thank the minister for his reply. I would like to suggest that while he uses the words "sensitive to our labour traditions" on the part of B.C. Tel and its foreign roots, some

people would describe it as union busting. I know the minister was in British Columbia last week and I know also he did not meet with both sides personally. I am going to ask him if he will go to Vancouver, call both sides together, have a meeting and get this whole matter settled, and force the B.C. Telephone Company, by his very persuasive powers, to begin to provide decent service for the consumers in British Columbia, and also civilized treatment of the B.C. Tel workers.

Mr. Regan: Madam Speaker, the very distinguished member is well aware I have no powers under the legislation to force the parties to agree. At the moment I judge to be the appropriate one, where a mediator of a very senior nature can be helpful in bringing the parties together—there has to be the right climate, a willingness and perhaps a recognition by B.C. Tel before a mediator can be successful—I will appoint a senior mediator. We have already had a conciliation report. I will review it very thoroughly, and hopefully before the end of the week may find a situation in which a senior mediator would be appointed.

[*Translation*]

CANADIAN BROADCASTING CORPORATION STRIKE—FAILURE OF NEGOTIATIONS—GOVERNMENT POSITION

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I have a question for the Minister of Labour.

The conflict between the French-speaking journalists and the CBC seems to have become shamefully protracted. Francophones outside Quebec have not had access to a single French language national news service for over three months as they cannot have a private network in their own language like the people of Quebec. Of course, it is a well-known fact that settling this conflict is not a priority for the government.

However, since the negotiations through the mediator appointed by the Minister of Labour have failed and the union has asked for a new special mediator from outside the government framework to be appointed, can the minister tell us whether he plans on agreeing to this request and whether he thinks that a similar conflict between English-speaking journalists and the CBC would become as protracted?

[*English*]

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the hon. member refers to the other work stoppage in the country which is most troublesome to my department at the present time. I would only say to him that we have grave concern about the length of time the deadlock has existed between the CBC and the French-language journalists. I have, at the moment, probably the most able mediator in the country, Mr. Guy de Merlis, participating in mediation efforts with the parties. He was meeting yesterday, and I believe again today, with Radio-Canada. If a settlement is to be achieved, there is no question it will be necessary for Radio-Canada to move from some of the entrenched positions they have taken, and there will probably be the necessity of further movement on the part of the union. I point out to the hon. member there has to be a willingness on the part of the parties to settle, to move, and to conciliate and only in those circumstances can an end of the effort come.

I remind the hon. member that by using mediators of the calibre of Guy de Merlis and others in our department, the federal Department of Labour, both under the present government, the previous government and the government before it, has achieved a higher percentage of settlements without work stoppages than any other jurisdiction in the country.

[*Translation*]

POSSIBILITY OF ADDITIONAL FUNDING TO SETTLE STRIKE

Mr. David Kilgour (Edmonton-Strathcona): In short, Madam Speaker, on the constitutional package, he wants to play the Prime Minister's game, with the French-speaking people of Canada. My supplementary question is for the President of the Treasury Board. Can the minister confirm that Treasury Board has set aside additional funds in anticipation of a settlement of the CBC conflict and can he tell us whether he intends to notify the CBC officials that their obvious desire in allowing this conflict to go on is now too apparent to the French-speaking people?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the member is well aware that our people have nothing to do with those negotiations. In any event, if a submission is made for additional funds, we shall certainly consider it.

* * *

[*English*]

AGRICULTURE

SUGGESTED CHANGES IN HERD MAINTENANCE PROGRAM

Mr. Doug Neil (Moose Jaw): Madam Speaker, my question is directed to the Minister of Agriculture. I am sure the minister is aware, after his travels to the west and from communications he has received, that confusion still reigns with respect to the herd maintenance program. He has probably read the three motions presented by members of the opposition in the last ten days containing recommendations for a solution to his problem. I am wondering if the minister had the opportunity of examining these recommendations, and is he giving consideration to them because they would go a long way toward solving his problem?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the herd maintenance program is administered by another minister, the Minister of State in charge of the Canadian Wheat Board, but I do have a lot to do with it. I just want to say we met last week and again this week, and I believe there will be another meeting. We cannot change the criteria that much—

An hon. Member: Change the minister.

Mr. Whelan: —that we would open the whole program up. There have been over 20,000 cheques mailed to farmers out of 29,623 applications, according to the information I have, and more of these are being processed every day. The appeal board is just meeting. It has made representations to us about two major changes it wants. We may have to go back to Treasury Board to make those changes, and that would delay the whole program because it changes the spending of the money which has been appropriated. We are very conscious about doing that. We do not want to open it up that wide again, because we might offend other farmers who have not even submitted applications but would then say, "Well, I am also entitled to submit an application". This is a new program. I think it has worked very well according to the correspondence I have received. Western farmers are some of the greatest letter writers of all, and I have received very few letters—only compliments from them in the form of letters.

• (1500)

Mr. Neil: Madam Speaker, if the minister is not really in charge of the program, perhaps the Prime Minister would consider taking the program away from the minister in charge of the Wheat Board in the other place, and turning it over to the Minister of Agriculture who seems to have more of an understanding with respect to western farmers.

I understand the minister will be going west either today or tomorrow. Would he give consideration to discussing the problems with some of the farmers and some of the members of the appeal board? I understand there are still some 10,000 outstanding applications.

Mr. Whelan: Madam Speaker, there are 10,000 applications. We have been lenient in allowing them to submit late applications. I understand they have even been receiving applications as late as this week, contrary to the rules and regulations. But, we still told them to accept applications at this late date. We are in constant touch with them; every day we are in touch with them in Regina.

I will be in Regina tomorrow afternoon for a couple of hours. Possibly the whole appeal board will be there. The two from Ontario, the three from Manitoba, the three from Saskatchewan and the one from Alberta will be there. While I understand two of them are in Ottawa at the present time attending the Canadian Federation of Agriculture annual meeting, they will be back. They are farm leaders in their own right; they are highly qualified people. If we can make some modifications without going back through the whole rigmarole of Treasury Board, which would delay the payments to farmers, we will do that. But it will delay payments if we have to go through that procedure.

Oral Questions

FISHERIES

SPORTS FISHING IN ONTARIO—PROPOSED CHANGES IN DATES OF SEASON

Mr. Bill Vankoughnet (Hastings-Frontenac-Lennox and Addington): Madam Speaker, in the absence of the Minister of Fisheries and Oceans, I should like to direct my question to his parliamentary secretary. Many people in eastern Ontario are concerned about the proposed changes in the split fishing season in divisions nine and ten. Apparently due to the calendar formula used, there could have been a reduction in the February, 1981, season for lake trout from 16 days to nine days. In light of the fact that the Ontario minister of natural resources apparently amended the Ontario fisheries regulations under the federal Fisheries Act, affecting the closed season variation order on the lake trout and splake season in divisions nine and ten, and apparently forwarded these changes to Ottawa on or about January 6, 1981, for approval, could the parliamentary secretary advise the House if in fact this matter has been approved? If not, would he expedite and clarify this matter so that sports fishermen and businessmen, such as the lodge owners in my constituency, can be assured of a longer fishing season within the law?

Mr. George Henderson (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I will take that question as notice and get the answer for the hon. member tomorrow. I am not familiar with that aspect of the fishery.

* * *

FARM CREDIT CORPORATION

REQUEST FOR INCREASED FUNDING

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is directed to the Minister of Agriculture. What action is the minister contemplating with respect to replenishing the Farm Credit Corporation with adequate funding to meet the needs of farmers throughout Canada, particularly young farmers? If he is not anticipating any increase in funding to the Farm Credit Corporation, does he have some other program in mind which might be unveiled by the government?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, last year we lent over $500 million to farmers. The majority of that—over 75 per cent or around 75 per cent—went to young farmers. We would like to be able to lend more. We are drafting new legislation which will allow us, when presented to the House—and the hon. member will have to be patient until it is presented to the House—to raise money from the private sector; that is the intent.

Mr. Mazankowski: Madam Speaker, could the minister indicate to the House how much money will be included in this appropriation, and what rate?

Mr. Whelan: Madam Speaker, if I could give the hon. member the information he wants as to the rate, I would

probably be drawing a much higher salary than I am, that is, if I could forecast what the interest rate will be here or anywhere else in the world.

Some hon. Members: Oh, oh!

Mr. Whelan: I would just say that we have a preferred interest rate for the Farm Credit Corporation. At the present time it is 12.75 per cent interest, which is a very enviable interest rate for anyone else in business. I am sure the hon. member recognizes that farmers are business people and that whatever interest rate we devise will be one that is fair and equitable.

* * *

PRIVILEGE

MR. OBERLE—STATEMENT MADE BY MR. REGAN DURING QUESTION PERIOD

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I ask the Minister of Labour (Mr. Regan) to remain in the chamber for a minute. I am confident it has not escaped Your Honour that during the course of question period the Minister of Labour took it upon himself to insert his very limited jurisdiction in a labour dispute which is currently causing very serious difficulties in the province of British Columbia. In so doing, he departed very dramatically and radically from a well-accepted practice in the House of Commons, that a minister who has not examined a situation or has not availed himself of sufficient information from both parties involved in a labour dispute like this one, should not take it upon himself during question period on the grounds that we are dealing with a foreign company, to take sides in a labour dispute which in this case has caused serious interruptions in the province of British Columbia.

After I have examined the "blues", I wish to reserve the right to confront the minister further and hopefully to move a motion or, if nothing else, to give the minister an opportunity to correct his very unfortunate statement today. If he does not choose to do so—

Madam Speaker: Indeed the hon. member should wait until he sees the "blues". I fail to see that there is a question of privilege in that to which the hon. member has referred. If he is not satisfied with the answer he received, or if he has some objection to the way the answer was formulated, it is a matter of debate, but not a question of privilege.

ROUTINE PROCEEDINGS

[*Translation*]

HOUSE OF COMMONS

TABLING OF LIST OF ACTING MINISTERS

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, under Standing Order 41(2) I would like to table in both official languages copies of order in council 1980-2824, being the list of acting ministers.

* * *

NATIONAL ENERGY BOARD ACT

MEASURE TO AMEND

Hon. Marc Lalonde (Minister of Energy, Mines and Resources) moved for leave to introduce Bill C-60 entitled "An act to amend the National Energy Board Act".

Motion agreed to, bill read the first time and ordered to be printed.

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QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,323, 1,709, 1,777, 1,785 and 1,909.

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

[*Text*]

CANADIAN FILM DEVELOPMENT CORPORATION

Question No. 1,323—**Mr. Friesen:**

Is it the intention of the CFDC to lower interest rates on interim and development loans and, if so (a) by what percentage (b) will existing loans be renegotiated (c) what amount will be lost in revenue?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): (a) No. The corporaton has decided to maintain the normal interest rate, that is, the preferential bank rate plus 2 per cent.

(b) and (c) Not applicable.

CANEX—CFB ESQUIMALT

Question No. 1,709—**Mr. McKinnon:**

1. Are CANEX operations subsidized by the Department of National Defence at CFB Esquimalt and, if so, to what extent?

2. (a) What were the profits from CANEX operations at CFB Esquimalt for the fiscal year (i) 1978-79 (ii) 1979-80 (b) what proportion of the profits were remitted to the department for (i) buildings (ii) maintenance (iii) utilities (iv) salaries for managers, supervisors and accounting services (c) to what specific uses are the profits put?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. Yes. Public support is provided in the form of accommodation in otherwise vacant buildings, basic management and accounting services in accordance with Treasury Board decision 689194—guiding principles for the provision of services and recreational facilities at Canadian Forces establishments and the provision of support to the Canadian Forces exchange system and associated non-public funds organizations. Staff support to CANEX consists of one officer and two other ranks on a full-time basis and one officer, five other ranks and one civilian employee on a part-time basis.

2. (a) The total net profits after all expenses including the remittances made to the Crown as listed in Paragraph (b) below were:

(i) $102,366
(ii) 96,647

(b) (i), (ii) and (iii)

1978-79—$29,480.71

1979-80—$42,544.46

These figures are based on an annual review of all CANEX operations across Canada.

(iv) No remittance was made to the Crown for salaries of the staff listed in Paragraph 1 above.

(c) In both 1978-79 and 1979-80, 10 per cent of net profits were reinvested as working capital in the CFB Esquimalt CANEX operation. The remaining 90 per cent were contributed to the CFB Esquimalt base fund, for the provision of base recreational, amenity and community programs.

ADVERTISING EXPENDITURES

Question No. 1,777—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of Petro-Canada for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Petro-Canada reports as follows: (a) $1,214,000 (of which $926,000 is related to the conversion of gasoline marketing operations); (b) $118,191; (c) $1,821.

Question No. 1,785—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of Canadair Limited for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): In so far as the Department of Industry, Trade and Commerce is concerned: Canadair Limited, (a) $159,100; (b) $99,700; (c) $15,000.

PUBLIC AFFAIRS BUDGET OF AECL

Question No. 1,909—**Mr. Waddell:**

What is the total amount and breakdown of the public affairs budget at AECL, including employee expenses, exhibits and displays, literature and films, programs for schools and specific projects such as the Nuclear Information Centre at the Manulife Centre in Toronto, including the set-up and operating costs?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Atomic Energy of Canada Limited reports as follows:

1980-81

Chalk River Nuclear Laboratories	$226,000
Whiteshell Nuclear Research Establishment	$231,000
Nuclear Waste Management Program (WNRE)	$598,000
Nuclear Information Centre in Toronto	$140,000.

These figures included employee expenses. However, the accounting systems at AECL's sites are not maintained in such a way as to provide a breakdown for exhibitions and displays, literature and films and programs for schools.

In addition to the above-mentioned funds, public affairs of a corporate and international nature are funded from commercial revenues. These include work in support of marketing.

[*Translation*]

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

Some hon. Members: Agreed.

[*English*]

Mr. Gordon Towers (Red Deer): Madam Speaker, the parliamentary secretary has stated from time to time that he would look at question No. 811 which has been on the Order Paper since May 8, 1980. I am just wondering whether perhaps there is some reason the parliamentary secretary is not able to answer this question, or what he intends to do about it.

Mr. Collenette: Madam Speaker, as usual, I will reply by indicating that I am looking into the situation. I remind the hon. member that many questions were put on the Order Paper before his. Sometimes it requires a lot of work to develop a particular answer, but I will do my best to get his particular answer as soon as possible.

• (1510)

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed from Monday, February 9, consideration of the motion of Mr. Bussières (for the Minister of Finance) that Bill C-59, to provide supplementary borrowing authority, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Mr. Gordon Taylor (Bow River): Last night when I concluded my remarks I was speaking about the policy of this present government, which appears to be trying to borrow its way out of debt. I want to now continue what I have to say with respect to this borrowing bill.

The government is asking the House of Commons to approve another borrowing of $14 billion. This sum, added to the $12 billion which received approval earlier, totals $26 billion. I wonder when the government will realize that this constant borrowing is simply shoving this country into bankruptcy, slowly but surely? When will the government realize that if we do not start paying our bills soon, as we expect our people to pay them, havoc will be brought on the people of this country.

The government asks us to look at its record, since it does not tell us what it will spend the money for. The government does not say what the interest rate will be or what the conditions of borrowing will be. It simply asks for carte blanche approval to borrow this $14 billion. That is the way it is framed in the bill. This is a subject which I would like to deal with.

If the government had an excellent record and went to a banker with all the material we have in this bill the banker might be inclined to loan some money, but I am in doubt as to whether it would be $14 billion. The banker would probably lend some money on the security of Canada. An individual who goes to the bank with this same type of arrangement and says to the banker, "I will not tell what the money is to be used for; you do not have to tell me what the interest rate is", would not get to first base in borrowing any sum of money from any banker in this country. This is what the government is doing with the representatives of the people. It is saying it will not tell us what it plans to use the money for but that it will simply borrow $14 billion.

I wish to look at the record of the government to see if there is any reason to believe it might be planning to use this money to increase production, or to create production. As I outlined last night, if the money was to be used to create and increase production then there might be some sound reason to borrow the money. But the money is being used in many ways; the government is not saying what it is being used for. It may be used to finance another trip to Austria for the Prime Minister (Mr. Trudeau). He asks the people of Canada to spend their holidays and their money in this country while he heads off to Austria to ski. The skiing is just as good in the Banff, Lake Louise, and the Hinton areas; which is good enough for Canadians but not good enough for the Prime Minister. These trips cost a lot of money. Maybe the money is being spent to finance another trip to Arabia. This will not create any productivity, it is simply spending money. You can borrow until you are blue in the face but if you are not creating productivity which can be used to pay back the principle sum, plus interest and some profit, you will bring on ruination. That is what is happening in this case.

I again ask if we can believe what the Prime Minister of this country says. The record tells the story. In 1968 there was a federal expenditure of about $12 billion. Mr. Trudeau led the people of Canada to believe that—the Prime Minister led the people of Canada to believe—

Mr. Deputy Speaker: Order, please. I believe it is the practice to refer to members of the cabinet or the Prime Minister by their office rather than by their names, and to refer to hon. members by using the names of their constituencies.

Mr. Taylor: Mr. Speaker, I changed the words to "Prime Minister". But that does not sound any better to me. As a matter of fact, it sounds a little worse, since we expect the Prime Minister of Canada to be careful with respect to the expenditure of public money. After all, it is money which belongs to other people, not to him.

What happened in the Prime Minister's ten years in office? His expenditures went up to $52 billion and then he went out of office. Do you not think he would have had time then to reconsider and make up his mind that, yes, mistakes had been made? The answer is no. The expenditures are now up to $63 billion, with another deficit of about $13 billion or $14 billion. How can you believe what the Prime Minister says when this record gives us this type of information?

I would like to deal now with the civil service. What did the Prime Minister have to say about the civil service? In 1968 the Prime Minister promised to cut the civil service by 10 per cent. What happened? Instead of cutting it by 10 per cent he has increased it by more than 50 per cent—that is 100,000 employees. This is completely opposite to what he promised the people of Canada. Now the government brings in a bill like this and we are expected to believe it is doing something good, but we are not told what it is.

What about inflation? In 1968 the Prime Minister appeared on national television to talk to the Canadian people about inflation. I believe it was August 13, 1968. I do not know if that was a Friday or not, but it probably was. This is what he said:

> We would be on the way to financial disaster if nothing were done to bring spending under control. To spend vast sums on welfare, education and other programs while allowing inflation to continue would merely place hundreds of thousands of Canadians on a treadmill they could not escape.

That is exactly what the Prime Minister has done. He has placed hundreds of thousands of people on that treadmill.

Instead of doing something about spending he has increased it by more than $50 billion.

The record is not very good. The public debt has increased under the Prime Minister by two and a half times. It will rise to over $100 billion this year. The public debt has increased faster under this Prime Minister than under any prime minister in the history of Canada. If he wants records, that is certainly one! The Prime Minister is sliding this country downhill faster than Steve Podborski can move on the slopes. I wonder what the government must see happen in this country before Liberal members and the Prime Minister realize what they are doing to Canada; I wonder what catastrophe will have to happen.

The flight of capital leaving this country is about $6 billion already. This capital provides jobs, builds industries and creates productivity elsewhere. As the hon. member for Athabasca (Mr. Shields) has pointed out a number of times, our drilling rigs are leaving the country, while the Minister of Energy laughingly says there are still a great many of them working. Those that are working, will finish their jobs, that is for sure, then they will head where they will get a fair deal, some return on their money. We have no hope of attaining self-sufficiency in oil at the rate we are going. There is not a proper climate in this country to invite people to invest their money here.

There is practically nothing being done to help agriculture in western Canada. There is nothing but talk, yet more than a million people are unemployed. Inflation, the national debt and the civil service are all increasing. Borrowing is also increasing. We are not paying our debts, instead we are borrowing another $14 billion. What will it take to awaken Liberal members opposite to an awareness of what they are doing to this country? They wonder why some people in the west talk about separation. Westerners are talking about it because this government will not listen or see. I understand that when the Minister of Energy went out west he had to have four RCMP plain-clothes officers to guard him. What was the cost of this protection? It is strange that a minister, while travelling in Canada, would require Mounted Police to guard him. It is probably the first time in the history of our country such a thing has occurred. If the minister would do his job and provide a fair deal, there would not be this situation. The minister has said he cannot obtain a deal because Alberta will not negotiate. Alberta made an offer which was turned down. The government is quite prepared to pay $38 and $40 per barrel for oil from other countries, but not to pay $20 and $25 for Canadian oil which would help to create jobs.

• (1520)

There is also the matter of our shameful foreign debt. To illustrate what I am trying to say, I will go back in history. At the end of World War II in the year 1945, Canada had a foreign debt of $7 billion. At that time Canada had a shipbuilding industry which at the height of its production turned out one 10,000-ton freighter every two days, an aircraft industry which turned out Lancaster bombers, Mosquito fighter bombers and Hurricane fighters, and an automobile industry which was the second largest in the world. We had huge natural resource reserves and energetic people who wanted to work, all of which assured industrial expansion without the fear of creating an unmanageable demand for imported raw materials.

In 1945 Canada had the potential to become a net exporter of capital. By 1978 when Canada should have become a credible nation comparable to Switzerland, West Germany and Japan, it was still following the system of sending out raw materials and buying back the finished product, which has the effect of creating jobs elsewhere while our own people live meagrely, on relief, or on unemployment insurance. By 1977, in a time of peace, Canada had accumulated a debt of $106 billion. How can anyone compare those figures and be proud? Other countries, such as Argentina, had a debt at the end of 1976 of $6 billion; Brazil, $14 billion; South Korea, $7 billion and Spain, $6.7 billion, but Canada had a debt of $106 billion. Why is that?

It is, I suggest, because Canada has had a sustained orgy of successive foreign expenditures, of buying elsewhere and of creating jobs elsewhere while our own people cannot find jobs and are walking the streets. The Canadian government has had a deficit in all but four of the last 28 years. If the government cannot balance its budget, it borrows the money to pay its debts. How can we create a surplus in Canada with the government operating in this fashion?

Increasing deficits retards growth and creates unemployment. A nation's strength is based on the extent of its external holdings, but the Prime Minister and his government measures our strength by the extent of our external debts. The more debts we have the more prosperous are the people according to the Liberal Party. In 1976 we sent more than $4 billion to the United States to cover the interest on our debt. The amount has risen to $6 billion, and we are not even paying on the debt itself. No other business could survive in this way.

Let me go back to the end of World War II. At that time West Germany and Japan were weakened by the war. Large portions of their vital industries had been destroyed by bombs. Much of the Japanese land was held by other countries such as Manchuria, China and Korea. Their foreign assets had been expropriated without compensation. However, none of these setbacks stopped the people of those countries. If these countries had followed Canada's policy of sending out raw materials to be made into finished products, they would have been on the rocks as well. They decided to get to work and create production in their own countries.

Japan and West Germany have rebuilt their industries and today are creditor nations from which other countries borrow money. In 1945 they were almost at the bottom of the barrel when Canada was close to the top with only a debt of $7 billion. Now Canada's debt is approaching $200 billion and these countries are lending money to other poorer countries. The situation will not improve unless the government changes its policies. But the government is asking us to continue with its same old policy of borrow, borrow, borrow.

The government still believes it can borrow its way out of debt. If only the government would realize that there is a lot of potential in Canada. There are tremendous industries. A prime example is the oil industry in western Canada. When this industry should be thriving, rigs are leaving the country and there is no development, nothing but stagnation. Men from Ontario, Quebec and the maritimes want to work in the west, but the government says it would prefer to buy oil from foreign countries at excessive rates. It will not give the people of this country a fair deal.

If I were a member of that government, I would obtain answers from the Prime Minister and the Minister of Energy, Mines and Resources (Mr. Lalonde) or I would leave the party. I would not permit them to ruin this country. We have a chance of creating productivity, jobs and increasing our gross national product but, instead of entering into an agreement with Alberta and Saskatchewan, the federal government is doing everything possible to ruin the oil industry.

The government has levied a tax on the natural gas which belongs to a provincial government. In the history of democratic representative government, this has never been done. However, this government will do anything to hurt the west. It seems to forget that by hurting the west it is hurting the rest of Canada. As a result it must borrow money to stay in operation. It is a growing crime.

Earlier today the Prime Minister referred to double tracking. He is far better at double crossing than he is at double tracking. I wish he would tell the people of Canada the truth and get this country back on the rails. He should forget about double tracks and put Canada on a single track before it is completely ruined. If the government continues to push matters, the mood of the west will worsen. Even now people are gathering in towns saying that they will not put up with this, and that if the federal government does not want them they will go it alone. If such a thing happens, people will point their finger of blame at the Prime Minister and the Minister of Energy. I charge that by their actions they are deliberately trying to break up this country. In most other countries, people would not stand for such a situation, but because the people of the west are such staunch Canadians and because they want to stay in Canada they continue to hope that something will change. I hope the change will come soon.

The government says it needs this money in order to have a cash flow. while they are talking of borrowing money to create a cash flow they are chopping down the cash flow of the oil industry in this country by 20 per cent to 30 per cent, from the present cash flow of $170 billion. That is what the government is doing, chopping down the cash flow, yet it expects the industry to be happy. The most optimistic forecasts show that the industry needs a cash flow of $260 billion in order to reach energy self-sufficiency by 1990. That is being cut back, however, by 20 or 30 per cent. It already appears that 50 per cent of the exploration funds that were to be spent in Canada and would have provided jobs, has gone to the United States. No wonder they say, "Welcome Canadians. Congratulations Canada, you are helping to develop our industry, helping to make us self-sufficient in energy." It is no wonder they thank us, because that is exactly what we are doing.

• (1530)

At present we import enormous amounts of oil at world price. With taxation dollars and borrowed money, we pay for this oil.

The government discourages exploration for new reserves. The people of Canada must finance the so-called security of supply with foreign oil at world prices while the government stubbornly refuses to correct what it knows is a mistake. It refuses to enter into an agreement with Alberta and Saskatchewan, the provinces that own the resources. These resources are not owned by the people of Canada, but by the provincial governments.

Through the constitutional debate the NDP has tried to fool the people into thinking it is doing something for them by entering into an agreement with the Prime Minister. The Leader of the NDP (Mr. Broadbent) has sold out western Canada; as a matter of fact, he has sold out all Canada by entering into an agreement to do something that is not even equal to what we already have in their BNA Act which gave the provinces the right to control the natural resources—in fact to own them, not control them. The government says, "We will let you control them and maybe we will step in and take them over."

The government talks about Canadianization, Mr. Speaker, but does it think it is fooling the people of Canada? This is nationalization. It is paying out exorbitant sums and that is a rip-off of the taxpayer. We sometimes hear politicians talk about the rip-off of government but this is a rip-off by government of the taxpayer. It is taking huge sums of money out of the taxpayers' pockets to buy Petrofina, another oil company. Will that company create any more wealth? It may if it starts exploring but it should already have been doing something in that area which it could have continued. It has done pretty well to this date, but now the government is taking money out of the pockets of the people in order to pay an exorbitant price for this company, and it thinks that is good business. Even the president of PetroCan says we are so heavily laden with debt that we have to dip into the pockets of the people to pay the price, which is far more than it is worth. One could have expected the government to pay slightly more than the net worth of the company, but not the exorbitant amount it has offered.

In the early days in Rome the government had an excellent fiscal policy which they called fiscus or fisc, which means "money bags" in English. In ancient Rome fiscus was a wicker basket. The emperor used to keep these baskets of money around him and when he wanted to buy a new fiddle or pay the fire insurance or go on a trip, he would take some money out of the nearest basket. Then, when people paid their taxes, he would put that money into the basket. That is a balanced budget; he did not spend all the money he had. He did not take all the money in the basket and go on a wild orgy of spending,

sending money to other countries, and taking trips. He lived on a balanced budget.

Baskets are no good to this government, Mr. Speaker. It has been to the bottom of the basket years ago but it continues borrowing on the credit of the country in order to fill the baskets. It still has not learned how to cut down government expenditures, however, or how to start living within its means. It still has a $13 billion deficit. People are getting fed up with this procedure and I do not blame them.

The bill before the House exemplifies the policy of this government. It is a warning to the people of Canada that the government still has not learned to live within its means, to cut down expenditures, to cut down on the civil service if necessary, and to stop spending money it does not have and as a result has to pay exorbitant interest rates in order to borrow.

Under the Prime Minister the Liberal ship is running loose in Canada today, without a rudder, without a compass, without an anchor. It does not know where it is going but it is operating on borrowed money. It expects the people of Canada to pay up and keep on smiling.

The people of Canada are getting fed up, Mr. Speaker. It is time the government woke up to the facts of life and realized that it cannot continue to run the country without a plan, without a compass, without an anchor, without a rudder, simply by borrowing money whenever it wants.

I do not think any member of the House should give the government permission to borrow $14 billion. That would be criminal, particularly if it were granted on the basis of this bill. This government has not even promised to create any new production; it will simply carry on as before.

As I said earlier, Mr. Speaker, I certainly admire Steve Podborski. He certainly goes downhill fast but this country is going downhill even faster under the Liberal leadership. It is time we woke up. We cannot continue to live on borrowed money; it is time we paid our debts and began to live within our means. We cannot continue sending raw materials out of the country. We should create a climate that would encourage people to invest their money here in order to get industry moving.

There is no better incentive than to say to the people of Canada "You can make a dollar if you invest your money here." Instead of that we talk about Canadianization or nationalization. We say, "If you do well we will take it away from you. If you do well, as Alberta did, we will hound you until we drive you out of the country." That is what is happening with this government. It is enough to make one ashamed to be a Canadian citizen.

Some hon. Members: Hear, hear!

Hon. John C. Crosbie (St. John's West): Mr. Speaker, this is the first opportunity I have had to speak in these exalted halls since the emergency debate on the economy as we were adjourning in December. I have been away, Mr. Speaker. The sight of this government and the way it squirms and deals with the country's problems is enough to drive anyone out of the country. I was delighted to go to countries like Kenya and see how they really function. This country is not functioning on the same level as Kenya unless we want to look at the wild game parks and then at the government benches.

Miss Bégin: What about South Africa?

Mr. Crosbie: I will come to South Africa and Brazil also. I will deal with the universe if the House will give me time. To come back to Canada, Madam Speaker—

Mr. Deputy Speaker: Order, please. I would prefer to be known as Mr. Speaker.

• (1540)

Mr. Crosbie: I hate to be called to order by the sexists opposite, Mr. Speaker. As I said before, I am not cognizant of what sex the Speaker is. It matters little to me. The Speaker is in the chair and I pay the Speaker all due deference whether the Speaker is a male, a female or whatever the Speaker might be!

Some hon. Members: Oh, oh!

Mr. Crosbie: However, we are dealing with this borrowing authority bill. I have been thrown off stride in the logical progression that I was going to take, Mr. Speaker. First, I want to thank my colleague, the hon. member for Calgary Centre (Mr. Andre), who handled matters so well for me while I was away for the last three or four weeks broadening my knowledge and experience.

Mr. Fox: It didn't take much time.

Mr. Crosbie: I also want to thank the hon. member for Mississauga South (Mr. Blenkarn), the critic for the finance portfolios who also helped out so admirably, who was so hard working, so intelligent and determined. It was a great solace to me knowing that I could leave and the world would not even notice I was gone. As a matter of fact, it was a great disappointment also. In any event, these two gentlemen did a fine job to fill in for me while I was gone, and I would like to thank them for that.

This bill was first introduced by the Minister of Finance (Mr. MacEachen) on January 16 when he attempted to sneak this through the House as part of the income tax amending bill. The Minister of Finance, that shrewd old fox—we are all told how shrewd that old master of House procedure is—was caught by the tail—

Mr. Fox: Watch your language.

Mr. Crosbie: —and the big bushy tail was amputated when the hon. member for Calgary Centre drew this illegal procedure to the attention of the Speaker. You, Mr. Speaker, are now standing in for the Speaker. Therefore, that portion of the bill had to be changed. But in his remarks on this part of the bill, the Minister of Finance at page 6284 of *Hansard* said this:

—the budget strategy of gradually reducing the size of the budget.

This is but to laugh, Mr. Speaker. This is to say that more is less; that less is more. The minister's deficit which he now admits to be $14.2 billion is $3 billion more than the deficit would have been had the election turned out in an opposite manner last February 18. How can the budget strategy gradually reduce the size of the deficit? I stand here quite confident in saying this: the deficit is not going to be reduced, the deficit is going to increase. There will be no reduction in the deficit. I ask hon. members why? Because the Minister of Finance has no guts or the courage to impose a regime for the next three or four years that will result in the lessening of these deficits. I will come back to that later.

There is a new twist in this bill. I will leave the rest to the Minister of Finance's remarks, because I do not want to stoop to low comedy in the House this afternoon. That is what his remarks were, low comedy. Instead, I will pass on to the real minister of finance, the associate minister of finance. I think that is what he is called. Mr. Bussières is his name. Whoever he is, he is twice the man the Minister of Finance is. He is twice as knowledgeable. He spoke on the first day of the debate, which was January 30. He explained there is a new twist in the bill. He said that this bill is to provide authorization to borrow $14 billion. On July 17, 1980, we authorized the government to borrow $12 billion. But $12 billion over a period of six months is not enough for this government. It has to have that amount reinforced by another $14 billion. There is a new twist. Of that amount, $3 billion is not to expire at the end of the fiscal year 1981-1982, it is to continue. The previous borrowing authority bills have had a provision that the borrowing authority granted expires at the end of the financial year concerned. This concerns the year 1981-1982, from April 1, 1981, to March 31, 1982. However, at page 6741 of *Hansard*, the Minister of State for Finance (Mr. Bussières) said:

> The $3 billion margin for contingencies being requested is in line with the margin that has been provided and deemed necessary in recent years.

In other words, the government wants the $3 billion to continue on ad infinitum after the end of the next financial year for contingencies. What kind of contingencies could there be that would require a $3 billion line of credit? What is in a billion, this government asks. What is in $3 billion? If this government is so negligent and so careless, or if its economic actions are so harmful that we have a $3 billion contingency which the government does not have borrowing authority to handle with the government's $14 billion authority, then the government should come back to this House and tell this House and the Canadian people: "We have a contingency of $3 billion. We have an emergency of $3 billion." What other reason does the minister give for asking for this extraordinary authority? On the same page, he continues as follows:

> A weakening Canadian dollar, on the other hand, could give rise to the need to borrow foreign currencies to replenish official holdings of foreign exchange which are depleted through foreign exchange operations.

Earlier the minister said the government only has to go to the public markets to borrow $11 billion in 1981-1982. That is all the government had to do, according to the budget which was tabled in this House. The government will get the other $3.2 billion from the pension fund and other sources without having to go to the public markets to borrow money. The minister says the government will have to borrow only $11 billion next year. The minister asks for $14 billion in this bill and he asks that the $3 billion continue on beyond March 31, 1982, so the government will not have to come back to the House if a contingency arises. What is the contingency? The Minister of State for Finance fears a weakening Canadian dollar. He gives the answer away. Instead of a weakening Canadian dollar, with the resources this country has, the Canadian dollar should be a burgeoning dollar. If we had economic sanity and economic sound policies we would have a burgeoning dollar. It would not be worth only 83 cents or 84 cents, it would be back to the level of the old "Diefendollar", the 92.5-cent dollar with which the Liberals attempted to damage Mr. Diefenbaker. Here is a picture of our predecessor, the minister of finance of the day, Donald Fleming. I am holding up a "Diefendollar". This was used to make laughter at the expense of the government back in the 1960s. The "Diefendollar" at 92.5 cents looks pretty good to Canadians today. This crowd is shivering and shaking in their shoes because we have a dollar that is now between 83 and 84 cents and the government wants $3 billion in contingency funds because the government may have to go weaseling its way into the international markets of the world to borrow $3 billion, or in excess of $3 billion, during this year to help the Canadian dollar. Hon. members might ask why. I can tell them it is because the government's new economy policy in the energy field is crushing the Canadian dollar. It is driving money out of Canada. It is discouraging the business sector. It is doing exactly the opposite to what this country needs. That is why the government needs the $3 billion.

We are not voting for this $3 billion. We are voting 100 per cent against this borrowing authority bill and this attempt to get a $3 billion contingency item. We are voting against the $14 billion borrowing authority for this government which is bankrupt. If it had an economic policy, any economic courage, economic wisdom or economic guts—even if we thought the government was wrong-headed we would vote for them, but we are not going to vote for an amorphous, gradualist mass of mush which is all this government presents for economic and financial policies to this House. We will not vote to allow the government to borrow one cent, $1, $1 billion, $14 billion, and certainly not $3 billion for contingencies. The greatest contingency we could have in this country is another election. That is the contingency I pray for during this present year.

The minister said, as reported in *Hansard* at page 6742 for January 30, 1981, the following:

> Up to January 23, 1981 in domestic markets the government has borrowed a total of $8.8 billion,—

But the government has lost in Canada Savings Bonds redemptions $1.1 billion. Imagine a government in which the people of this country have lost so much faith it has a net loss item on the sale of Canada Savings Bonds; in other words, a net reduction of $1.1 billion despite the government's great Canada Savings Bond campaign last fall. A government with

that kind of result should resign, because those Canadians who have a few dollars to invest have lost faith in it.

The government tells us it borrowed $1.1 billion outside Canada, of which the government has repaid $300 million. The government still owes that amount outside Canada. That is the amount it has borrowed this year to date.

● (1550)

We want them to come back and explain to the House what they did before March 31, 1982, how much they have borrowed outside, and what lines of credit they have. We will not give them unlimited authority. They can smash this legislation through with closure; they have the majority, they are the bully-boys of confederation. They will ram their Constitution down our throats, they will ram their new energy policy down our throats, but, by God, we will attempt to regurgitate it. That is the least we can do. They have the majority, they have that solid phalanx over there. They can push it through, but not without our making our protest, not without our asking questions and making the points we are making now and which we hope to continue making during the rest of this debate.

There will be no borrowing authority until there is evidence of some action in the economy. Look at the results of last year. I will refer briefly to the business review of the Bank of Montreal. In its brief economic review of 1980, the bank concludes that:

There were in 1980 about 160,000 housing units started. This will make the year the slowest housing year since way back in 1966.

Where is the Minister of Employment and Immigration (Mr. Axworthy) now? Where is he now that he has finished cutting the throat of the chairman on the Advisory Council on the Status of Women? He was a mighty man in the fall of 1979 when he was going to do a hell of a lot for housing in Canada, when he was worrying about the lower-income people and when he worried about women. The only woman about whom he is worried now is poor old Doris whom he forced out of office because she is one of the few Liberals in this country who has a backbone. Where was he when we had those miserable 160,000 starts last year, the worst since 1966?

The review goes on to say that the productivity performance in 1980 was dismal. The per worker output declined 3.5 per cent as compared to the 1.2 per cent drop in 1979. It states there is a worrying acceleration in labour costs per unit of output. Increases in this area will range close to 12 per cent. There is a 12 per cent increase in labour costs per unit. It says that on the inflation front, consumer prices are up for the year as a whole to 10.2 per cent, and the prospects for next year are that they will be over 12 per cent. Over all, the GNP in real terms will fall one half of 1 per cent, the first drop since 1954. That is the record of these economic miracle men. They came in in 1963. This is their worst year since 1954. We do not hear them boasting about that. Where is the silent Minister of Finance? He has more to be silent about than any other minister in our history. Where is he slithering and slinking around in the country? He is in the cubbyholes, in the crevices, he is behind the telegraph poles so he will not be recognized. We have not heard a squeak from him, we have not had a major speech from him, we have not heard anything from him, no declaration of policy, except that he is a gradualist. Yes, he certainly is a gradualist.

I should like to come back now to the business review of the Bank of Montreal. It states that:

Spending on housing will drop about 15 per cent, twice the rate of decline in 1979.

They conclude with this:

Unquestionably 1980 was the worst year in Canada's post World War II history.

All that is thanks to the Prime Minister (Mr. Trudeau). Do you remember him, Mr. Speaker, on election night on February 18, coming on our screens? He said hello to the 1980s. We can see what the Prime Minister will do to the 1980s. He is not only crucifying our economy, he is crucifying the country.

I have only a limited amount of time, Mr. Speaker, unless hon. members will give me unlimited time so that I can develop my views properly. Here is a study by Pitfield Mackay Ross. Our situation is really serious in January of 1981. The study states:

Inflation in North America will continue at very high rates. We anticipate consumer price inflation in 1981 somewhere in the range of 11 to 12.5 per cent—

Wage growth has accelerated markedly over the last six months. A year of both widespread labour strife and very high wage settlements appears unavoidable—

Economic policy does not appear to offer any easy solutions. Monetary policy simply is not working and the central governments appear incapable of balancing their books.

If the inflation performance in North America were to take a decided turn for the worse over the next year or so, the authorities would quite probably opt once again for mandatory controls.

Then they look at the consumer price index and they remove food and energy in Canada and mortgage rates in the United States as the extraneous shock or external factors, and they look at what they call the core or underlying rate of inflation. In Canada the trend from 1968 to 1978 in the core rate was 6.2 per cent, in 1979, 7.7 per cent, in 1980, 9.4 per cent and in 1981 they forecast the core rate will be 10.5 per cent, and the total CPI will go up to 12 per cent. No western country can function in any economic sense if it is going to have an inflation rate of 10 per cent or 12 per cent for the next unknown number of years.

Let us look at the analysis of William Mackness, a well respected economist at Pitfield Mackay Ross. He calls it "Inflation in North America". Let us see what his conclusions are. At page 4 he says:

—the more fundamental problem is that the economic, social and political structure in North America has become highly inflation prone—

As a practical matter, public policy has already abandoned any determined effort to re-establish price stability. Rather than wrestling inflation to the ground, policy is now aimed at the less ambitious goal of containing inflation in the low double-digit area. The basic idea is to achieve minimum output and employment objectives first and worry about inflation second.

Further on in his analysis he states:

—inflation expectations in North America are high, higher than ever before . . . it has taken years to change inflation expectations, and now that a change has been effected it will not be easily reversed—

Borrowing Authority

Lack of fiscal and monetary discipline and associated interventions by governments are generally regarded as the key forces producing higher inflation. For example, credit creation in Canada has been underwritten by an annual 16 per cent rate of expansion of the domestic banking sector over the last decade. More recently, both the federal governments in Canada and the U.S. have been producing repeated, large deficits. The inflationary consequences of runaway public spending and money printing are well understood, but this knowledge has not spurred effective efforts to control public spending or the rate of credit expansion.

This eminent economist concludes that we are in the grip of double-digit inflation and that this government and governments in North America will do nothing about it. In the face of this analysis, anyone who puts a dollar into a long-term bond must be insane. If you are facing a 10 per cent or 12 per cent inflation, not only for the next year but for the rest of the 1980s and perhaps longer, you will not want to invest in a long-term bond. The long-term bond market will be eliminated. The whole financial structure of this country is endangered by this process.

I am only citing these authorities so that I can say these are not my views alone. I am not an eminent economist; I am only a lawyer-politician who has done his best to study the issues and who has come to some conclusions. But I am citing people who are respected and well-known economists to show the kind of situation we are in. We have no indication from this government that it will attempt to overcome it. All we have from the government is bluff and hyprocrisy. The document of October 28 was not a budget but a strangulated energy plan which has given the whole oil and gas industry of this country a gigantic hernia. It has ruptured any future we had in developing our energy sector.

I will refer to one other article in the January issue of the magazine *Executive*. The article is written by Peter Cook and it is entitled, "Business: What's ahead?" He points out the rewards of shortsightedness and he says:

When Finance Minister Allan MacEachen presented his October budget, it seemed to be largely irrelevant to the needs of the Canadian economy in 1981. Now, at the start of the year, it is beginning to look dangerously irrelevant, both at odds with the economic forces that are at work in the North American economy and with the long-term needs of Canadians for a return to supply-oriented non-inflationary growth.

● (1600)

That was where we were headed in our budget of December, 1979. He says:

The budget took aim at consumers by raising energy prices and unemployment insurance rates.

What is turning out to be far more shortsighted, however, is the pursuit of policies which are incompatible with reducing inflation, and at variance with the Bank of Canada's monetary stance and an erratic energy policy which is playing havoc with the prospects for business investment.

Once the notion of discriminating against certain types of investment is put into practice, business confidence as a whole is undermined.

Then he goes on with his analysis.

The Bank of Canada has to be concerned about a slippage in the dollar set in train by MacEachen's damaging budget measures.

And on and on and on.

The MacEachen budget, by zeroing in on the energy and resource sector and on foreign ownership, was aimed directly at the one area of capital spending still exhibiting strength.

He says this:

But in the energy sector, even a modest tally of the projects being deferred or cancelled wipes $2.5 billion off capital spending proposals for this year. The implications of this are that instead of outlays on major energy projects rising from $5.6 billion last year to $7 billion this year, they will fall to $4.5 billion. By itself, that represents a 1 per cent fall in the economy's predicted rate of growth this year—

This is the doing of the Minister of Finance. This is the man who has done this damage. This is the man whose policies are reducing the growth in the GNP. This is the man who is stopping the only thing that could help Canada and push us ahead economically in the eighties, the energy sector.

I am not giving my own authority. There are dozens of articles like this. Every time you look at the paper, talk to a columnist, or an economist, you get the same analysis, but this government plunges blindly ahead on these suicidal policies and asks us to vote them approval to borrow $14 billion. Like hell, Mr. Speaker, are we going to vote them authority. If they want that authority, they are going to have to clutch it. They are going to have to grab it. They are going to have to take it by strength, by force, by the force of their numbers, but they are not going to get it from us voluntarily—not likely.

I can go on. I do not know how much time I have. I will make just a quick runthrough of some excerpts from the press. The Montreal *Gazette:* "Canadian workers lose ground on pay":

Canadian manufacturing workers slipped from being the second highest paid group of their kind in the 10 leading industrial nations in 1975 to third lowest last year.

That is Liberal progress. "Bank of Montreal sees inflation close to 12 per cent." "MacEachen favours gradualist approach." He sure does. He is gradual on any improvements. "Economy expected to stutter through partial recovery." Mr. MacEachen has given our economy a stutter, and as long as he stays in office, we are going to stutter and splutter. I am not going to go through all the predictions for 1981. They are dismal. They are deplorable.

"Syncrude members shelve $2 billion expansion." That is the result of the great Lalonde, that great vulture circling in the sky with a great vulture policy. "Syncrude members shelve $2 billion expansion" to add to the tar sands and the heavy oils that that great wheeling vulture has already stopped in their tracks.

"Energy-related investment now deemed a weak spot in economic recovery bid," says T. A. Wilson, director of economics at the University of Toronto.

Energy-related investment, which had been counted on to support an economic recovery, is now a source of weakness, "with a $2.5 billion negative fiscal shot"—

This was from the proposals in the budget. The new energy program, and I quote:

—will collect about $4.5 billion for the federal coffers in the first half but ... only $2 billion will be recycled.

They are taking $2.5 billion out of the Canadian economy and not putting it back. That was from the head of the department of economics at the University of Toronto.

"Slower growth and higher inflation forecast for 1981". January 7, "Forecasts now bleaker than three months ago". And on and on it goes. This Minister of Finance comes into this House to ask us to approve his $14 billion in borrowing authority. What a joke. Not one cent, not a plugged nickel will we agree to give to the government in borrowing authority unless the government can bring in a new economic program and persuade us that they are on the right track, that they are taking some action, which they have not done to date.

Let me get on to the subject of energy for a few minutes and the great new energy policy. We have had in the last few days a fantastic display. The Crown corporation, Petro-Canada, is going to buy Petrofina, a privately-owned oil company. The majority of it is owned by Belgian interests. They are going to pay $1.46 billion for that company.

Petrofina was started some 20 years or so ago by a Canadian who went around Canada looking for money to start this oil company, this concept he had. He could not get any. He could not get it from Canadians. He left Canada. He got it from Belgium, from entrepreneurs in Belgium. It was not his fault. He wanted to get it from Canada, from Canadians, but Canadians would not put their money into it; nor would the Canadian government, the Liberal government of that day, put their money into it. No, they would not do that because they were favoring the policy that was going to give ownership of the oil and gas industry to non-Canadians. They did not give a darn in those days. They do not now. It is just their cynical electoral ploy. So he got the money from Belgium, and now the Canadian taxpayer is asked to pay $1.4 billion to buy the assets of Petrofina. The government gave its Crown corporation authority to go ahead with that purchase without even deciding how it would raise the money. Mr. Hopper, the chairman of that corporation, stated yesterday that this is so and that he wants the government to collect the whole $1.4 billion from the consumers of oil and gasoline products in Canada; from the people who buy heating oil, from the people who buy gasoline for their cars, from the farmer who buys diesel fuel, from the consumers of oil products all over Canada. He wants to collect his $1.46 billion from those consumers, and does he offer them an energy tax credit? This is the crowd that went berserk at the budget of December, 1979. They pretended to go berserk.

Does this minister offer those consumers of Canada today an energy tax credit to help them meet the ownership charge of Petro-Can, the Lalonde vulture charge going down around their necks?

Mr. Evans: Order.

Mr. Crosbie: Never mind order. Lalonde is a vulture circling this country ready to pounce on the consumers of oil and gas products, and I say he is a vulture. If it is unparliamentary, I will not say he is a vulture. I will withdraw it, but I will still mean it.

Mr. Deputy Speaker: Order, please. The hon. member must refer to members of the cabinet by their position in the cabinet.

Mr. Crosbie: Certainly. The Minister of Energy, Mines and Resources (Mr. Lalonde) is a vulture, certainly in Canada.

Mr. Knowles: An hon. vulture.

Mr. Crosbie: An hon. vulture. He wants to collect this.

There was an 18-cent gasoline tax. That was a tax just on gasoline.

Mr. Fox: Too much.

Mr. Crosbie: It was not on heating oil or any other product that came from a barrel of oil. Hon. gentlemen were shocked and dumbfounded. They were stupified by the inhumanity of that measure, and you know that since December of 1979 they have had eight increases in the price of oil. Eight increases have gone ahead under this government, this "humanitarian" government, this hypocritical government, this government that does not know the truth from falsehood. This government does not know truth if it stares it in the eye. This government is a government of vultures and of revulsion. There have been eight increases. I will not read them all out, but I have them here for anybody who does not believe me; January 1 and April 1. Then there was the 9 per cent change in the sales tax. There was the Syncrude levy up 75 per cent. There was a July 25 18-cent a barrel subsidy on Canadian crude. There was a $2 per barrel increase on crude oil announced July 31, and in the October budget there was the petroleum compensation charge. All of those increases brought total increases in 1980 to between $4.70 and $4.88 a barrel. That is the crew that promised they would not increase the amount to over $4 a barrel.

Mr. McKenzie: That is only the start.

Mr. Crosbie: That is only during 1980, and it is going to be far worse in 1981. Do you know that in Montreal in December of 1979 gasoline was costing $1.18 per gallon? In December, 1980 it cost $1.46 per gallon, if you got it at the cheapest outlets; that is 28 cents to 30 cents more than the cost a year ago under this brilliant Liberal regime. And it is worse than that in other areas of Canada. That is how they keep their promises.

What promises? Did those gentlemen make promises? Just look at the Minister of Finance and see what he did. We are unlucky in the rest of Canada that we do not get the *Scotia Sun* up here. January 23, 1980, page 2, section 1 was sent to me by a concerned Canadian:

"Here is a copy of an ad which "Allan J." ran in January 1980 for his election campaign. Give it back to him!!!!!

The *Scotia Sun* is published out of Port Hawkesbury, Nova Scotia. There is the benign-looking Minister of Finance, and

he has this big ad in the paper. He says this: "December 11, '79 Tory gas prices go up—Would you let the Tories raise the gas price again? "

Then he goes on with various deceptions, etc. "Vote for Clark, Crosbie and the Tories and you have their promise that the price of gas will go up again!" "Dec. 13, '79 the price comes down because Allan J. MacEachen and the Liberal Party spoke up for you".

● (1610)

What an encouraging message to give the electorate. He is not here, unfortunately. I hope he listens to the tapes. Is it not wonderful what Allan J. MacEachen and the Liberal Party did for these people. Then he goes on to say "Vote Liberal and the price will stay down". Is that English? Do we all understand? Is that one of Canada's official languages, vote Liberal and the price will stay down? That was the promise, the solemn commitment of Mr. Allan J. MacEachen, now the Minister of Finance, to his voters in Port Hawkesbury and his district Cape Breton Highlands-Canso Liberal Association. Here is a picture of the man himself with dark glasses. No wonder he has dark glasses on. He is ashamed of the lies he was getting on with during that campaign. There it is in black and white. I say it is a lie. He lied during that campaign, his promises were a lie, his promises were a deception, it was deceitful, it was disgraceful, it was hypocritical because the prices have not stayed down. The prices have done nothing but go up. There it is in black and white, the testimony, the hypocrisy of that hon. gentleman and he has presided over eight increases in oil prices; not just the price of gasoline, Mr. Speaker, but the price of every product made from a barrel of oil, including heating oil, with not one cent of relief to the Canadian taxpayers who are being positively ground down by that same gentleman who put that same ad in the paper.

I can cite you another 1,000 from the Liberal ranks across the country in their disgusting, deceitful and hypocritical campaign which got them back into power without one word on changing the Constitution and not one word of what they are trying to do to Canada now, which is to force a complete change in our system of government. Not one word of that was mentioned. Just lies and deception, hypocrisy and bilge is what they got elected on. They have had eight increases in the price of oil and gasoline and now along comes the ownership charge—the Lalonde ownership charge—hip-hop-hippiting along. We do not know how much it is going to be but we know this: to raise $1.46 billion in one year to help PetroCan buy Petrofina you have to charge eight cents additional a gallon on gasoline, six cents a gallon more for heating oil and 24 cents a million cubic feet of natural gas. You can vary that around. The minister will come back and say "we are not going to collect all this in just one year". He will say, "we are going to collect it in three years". I say I do not give a good continental in how many years it is collected. It is $1.46 billion from the Canadian consumer, from the widow as well as the rich man, and while the widow is paying it, and the longshoreman is paying it, and the unemployed Newfoundlander is paying it, and the unemployed Quebecer is paying it, and the pensioner is paying it, the fat cats made hundreds of thousands of dollars on the leaks from your government out buying shares of Petrofina over the last six months.

There is no equity in that. There is nothing but help for the fat cats and screw the lower income people, screw them down—not care about them. There is not one cent of care about them and not one concern about them. That is the government we have opposite us today. You must have goodwill to be able to sit here in the chamber and realize how bad it is. There is no sign of conscience in the whole ranks of them over there. Every Canadian who earned under $21,000 a year, Mr. Speaker, was going to get relief; $80 a year for each adult in the family and $30 for each child, which is $220 for the average family, to help them meet the higher costs of energy and to help them meet our excise tax on gasoline. There was no tax on heating oil and there was no tax on these other products. Now, just to enable PetroCan to buy Petrofina, which will not increase the production of oil or gas in Canada one cubic metre or inch, whether the metric system, the old English system or any system—to purchase Petrofina will not help Canada meet his oil self-sufficiency goal at all—the consumers of oil and gas in Canada are going to be gouged for up to $1.46 billion.

An hon. Member: Plus interest.

Mr. Crosbie: Suppose they do it over three years so that prices do not go up as I have indicated, eight cents a gallon this year and six cents a gallon for heating oil, then there would be another $500 million in interest which will have to be gouged out of the Canadian consumer of oil and gas by the hon. gentleman opposite who got into office under these false pretences and who stopped Canada on its way to an economical comeback, who stopped the government which was concerned about the poor and the unfortunate and the elderly. It has stopped them in their tracks with their hypocrisy and deception. The hon. minister of welfare laughs. I hope the hon. minister will give the people she is supposed to look after more money to pay that charge.

An hon. Member: Eighteen cents a gallon.

Mr. Crosbie: Not only that, Mr. Speaker, but there is not even any mortgage interest or property tax credits to help the home owners of Canada. There is nothing. The price is already up 39 cents a gallon now. It is double the 18 cents. Who are they helping with their cheaper gasoline? Americans are laughing all the way to the bank. They are pouring over the border of the United States and are laughing at the foolish clucks of the Canadian government who are subsidizing oil products so it pays them to come across the border. The number of U.S. residents who crossed the border to fill their tanks with cheap Canadian gasoline rose more than 40 per cent in the first 11 months of 1980, Statistics Canada reported yesterday in the Montreal *Gazette*. They were lured by the low value Canadian dollar. There were 24.3 million Americans who drove into Canada, stayed less than a day between January and November, filled up their tanks and went back to

the U.S. They saved themselves $8 or $9 when they filled up their tanks, courtesy of the Canadian taxpayer and the Canadian consumer of oil and gas who soon are going to be asked to pay for this. Is it any wonder we are the laughing-stock of the world, Mr. Speaker?

I was just in South Africa and I have not the time to address all the issues here today. I will go anywhere where I think I can learn something. I will advise the hon. gentleman to go. I went to Sakunda to see what they are doing in South Africa. They are paying the world price for oil and they have Sasol 1, Sasol 2 and are now producing Sasol 3 to come on the market next year. They are making gasoline from coal because they have huge deposits of coal. Sasol makes a good profit in doing that. They are leading the world in it. Necessity is the mother of invention. Here we are with our tar sands stopped, the heavy oil resources stopped, Syncrude stopped; the whole energy scene has stopped. Here is a small number, 4.4 million whites and 18 or 19 million blacks, 2.5 million coloured people and Indians in South Africa and they can do these kinds of things in spite of all the problems they endure.

Mr. Rae: How many people are there in South Africa?

Mr. Crosbie: Go to South Africa and learn.

Miss Bégin: Why do you speak of colours.

Mr. Rae: Why do you accept the division? Who speaks for the people of South Africa?

Mr. Crosbie: You don't speak for anyone.

Mr. Rae: Neither do you.

Mr. Crosbie: I have gone there and seen, you big loud-mouth. Have you been there? You keep your mouth shut till you go and learn for yourself, you professional bleeding heart.

Mr. Deputy Speaker: Order, please. The hon. member for St. John's West has the floor.

Mr. Crosbie: Thank you, Mr. Speaker. I had more respect for the hon. member for Broadview-Greenwood (Mr. Rae) until I heard such ignorant statements. I had more respect for the hon. member for Broadview-Greenwood until he got on with that nonsense. Why does he not stop his sophomoric, left-wing, bleeding heart tactics, go to South Africa and see for himself the problems they have and how they are attempting to deal with them by what they have done. I can tell you they are dealing with their economic problems one hell of a lot better than we are.

Let's try Brazil. The Prime Minister just went to Brazil, so Brazil is all right. He went there in his sneakers so he could make a quick getaway. What are they doing in Brazil? In Brazil they are building automobiles with engines which can use alcohol made from cane sugar. They are going to save 275,000 barrels of imported oil a day because of that. What are we doing here?

• (1620)

Mr. Deputy Speaker: I regret to interrupt the hon. member, but his allotted time has expired. He may continue only with the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

An hon. Member: No.

Mr. Crosbie: We are drinking 275,000 barrels of alcohol a day to forget the policies of this mad government.

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, I will take over from the hon. member for St. John's West (Mr. Crosbie). I congratulate him on his excellent address and for exposing our fraudulent government's utter audacity to come forward requesting more borrowing authority to support its blank cheque style of government which we have witnessed since 1969.

I should like to point out how it all started under the Liberals in 1969. The erosion of parliamentary control over government spending has its genesis in certain parliamentary rule changes instituted by the Liberal government in 1969. In the summer of that year the government invoked closure, that is the termination of debate, to ram through Rule 75c which permits a minister to close debate where there is not agreement between all parties. That is the rule under which they did it. This rule has effectively prevented Parliament from properly scrutinizing government expenditures. Departmental estimates are shuttled off to the already overworked committees and are then reported back to the House. Thus debate on them is limited and seldom meaningful.

As well the number of votes on estimates has been reduced. This further restricts parliamentary debate on government spending. If one examines the estimates, one will see various estimates going through with "$1" marked beside them. That is how it all started. That is why we are faced with a bill to borrow $14 billion; that is why we are the largest borrowers of money in the world; that is why there is uncontrolled spending. The report of the Auditor General makes excellent reading for everyone, and certainly the report of the Lambert commission exposed the way the government has been operating since 1969. It was actually started in 1963, but it was accelerated with the rule changes in 1969.

The government will not only wallop it to us with tremendous borrowing; it will hit us with increases in the unemployment insurance premiums paid by employees and employers. They will rise by an incredible 33⅓ per cent. I understand some of the premiums might be increasing as much as 46 per cent to bail out the Liberal government. It will give the government an additional $1.1 billion per year of taxpayers' money.

I should also like to point out that spending will be $6.2 billion higher under the Liberals by 1983-84 than it would have been under the Progressive Conservative government and its responsible finance minister, the hon. member for St. John's

West. The government will spend a total of $16.8 billion more between 1980-81 and 1983-84 than had been planned by the Crosbie budget. That is $1,900 per taxpayer per year.

The Liberals promised a progressive reduction in the size of the deficit, another lie. The deficit in 1983-84 will be $500 million larger than the deficit of last year and $2.7 billion larger than the projected deficit for 1983-84 in the Crosbie budget. Over the next four years, the total cash requirements of the government will be $12.7 billion higher than what was projected in the Crosbie budget. To meet these requirements the government will have to either borrow more money, thus driving up interest rates, or print more money, thus driving up inflation.

I should like to discuss the government's purchase or takeover of Petrofina. I received a copy of a letter today which was addressed to the Minister of Energy, Mines and Resources (Mr. Lalonde). It was from one of my constituents, a gentleman with 25 years of experience in the oil industry. I should like to point out what he said in his letter about this ridiculous takeover. He said:

I was under the impression that the Canadian government wanted an involvement in the oil industry to assist private enterprise in the development of resources with the long-range objective being to make Canada self-sufficient.

Many of the objectives outlined were attainable within the present framework of government offices and regulations without becoming actually involved in the industry. As a person who has been involved in the oil industry for over 25 years, you leave me with a large question mark as to why the Government of Canada has to be involved in the service station business. Other than possibly to continue to retain the support of the NDP.

The acquisition of Petrofina does not give Canadians any greater involvement in the research and exploration for oil. You have acquired approximately 1,200 service station outlets of which many cannot be economically operated. They are two and three bay outlets, mainly two bays, are poorly located and to obtain operators who can pay their overhead costs and make a profit, will be in many cases impossible.

You have purchased a refinery that is by oil industry standards obsolete and inefficient in design and in need of considerable maintenance and upgrading.

I hope the Minister of Energy, Mines and Resources will check out these points to find out just what he bought. It sounds as if he bought a pig in a poke. The letter continues:

The other so-called assets that you purchased with our money have a very debatable asset value, certainly nowhere near the price you have paid for this takeover.

I will go into that in more detail in a minute. The former owners of Petrofina are still laughing. They cannot understand how on earth the government would pay that amount of money. It continues:

It is very sad to see politicians such as yourself develop a twisted image of a good industry and become involved in the actual operation. Already we see signs of considerable overspending by Petro-Canada in the operation of the Pacific 66 Service Stations and other facilities taken over in western Canada.

I understand that one of the reasons for the involvement in the marketing of petroleum products is to have a window to look into the oil industry to determine how we make a profit.

You did not have to spend billions of dollars to do this, many of us could have explained it all to you. It is known as hard work, dedication and the freedom to express good constructive thinking processes. These are characteristics that one seldom finds in government-operated business endeavours.

That is the opinion of an expert on this purchase. Other people have done some homework and have conducted studies into this purchase or takeover. I should like to refer to the article entitled: "Canadians will foot bill" which appeared in today's edition of the Ottawa *Citizen* by Dian Cohen. In part it reads as follows:

PetroCan offered $1.4 billion for Petrofina. That amounts to $120 a share, so far above the market price and even the asset value of the company that its president, Alfredo Campo, was ecstatic in his disbelief: "It's so far beyond what any company would pay for it, or what the market was indicating, that I wonder how it makes sense," said Campo.

If that is the case, why on earth did the Liberal government pay more than the market price for it? It simply does not make any sense. The article continues:

An objective economic analysis of this deal must conclude that there is nothing economic in it. Petrofina was selling for under $70 six months ago. It rose to just under $90 as the government played footsie.

Petrofina has for months been encouraging its employees to buy shares in the company.

During question period today the Minister of Energy was asked if there were any leaks. He said we should go to the Securities Commission if we have any evidence of leaks. It will be very interesting for the minister to find out why Petrofina was advising its employees to buy shares over the last number of months. There is no question that the government has leaked some information to some people. Dian Cohen goes on to indicate:

Petrofina knew it had a sucker.

Yes, Petrofina certainly had a sucker in the Liberal government, but unfortunately it is not the Liberal party's money that is paying for this lemon. It is the Canadian people who have been suckered again by another Liberal government. The article continues:

I wonder who else took advantage of the situation?

The crucial energy problem in Canada is getting the stuff out of the ground. That will not happen until the federal government realizes that the world price is much closer to the economic value of oil than its contrived price.

Surely there was a better way to spend $1.46 billion.

● (1630)

I think a better way to spend this money would be on building a natural gas pipeline to the maritimes. That would have made more sense than buying a bunch of gas stations. I would like to point out that 85 per cent of the oil which is needed in the maritimes must be imported. I will go into the cost of the importation of oil in just a minute.

Today there was mention made in question period about statements made by Mr. Hopper, the head of Petro-Canada, who wants the taxpayers to buy Petrofina. He points out in a recent newspaper article:

I would like 100 per cent of it to be paid out of that tax, in other words. I would like 100 per cent equity because we are pretty well strapped with debt.

So, Petro-Canada is pretty well strapped with debt. It has no funds with which to purchase Petrofina so the Canadian people must pay for it at the pumps. Figures bandied about have indicated that it will cost up to 3 cents a litre more for gasoline, which amounts to 13 cents a gallon. If that is the case then this year Canadians will be paying something in the range of a 50-cent a gallon increase. Mr. Hopper went on to say:

I am not looking at anyone right now. I do not know anyone who is even remotely interested in selling at fair and reasonable prices... It would not surprise me if we did not do another acquisition for two or three years.

I hope they will not "do another acquisition" again after the way this one was handled. It sounds like Mr. Hopper is very nervous. I do not think he was very much involved in this arrangement, it was more typical of the political manipulation by the Liberal government.

It was pointed out in the House yesterday by the hon. member for Moose Jaw (Mr. Neil) how much it will cost us for cheap gas and cheap energy. The hon. member said this:

The fact that the Liberal National Energy Program is counterproductive to Canada reaching energy self-sufficiency by 1990, and given the fact that under this program Canada will require 500,000 barrels of oil imports a day by 1990, at a cost of $43 billion annually to Canadian taxpayers—

That is what it will cost for cheap gas annually—$23 billion. Who does the government think it is kidding?

It is not very often one finds too many in the Liberal party with a conscience, but on occasion a couple of them crop up. Recently two members spoke out against the energy policy. They came up with some pretty good points. This subject matter was covered in a local news article, which reads:

Doubts about the federal government's National Energy Program are beginning to surface in the Liberal caucus itself.

At least two Liberal M.Ps say it's time for Ottawa and Alberta to resolve their bitter struggle over energy pricing and revenue sharing.

If domestic energy prices have to move substantially closer to world levels to get a pricing deal, Keith Penner and Dennis Dawson said in recent interviews, then so be it.

In this same article Mr. Dawson, who is the hon. member for Louis-Hebert and Parliamentary Secretary to the Minister of Employment and Immigration, said:

—the gap between Canadian and world oil prices "has to diminish."

That is a very honest and straightforward statement. It is time the Liberal party stopped kidding the Canadian people that it will give them cheap gas and energy. There is no such thing in this world today. The article goes on to quote the hon. member as saying:

"There is a question of how long we can keep prices down.

Basically, I think that we made a commitment to keep prices below the Tory level for one year."

That actually did not happen, Mr. Speaker. The article continues:

Finance Minister Allan MacEachen, however, has said energy prices will be lower than what the Tories proposed throughout the government's term.

He is also a little off base with that remark.

The aerospace industry is another area in which the government is spending money. I support this expenditure. Unfortunately, the large amounts of money being spent in the aerospace industry are all being spent in Ontario and Quebec. With regard to the new fighter aircraft contract, the Liberals have announced that 48 per cent of the work will be done in Quebec, 39 per cent in Ontario, which leaves 12 per cent for the rest of Canada. I am very concerned about the five aerospace firms we have in Manitoba. These firms will not get in on any of the contract work, since the government keeps pouring the money into the east. There was an announcement some ten days ago that de Havilland will be receiving some loan guarantees. A report in *The Globe and Mail* in this respect had this to say:

The federal government also announced it will support the Crown-owned company with a $450 million loan guarantee that will also cover the $275 million design and development costs through the 1981-1985 period. Initial design and development costs will be $170 million... Financing will be done through bank loans and other lending instruments.

This is a subject which I must continue to raise, Mr. Speaker, until we receive some firm commitment with respect to some work for the five aerospace firms in Manitoba. The east has certainly received more than its fair share.

I would also like to point out some of the excellent work *The Globe and Mail* has done with respect to the government's energy package. The reports are well researched and certainly point out the weaknesses in the National Energy Program. In an editorial dated February 9, 1981, *The Globe and Mail* had this to say:

When your heating bills rise, and your gasoline bills rise, chances are the provinces and the oil companies have nothing to do with it: you are helping to improve the federal government's cash flow and enable Petro-Canada to fly its colours from gasoline stations from coast to coast. We appear on the brink of a new definition of self-sufficiency: the government helps itself, and its take is never sufficient.

That last remark certainly seems to be the motto of the Liberal party: consumers and taxpayers in Canada must continue to pay and pay.

There are also some encouraging articles being published. A recent statement by the B.C. minister of energy, Mr. McClelland, pointed out that after a three-day fact-finding tour through Ontario, the minister:

—has come to the conclusion that Ottawa eventually will abandon its controversial energy policies and work with the provinces to achieve energy self-sufficiency.

I hope Mr. McClelland knows what he is talking about. That is something which all of us can go home tonight and pray for, that this ridiculous energy program will be withdrawn. Experts and authorities from across the country have pointed out that this program is counterproductive to Canada becoming energy self-sufficient.

It is not just Alberta which has been hit. There are oil companies and plants in Saskatchewan which have also suffered. The latest energy package has priced Lloydminster crude out of U.S. markets. This is a type of heavy oil which we do not have much use for in Canada. With the latest taxes imposed on this heavy oil plant in Lloydminster the product is just not saleable to the United States. A recent article in the *Alberta Report* of January 23, 1981, pointed out:

Heavy oil producers in Saskatchewan, already reeling under the load of provincial royalties and the new federal taxes imposed in the October budget, were hit with another blow this month. The National Energy Board, in its monthly price-setting ritual, determined that heavy oil exports were "deeply undervalued" and advised energy minister Marc Lalonde that a hefty 30 per cent increase in the federal export charge was warranted. U.S. consumers, however, found the board's so-called "just and reasonable export price" anything but. They promptly cancelled orders from their Canadian producers, who were left scrambling to find either new buyers or storage for their oil. Producers are appealing to the NEB to reconsider its opinion.

● (1640)

The government has not left anybody out and it is hitting from all angles. Just to wrap it up, I would like to quote a gentleman who has helped expose the irresponsible mismanagement of financial matters by Liberal governments, Mr. Don McGillivray of Southam News, who wrote in one of his articles:

> Here's the record: 1970 was the last year when the federal budget was in the black with a surplus of $500 million resulting from $14.1 billion in revenue and $13.6 billion in spending.
>
> The budget deficit was $400 million in the fiscal year ending in 1971, $700 million in 1972 and nearly $1 billion in 1973. It reached $1.4 billion in 1974 and $1.6 billion in 1975.
>
> At that point it was still manageable, but in the past five years revenue growth has stalled while spending has surged ahead:
>
> In fiscal year 1976, the gap between the two was $5.3 billion; in 1977, $6.1 billion—

And on it goes. Mr McGillivray went on to say:

> The upward march of the deficit faltered in the 1979-80 fiscal year when the federal government was $11.5 billion in the red but resumed in the present fiscal year. MacEachen forecast a deficit of $14.2 billion last April, the net result of $45.6 billion in revenue and $59.8 billion in spending.

In layman's terms, the Liberals are spending well over $1 billion per month more than what is taken in in revenue. It is a ridiculous and irresponsible position for this country, but there seems to be no end. We keep hearing the ridiculous statements which the Prime Minister (Mr. Trudeau) first made in 1968 when he said that we would have endless inflation if we do not control spending. But his word means absolutely nothing. On the campaign trail, the Liberals said that they would control spending, but they have absolutely no intention of doing any such thing and the figures will bear me out. I have here an article which I took from the *Citizen*. Although it is about the Prime Minister, I believe it applies to all Liberals who, while on the campaign trail, like to give out the odd true statement:

> Pierre Trudeau scraped the bottom of his barrel when he told a Brandon audience: "Whenever I see bankers, oil company presidents and newspaper giants argue we are doing something wrong, then I think we must be doing something right."
>
> What fatuous nonsense. If the best the Prime Minister can do to try to sway audiences is to use simplistic rhetoric the like of which hasn't been heard since the Winnipeg strike, then he should keep his mouth shut.

At the time bankers were expounding the need for a proper cash flow for small Canadian oil firms. Their comments had nothing to do with multinationals or oil barons, but small oil producing firms which were suffering a reduced cash flow and as a result were leaving for the United States. For example, recently at Coutts, Alberta, there was a mile-long lineup of oil industry trucks waiting to cross into the United States. It has a new energy policy which makes it worth while for these firms to drill marginal wells and go into the tough areas, unlike the National Energy Program.

There is no way Canada will achieve energy self-sufficiency under this program. The *Financial Post* of recent date carried an article entitled "Don't Hinder Mining's Growth". I hope the government will not introduce the same program in mining as it has in oil. I also hope the minister of energy for British Columbia knows what he is talking about when he says that the Liberals will have a second look at their National Energy Program, because it is having devastating effects on this country. I hope the government will search its conscience and withdraw this ridiculous program as soon as possible.

Mr. Howard Crosby (Halifax West): Mr. Speaker, Bill C-59, which enacts the Borrowing Authority Act for 1981-82, allows the government to obtain an additional $14 billion in loans to finance public works and for general purposes. While the statutory provision is short and simple, the effect of the action authorized is extensive and complex in both human and economic terms. There is no magic involved in borrowing. Everyone knows that whatever is borrowed must be returned.

In the case of Bill C-59, what the government proposes is to borrow money—vast sums of money. There will be a clear requirement that those vast sums of money must be repaid in the times specified and, more importantly, that interest will be paid during the term of the loan. Those Canadian home owners who face renegotiation of their mortgages in 1981 and those Canadians who must replace their automobiles or acquire furniture or equipment know all about paying high interest rates. They know the devastating effect of increased monthly payments on the family budget.

Do hon. members know what will happen to a family with a home mortgage which expires this month? Let us suppose that the mortgage was granted in 1976 when interest rates were relatively low and that the interim payments have reduced the principal amount owed to $40,000. If the interest rate was 9 per cent, the monthly payment required to pay off the loan in 25 years would be $331. But with an interest rate of 15.5 per cent, the monthly payment would be $513, a difference of $182. By current standards, an interest rate of 15.5 per cent for a residential mortgage is considered good. A Canadian home owner might well be faced with a 16.5 per cent rate which, on a $40,000 mortgage, would add $27 to the monthly payment. It would bring the increase to over $200 per month.

Let us consider the increase in home mortgage costs at this level in the context of general inflation. Canada has experienced an inflation rate and a consumer price index increase in the 10 per cent range over the past years. If this 10 per cent inflation rate were applied to a $331 mortgage payment for five years, the resulting increase would approximate the same amount. That is, a $331 mortgage payment with a 10 per cent yearly increase over five years would rise to $530 so the total increase is approximately $200.

The point is that what Canadians are experiencing in a variety of ways, including mortgage rates, is the effects of inflation. For most people, the real question is whether their incomes have kept pace with galloping inflation. Keeping pace will allow them to maintain but not improve their standard of living.

● (1650)

Applying the same 10 per cent rate, a wage earner receiving $15,000 in annual income in 1976 should be earning approximately $24,200 annually today, otherwise he or she is falling

behind the annual inflation rate. While I have applied a 10 per cent inflation rate to mortgage payments, I can assure Canadians that it can be applied with similar effect to most consumer goods and services.

There are, of course, exceptions, some of which are notable. The electronics industry, for instance, has kept price increases in line and the price of some primary food items has not increased with the inflation rate. By and large, Mr. Speaker, consumers are paying for inflation in the cost of the goods and services required for basic needs.

When a family's income falls below expenditures it has two choices: it can reduce spending by cutting back on the goods and services purchased or it can borrow to meet the deficit of expenditures over revenue. I can understand the reluctance of Canadian families to cut expenditures on goods and services as in most cases it means reduction in the standard of living and in such essentials as food, clothing, home shelter and transportation.

We know that borrowing money in order to meet a deficit will result in more problems. Many Canadian families whose incomes have not kept pace with inflation, face a difficult decision. Those faced with a budget deficit can make a choice whether to cut back on expenditures or to borrow. The Canadian government has made the choice for the national family and that choice is to borrow the funds needed to pay the difference between national revenues and national expenditures.

How times have changed. I remember in the early fifties reading an editorial reprinted from the *New York Times* that compared the state of the United States economy to that of Canada. At that time the United States was resorting to deficit financing but the Canadian government was budgeting for a respectable surplus. The editorial suggested the United States government should follow Canada's example and reduce expenditures to equal revenues. Now the situation seems to be reversed and the President of the United States has faced the American people with the hard economic facts. Government spending has eroded their economic strength and President Reagan has issued a challenge both to government officials and the people to face the problems and solve them. The president has placed reliance on the private sector and plans to reduce taxation, in the belief that the taxpayers will generate economic activity. At the same time, he plans to cut back on government services and promote the kind of self-reliance that made the United States a strong nation. Like the rest of us President Reagan realizes that some people need assistance and I am sure he will continue with that kind of essential service to those who cannot provide for themselves.

In Canada, things are different. Instead of positive action our government has set up a constitutional smokescreen and has introduced a bill in Parliament to authorize the borrowing of $14 billion. It has taken no steps to reduce the drain on the national economy. The money is being spent to provide services the citizens of Canada do not want.

Let me review the historical facts that brought about this problem in the national economy and which brought us to the current position of requiring borrowing authority in the range of $14 billion. We must bear in mind that this is in addition to a borrowing authority passed in July, 1980, in this House by which the government was authorized to borrow $12 billion for that fiscal year.

There is now an accumulated budget deficit of $69 billion. I do not need to tell anyone what a drain on the national economy a deficit of that magnitude is. What has gone wrong, Mr. Speaker? I think the problem goes back to 1970 when Canada had a buoyant economy and government revenues and expenditures were in line and within reasonable limits. Reacting to that economic situation, the government began looking for ways of spending the public funds being accumulated. It sought to establish programs that had appeal for some segments of the population and which resulted in vast and extensive payments. Under the existing law the provincial governments, and not the federal government, were required to meet those payments. In those days of wine and roses, the late sixties and early seventies, the federal government began to involve itself in areas that were primarily of provincial concern. There is the established programs fund through which the federal government provides funds for what are essentially provincial services. It is now seeking to reduce the amount provided to the provinces.

Just recently the community services program has been cancelled. The federal government became involved in that area in the 1970s when revenues were high and funds easily available. Now it seeks to absolve itself of responsibility for community service and it has cancelled that program.

That is not all the government has done. It is now changing agreements that have been in force and in place for many years. I have particular reference here to the agreement respecting the Royal Canadian Mounted Police. Many years ago, when some of the provinces did not have a provincial police force, the federal government offered the services of the Royal Canadian Mounted Police. Because it was in the interests of the federal government at the time, those services were highly subsidized by the federal authority. With the pinch of inflation, with eroding revenues in comparison with expenditures, the federal government now seeks to withdraw that service and it seeks to fine the provinces with all the cost of the service although it is claimed that the formula now being considered contains a substantial amount of federal subsidy. The cost to the provinces of providing the service the Royal Canadian Mounted Police used to provide for them will be a further financial drain.

The change in the Royal Canadian Mounted Police agreement, the cancellation of the community services program and the changes in the established programs fund are all an indication that the federal government is facing the result of its actions over the past ten years. It is facing the fact that it has overspent and that for many years revenues have been less than expenditures. That is what has brought about this deficit of $69 billion. That is why the government has to come before Parliament for the second time in a parliamentary year asking for authority to borrow this vast sum of money.

I hope to continue my speech at eight o'clock when the House resumes, Mr. Speaker. In the meantime, let me say that the provincial governments cannot afford to pick up the slack created by the federal government's withdrawal from these programs which were brought into play at a time when it was not concerned about the financial stability of Canada, when it was spending money like a drunken sailor and was setting up programs which were not needed.

I see that it is five o'clock, Mr. Speaker.

The Acting Speaker (Mr. Blaker): In accordance with the wishes of the hon. member, I declare it five o'clock.

• (1700)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

The Acting Speaker (Mr. Blaker): It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Central Nova (Mr. MacKay)—Combines—Investigation of relationship between Bell Telephone and Northern Telecom; the hon. member for Skeena (Mr. Fulton)—Environmental Affairs—Alice Arm, B.C.—Grant of dumping permit to Amax—Request for inquiry into circumstances.

It being five o'clock, the House will now proceed to the consideration of private member's business, as listed on today's Order Paper, namely, public bills, private bills and notices of motions.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

The Acting Speaker (Mr. Blaker): The Chair has before it 16 public bills ranging from order No. 17 to order No. 49. With the agreement of the House, we might proceed by grouping them all together, and perhaps we could put the suggestion before the House that all orders preceding No. 50 stand by unanimous consent.

Mr. Herbert: Mr. Speaker, I will not take up too much of the time of the hon. member for Capilano (Mr. Huntington). However, I want to bring to the attention of the House, as I have done on a number of previous occasions, the problem we face today, namely, that the hon. member for Capilano who will be speaking in a couple of minutes will be speaking on a bill which is the twenty-fifth item of business on the list of public bills. Preceding his bill are 24 bills, eight of which are printed while 16 are not printed. All of the 16 bills which have not been printed were put on the Order Paper on May 2, 1980. According to our rules, as I understand them, the bill should be ready for printing when it is presented to the House.

I have one point I want to put on the record. Yesterday I presented a bill to this House for first reading. It was ordered for printing at 3 p.m. yesterday afternoon. That bill was printed and on my desk today, which indicates it is not a staff problem. You may not wish to take action today, Mr. Speaker, but I do suggest this should be my last time of asking. I suggest in the very near future, maybe this time next week, that you rule that bills not printed should be dropped from the Order Paper.

Mr. Collenette: Mr. Speaker, the hon. member for Vaudreuil (Mr. Herbert) has brought this matter to my attention a couple of times. I would say he has a reasonably valid point because Standing Order 69 does state:

No bill may be introduced either in blank or in an imperfect shape.

I suppose it is up to you, Mr. Speaker, to determine whether or not the continuation of these bills on the order paper, even though they are not printed, contravenes the Standing Order. The situation is dealt with in Beauchesne's fifth edition, Citation 719. It is the current practice when a large number of bills are introduced at the beginning of a session that we usually waive the normal Standing Order on normal practice. This is covered in Citation 713, which reads:

The first reading of a bill, the order for printing and the appointment of a day for second reading are taken together as one formal stage.

Citation 713 is superseded by Beauchesne's Citation 719 on the occasion of private members' bills. I will read Citation 719 into the record so that we are perfectly clear on this:

At the commencement of a session there are usually a large number of public bills introduced by members thereby making it impractical or impossible for the Speaker to review the provisions of each of the bills. Therefore, the practice that has been unanimously agreed to, in recent sessions, is that the House proceeds to the introduction and first reading of those bills, so that each may be scutinized between its introduction and its being called for second reading, in order to allow the Speaker to consider whether there is any defect in the bills in respect of the practice and usages of the House.

Perhaps it is up to you, Mr. Speaker, and the Table to determine whether or not that last sentence applies in the case of bills which have been officially introduced, are on the Order Paper but are not yet printed. I ask that you look into this matter.

Perhaps the whips of the other parties could draw this to the attention of their own colleagues so that we will not have the situation whereby a large number of bills are listed on the order paper but cannot proceed. As the hon. member for Vaudreuil has stated, this is the reason for such a large differential between the numbers that proceed on any given day. There may be a space of fifty. I believe you will be asking for a number of bills to stand, many of which were introduced, or notice given at the Table last May but are not yet printed. Perhaps this is the fault of the hon. members concerned. I would agree that you might want to take up the suggestion of the hon. member for Vaudreuil in drawing this to the attention of the original proposers of those bills.

The Acting Speaker (Mr. Blaker): I want to thank both the hon. member for Vaudreuil (Mr. Herbert) and the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) for their comments. I think the Chair does wish to take up the remarks by the hon. member for Vaudreuil for the rather embarrassing reason that approximately one month ago he raised the same question. It comes to me in the chair as a difficulty that the hon. member has not yet been given an appropriate answer.

I have followed the references made by the parliamentary secretary and had a look at some of the Standing Orders which might be applicable. I think the proper thing to do is to take the matter under consideration. However, at the same time I want to assure the hon. member that I think he is prefectly correct. He should not have to stand the fourth time on this subject. In my opinion, the way to go about this is to assure him and all hon. members that on the next day on which this type of matter comes before the House, the Chair will be prepared to rule on the subject.

In the circumstances, shall we proceed by unanimous consent or by consent of the government?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): We shall stand all orders preceding No. 50 on today's Order Paper by the consent of the government. Is that agreed?

Mr. Knowles: We have unanimous consent.

The Acting Speaker (Mr. Blaker): My apologies to hon. members. I could not hear the hon. member for Vaudreuil. He has said by unanimous consent.

* * *

DIVORCE ACT

AMENDMENT RESPECTING ALIMONY AND MAINTENANCE ORDERS

Hon. Ron Huntington (Capilano) moved that Bill C-250, to amend the Divorce Act (alimony and maintenance orders) be read the second time and be referred to the Standing Committee on Justice and Legal Affairs.

He said: I notice seven minutes of the private members' hour have now elapsed on a technicality.

Hon. members will be aware that the purpose of Bill C-250 is outlined in the "Explanatory Notes" as follows:

The purpose of this Bill is to propose a scheme, within the constraints of the procedural restrictions that parliamentary tradition imposes on private members' initiatives, whereby maintenance and other money orders made pursuant to the Divorce Act could be enforced by the courts making the orders.

I have been a great fan and I have appreciated the words and the wisdom of Mr. Alexander Solzhenitsyn ever since he came to the western world in exile from his homeland. He has been a very intelligent observer of what we are doing to our freedoms and our land. We have seen in the first seven minutes of the private members' hour an example of one of the observations he has made of our society and one of the ways in which we are dealing and endangering our freedom. I might just read from the address of Mr. Solzhenitsyn on June 8, 1978, at the Harvard Commencement Exercises. In part, his speech covered the direction of freedom, and it reads:

In today's western society, the inequality has been revealed of freedom for good deeds and freedom for evil deeds. A statesman who wants to achieve something important and highly constructive for his country has to move cautiously and even timidly; there are thousands of hasty and irresponsible critics around him, parliament and the press keep rebuffing him. As he moves ahead, he has to prove that each single step of his is well founded and absolutely flawless.

Actually an outstanding and particularly gifted person who has unusual and unexpected initiatives in mind hardly gets a chance to exert himself; from the very beginning, dozens of traps will be set out for him. Thus mediocrity triumphs with the excuse of restrictions imposed by democracy.

We just saw seven minutes of that in this chamber this evening.

The Acting Speaker (Mr. Blaker): Order, please.

The parliamentary secretary is rising on a point of order.

Mr. Collenette: Mr. Speaker, in the interests of parliamentary harmony, I think there would be agreement on this side to recoup the five minutes we lost on a point of order. We are not unduly restricting the hon. member for Capilano (Mr. Huntington). If it is the hon. members' wish for private members' hour to be extended to 6.05 p.m., I am sure my colleagues will agree with me.

Mr. Knowles: We would agree to seven minutes after six o'clock.

Mr. Huntington: Mr. Speaker, if I might proceed without further interruption on this most serious matter which exists in our society—

Mr. Collenette: Do you want five minutes?

Mr. Huntington: I will accept the offer. I will accept any time that can be given. In the negotiations preceding private members' hour I pleaded with the government to allow the subject to go to a committee, but that has been denied me. I have been told that the government, once again, will talk out this important issue. Therefore, the bill will die. Nothing will ever come of it from this government. The government has had opportunities ever since 1972 to address this important matter, this important cancer which is destroying the dignity, freedom and potential life for children being reared in separated and divorced families.

• (1710)

That is the issue with which we are dealing today, and the warning of Solzhenitsyn is in play right here in this House at this hour. So how is it possible for a member to address something constructively on an issue as important as this, Mr. Speaker?

Bill C-250 deals with a problem which has been around for a long time. It affects children being reared by single parents who are experiencing continuous stress in their daily lives and

who are struggling because the maintenance orders of family courts are not being enforced. I have personal experience of working wives who, bringing up three children, are almost breaking down trying to maintain some kind of standard of living, some kind of style and self-respect in putting their children through the educational process in this country. I am sure every person in this House knows of cases of such breakdowns and knows of the breakdown in the process of carrying out the maintenance orders from the courts of this land.

What this bill is trying to address is a system whereby the courts will enforce the orders. What we are trying to put in place is legislation which would remove the haven for people who have been given court orders to assist in the maintenance of their children in the case of a family breakdown. What is involved here is the peace of mind and mental health of mothers. Most of the people in these cases are women who are trying to raise their children without support when the court orders are not enforced. The problem is the complete, utter, shameful and disastrous degree of apathy on the part of the staff who back up the family courts because federalism in this Parliament has not worked in co-ordinating the split jurisdiction in the matter of family law. We have even heard the subject of reform of the family law brought up in the constitutional debate. We have seen the draft legislation of the provinces dealing extensively with this issue. We have seen the Law Reform Commission come down with reports in 1975 and 1977, and we have seen other working papers on this issue. We have the Canadian Bar Association's resolution number eight which was published in September of 1980 on this very issue of the garnishee powers of the court and the enforcement of court orders for the support and maintenance of children.

I should like to refer to the study paper of the Law Reform Commission of Canada entitled, "Family Law, Enforcement of Maintenance Orders". I should like to read its conclusion into the record. It reads:

> Something is profoundly wrong with a body of law and practice that fails to attain its objects more often than it succeeds. Failure is the universal characteristic of the traditional system for enforcing maintenance orders in Canada. With a few notable exceptions in recent years, apathy has been the companion of failure.

I just spoke of the apathy which exists in the rooms behind the courts and of the failure of our society to enforce the support orders, the result of which is the destruction of dignity and the removal of equal opportunities for children reared in such circumstances. The Law Reform Commission of Canada continues its conclusion as follows:

> The burden of this social evil is and has always been carried by women, most of whom are found in the least economically influential strata in Canada. It would be consciously avoiding identification of one of the main reasons for the present shameful situation (and we use the word "shameful" advisedly) if it was not mentioned that the voice of women has historically been virtually absent from the councils of those who designated, shaped and administered the present system.
>
> Reform involves two courses of action. First, there must be an effort by governments in Canada to improve individual laws and practices which deal directly with maintenance enforcement. Second, the whole body of marriage breakdown law must be thoroughly reshaped.

I am not just speaking idly here. This bill has a very long history in the House. May I remind hon. members that it was a member on their side, Mr. Barney Danson who, before he became a minister of the Crown, placed this bill on the Order Paper in the Twenty-ninth Parliament. When he became a member of the government and a Privy Councillor, I went over to him and asked him whether he would mind if I, as an opposition member, picked up his initiative because of the personal experience I have had in this regard. He welcomed my suggestion, and in the first and second sessions of the Thirtieth Parliament, first readings were given and second reading debate took place on Bill C-203. A very interesting and active debate ensued, as reported in *Hansard* of Friday, November 26, 1976, during which it was pointed out that perhaps the bill was not in order as a private member's bill. Hon. members on the government side spoke very constructively in the debate, with the exception of one hon. member, and the matter received a very good airing.

I went back to that debate and, after studying it, I sent the record out to lawyers in the community who are concerned about the swinging-door syndrome which exists in the family courts. Mr. Donald Moir, a family lawyer in Vancouver, has volunteered hours and hours of his time, as have other lawyers, in the drafting of a bill which would address this very serious swinging-door syndrome and this disgraceful and shameful situation we have allowed to exist in our society. The draft came to me and I had to put it into a form in which it could be presented as a private member's bill in the House. I believe the parliamentary legal counsel worked on it for a period of about three weeks to put the thrust of that draft bill into a form which could be presented to the House. My hope today was that the initiative, which has now been before the House since 1972—this is the second time it has had second reading debate, and the bill has had an immense amount of background study—will be accepted by the government. My hope is that the government will see fit to have the bill withdrawn and send its subject matter to committee where we can bring in the experts of the land and where we could probably start debate on an amendment to Section 15 of the Divorce Act, as is outlined in the bill. This bill is the best effort of the concerned people who have assisted a private member in this initiative.

When the bill was before the Thirty-first Parliament, it remained in the draw because the government was going to take action on it. We all know what happened. Things have changed and the Liberal government is now back in power.

The whole matter of family law is so serious and is such a national disgrace that all of the provincial governments have prepared papers on it. The Law Reform Commission of Canada has prepared its sequence of papers, the Senate has prepared reports on it, but the House continues to frustrate the initiatives of private members and to prevent the movement of this subject matter to a committee where the government itself could pick up the initiative and do something about this shameful and disgraceful situation.

I have personally seen women, trying to raise three children on their own, breaking down and experiencing serious health problems because of the failure of their husbands to maintain payments under a court order. I have seen them going back to the family courts to obtain an order which would provide maintenance. These orders would last only two months, following which there was no more money.

• (1720)

Surely to goodness in this age at this hour in this House when we talk about International Women's Year, we should address one of the most serious problems they have. I can give statistics with respect to the number of women at or below the poverty level who are in the disgraceful and shameful circumstance of not receiving support, and the courts fail to enforce support orders. I can give the House chapter and verse on three different experiences I have had in which there have been serious problems. I have seen companies—those evil businessmen we hear so much about—take on the responsibility of supporting, rearing and educating children in such circumstances.

The Law Reform Commission released a working paper on divorce in 1975. It released a working paper on the family court. In 1977 it released a paper on eligibility to attachment. I have already reminded the House of resolution No. 8 of the Canadian Bar Association. If ever there was an example of federalism not addressing the problems of a country like Canada, I think this is classic, for all the federal government has to do is take an initiative very similar to the one in this private member's bill before us. All it has to do is take such a simple initiative to overcome one of the major failures of our legalistic society. Nothing I have observed causes more loss of dignity and more intolerance for law and order than the disgraceful poverty conditions children of broken homes are reared in as a result of our inability to correct this shameful situation.

I remind hon. members that on October 16, 1979, the hon. member for York South-Weston (Mrs. Appolloni) moved a motion under Standing Order 43 on this same issue. I know hon. members opposite, including the Parliamentary Secretary to the Minister of Justice (Mr. Irwin), know of this. I know all lawyers in this House who are skilled and versed in the nature of law and in the problems of law are aware of this problem, but where is the initiative and the will to correct this disgusting apathy we and civil servants behind the law courts and the enforcement of these orders have?

This package I have in my hand is the package of papers I have received from lawyers out in the field on this issue. This second package is the package of papers I have received from parliamentary counsel on this issue. I have the best efforts draft of the provinces, and I have papers from each of the provinces on the family issue. Most of this problem could be resolved if we in this House accepted the challenge this bill offers us, and if we moved the subject matter of this bill into a committee and took the initiative on Section 15 this bill offers, which is not an idle wish or statement. It is a considered, studied application with respect to the problem within the limits our process here allows a private member. If we could take this initiative and this subject matter and bring in the experts of the land, we could address this and give some hope and some chance to the children and the progeny of broken homes and broken marriages, a very high percentage of whom are being raised at or below the poverty level.

Quite frankly, I am surprised that the government has decided not to allow the subject matter of this bill to go to committee and that hon. members opposite will talk the bill out.

This matter has been around since April of 1974 in its various phases. It was here on February 14, 1975. It was here on November 26, 1976, when it had second reading debate and was talked out. That debate was studied. There were adjustments, and the outcome of that debate is in the bill before us today. Here again, this is not good enough. Once again the bill will be talked out, I am told. The issue will remain static and this shameful, disgusting, disgraceful condition of lack of uniformity of enforcement of separation orders will continue to exist. Back in 1976 the government said it would bring down a bill that would address this situation. The Thirty-first Parliament said it would address this situation. We are now into the Thirty-second Parliament, and we are still not going to seize on this opportunity to move this subject matter into committee so that we can get this nasty, disgusting, and disgraceful situation within our society fixed.

And we wonder why federation is not working. We wonder why there are critics of this place. This is a prime example of why the Parliament of Canada is not working. We do not accept social challenge. We do not address the needs that are out there and to which we have all been exposed.

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, I want to commend the hon. member for Capilano (Mr. Huntington) for bringing these points to the attention of the House, as he has done so forcefully now and in the past.

I think perhaps his denunciation is too broad. We are as concerned as he is about the welfare of spouses who have to take care of their children, and about the lack of enforcement. In many cases there is no collection because there are no funds. I believe one of the seven major causes of family breakdown is lack of finances. In many cases—although the figures are high—orders have not been enforced simply because there are no assets. A good friend who was a family court judge once said to me that it is like putting one blanket over two beds. That is the problem in collecting these finances.

However, we in this Parliament are concerned, as are a number of jurisdictions across Canada. Provincial jurisdictions are trying to come up with new and better methods of enforcing these monetary obligations. After all, if we do not collect from delinquent spouses, it is only the taxpayer who has to pay.

The money is taken not only from provincial coffers but also from federal coffers because we contribute substantially to provincial payments.

The current process is found in Sections 14 and 15 of the Divorce Act, and I will read them both. Section 14 says, and I quote:

Effect of decree or order. A decree of divorce granted under this act or an order made under Section 10 or 11 has legal effect throughout Canada.

Section 15 states, and I quote:

Registration and enforcement of orders. An order made under Section 10 or 11 by any court may be registered in any other superior court in Canada and may be enforced in like manner as an order of that superior court or in such other manner as is provided for by any rules of court or regulations made under Section 19.

What is the effect of Sections 10 and 11 of the Divorce Act? By virtue of these sections each maintenance creditor, in whichever province of Canada he or she may be, of a Section 10 maintenance order, which is an interim order, or a Section 11 maintenance order, which is a final order under the Divorce Act, wherever made in Canada automatically has available all superior court remedies of every province for enforcement.

A point can be made that the court itself should enforce the order, police the order, hire accountants, hire collection agencies or hire any number of people within the court system to go out and collect. This suggests that the bureaucracy is better at doing a specific job than the private sector. I respectfully suggest, by itself that is not always the case, as evidenced by many of the things bureaucracies have tried to do.

What is the situation today? How can these orders be enforced? They can be enforced by at least six or seven methods which I can suggest: garnishment proceedings, equitable receivership, examination of judgment debtors, attachment of debt or bank accounts, seizure of personal property, execution against land and proceedings for committal. I suggest that in 50 per cent of the cases there is nothing at the end of those processes because there was nothing there at the beginning.

• (1730)

When the delinquent spouse decides to separate, most of the major assets are split at that time and the minor assets, which are usually few and far between, must be seized. In addition, in most of the provinces, provincial enactments permit the filing of superior court maintenance orders in provincial family courts and make these courts available to spouses. This is exactly what the hon. member is suggesting. In some cases this is a good method. In many cases there is a great deal of dissatisfaction with bureaucratic collection of funds for spouses.

Over and above this we have the traditional show cause hearings whereby the defaulting debtor is forced to come to small claims courts and explain why he has not paid or face imprisonment on summary conviction and continuing attachment of his wages. This way, indirectly, maintenance orders made pursuant to the Divorce Act in the superior court of one province may be enforced by the family court of either the same province or any other province. Family court procedure could be made more productive by innovations, and there have been innovations. In some family courts there are automatic systems of enforcement under which the enforcement is done by the specific court on an automatic basis.

In certain provinces they have even gone further and have computerized the process. The point is, Mr. Speaker, no matter how good the process is, we still must go to the basic needs of the family. It is not the case when two millionaires divorce or split. It is at the lesser level where there is a lack of money that we have the problem. Many times the spouses are brought into small claims courts. Again, if there is nothing there, how can you collect?

What we are talking about today is basically machinery. We are all interested in better machinery. Suggestions have been made by the hon. member for Capilano. He did not, all by himself, discover the process. I assure him that many members on this side of the House have been discussing the same thing for many years. I believe the next speaker tried on at least three occasions with private members' bills to do the same thing. It is not something he discovered or solely cares about. There have been suggestions that the new Federal Court rules could be amended to provide for garnishment orders, which is a good idea. In that way you can go ex parte to the Federal Court and seek your remedy.

There have been suggestions that the Divorce Act be changed to provide for garnishment orders. This is very close to what the hon. member is suggesting. He is also suggesting the federal civil service, including senators, Members of Parliament and so on, should be exempt from any protection because they are now under the royal prerogative. I agree with him and I think the government agrees with him. The government has and is tabling effective legislation. Once it is passed, it will bring into this House exactly what the hon. member has suggested.

One attempt in May, 1978, was Bill C-49. Legislation was introduced but it died on the Order Paper. It was based on the Law Reform Commission recommendation and on the report on attachment of remuneration payable by the Crown in right of Canada.

In March, 1979, during the fourth session of Parliament, Bill C-52 was given first reading. It also failed. In June, 1980, the federal government introduced Bill C-38, the garnishment, attachment and pension diversion act, which is now being considered. The proposed legislation would, subject to certain conditions set out in the legislation, permit provincial law on garnishment or attachment to apply to moneys paid by the Crown in right of Canada for salaries, fees, honoraria and like payments in respect of their performance of services for the Crown. As I indicated, once this becomes law, federal employees, Members of Parliament, senators, judges and others could be garnisheed for maintenance and support debts as well, like any other citizen, as they should have been long ago. In addition, superannuation moneys due to retired public servants would be subject to diversion for satisfying mainte-

nance orders, which are matrimonial orders, and not ordinary debts.

In conclusion, the substance of what the hon. member opposite said is endorsed and is concurred with in the spirit but not the exactitude of what he is suggesting in this proposed legislation. We all want the best for estranged spouses. It is a matter of what mechanism we will use, the best mechanism, to reach that desired goal.

Mr. Bob Rae (Broadview-Greenwood): Mr. Speaker, I want to indicate to the House that the hon. member for Capilano (Mr. Huntington) has not raised just one problem but in fact two or three. I recall having discussions before the dissolution of the Trudeau government in 1978, when this was one of the last items going down to the wire before the House was dissolved, on the question of the garnisheeing of wages of Crown employees. It is unfortunate we still have this anomaly in the books. If Canadians were aware of this anomaly they would be somewhat surprised, if not outraged, that the average citizen working in the private sector is liable for garnishee orders and that federal civil servants, Members of Parliament and senators are still immune from application of the garnishee order which is enforceable on anyone else. It is clearly an absurd situation. It is so clearly absurd that I am surprised the government has not made an effort to bring in that kind of measure at any time. It seems to be the sort of thing which, in this day and age, would be very quickly passed by the House. I am surprised this government and the previous government did not choose to introduce that particular measure and have it voted on rather than some of the other measures which they decided to have us vote on.

They obviously chose the wrong ones. There is no reason for crying over spilt milk. We have to deal with the measure before us. I hope very much the government will not talk this bill out because it does deserve study. What has obviously happened—and I think the hon. member for Capilano has expressed it very well—is that family law reform has become a subject of constitutional contention. This has taken the question of the Divorce Act away. Some of the limitations in the Divorce Act and the problems in the Divorce Act have been taken away from the floor of the House of Commons and the attention of the government. Clearly, if it is the government's view—and it has been expressed by the government—that family law should be a question of provincial jurisdiction, and I can see very strong arguments in support of that proposition, then clearly the whole motive and impetus for this kind of amendment to the Divorce Act will not receive very much attention from the government. On reflection, the government should recognize there is nothing stopping it from introducing an amendment to the Divorce Act which would facilitate maintenance and alimony payments subsequent to a divorce order. I do not see why we should have to wait for the process of constitutional reform in order to get that amendment. The hon. member for Capilano expressed his frustrations. Let me assure him that I have mine and that we all have frustrations with respect to this problem. I do not see why we should wait for the ultimate resolution to the question of family law jurisdiction. In my view a fundamental principle has been expressed in the piece of legislation put forward by the hon. member for Capilano. The principle is that it should be possible, without the continual necessity of returning to court time and time again, to get an order upon every default which can be immediately enforced and will provide for maintenance and alimony payments to the dependent spouse.

● (1740)

The Parliamentary Secretary to the Minister of Justice and Minister of State for Social Development (Mr. Irwin) made an important point, that there is an assumption behind the whole area of alimony and support payments and their relationship to welfare, and the real problems of dependants which are created by family break-ups. I am sure all of us as members of Parliament are acquainted with these problems. There is an assumption that the so-called supporting spouse actually has something and that it is simply a question of finding a speedy way to get the courts to act, apparently that will produce the solution. I can think of the problems I have dealt with firsthand in my constituency. In many, many cases the real problem is much more profound—"there ain't nothin' there". One can enforce all the orders one wants on the departed spouse, but if the departed spouse cannot be found, if he has managed to tie up his affairs in such a way that there is no way of getting at them or, if one sees that there is really nothing there, then clearly the human problems described so eloquently by the hon. member, which all of us recognize as being very real, will still be there. Perhaps this is where the philosophies of the hon. member for Capilano and myself about dealing with this problem differ; perhaps that is where we part company.

Having said that and having indicated our support, it seems to me there are two solutions to the problems. One solution might be called the best solution, that is, that we make fundamental decisions on the questions of where family law should be and who should be responsible for it. We should attempt to unify the world of divorce, separation orders, court orders, maintenance orders and property orders as best we can. The questions on whether one goes to the supreme court in one's jurisdiction for a divorce, whether one goes to the family court for a separation arrangement or whether the enforcement of separation orders is different than the enforcement of alimony and maintenance payments under divorce judgments must be changed.

Although I understand many groups are unhappy about the idea of any federal jurisdiction over the area of family law being taken away, on the basis of the evidence we have heard, it is perhaps one of the first areas which most Canadians could agree should be handled in a unified manner at the provincial level. I should like to borrow the words of a political philosopher: In many cases the best solution may be the enemy of what is clearly good in the bill before us.

It could be five or ten years before we reach constitutional agreement on what should be done about family law. Until we reach that solution, we must do everything we can to facilitate

the enforcement of maintenance and alimony payments subsequent to divorce orders. That is the reason I hope the government will not decide to talk out this bill, but will refer it to committee where it can be studied. I think we will find a fair amount of agreement in committee among all members of the House; we want to reduce the technical objections a spouse can mount for his failure to make alimony and maintenance payments. We want to make it as easy as possible for dependent spouses to have orders enforced. Also, we want to make it possible for dependent spouses to have their orders enforced by way of garnishee orders on all Canadian citizens, whether or not they are employees of the Crown.

In summary, the problem stems from the fact that in a sense we are in the middle of a constitutional question. We should not allow the constitutional question to ignore the very real human problems which exist and have been shown to exist by everyone who has studied or looked at this problem. The proposals of the hon. member for Capilano go some way toward finding a partial solution to the problem. We should consider adopting this partial solution until such time as a final resolution is found for the question of where family law decisions should be made.

The Acting Speaker (Mr. Blaker): Order, please. Before recognizing the hon. member for Surrey-White Rock-North Delta (Mr. Friesen), I should like to indicate that earlier I did not want to interrupt the hon. member for Capilano (Mr. Huntington) during his contribution to this debate. But there was an exchange between himself and the hon. Parliamentary Secretary to President of Privy Council (Mr. Collenette) in which it appeared agreeable that private members' hour be extended to 6.05 p.m. in order to allow for some of the time which was taken up earlier by points of order. In accordance with what appeared to be an agreement at that time, I feel obligated to put that matter to the House. Shall the time provided for the consideration of private members' business be extended to 6.05 p.m. by unanimous consent?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): Agreed and so ordered.

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, I consider it a privilege to speak on the bill in the name of the hon. member for Capilano (Mr. Huntington) which deals with continuing garnishees for alimony payments in divorce actions. Unfortunately, it is necessary to debate this subject, but I compliment the hon. member for Capilano for not only introducing the bill, as he has done in other years, but for his persistence in pursuing the matter. Over the years he has not let the matter drop and has made certain that our attention was refocused on this very important subject.

Briefly I should like to refer to one of the recommendations of the Law Reform Commission. As indicated in the explanatory notes in the bill, the commission recommended:

> The rights of family dependants should no longer be ignored merely on the basis of legal anachronisms—

On the basis of legal anachronisms, we cannot allow the hurt and pain in our society to continue because of our inability to deal legislatively with those problems. This is not a matter of politics. There should be no politics in these subjects which are of immediate human dimensions. I have experienced the reward of seeing the subject matter of a private member's bill go to committee. I applauded then and I do so today when the government looks past the politics of a matter and moves to the heart of it, which involves the people in question, allowing subject matters such as this to be taken to committee, whether it be justice and legal affairs or health and welfare, as it was in the case of my presentation. In the committee these human problems can be dealt with by people who deal with them daily. It is a place where legal testimony can be given.

• (1750)

In Canada something in the order of one out of every three marriages ends in divorce. I understand that in the United States the figures for marriages ending in divorce are approaching one out of two. Behind those statistics, Mr. Speaker, lie the untold thousands of cases of anguish, of people who are left on tenterhooks because they cannot reach the kind of settlement which is their due.

I know of one case, and I am sure the hon. member for Capilano is also aware of it, which involves a marriage break-up. In this case the husband left, moved to another province and then returned. He was well-to-do and had plenty of resources.

He was called upon by the court to pay alimony and child support. He would refuse to pay this money until the former spouse went before the court to collect it. Then, on the last day, he would make that payment to the court. He would wait long enough before paying the money to force her to pay out most of it in legal fees. The next month he would do the same thing. In euphemistic language, this is called a "legal anachronism". It is a polite way of dealing with this matter on the floor of the House of Commons. It is legal jargon, but in the lives of people who are affected by this legal anachronism it is far from adequate.

When we view the statistics with respect to marriage breakdown in our society today, we must admit that our structure is breaking down. As someone said to me some time ago, it is far too easy to get married. He said it ought to be more difficult to get married and easier to obtain a divorce. To obtain a driver's licence we must first have had some driver training. The potential driver must demonstrate his ability to drive. In order to get married all you have to do is go to the court house, get a licence, show that you are of age and physically healthy. There is no preparation for the development of interpersonal relationships, how to handle family finances, how to build organic family units or how to handle stress in a family. We really do not prepare people the way we ought to.

We must admit that in our society we have not taught people to accept accountability for their decisions. Instead, we are teaching people to cop out from the responsibility and the decisions in their lives. Because people have been able to do

this for a long time, they feel that after they have been married, then divorced, they can then cop out. Somewhere along the line we must assume responsibility for those who refuse to be accountable and make them learn the lesson of accountability.

We have terms like "no fault insurance". Maybe there is a place for that kind of insurance, but I wonder about the name "no fault insurance". We have been teaching people that no one is at fault. We now have terms like "creative divorce". How can you have creative divorce when at least two people will be hurt? How can that be creative?

This bill puts the emphasis where it ought to be, on the person who has been directed by court order to pay child support or alimony and who is now trying to walk away from that responsibility. The hon. member for Capilano is doing us a service by bringing this matter to the attention of the country. I trust the government will see that this is not a political issue, but a very human one. I hope the government will allow the subject matter of this bill to be brought to the committee, whether it is justice and legal affairs or health and welfare. At this point that is not material. What is material is that we have an opportunity to study in depth the matter the member for Capilano has brought before us. This would allow the government to obtain the kind of evidence which is needed and later on a bill could be presented to the House, based on further evidence which could be built upon the work that the hon. member has already done.

[*Translation*]

Mrs. Céline Hervieux-Payette (Parliamentary Secretary to Solicitor General): First of all, Mr. Speaker, I should like to thank my colleagues for giving me this opportunity to speak on a topic which is dear to me. I must say how very happy I am to see that my Progressive Conservative colleagues are also concerned about social issues. They even want more bureaucrats to solve a problem. To my mind, they will certainly not settle it through a measure under which women will continue to be the victims of a system forcing them to appeal to the courts and behave like beggars asking for handouts to which they are fully entitled to begin with.

Mr. Speaker, Quebec's Bill 183, an act to promote the payment of support, with which I am more familiar, received royal assent on June 18, 1980, and is being enforced by a network of administrative offices throughout the province. I also know that Ontario has set up a similar organization and that the provinces are about to enter this field, since they recognize that the problem relates to social affairs and primarily falls under provincial jurisdiction.

So, Mr. Speaker, I am glad to see that my colleague is interested in the lot of divorced women and children generally. However, the bil! ignores separated women and their children, as well as common-law wives and their children. That is why I suggest that this bill is woefully inadequate and does not meet the current needs of Canadian women. Without insisting on the jurisdictional aspect of the problem, just the same I should like to point out to my colleague that negotiations have been under way since 1979 to reach agreement with a view to transferring to the provinces legislative powers over divorce, and that question was also on the agenda during the intensive negotiations held last summer. The transfer of social affairs or family law to the provinces is still on the agenda.

Therefore, on the eve of an agreement with the provinces, I suggest it would be altogether premature to adopt a measure which in fact would do precious little other than create one more administrative organization at a time when two provinces whose residents constitute over half the people of Canada already have a system to ensure the payment of support.

• (1800)

[*English*]

I can inform the hon. member for Capilano (Mr. Huntington) that this system already exists in Quebec, where it is working very well. Many people are satisfied with the new legislation which has been introduced, which is more relevant to the civil code than to the jurisdiction of the federal government. I do not wish to protect women's rights through a new administrative mechanism, but I would like them to have the opportunity to collect money which in most cases is for their children and to be ensured they will receive that money regularly.

In fact, Germany has a minimum amount which is actually paid by the state. The spouse is required to pay the state the difference between the state minimum standard and the actual alimony or maintenance order payments. Denmark has a similar system. A minimum amount is paid for each child and that amount is ensured. Women do not have to beg for this money, nor is the court required to intervene. This system is working very well.

What we are dealing with is the very narrow scope of divorce. I hope the hon. member will take another route, perhaps through legislation that deals more with income security which has the effect of protecting all persons, and will take the advice of his colleague from British Columbia who says that we should not try to attain perfection. I am not trying to attain perfection, but I would like to see decent legislation which deals with the problem with which many women have been living for years.

I believe we are very close to solving this problem by having the provinces deal with the matter. Of course, the federal government can help by establishing the system in other provinces. I do not believe the Department of Justice will withdraw its support, but I presume that most of the provinces can as easily establish the same system which already exists in Ontario and Quebec to ensure the collection of maintenance. This would eliminate the need to establish an administrative body at the federal level, which would only have the effect of complicating the situation.

Because of the reciprocal agreement between Ontario and Quebec, women of either province may have their maintenance orders enforced if the spouse has moved from one province to

the other. Bill C-250 is very laudable, but it limits the possibilities and may create certain problems. I do not see why the Standing Committee on Justice and Legal Affairs should continue to study the problem when it is very well known. I ask the hon. member for Capilano and the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) to think on the scale of the revenue problems which women in general face in Canada. Certainly, this very partial measure would not provide that the spouse pay money to the person and members of the family who are to receive the support.

[*Translation*]

Mr. Speaker, that is why I think that the claim of a person entitled to support more properly falls under provincial rather than federal legislation. We would only add confusion to the current situation if we were to endorse a measure that in fact would duplicate others which are about to be adopted. I simply wish that my two friends opposite would help us expedite passage of Bill C-38 on the recovery of alimony payments and all debts owed by civil servants. I think that bill is much more urgent and I hope my colleagues will help us adopt it as soon as possible. I suggest we could come to grips with our problem and let the provinces handle the other one which they are about to solve much more efficiently than we could.

[*English*]

The Acting Speaker (Mr. Blaker): It being 6.05 p.m. and pursuant to order made earlier this day, I do now leave the chair until eight o'clock p.m.

At 6.05 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed consideration of the motion of Mr. Bussières (for the Minister of Finance) that Bill C-59, to provide supplementary borrowing authority, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Mr. Howard Crosby (Halifax West): Mr. Speaker, when I began my remarks on Bill C-59 to enact the Borrowing Authority Act, I said that the government has utilized its borrowing authority over the past few years to accumulate budgetary deficits equal to $69 billion. That is, by the end of the 1979-80 fiscal year the government had $106 billion in liabilities and only $37 billion in assets, leaving a difference of $69 billion.

Many hon. members who have already spoken in this debate provided detailed and statistical data relevant to the government's fiscal position in 1981. I do not intend to repeat the information already provided, but I want to underline the fact that we are discussing the authority of the government to borrow and I want to consider the historical and financial facts that have resulted in the necessity for vast government borrowing. I want to indicate the effect of continued deficit financing and vast borrowing on individual Canadians and the Canadian economy.

In order to relate our national economy to individual Canadians, it is helpful to reduce some of the many statistics to more human terms.

The budget deficit of $69 billion, if shared by 24 millions Canadians, results in a per capita debt of almost $3,000 for each individual. When it is remembered that Canada has about six million families in 1981, it can be seen that the share of the national debt per family is about $12,000. It is important to consider what the financial future holds if the $12,000 is added to the current family debt and the interest burden of that debt is added to the family's monthly and yearly expenses. This is not entirely an academic exercise because Canadians are, in the final analysis, responsible for the financial debts of the national government and through the income and other taxes they pay either directly or through corporations, they have to retire the national debt as well as provide the funds to pay the interest.

In simple terms, for the fiscal year 1980-81 the government forecasted expenditures of $60 billion. Expenditures will exceed revenues by $14.1 billion and $12.1 billion will be required to service the national debt. That means that at least one dollar out of every five spent by government will be for debt servicing. Over 25 per cent of government revenues will be blown away on interest charges. Mr. Speaker, $12.1 billion out of revenues of $45 billion will be used for interest charges. That is a contribution of $500 for each Canadian and $2,000 for six million Canadian families.

In contrast to that, most of the provinces have a much better fiscal record. In most cases expenditures have been kept in closer alignment with revenues despite pressure to provide expanded services in education, health needs and other basic areas. The province of Nova Scotia, for example, has a net average debt of $1600 per person and about nine per cent of revenues are required to service debt charges.

When we speak of government borrowing, when we mention budget deficits, when we calculate debt service charges, we are talking about your money and mine. We are talking about the dollars and cents taken from all Canadians through various forms of taxation. This taxation includes the Canada Pension Plan and the unemployment insurance program which are, in reality, sophisticated forms of taxation.

Canadians must recognize and must realize that our taxation system, in all its direct and indirect forms, is simply the

method by which the government funds the services it provides. Continuance or expansion of government services simply results in increased taxation in one form or another.

Included in my previous remarks on Bill C-59 was a reference to the current high interest rates which contribute to the burden imposed by extensive government borrowing. I mentioned the plight of the home owner who faces a new mortgage or a mortgage renewal in 1981. I pointed out the difference on a $40,000 twenty-five year mortgage at 15.5 per cent or 16.5 per cent as opposed to 9 per cent or 10 per cent. This difference amounts to about $200 in monthly payments. A similar problem faces Canadians who must replace an aging motor car, furnish a house or an apartment or buy household equipment. They would welcome a chance to borrow at 15.5 per cent because they face bank rates of 18 per cent, 19 per cent or more. At the same time, income may not have kept pace with inflation. At a 10 per cent inflation rate, a person earning $15,000 in 1976 would have to earn something in the area of $24,000 today. In short, you do not have to tell Canadians about high interest rates, but you may have to remind them that their government is continually entering the money market to borrow funds at similar high interest rates to finance government services and spending deficits. The catch is Canadians are paying for past overspending. In the budget documents which were introduced in this House on October 28, 1980, here is what the government says to the people:

● (2010)

To the extent that Canadian wage-earners demand high wage and salary increases, or businesses attempt to increase prices at more rapid rates than have been projected here, a wage-price spiral of equal or even greater destructiveness than that of the mid-1970s could develop. For the variety of reasons reviewed in this paper, such a spiral would almost inevitably lead to lower real growth, higher unemployment, and lower investment and productivity growth.

What the Minister of Finance (Mr. MacEachen) was saying in his budget of October, 1980, was that even though Canadians face high interest rates and a high level of inflation, they must not take steps to increase their incomes because that would result in even further difficulty. One can see that today the Canadian citizen is in a trap.

I have said affluence and continued growth of the gross national product in the late 1960s and early 1970s resulted in expansion of existing government programs, new projects and programs and financial assistance to the provinces for public works and services under provincial jurisdiction. After establishing the standard of services and after committing the provinces to these programs and projects, the federal government seeks to bury many of its commitments because the economy has soured. Real economic growth has stopped, and the gross national product has declined. The money-well has dried up and the federal government must fold its financial tent.

The proposed cut of $1.5 billion in the established programs budget, the cancellation of the $250 million community services program and the change in the contributions required for the Royal Canadian Mounted Police services, which will cost a province like Nova Scotia $10 million, are all examples of government withdrawal from these areas of service.

But what is the government doing after a decade of record spending? It refuses to come clean and raise taxes in a direct way so that Canadians will know what is happening. Instead, the federal government is transferring back to the provinces the cost burden of established programs and services. For example, take the community services program. It involves the provision of sewer and water services and similar municipal services in communities across this land. Clearly that has been a municipal responsibility in the past. It is normally financed with the assistance of various provincial governments. But the federal government has involved itself in that field. It has sparked and generated more activity. Communities, cities and towns became committed to the installation of these community services. Secondly, with very little warning—although the minister said he did warn those involved—the program gets cancelled. This is simply a way in which the federal government transfers that expenditure item back to the provinces.

The established programs fund is another example of the federal government transferring financial responsibility back to the provinces after the federal government has involved the provincial government in the kind of expenditures involved in these established programs. A particular item is university education, which is clearly a provincial matter under the control of the provincial government. Nonetheless, the federal government became involved in it, sparked and generated activity which otherwise might not have occurred. Now the provinces are stuck with the result. Again, the federal government is simply transferring expenditures back to the provinces. For those provinces which employ the Royal Canadian Mounted Police as a provincial police force, they now have to renegotiate their contracts. This will again result in a transfer of millions of dollars in expenditures to the provinces which seek to maintain those police services.

This is a gutless way to cut expenditures. It is unfair to the provinces and it puts the burden back onto the people whom the government does not have the internal intestinal fortitude to tax in the first place.

Yet the government will raise taxes. It has introduced a tax on resources which will yield $4 billion. It is taking over offshore resources on the Atlantic coast and denying the legitimate rights of provinces such as Nova Scotia and Newfoundland. What we are fighting over in Canada in this area is the control of resources and the revenues from those resources. The federal government is simply seeking to increase its resource revenue so that it can avoid applying direct taxes which would normally be necessitated because of the kind of spending the government has been carrying on over the past number of years.

Everybody knows that income taxes, sales taxes and all the normal forms of taxes have reached their limit. In my view, the federal government is seeking to impose taxes in other forms.

Having said that, Mr. Speaker, and having issued these warnings against the dangers of continued borrowing, in the light of high inflation and interest rates, let me say this: at this same time we must carefully consider cutbacks in government

services for the sake of the future of our provincial governments and all people in Canada. We have dire economic and employment problems which can only be resolved by government action.

I want to review some problems which I believe require government attention and assistance nationally, and in the Atlantic region, particularly Nova Scotia.

First, we have to build on our strengths by developing and processing our natural resources in Canada. Most Canadians will think of our mines, minerals and agriculture, but the Canadian fishery has a potential for gigantic export sales exceeding those of wheat.

Second, we must move to resolve our energy problem and assure energy self-sufficiency for all of Canada by 1990.

Third, we have to recognize the desire for a high standard of accomplishment on the part of Canadians and promote industry based on technology. To do that, we must maintain our educational system and sponsor research and development science and trades training.

Fourth, we have to realize that we are a trading nation in an international community. We want to put Canada first, but some activities are international, such as marine transportation. Canadianization, no matter how good the motives, will do more harm than good. We must excel in marine, ground and air transportation and provide all the related facilities.

Let me direct the rest of my remarks to Nova Scotia and the Atlantic area and consider the state of our regional economy in the context of changing national policies. I said we must build on our strengths, resolve our energy problem, promote individual accomplishment and realize our international trade potential.

In Nova Scotia, without demeaning our agricultural industry or our manufacturing segment, I believe we have three major growth areas, all ocean based, upon which our hopes for the future should be based. These growth areas include the Atlantic fishery, marine transportation and energy.

Let me speak briefly about the fishing industry in Nova Scotia and across Canada. It employs 100,000 persons directly. That is an employment force greater than the armed forces of Canada. It has two principal segments on the Atlantic coast: the offshore industry which involves large vessels and relatively substantial onshore plant facilities, and the inshore fishery which involves in most cases individual fishermen or partnerships of fishermen who operate their own boats and sell to the plants.

● (2020)

Over the years, unfortunately, under the administration of the Minister of Fisheries and Oceans (Mr. LeBlanc), there has been a great deal of conflict between the offshore and the inshore fisheries. Some of it is the product of people's imagination, but some of it is real. I have urged many times in this House that the Minister of Fisheries and Oceans move to resolve these difficulties so that those concerned can get on with the business of developing the fishing industry on the Atlantic coast. Unfortunately, I have to say that in many areas and on many occasions the minister has only served to heighten these differences between the segments of the fishing industry. I know he is capable of a better performance and I know that in the future he will use his good graces and his good offices to resolve these difficulties.

There are other areas of the fishing industry which have been left untouched. One of them is aquaculture. In Europe and in other parts of the world this is a developing industry which involves onshore operations. It has proved to be highly profitable. I believe it is a matter of provincial jurisdiction, but it is an industry which could use federal aid and assistance.

Similarly, in the matter of fishing vessel construction, there has been confusion over government policies in the past few years. Programs have been suspended, terminated and reinstituted, and the fishermen are left confused by what kind of assistance is available for vessel construction. I have urged, on several occasions, that instead of direct assistance some form of a tax rebate system be applied similar to the housing program.

In Nova Scotia today there is a controversy over licensing which stems from the policies of the federal Department of Fisheries and Oceans. Even the leader of the opposition in Nova Scotia has risen to challenge the minister on his policies. If he does not want to take it from us on this side of the House, surely he could take the criticism of his colleague in Nova Scotia and do something to resolve the difficulties in licensing.

Let me complete my remarks on fisheries by saying that the hope of the fishing industry on the Atlantic, coast for the future is that the standards of the industry, in providing a product that is acceptable worldwide, will be raised. The federal government can do much to assist in this area, and I hope it will take that action.

I mentioned marine transportation. In my constituency, the port of Halifax employs, directly, and indirectly, some 10,000 people and generates over $1 billion in financial considerations. It has one of the finest container piers on the Atlantic coast, and we are in the process of constructing and hope to open next year in the spring of 1982 a new container pier at Fairview Cove. The future of marine transportation is great, and the facilities in Nova Scotia are of world class. We hope that in the future facilities will be expanded across the province, which will result in the development of the Strait of Canso as a superport. This is in part dependent on the location of a liquid natural gas terminal, and we in Nova Scotia are happy that the Minister of Finance has said that the choice of the location of a liquid natural gas terminal will be decided by the National Energy Board on the merits of the competing ports. He has said repeatedly that the Strait of Canso will get every consideration, along with the port at Gros Cacouna on the St. Lawrence River. I say that because some people in Nova Scotia are very wary about the fact that this kind of consideration will take place. So we take the Minister of Finance at his word, and we hope he will communicate this to his colleague, the Minister of Energy, Mines and Resources (Mr. Lalonde) who, on occasion, has said some different things

with respect to the capability of the port at Gros Cacouna and its chances of being the location for the liquid natural gas terminal.

Third, I want to speak about energy. Let me say very briefly, as I have said many times in the House, that we have a very serious energy problem in Nova Scotia and on the east coast. For many years, we have been dependent, to the extent of 90 per cent of electric generation, on foreign oil supplies and we have been totally dependent on foreign oil supplies for home heating and for transportation fuels. But we have moved, in the last few years, under the guidance of Premier John Buchanan of Nova Scotia, to instituting a coal conversion program, which has substantially reduced our dependence on foreign oil. Now we are dependent, for electrical generation, to the extent of only about 3 per cent. But this involves the development of our coal resources. I am happy to note that the Minister of Finance announced last week a grant of $109 million for the development of a coal mine at Donkin and the Prince mine.

The hon. member for Cape Breton-East Richmond (Mr. Dingwall) was with the minister when the minister made the announcement, and apparently he was not in the least embarrassed by the fact that this announcement might have been made two or three years ago. We hope now that they have finally broken the ice and made the decision, they will proceed with the development of these mines so that we can utilize the coal resources, which are estimated to be in the range of 3.5 billion tonnes, with 800 million tonnes which can be mined by conventional means. So by 1990, we expect to use some 8 million tonnes of coal in Nova Scotia, and that will be welcome relief in relation to our energy problem.

We look forward to a natural gas pipeline extension in Nova Scotia which was promised by practically everyone on the other side of the House. It was promised by the Prime Minister (Mr. Trudeau), by the Minister of Finance, and finally by the Minister of Energy, Mines and Resources who said it will go ahead and the only problem is that the National Energy Board has not approved it yet. That may be a stumbling block, but the minister has assured us it will go ahead, even if he has to pass a bill, as he said for those who did not know that the minister could pass a bill on his own.

One of the big projects in Nova Scotia for the future is the development of the Fundy tidal power. If you look at the National Energy Program, you will find that there is not one word in it about tidal power. Yet the Minister of Energy, Mines and Resources has the colossal gall to stand in the House today and speak about the development of tidal power. He did that because the Premier of Nova Scotia is in New York City right now negotiating an agreement with the New York state power authority over the development of Fundy tidal power. We hope that that development will go ahead with or without the help of the federal government because, as an article reporting on the meeting states, Nova Scotia and New York are natural partners in this venture.

There are other matters in relation to energy which I should like to mention. There is the location of the liquid natural gas terminal, but, most important, there is the development of offshore oil resources. It has been said that the oil fields already under exploration and development in Hibernia off Newfoundland could supply the east coast area with petroleum sufficient for their needs. But there is the danger that the development will be retarded by the disputes between the federal and provincial government over ownership and the effect of the National Energy Program. So I hope that the government, and more specifically the Minister of Energy, Mines and Resources, will resolve these difficulties so that we can get on with the development of offshore resources by the private sector.

In concluding my remarks on Bill C-59, let me say, Mr. Speaker, that no one believes the government can go on overspending and borrowing without drastic results being felt in the economy, but at the same time we have problems in Canada which must be resolved by the government, with appropriate assistance in the appropriate places. What we need is sensible judgment on the part of the government in cutting expenditures and in economizing, but not at the expense of the Canadian people and not at the expense of the projects which must go forward to resolve our problems in Canada and in Nova Scotia.

Mr. John Thomson (Calgary South): Mr. Speaker, I would like to suggest to you that I think 95 per cent of the constituents in Calgary South would vote against Bill C-59. I would go one step further and say that if all Canadians were given the opportunity, they would vote against Bill C-59.

• (2030)

The Liberal government is a great proponent of referendums. I just wonder what would happen if this government were to put Bill C-59 to a referendum in Canada. Do hon. members opposite honestly think that the majority of Canadians want our government to go out and borrow $14 billion?

Mr. Collenette: Hear, hear!

Mr. Thomson: "Hear, hear": the favourite government response is contempt for the Canadian people. Most Canadians recognize the insanity of borrowing ever-increasing amounts of money to finance a government which has no commitment to restraint. I think most Canadians would go along with borrowing some money if they had any trust that this government would practise restraint, but with this government, spending is out of control. This government gives lip service to curtailing its expenditures but proceeds to spend money in the same way it has since 1968.

How does a country continue to spend more than it takes in revenues? This is the answer of one government spokesman: the answer is quite simple; the state will have budgetary deficits and finance itself through loans; in practice that will be done through the intermediary of the Bank of Canada, which will open up a credit account in the name of the government in return for loan certificates; if the bank does not have enough currency in circulation, it can always print some without any inconvenience, when needed.

Those are the words of the Prime Minister (Mr. Trudeau). It can always print some money without any inconvenience, when needed.

Where has that policy led this country in the last 12 years? It has led us to high unemployment, high inflation and low productivity. We can always print more money without any inconvenience. Inconvenience to whom? There is no inconvenience to the government; that is for certain, but there is a lot of inconvenience to the Canadian people.

I have never been able to understand why you, Mr. Speaker, and I have to balance our bank accounts and our incomes against our expenditures and why companies have to balance their expenditures against their revenues but the government does not. I am a chartered accountant, and I still have never been able to understand how the government can continue to borrow and borrow money and never, never practice the principle of balancing its books. Is Canada different from the rest of the world? Can we borrow our way to prosperity? I think what the Liberal government would have the Canadian people think is that we can borrow our way to prosperity. Well, we cannot borrow our way to prosperity. No society has ever received more than it earned, and I do not believe Canada will be any exception to this rule. It has not demonstrated that so far.

If you and I, Mr. Speaker, wanted to borrow money, or any company wanted to borrow money, we would have to explain what the money was to be used for and how it would be repaid. Do we see any evidence of that in this bill? What are we borrowing $14 billion for, and how is the money to be repaid? Do the people of Canada know that? Is the government prepared to tell the people of Canada what the $14 billion will be used for? Does the government tell the people of Canada how it will repay? No, it just makes a blanket statement that it wants a blank cheque for $14 billion, and it will put the responsibility on the backs of our children. That is what the Liberal government has said. It wants a blanket borrowing authority for $14 billion without any indication of what it will be used for.

Deficit spending by the Liberal government has become an accepted way of life. The budget of the Minister of Finance (Mr. MacEachen) and the Speech from the Throne attested to the fact that the Liberal government is not prepared to come to grips with our enormous fiscal deficits but, rather, it will simply borrow the funds necessary to finance runaway government expenditures.

That was said by the Minister of Finance in his budget statement last October, and it was said earlier in the throne speech. The government said it would not curtail its spending. It said it would be a deficit-financed government. That is the Liberal commitment to the people of Canada. This government will not attempt to cut its spending; it will deficit finance and continue to deficit finance whether we like it or not.

On a national accounts basis expenditures for the current fiscal year are expected to be approximately 16.8 per cent higher than they were last year, and yet the government and the Minister of Finance have the audacity to say that expected growth in government expenditures will not exceed the rate of growth of the economy. How can a man stand up before the people of Canada and say that the rate of government expenditures will be confined to the growth of the Canadian economy and at the same time present a document which indicates that expenditures will rise 16.8 per cent? Where is the credibility in such statements? How can the people of Canada trust a government which makes such ridiculous statements?

In a speech to the House of Commons on April 21, 1980, the Minister of Finance assured Canadians that the rate of growth of government expenditures would be tightly controlled and that government deficits and financial requirements would diminish as economic growth resumed. How will economic growth resume in Canada if the government takes more and more away from the private sector? What evidence do we have, if there is any, to support the claim that the Canadian economy will grow and thereby our deficits will be reduced? I say that the statement of the Minister of Finance was just so much pious piffle, and the Minister of Finance knows it.

The Liberal government has no commitment whatsoever to restraining government expenditures. I have just a few statistics to put on the record. The average annual rate of increase in government expenditures in Canada was 19.4 per cent in the years 1970 through 1977. This compares with an annual rate of increase in the United States of 10.9 per cent. The rate of increase in government expenditure in Canada was almost twice that of the United States in the years 1970 to 1977. In fiscal 1980, spending by all levels of government in Canada represents 42.5 per cent of our economic output, compared with 30 per cent in 1961.

In 1980, of everything Canadians produce, everything we do and everything which is wealth-producing, all levels of government take 42.5 per cent as compared with 30 per cent in 1961. Is it any surprise to anyone that this government stands before the Canadian people tonight and asks them for authority to borrow $14 billion to finance a deficit in 1980 which will be close to $15 billion? It should not be any surprise.

Let me put this in a little greater perspective. In order to balance the federal budget in 1980, it would be necessary to double the revenue from personal taxes or apply a tax increase of more than $500 to every man, woman and child in Canada. If we wanted to balance the fiscal budget, we would have to double personal taxes in this country, and every man, woman and child would have to pay an additional $500. I suppose that does not really concern hon. members opposite because they know somebody somewhere in future generations will pay for it, so they would rather not face up to our fiscal responsibilities today. They would rather throw them onto the backs of future generations. If Canada is to continue to prosper, there is only one way, and that is for the federal government to move toward a balanced budget.

● (2040)

That is almost heresy today, isn't it, and politicians in Canada talk about moving toward a balanced budget. It certainly is for the Liberal government. I am not here to stand

before you and tell you we can move toward a balanced budget quickly. I think it can be done over a period of five or six years. Federal government expenditure is a question of commitment. It is a question of commitment by the government that federal government expenditures must grow at a lesser rate than their revenues. We cannot burden the economy with more taxes and at the same time increase productivity. I think even my friends opposite recognize that. We cannot burden the Canadian economy and the Canadian taxpayer with further taxes and have any hope of increasing productivity in Canada.

As I said, there are those who say a balanced budget is out of the question, and there is no question it is a difficult political exercise. It can be done if the government has the backbone to impose the necessary restraints, restraints on the civil service and by eliminating ridiculous programs such as the oil stabilization program. It is madness for the Canadian government to borrow money to pay for a $3 billion oil subsidy to Canadian consumers. Even the Canadian consumers would consider that madness.

They are increasing federal borrowing by $3 billion in order to subsidize the consumption of gasoline, not only by Canadian consumers but by foreign consumers, foreign air carriers and United States' motorists coming across the border.

An hon. Member: Terrible.

Mr. Thomson: We can move toward a balanced budget if the government has the backbone to sincerely face up to restraint.

An hon. Member: Hear, hear!

Mr. Thomson: The royal commission of inquiry on financial accountability, referred to as the Lambert commission, recommended significant changes, including establishing a framework of accountability for government. It has been two years since that report was made and I see precious little evidence that the Liberal government has initiated any efforts whatsoever to comply with the recommendations of the Lambert commission.

An hon. Member: It's coming.

Mr. Thomson: The Lambert commission in March 1979—and I would just like to remind those opposite—after two years of careful study and consideration reached the deeply-held conviction that the serious malaise pervading the management of government stems fundamentally from a grave weakening and, in some cases, an almost total breakdown in the chain of accountability, first within government and second in the accountability of government to Parliament and the Canadian people.

I guess the only time we in this House of Commons are accountable is when we have an election. How can a Member of Parliament be accountable to his constituency for borrowing $14 billion? How can a Member of Parliament be accountable to his constituents for massive over-expenditures by government on capital projects? How can we represent to our constituents that we have, in our government, sound management and accountability for expenditures? We cannot. None of us can.

Financing of the federal deficit contributes significantly to the rate of inflation, high interest rates and unemployment. Government spending and fiscal deficits take away from the productive sector of the economy, the sector which creates the jobs. Government cannot create jobs by spending. Actually, government spending takes jobs away from the private sector because it takes that money away, spends it, and does not create investment. The federal deficit, as I said, contributes to inflation. There is no authority in the Bank of Canada or any financial authority that I know of in Canada that would not say today that a substantial part of the inflation we are experiencing in Canada is due to the federal deficit and continuing deficits which this country has experienced since 1974.

Federal deficits have contributed to high interest rates because the government is borrowing $14 billion. If the government were not borrowing that money, there would be that much more money available for private enterprise, and others in the economy, and they would not be driving interest rates up. For the government to go out on the market and borrow $14 billion is to simply drive up interest rates.

We will not have decent interest rate levels in Canada until this government learns to face up to fiscal responsibility. Horror stories of mismanagement by the federal government over the past 12 years are endless. I could stand here from now until tomorrow night reciting them, and I am sure many other members could as well.

I would like to refer to a few examples of overspending on major capital projects. For instance, in my home town of Calgary in 1973 it was decided that the Calgary International Airport should be rebuilt. It was estimated the terminal would cost $57.7 million. In 1977-1978 the final cost when the building was completed was $127.4 million, a cost overrun of $69.7 million. In Montreal, a project referred to as MAPP involved the construction of a postal plant. Approval was finally given in 1974 for an expenditure of $161 million. The final cost came in at $273 million, a cost overrun of $112 million, or 70 per cent.

We turn now to the Prince Rupert grain dryer, something very close to the heart of the Minister of Transport (Mr. Pepin), I am sure. Approval was originally given for $705,000 to construct this project. The final cost was $3,812,000, a cost overrun of $3,107,000, or 479 per cent over the budget.

The government told the Canadian people that the Prince Rupert grain dryer and Calgary international airport would cost so much money, and then it gave out a blank cheque, having no regard for and no control over those estimates. The original cost of constructing the Mirabel airport and the acquisition of land was estimated to be $243,495,000. The final cost was $360,667,000, for a small overrun of approximately $170 million, or 48 per cent. That is one of the small percentage cost overruns. It only cost the Canadian people an additional $170 million.

Where would any of us end up if we were to conduct our financial affairs that way? Where would the largest company in North America or, for that matter, in the world end up—

An hon. Member: Ask Massey-Ferguson.

Mr. Thomson: In connection with the overruns and major capital projects—and there is a thick file of them which I could go on reciting—I would say the Conservative government, while we were in power, initiated a task force to investigate the means to control to a greater extent this area of government expenditure.

I have to conclude the Liberal government does not consider it important enough to re-establish this committee. Perhaps they would find it too embarrassing.

An hon. Member: There is nothing embarrassing about it.

Mr. Thomson: That is probably true. Then we have the Canadian Unity Information Office, that wonderful government department of which I am sure all Canadians can be proud. The Canadian Unity Information was established as a three-man operation in 1976 with a budget of $1 million; today that department employs 90 people, and its budget for 1980 was $10.6 million. The government saw fit to increase the budget of the Canadian Unity Information Office to $17 million as soon as it took office, so now the budget of the CUIO is $26.6 million, and its director of finance indicated that its actual spending for this fiscal year will be closer to $31 million. This money is being spent for political purposes, to promote the interests of the Liberal Party at the expense of Canadian taxpayers. We must make no mistake about that.

• (2050)

Why do Canadians need their government to tell them that Canada is strong? Do they really need that? Why do Canadians need to pay for Canada geese flying across television screens to identify with their country? It is a ridiculous waste of money, yet the Liberal government says that it cannot trim government spending. We are tightening the belt, we are telling them how to identify with Canada.

They tell Canadians that we have a strong Canada and that we do not have an energy problem when we do. It is a ridiculous and profligate waste of taxpayers' money.

The Canadian Unity Information Office is nothing less than a propaganda machine designed to convince Canadians that Liberal policies are the best policies. This government department is manipulative and designed to support decisions of the Liberal Party. These programs cause more national divisiveness and promote deep mistrust by Canadians of their federal government.

Another example of needless government spending is the acquisition of Canadian Petrofina. The government acquired the company for $120 a share which just over one year ago was selling its shares at $50. Over 50 per cent of the assets of Canadian Petrofina are represented in service stations, its Montreal refinery and real estate. The question I should like to ask the Minister of Energy, Mines and Resources (Mr. Lalonde), the Deputy Prime Minister and Minister of Finance, or anyone in authority in the Liberal government is: how come real estate, service stations and a refinery—hardware—can appreciate in value from $50 to $120 a share or 150 per cent in one year? Again the Canadian taxpayer ends up footing the bill.

I could find some sympathy for the acquisition if it was adding one drop of oil to Canada's energy security. But no energy security is derived from the acquisition of Petrofina, not one barrel of oil or one cubic foot of gas. It will not do Canadians any good, but they will pay for it at the gas pump. It will place Petrofina in the hands of an inefficient, wasteful organization called Petro-Canada.

If they wanted to reduce the fiscal deficit of about $15 billion and to reduce this borrowing bill, they could have taken the money they spent on Petrofina. The philosophy of the Liberal government is that the market system will not work and has not worked for Canadians. This country was built on the free market sytem, but the philosophies of the Liberal party and my friends to the left is that the market system will not work and that private initiative left to itself cannot guarantee prosperity. There is no guarantee of prosperity in this life for anyone. The government cannot guarantee prosperity. If Canadians believe the Liberal government can guarantee prosperity, they are wrong, but the Liberal government can guarantee greater and greater deficits, more and more government spending, and more and more government control over their lives.

Another statement of the Prime Minister was that prosperity must be assured through state planning. The Liberal philosophies are: the market system will not work, private initiative left to itself cannot guarantee prosperity, prosperity must be assured through state planning. This is bureaucratic control and interventionism. The Liberal government believes it knows what is best for everyone, that Canadians are not capable of making decisions for themselves.

I do not think very many members of the Liberal government were exposed to life in business or to working in a business, so they do not understand the work ethic or what makes Sammy run. They have never tried to understand the work ethic. They fail to understand that most Canadians enjoy working and the fruits of their work. It makes them feel good and they have a feeling of accomplishment, but in return they seek a sense of participation and a reward which is commensurate with their input. That is called "incentive". The Liberal government does not understand the meaning of the word "incentive"; it does not understand human motivation, it does not understand what motivates people to build a better mousetrap. Without a system of incentives, people cannot be motivated to be innovative or to develop excellence.

We have all the evidence before us of state-controlled economies, without exception they are dismal failures. We can look at the United Kingdom, Italy, France and Sweden. We can look at the food lines and the people lining up to purchase clothing in Czechoslovakia. Perhaps Czechoslovakia is in a

more advanced state of socialism, but not too long ago I saw the people in Czechoslovakia lining up for food and clothing, I saw the weariness and frustration in their eyes. The people in the United Kingdom, Sweden and other socialist countries are taxed to the point that productivity no longer exists.

Sweden, the United Kingdom and Italy are no longer competitive in many areas. Why are they not competitive? It is because of government intervention and the socialist myth that government can do it better. I never saw such a tragedy as the one in Prague, the hopelessness and despondency. That is what socialism has done for that country. Before the Second World War, Czechoslovakia was one of the most productive and innovative countries in Europe. I will not deny that the market system has its faults—yes, it produces an unequal distribution of wealth. I will grant that to my friends in the NDP, but as someone said—and I do not know who it was—that socialism creates an equal distribution of misery. The history of nationalized industry throughout the world is one of gross inefficiency and, consequently, a continuous drain on the resources of the economy. It is no exaggeration to say that the main reason the United Kingdom, Sweden and Italy have fared so badly in the recent past is due to their nationalized industries.

• (2100)

Mr. Rae: What is the unemployment rate in Sweden?

Mr. Thomson: The unemployment rate in Sweden is very close to 1 per cent or 2 per cent; however nobody can afford to buy anything, because they are taxed so heavily. As I said the other night, a person making $25,000 a year pays $13,000 a year in taxes. You can buy a pair of galoshes here in Canada that will cost $10, but there I had to pay $50 Canadian a pair. Their standard of living has gone from the second highest in the world in 1971 to nineteenth today.

An hon. Member: But they have full employment.

Mr. Thomson: Yes, they have full employment. But full employment is not creating any productivity for Sweden. It is forcing them to nationalize most of their industries. I would like to talk for a moment about the National Energy Program.

Underlying the whole thrust of the National Energy Program is the concept of state control. I challenge the Liberal government to deny that. That is why it was created. The man who created it was Dr. Edmund Clark, a committed socialist. That is something everyone knows. He wants state control over the energy industry in Canada. If the National Energy Program's objectives were security of supply and independence from world oil markets and, second, opportunity for Canadians to participate in the energy industry and fairness on pricing and revenue sharing, then I fully endorse those objectives. However, the National Energy Program is a far cry from ever achieving any of those objectives. The main reasons why the National Energy Program will never fulfil the stated objectives are the ill-conceived foundations upon which the plan is structured.

I would like to mention a few of them. The cornerstone of the National Energy Program is that the government's conception of Canada is one in which the central government controls all economic activity in the country—regional interests in Canada are best administered from Ottawa. It is no accident that both the constitutional crisis regarding patriation of the British North America Act and the energy war are occurring at the same time.

The critical issue in both instances is what kind of a nation Canada is today and what kind of a nation it will be tomorrow. Are we to have strong provinces or are we to have an economy dominated by a central government? If the federal government persists in moving Canada toward a unitary state then this country will not survive. My constituents will not stand by and watch the federal government steal their resources. I am making that abundantly clear now, Mr. Speaker.

If we want a government to control all our energy policy in this country, then let us look at some of the things they have done in the past. In the early 1970s the minister of energy promised oil self-sufficiency by 1980. Today we are importing 500,000 barrels of oil per day. That is Liberal government energy policy for you. We have waited ten years for frontier land regulations. There has been no effort whatsoever to maximize the use of heavy shut-in oil in Alberta. There have been no government initiatives to aid in the use of heavy shut-in oil reserves in Alberta and western Saskatchewan. This may surprise you, Mr. Speaker. Petro-Canada refused to participate in Hibernia. That is Liberal policy for you.

Then we have the great deal with the government of Mexico. We pay higher than world price for a low-grade quality crude. We cannot even refine it because we do not have a refinery which can handle it. Then having made the deal with Mexico, the Mexicans turn around and say that they cannot sell it to us and that they can only give us about 50 per cent of their deliveries. That it Liberal energy policy for you.

The federal government says it must have a far greater share of oil and gas revenues. Yet it is not prepared to recognize the legitimate rights of the provinces. When we are talking of sharing, do we not have to talk about price? What are we sharing? How can you talk intelligently about any sharing program or any percentages if you do not talk about what you are sharing? Let us talk about what price we are sharing. It is claimed by the Liberal government, with their manipulative tactics in the National Energy Program; meant to deceive the Canadian people, that the federal government's share is only 10 per cent, the Alberta government's share is 45 per cent and the industry's share is 45 per cent.

That is 45 per cent of what? And 10 per cent of what? Is it 45 per cent of 41 per cent of the world price? That is what we are talking about. Why do we not talk about a revenue-sharing program based on fair energy prices? What would that produce? Let us not even talk about world price for oil, let us talk about something in the range of 75 per cent or 85 per cent of world oil price. If the province of Alberta and the producers were receiving 75 per cent of world price, the federal government's share of the revenue under the existing formula would

be in excess of 50 per cent. The federal government and the Minister of Energy know that full well. It is deception—gross deception.

If we are only paying 40 per cent of the world price for crude oil, what is happening to the other 60 per cent? I could make the argument that the federal government is taking that 60 per cent, turning it around and subsidizing the Canadian consumer. A great many people would agree with that. Authority after authority outside the oil industry have stated that the government's pricing strategy is ridiculous and unfair. I have said this before, and I will keep on saying it. Do you know of any industrialized country in the free world which is subsidizing the consumption of a scarce commodity? As I have said, it is a subsidy which will be paid for by our children. It is a subsidy to U.S. motorists, foreign air carriers and Saudi Arabia. It is madness.

While I am talking about the National Energy Program, and in that I have just one minute left, I would like to read to members opposite a letter from the Independent Petroleum Association of Canada dated January 26, 1981, to the Prime Minister. I will not bother reading the entire letter, but I will read this paragraph:

> In view of the far-reaching national and international implications of the NEP, we respectfully request that your government establish a special joint committee of the Senate and House of Commons to undertake a full examination of the impact and ramifications of the National Energy Program. We believe the program merits the same level of thoughtful scrutiny as the constitutional reform proposals. The consequences are too serious to have the elements of the NEP treated as routine legislation.

I plead with members opposite to give that request their sincere consideration. I think we can all learn something from it. Let us put the National Energy Program out on the table. If it is as good as the Minister of Energy and the Minister of Finance say it is, and if it will create security for Canadians and if it is fair, then why hide behind it?

• (2110)

Let us refer the matter to committee where it will receive the attention of the people in the industry who know something about it. Let us put the facts on the table and provide the truth to the Canadian people.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the government proposes to borrow money in order to meet its expenses at a very serious time. Over one million people are unemployed in the country, and the majority of them are willing and anxious to work. The cost of living increased by over 11 per cent in the past year. The cost of food increased by over 13 per cent and the cost of energy increased by over 19 per cent in the past year. People from my constituency called me last month after they received their heating bills for December. For the first time these people, who live in small modest homes, were billed for expenditures in excess of $100 for the month. It is not surprising when one realizes that the cost of gasoline went up by 30 per cent in the past year.

I could not participate in this debate without spending a few moments discussing some of the comments made by the hon. member for Calgary South (Mr. Thomson). His argument is that government spending is intrinsically bad and private sector spending is obviously good. However, the government has established a hospital insurance plan which protects people from the Atlantic coast to the Pacific coast from financial disaster brought about because of a major illness.

Unlike the United States where there is no similar hospital insurance plan, Canada has a medical plan which pays the hospital bills of its citizens when they become ill. Canadians no longer worry about going bankrupt or into debt as a result of illness. This hospital plan is in place because of government policy, not because of a private insurance plan. Many people in Canada who have reached the age of 65 can live in some comfort and dignity because we have an old age security plan and a Canada Pension Plan. It is becoming increasingly obvious that private insurance plans operated by the private sector have not met the needs of the Canadian people.

The hon. member for Calgary South, who has now left the chamber, said that government operations usually result in failure and inefficiency, that we should leave such operations to the private sector. Where has the hon. member been? Why are the Government of Canada and the government of Ontario being asked to bail out Massey-Ferguson? It is not because of government that Massey-Ferguson is in its present financial situation. Where was the hon. member when we were discussing bailing out Chrysler? It was not the government which put Chrysler in its difficulty, it was inefficient management in the private sector.

The hon. member for Calgary South railed against public or state ownership. The hon. member comes from a province which has had a publicly owned telephone system for more than 50 years. We have not heard him suggesting that the Alberta government get rid of that telephone system. There is also a publicly-owned airline, Pacific Western Airlines, in Alberta. I wonder how the hon. member squares that fact with the principles he enunciated today. Then there is Ontario Hydro which was implemented originally by a Conservative provincial government and which has been operated all these years under a Conservative government regime.

I have named a number of the more prominent government-owned companies. There are companies in Alberta which are partly owned by the people of Alberta and by the government. The Alberta Gas Trunk Line, which is now called Nova, I understand, is 50 per cent owned by the Alberta government. The hon. member said again and again in the course of his speech that the countries in which the governments become involved in economic decision-making are facing difficulty. He went on to list countries which he implied had socialist governments and as a result were in a great deal of trouble.

The facts prove the hon. member wrong. The hon. member included France in his litany of countries which are in trouble. Any economic indicator at which one would care to look will show that France is doing better than Canada, and it is no accident, although there has not been a socialist government in France for more than 20 years. However, the government of France believes that it should be involved in the planning of

the economy. That government sits down with its industry and discusses, for example, the direction in which it should expand its efforts, what fields are likely to be profitable in terms of production and employment, where investments should go, and, ultimately, in what direction the country should go.

The government of Japan, and there has never been a socialist government in that country, is heavily involved in the decision making of Japanese industry. I visited Japan a year and a half ago. While there we were briefed by the Canadian ambassador with regard to a Japanese industrial strategy. There is not a decision made by a major Japanese corporation which is not first cleared with the Japanese government. If the corporation can show the government that its investment, expansion or whatever will serve the interest of the Japanese people, then the government encourages the industry to go ahead. The government often allows the industry to borrow money from the bank at less than the going rate of interest, simply because it is in the interest of the Japanese people.

The Japanese would not allow the kind of situation to develop there which developed in Canada whereby International Nickel used its profits, loans from the government and unpaid deferred corporation taxes to develop its nickel deposits in Guatemala and Indonesia. These foreign mines compete in the world market against Canadian mines and as a result, thousands of Canadian workers have been driven out of the mining industry.

West Germany has had the best economic record in the world in recent years. The hon. member for Calgary South may not know it, but West Germany has had a social-democratic government for a number of years now. That government does not nationalize every industry and probably has less public ownership than Canada.

● (2120)

That government follows a deliberate policy of meeting with the business interests and the trade unions to work out policies which will help it expand its production facilities, increase the number of workers and meet the needs of the people both in the country and in the foreign markets which are so important to every country that has a manufacturing base.

I have one last thing to say about the remarks of the hon. member for Calgary South. He spoke of the Liberal government's policies on energy, saying they were bad, they were destroying industry and were having terrible effects on the country. This is not the time to debate that matter in detail, but I would remind the hon. member that in 1970 the Government of Canada told the people that proven reserves of natural gas would meet the needs of this country for 923 years. It was shortly before 1970 that the then minister of energy, mines and resources, Mr. Greene, told the people of Canada that there were sufficient oil supplies to meet their needs for about 100 years. We all know that both estimates were terribly wrong.

Where did the former minister get his information at that time? He got it from the oil and gas industry which was interested in exporting more oil and natural gas and for that reason gave out information which it must have known to be wrong. It was done for the industry's own purposes and was not in the best interests of the Canadian people.

I say to the hon. member for Calgary South that he ought not to put his trust quite so much in the good will, the common sense and farseeing approach of the private sector; sometimes he should think about what is good for the people of Canada as a whole and not just for the private sector.

I want to say one other thing to the hon. member for Calgary South. When I was looking over my notes in preparation for this speech, I came across another speech, one that I made in October, 1979, when there was a Conservative government. The same kind of bill was before the House at that time. It is true that we were not being asked to give the government authority to borrow $14 billion, we were being asked for permission to borrow $7 billion. If it is a crime to borrow money, then I say to the hon. member for Calgary South that the only difference between the Liberal government and the former Conservative government is the extent of the crime.

We are not opposed to a proposal to borrow money if the reasons given are adequate. If we felt that the money was to be used to improve the wellbeing of the Canadian people, if we felt that the money was to be used to provide more jobs for the Canadian people, if we felt that the money was to be used to provide better living conditions for the Canadian people, we would agree to it but as far as we can tell, there is no indication that the money will be used for any of those purposes. If we are being asked to provide money to meet the deficit which is expected between the amount we spend and the amount we take in as revenue, then we must ask ourselves why this deficit has occurred.

I want to say to hon. members on the government side of the House that one of the main reasons for the deficit is that the economy is not working at full capacity. In the years after World War II it was estimated by economists at the Economic Council of Canada, who certainly were not radical, that full employment was achieved with the employment rate between 3 per cent and 4 per cent.

The present rate of unemployment is more than twice that; it is over 8 per cent. According to official statistics, 945,000 people in this country are unemployed. That figure refers to those people who are actively looking for work, but there are several hundred thousand people in this country, particularly young people and more particularly those in the slow-growth areas, who are no longer looking for work. In large parts of Newfoundland and Nova Scotia there is no use looking for work as none is available. There is no use looking for work in the eastern part of Quebec because there is none. The same is true of parts of northern Ontario and the Interlake region of Manitoba. These are just a few examples.

We must ask ourselves what the consequences are of having one million people unemployed instead of 400,000. One consequence is that we lose about $5 billion per year in production. Mr. Speaker, 500,000 more people at work would bring taxes in the neighbourhood of $1.5 billion into the coffers of the

government. These 500,000 people who should be working and paying taxes are not working; they are not paying taxes and they are not buying goods to the extent that they would if they were working. They are not in any position to buy homes, refrigerators, stoves, television sets or any of the basic items, the manufacture of which provides jobs. Not only are they not working and not paying taxes but many are collecting unemployment insurance benefits. The federal treasury is subsidizing the unemployment insurance plan by about $4 billion per year.

These are some of the reasons for the kind of deficits we have today. We must ask if we need to have that many people unemployed. I do not believe that it is necessary. We must also ask if we have met all the needs of the Canadian people. Not only have we not met the needs of the ordinary citizen, we have not met the needs of the country. We should be able to sell the goods we produce but we find that we cannot even move the grain that the western farmers produce. This is not my area of expertise, but the last figure I saw showed that we could have sold another $1 billion worth of grain per year if we had been able to move it.

Mr. Pepin: That is your fault.

Mr. Orlikow: The minister says that is my fault. There is one thing a Liberal minister will never admit and that is that anything wrong with the country is his fault. I would remind the minister that this country has had Liberal government for—

An hon. Member: Too long.

Mr. Orlikow: An hon. member says for too long. We have had Liberal governments for about 54 of the last 60 years, so when the Minister of Transport (Mr. Pepin) says it is my fault that we cannot move the grain I am sure he says it with tongue in cheek.

We need to upgrade the whole railway system, the rail lines and rolling stock. We should be planning to electrify the transportation system but according to the Liberal and Conservative philosophy, we cannot afford to do that. We cannot afford anything.

• (2130)

We need to modernize our automobile industry. The hon. member for Hamilton Mountain (Mr. Deans) dealt with this question last night. Our automobile industry is in a state of chaos. The auto pact is a complete failure. The multinational automobile companies are making plans to rationalize the industry. Those plans leave very little for this country. Canadian auto workers face a very dim prospect if they have to depend on the decisions made up until now by this Liberal government.

We need an industrial strategy. We need to look at those fields in which we have obvious natural advantages. We have tremendous natural resources. We have coal, oil and gas. Where is the drilling equipment and the mine machinery produced? It is not produced in Canada, it is imported into Canada.

Mr. Pepin: Don't exaggerate that much. That is wrong.

Mr. Orlikow: These are the facts. We say that the large part of the deficit money that we are being asked to approve in this bill is required due to faulty economic strategy and the mistaken philosophy of this Liberal government aided and a betted—although they huff and they puff—by our Conservative friends on the other side.

Some hon. Members: Oh, oh!

Mr. Orlikow: I suggest that the deficit would be substantially less if we had a tax system which was equitable and fair. Let me illustrate what I mean by that. There was a time not many years ago when federal expenditures were met in a way in which personal income tax and corporation taxes paid about the same percentage of the federal government's expenditures. Those days are long gone. Today personal income tax contributes a very large percentage more to meet the expenditures of the Government of Canada than does corporation tax. That is true because ever since 1945 Liberal and Conservative governments have so changed the tax system that corporations are paying less and less of the cost of providing services required by the people of Canada. How did that happen? It happened in the following ways. Depreciation and write-offs far in excess of actual depreciation have been accorded to Canadian corporations, resulting in several billion dollars of deferred corporation taxes which will never be collected.

We are permitting the corporations in this country to use money, which they would have paid in taxes, to expand their productive facilities, to increase their business and to make larger profits. They are doing that with what are, in effect, interest-free loans. I suggest to members on both sides of the House, Liberals and Conservatives, that there is not one ordinary Canadian citizen wanting to buy a house or to meet any of his or her expenses who would not be delighted to get the kind of break we give to the corporations in this country, namely, an interest-free loan. I have the strange idea that the ordinary citizen who wants to buy a modest home in my constituency is at least entitled to as generous treatment by the Government of Canada as are the large corporations.

Tax benefits to resource and other companies have been such that our largest companies are paying tax at a substantially lower rate than the tens of thousands of small businessmen who employ most Canadians. Let me refer to an article which appeared in the *Ottawa Citizen* of August 23, 1980. It is entitled "Income tax system is riddled with Liberal holes for oilmen". I shall quote just a few paragraphs from that story. In referring to a study, we read:

> They show that federal tax concessions are so big that the government's share of oil and natural gas income fell in 1979 amid a 54 per cent increase in industry profits and a 17 per cent gain in provincial royalty earnings.

The article goes on as follows:

> —compared to 1978, "current income taxes paid were almost unchanged (in 1979) at $1 billion, reflecting largely a greater use of the investment incentives available".

Another paragraph reads:

The corporate tax deferrals include a wide range of special write-offs for depletion, depreciation, and exploration and development investment and equipment.

The provisions became steadily more numerous and generous in a series of Liberal budgets from 1974 to 1978.

According to a report published by the energy department last November, the tax concessions "reflect a concern with providing incentive to develop new energy supplies".

In a practical way what does that mean? Let us just look at the big five oil companies. Imperial Oil's profits increased in the first nine months of 1980 to $481 million from $309 million in 1979, an increase of 56 per cent. Texaco's profits increased from $169 million in 1979 to $278 million in 1980, an increase of 59 per cent. Shell's profits increased from $174 million in 1979 to $267 million in 1980, an increase of 54 per cent. Gulf Oil's profits increased from $206 million in 1979 to $286 million in 1980, an increase of 39 per cent.

That is what has happened in the oil industry. But to listen to our Conservative friends, particularly to our Conservative friends from Alberta, one would think that government policies are starving the oil companies, that they are putting them out of business. Nothing could be further from the truth.

I want to talk about what our tax policies have meant to the banks of Canada. The continued life of income debentures beyond 1978 means that the banks' effective tax rate is down to about 18 per cent. Large holding companies whose only revenue is dividends are receiving a substantial public benefit. The public treasury is short some $400 million a year in lost revenue. The banks paid $256 million in taxes on $492 million profit in 1970, and paid even less taxes, amounting to $230 million on $1,272 million profits in 1979.

If my colleague from Kamloops says it is unfair, it is not only unfair, it is scandalous that a government concerned about the welfare of the people of this country would permit that kind of situation to go on.

I want to talk for a few moments about what we ought to be doing and on what we ought to be making expenditures. One of the most serious problems in this country is that we have no industrial strategy. Our manufacturing industries are being decimated. The most recent tariff negotiations which took place resulted in the lowering of tariffs. They are finding it increasingly difficult to compete not only in international markets, but in our own Canadian market. We have no industrial strategy. The Minister of Industry, Trade and Commerce (Mr. Gray), when he was on the opposition side of the House, talked continuously of the need for an industrial strategy, the need to redesign or reorganize our manufacturing industries so they would be able to compete not only in the Canadian market but in the international market.

• (2140)

That has not happened. The only thing we have had from the Minister of Industry, Trade and Commerce, is desperate, stop-gap measures to prevent companies like Massey-Ferguson and Chrysler from going bankrupt and shutting down completely. We have no industrial strategy. The government has failed, partly because, like the Progressive Conservatives, it does not believe that it should intervene in the economy, that it should sit down with the business community, sit down with the workers in this country and try to assess what our natural advantages are, what our natural resources are, what our human resources are, what our scientific and technical resources are, what our natural advantages are and in what field we should expand. That has been completely lacking, despite all the speeches made by the Minister of Industry, Trade and Commerce and despite all his protestations since he became minister in the present government.

That lack of an industrial strategy cannot be demonstrated more vividly than in the failure of the Liberal government to deal with the fact that there is hardly an industrialized country in the western world which has as dismal a record in expenditures for scientific research and development as has Canada. For a variety of reasons, which I cannot go into in detail tonight, Canada is at the bottom of the totem pole amongst the OECD countries in expenditure for research and development. That has been true for close to 15 years. We are now spending less than 1 per cent of our gross national product on scientific research and development, at a time when every other country in the western world is spending at least 1.5 per cent, and some of them as much as 2 per cent, and more than 2 per cent, of their gross national product on scientific research and development.

During the term of the former Liberal government, we were told by the then minister of state for science and technology that the government had drafted a plan so that by the year 1983 we would be expending 1.5 per cent of our gross national product on research and development. That was in 1978, and the then minister was projecting that we would spend 1.5 per cent of our gross national product on research and development in 1983, by which time nearly all the other countries in the western industrialized world would probably be spending 2 per cent to 2.5 per cent of their gross national product on research and development.

What do we find? We find that the present Minister of Industry, Trade and Commerce just a few days ago announced a new goal. He said that the 1.5 per cent of our gross national product to be expended on research and development will now not be reached until 1985. That goal, and the way in which the minister proposed to reach it, has been criticized by every agency involved in research and development. In the Montreal *Gazette* issue of January 20, there is a news story entitled, "Industry cool to research policy". It reads:

Canadian businessmen showed little enthusiasm yesterday for a federal government program whereby it promises to increase spending for research and development but will ask industry to increase its share of total spending.

It goes on to point out that:

—under the five-year program, industry will be asked to increase its contributions by 17 per cent a year to $3.7 billion from $895 million.

Robert Long, president of the Canadian Advanced Technology Association said that the policy "makes one wonder whether the government is serious".

Dick Wertheim, spokesman for Northern Telecom Ltd., said that the rhetoric which the minister used to announce the policy is dangerous because it could lull the public into thinking something is being done. The President of the Natural Sciences and Engineering Research Council, Gordon MacNabb, said about the minister's announcement that critical shortages of research talent may prevent Canada from achieving the goal of higher spending on research and development.

Responding to the federal government's recent announcement of a framework for achieving research and development spending of 1.5 per cent of the gross national product by 1985, Mr. MacNabb said:

—there aren't enough people in the physical sciences: chemistry, physics, engineering and computer science, for example.

As if it were not bad enough that the government has retreated from its commitment after its very late conversion to the idea that we must spend 1.5 per cent of our gross national product on research and development, we now have the news, from what I am certain are very reliable sources, that this government, in its desire to hold down government expenditures, is giving very serious consideration at the cabinet level to getting out, in the next few years, of the federal government's commitment to sharing the cost of post-secondary education with the provinces and giving notice very shortly to the provinces that it proposes to cut back and then to eliminate the cash expenditures it makes to post-secondary education.

According to what I consider to be authoritative sources, the government proposes to cut $2 billion to $3 billion from its funding for the established programs financing. Where do they propose to do that? They propose to reduce their contributions to post-secondary education to the provinces by $1.5 billion. This will be a calamity for our post-secondary education. What does it mean to my province? I wish the Minister of Employment and Immigration (Mr. Axworthy) were here because, as a former university professor in Winnipeg, he knows the importance of universities to our province, as they are important to every province. To my province, it means a reduction, in the cash part of the secondary EPF which can be allocated to the universities in my province, to $52 million. Of that $52 million, about three quarters would be cut from the funding which the federal government now provides to the three universities in Manitoba, the University of Manitoba, The University of Winnipeg and Brandon University, and the other quarter would be cut from the funding for our community colleges, which play such an important part in the training and education of the young people in my province.

This decision by the federal government, if followed, would be a disaster for education in all parts of Canada. Enrolment at our universities has levelled off. The increases which we had every year, beginning in 1945, have levelled off as the population of Canada has stabilized.

● (2150)

It may be that we need to change our educational system. It may be that we need to re-orient our universities. It may be that we need to change the direction of our community colleges. But that is a decision which would have tremendous implications for the people of Canada. That is a decision which ought not to be made unilaterally by the federal government. That is a decision which ought not to be made just because the federal government believes it needs to control and reduce its expenditures. That is a decision which needs to be made after the closest and most careful consideration and in co-operation with the provinces and the universities and community colleges.

I want to close by urging the government to adopt the proposal made to it by the Association of Canadian Universities and Colleges and by the Canadian Association of University Teachers. The proposal made to the government was that before it embarks on this very dangerous course and before it makes the kind of unilateral decision which it seems to be moving toward in the field of post-secondary education, it should discuss these matters in detail and with a great deal of care with the provinces and with the universities and community colleges.

I urge the government to adopt the proposal it has made for the establishment of a royal commission to look in a real way at the problems of post-secondary education which are so important to the people of this country.

Mr. F. Oberle (Prince George-Peace River): Mr. Speaker, I wish to thank all my friends and colleagues who have waited here all night for this moment to listen to me conclude the debate for today. I have but ten minutes left, and I hope in those ten minutes to give a brief outline of what I will be saying about this piece of legislation tomorrow. I am glad I have this opportunity.

Bill C-59 is not a very big bill. I could read it into the record, but I will not. It has four paragraphs. One paragraph identifies Her Majesty, and I hope she has not read this bill because it is an insult to her. The other paragraph identifies the bill, which is known as the "Borrowing Authority Act, 1982", and then there are two more paragraphs which ask us to authorize the government to borrow fourteen thousand million dollars which it no longer has and has to borrow from a foreign source. What offends me about the bill too is that juicy little indication that this money may be borrowed in a currency other than that of Canada. Of course, it would have to be repaid in that other currency as well.

If I were to stand in this House to vote for this bill, I am sure my knees would buckle and give out from under me. I know if I came home and if my wife had watched me on television standing up to vote for this bill, she would probably rewrite her will. If I looked at myself in the mirror, I am sure it would explode.

Some hon. Members: Hear, hear!

Mr. Collenette: It is a wonder it has not already done so.

Mr. Oberle: I am sure my children would walk out and never speak to me again.

We really have to analyse in detail what this piece of paper—all four paragraphs of Bill C-59—means. It gives the government authority to run all over the world and commit the Canadian taxpayer to $14 billion, which will have to be repaid by someone. I think hon. members opposite are actually out to prove that those who said you cannot drink yourself sober were wrong and those who said you cannot spend yourself rich were wrong.

It is just mind-boggling by any standard that anyone would lay a piece of legislation like this before a group of intelligent people and expect them to pass it without debate.

I sat here all day waiting for my great moment tonight, and I have not seen one member of the Liberal Party participating in this debate, despite all the charges which have been made from this side, despite all the arguments we have made and despite all the evidence we have produced with respect to how this money is to be spent and the kind of burden it produces for the taxpayers of Canada. Twenty-five cents of every dollar this government collects from the average Canadian in the form of taxes goes to interest and debt charges. It is paid to foreign banks because that is where we have to borrow money. It is just simply mind-boggling to look behind the scenes of this place and to make any rhyme or reason of what the government is proposing to do.

If the government needed this money to improve social conditions in our country or to create new economy, if it were stimulative borrowing to invest in the economy in order to stimulate the economy and build for the future and even if it were for planting trees which would ripen 80 years from now, that would be an investment in the future, but that is not what we are doing with this money.

My friends on this side of the House spent all day today and yesterday—and will tomorrow—explaining to the government just what kind of deal it made recently with respect to the acquisition of Petrofina. It is hard to imagine that the government would spend $1.46 billion to acquire an oil company which owns 1,000 service stations and an antiquated refinery in Montreal and, in doing so, work toward one of the goals in the energy program.

There are two goals in the energy program. One is Canadian ownership. There is no longer any doubt about what that means in terms of this government's reception. It means government ownership of the oil industry. The other component in the energy package is energy self-sufficiency.

When I begin the debate tomorrow, I want to spend some time analysing this takeover because I have been examining Petrofina for some time. I looked at it particularly before the government spread the rumour that it might be interested in acquiring it. That was at the time the shares of that company were trading for about $70 while the value of the shares of every other oil company, in response to the government's energy package, was reducing. Petrofina shares increased in value quite significantly, from $70 to about $85 per share. There is no doubt about the fact that there were rumours that Petro-Canada, the people's oil company, was interested in making an acquisition, and not just an acquisition of any multinational oil company or any big oil company but Petrofina.

But the $85 was not good enough. The chairman of the people's oil company explained that on television the other day. They were just talking over coffee and saying, "What do you fellows think of selling?" It is like selling one's motorcycle or your wife's old bathtub which is sitting in the back yard to someone who wants to use it for a flower garden. It was like asking, "Do you want to sell that old bathtub out back?" The owner might say, "Sure, we would be interested; what do you think it is worth?"

"Well, about $150 a share".

"You are a little out of line, but we are interested".

A couple of months later there is a phone call. This is the way the man explained it on television. The phone call was to this effect: "Were you fellows serious when you said you were interested in buying this little oil company?"

I see that you are rising, Mr. Speaker. The hour has arrived. I will have some fun tomorrow. I want to save my energy. I am sure all my colleagues will be back so that I can tell them about Petrofina and the people's oil company.

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

[*English*]

COMBINES—INVESTIGATION OF RELATIONSHIP BETWEEN BELL TELEPHONE AND NORTHERN TELECOM

Hon. Elmer M. MacKay (Central Nova): Mr. Speaker, last Friday I asked the Minister of Consumer and Corporate Affairs (Mr. Ouellet) to take some steps with respect to the relationship between Bell Canada and Northern Telecom. I thought it was a particularly good time to do this since Bell has recently been making noises about yet another rate increase. I wish to put a few things on the record tonight which cause me some concern, and I hope the government will examine them.

A couple of weeks ago members of the board of Northern Telecom met in Toronto. Subsequently, a loss of $185 million in their U.S. operations was announced. There were about six Northern Telecom aircraft on the tarmac at that time, such as Lears, Falcons and Gulf Streams, which the company used to fly their directors to the meeting. Northern Telecom is owned by Bell Canada. Mr. de Grandpre is chairman of the board of Northern Telecom and chief executive officer of Bell. He is paid by both companies. One has to ask whether the CRTC

knows, condones and approves of the gross waste of funds which affect Bell Canada, for obvious reasons, in the way Bell Canada conducts its affairs.

The Toronto *Star* summed it up pretty well in a recent article on its business page when it said:

> Bell Canada, dragged down by a large loss and huge write-off from 54 per cent owned Northern Telecom Ltd., reports an almost non-existent net profit for the final quarter of 1980 and a lower profit on the year—
>
> Bell said yesterday it had a lower fourth-quarter profit on operations of $92.2 million or 49 cents a share compared with net profit of $104.2 million or 62 cents a year earlier. But including a $90 million charge resulting from the Northern Telecom write-off, final net was $2.2 million, with no net earnings applicable to common shares.

I read this excerpt for a specific reason. In the U.S. Northern Telecom lost $185 million. In Canada it made a profit of approximately one-half of that, something in excess of $90 million. The question is, who in our country is subsidizing this profit picture? Obviously it is the telephone subscribers in Ontario and Quebec. Northern Telecom showed huge losses in the U.S., where it has to meet competition. In Canada it has a sweetheart deal whereby there is little or no competition, thanks to the weird relationship the CRTC and the Canadian government are prepared to condone. Again, who subsidizes this situation, and why should it be?

Bob Scribner, a former top executive who resides at Vero Beach, Florida, retired from Northern Telecom about a year ago. As a gesture of appreciation, presumably in lieu of a gold watch, he was given the use of a Northern Telecom aircraft for a year. He happily flies all over the place, including going to places and meetings which have nothing to do with Northern Telecom, and this is done presumably at the expense of the shareholders. Perhaps he flew from Vero Beach and back for the last shareholders' meeting; I do not know. The question is, who pays for the huge U.S. losses and company lavishness for its directors? We do.

Bell Canada's rates are based on returns on assets and, therefore, losses in the company's operations, wherever they take place, are of great concern to consumers. If equipment is being sold at artificially high prices here in Canada—reflecting lack of competition—to subsidize heavy losses in the United States where Northern Telecom cannot meet competition, Canadian consumers are subsidizing this operation with every telephone call in the same way they will be subsidizing the purchase of Petrofina with every gallon of gas which they buy. In the latter case there is supposed to be some Canadianization involved. There is none in the way they are subsidizing telephone calls. Why is the government allowing this conflict of interest to persist whereby the chief executive officer of Bell has a similar capacity—in the sense that he is chairman of the board—and has a substantial part of his salary paid by Northern Telecom? Why do company directors have private jets at their disposal to take them to directors' meetings such as the one in West Palm Beach this February?

I am not against private enterprise, needless to say, or a company rewarding its management in an appropriate way as long as it is not a fraud against the shareholders or as long as it does not affect consumers where there is a monopoly involved, as is the case with Bell.

● (2205)

There are certain questions I should like to ask tonight, but I do not have the time to put them all forward. I should like to know whether the government, the CRTC or the Minister of Consumer and Corporate Affairs and Postmaster General (Mr. Ouellet) would see fit to check them out. For example, I am informed that a very plush, lavishly-furnished apartment is in existence in London for the use of Northern Telecom executives. Does it include a Jaguar and a full-time chauffeur? Is there an apartment like that in Florida? Why do Bell and Northern Telecom executives frequently take trips together on the excuse that this is done to entertain customers? Perhaps a closer analysis of this would reveal that the entire process is probably a facade.

Northern Telecom makes lavish use of jets. They are used extensively by Northern Telecom executives. Most of the time they fly practically empty. Usually a number of them end up going to the same place, each carrying only one or two persons. Mr. de Grandpre, Walter Light, Mr. Ebey and Mr. Thackray, Northern Telecom executives, all have residences in New Hampshire. Does Walter Light view the New Hampshire place as his permanent residence? I hear he only rents an apartment in Toronto. Are corporate jets used to fly these people to New Hampshire? It is interesting to note that very often Friday meetings are scheduled at out-of-the-way places, which then paves the way, as an excuse, on the way back to stop in New Hampshire for the weekend.

The head office of Northern Telecom, on paper, is in Montreal. However, practically all the executives are in Toronto. This is another facade. For what purpose? The 1980 board meetings are an example. Less that 50 per cent of such meetings were held in Montreal.

As I mentioned before, when Mr. Scribner retired, instead of being given a gold watch, he was given the use of a Northern Telecom jet for a year. I will continue at some later time; I realize my time has expired.

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, the results of interrelationships between telecommunications concerns in Canada have recently received an increasing amount of public attention. As the hon. member for Central Nova (Mr. MacKay) indicated, the recent announcement of losses by Northern Telecom raised the question of the extent to which such losses will be subsidized by increased rates charged to the subscribers of Bell Canada, Bell Canada being the majority shareholder of Northern Telecom.

Since 1967 the interrelationship between Bell Canada and Northern Telecom has in one form or another been under investigation by the director of investigation and research, the Department of Consumer and Corporate Affairs' main anti-combines enforcement officer. Early assessment of the relationship convinced the director that formal charges could not

be laid against the companies at that time. However, in 1973, the director filed notice before the Restrictive Trade Practices Commission that he would initiate an inquiry under section 47 of the Combines Investigation Act, which allowed him to investigate, without necessarily laying charges, the results of the interrelationship between these two companies.

In December of 1976 a summary of the material which had been gathered was submitted by the director to the RTPC pursuant to section 47. The statement of material, or the "Green Book," as it is called, is entitled: "The Effects of Vertical Integration on the Telecommunications Equipment Industry in Canada". The director concluded in the statement of material that the existing vertical integration between Bell and Northern Telecom, then called Northern Electric, would appear to be contrary to the public interest and indeed ultimately against the interest of both Bell Canada and Northern Telecom.

An initial hearing on this matter was held in Ottawa in June of 1977. Since that time the RTPC has heard submissions from a number of interested parties. As of today's date, the RTPC has held 223 days of hearings. These hearings were held in a number of major cities across Canada. The commission has also heard evidence from various manufacturers, distributors, telephone companies and expert witnesses called by the director of investigation and research. As well, many firms and individuals have appeared on their own behalf to present evidence.

In his appearances before the RTPC, the director has taken the position that Bell Canada should be required to divest its interest in Northern Telecom. The report of the RTPC on this matter is expected at the end of this year.

I hope the foregoing will serve to indicate that the Department of Consumer and Corporate Affairs has been active in supporting the consumer interest in this matter.

• (2210)

ENVIRONMENTAL AFFAIRS—ALICE ARM, B.C.—GRANT OF DUMPING PERMIT TO AMAX—REQUEST FOR INQUIRY INTO CIRCUMSTANCES

Mr. Jim Fulton (Skeena): Mr. Speaker, my question tonight arises from a question I raised on January 16, 1981 with the Deputy Prime Minister and Minister of Finance (Mr. MacEachen). I hope whoever responds for him tonight, since he is not in the chamber, will take care to listen to what I have to say and respond in relation to that rather than simply respond with what is on a piece of paper which happens to be in his or her hands.

The issue of Amax at Alice Arm is viewed seriously by Canadians from coast to coast. It is something which has been raised many times in this House. I would like to quote from answers which have been given to me by a variety of ministers in the past months, which indicate some of the serious reservations I have in terms of how the government is dealing with this serious issue.

Adjournment Debate

On Tuesday, July 8, 1980, I raised this issue. The following is part of the answer I received from the Minister of Fisheries and Oceans (Mr. Le Blanc):

We will obviously review this whole issue and come back to the hon. member when we have more information.

I have received nothing in relation to that question from the Minister of Fisheries and Oceans.

Also on July 8, 1980, I put a question to the Right Hon. Prime Minister (Mr. Trudeau). He said:

If the hon. member would like to have an answer, maybe I could take his question as notice.

I have had absolutely no answer in relation to that since July of 1980.

On October 21, 1980, I asked a question of the Minister of Fisheries and Oceans. I quote from his answer:

I may have a fuller answer for the hon. member early next week.

Since October 21, 1980, I have had no further answer from the Minister of Fisheries and Oceans.

Also on October 21, 1980, I asked a question of the Minister of Indian Affairs and Northern Development (Mr. Munro). I quote from his answer:

I indicated that if he wanted to give further consideration to the materials before him before asking me to consider seriously a public inquiry, I would be more than happy to give him that opportunity. As I perceive it, further discussions will be going on before I will be required to make any decision of that kind.

To this date there has been absolutely nothing in relation to that minister's response.

I also put a question to the Prime Minister on October 21, 1980. He replied, in part:

—we asked for a review—

To this date there has been no review and no response from the Prime Minister.

On October 27, 1980, I debated this issue at some length, with no response from anyone on the government side.

On October 31, 1980, I raised a question of privilege, in response to which the Minister of Fisheries and Oceans said:

In this case, my review of the situation leads me to think that this was a matter of what was on balance, the best judgment. Until I have been given further information I think that would still be my position.

Since that point in time I am unaware of any further information the minister has had. He certainly has not provided me with anything in writing.

On November 13, 1980, I rose under the provisions of Standing Order 43. My motion was turned down by the Liberals. It was a call by the five main churches of Canada requesting a full public inquiry. As I said, the motion was turned down. Many of those churches have not had a response from the Prime Minister or from the minister responsible.

On January 16, 1981, I put a question to the Deputy Prime Minister and Minister of Finance. That is what causes me to rise tonight. In answer to my question he said:

Madam Speaker, I have no knowledge of that, and I will make inquiries.

Following that response I asked him another question. He said:

Madam Speaker, I will have the representations of the hon. member considered and will give him an answer as soon as possible.

That was a month ago, Mr. Speaker.

Various ministers have been on the record now for one month, six months, or eight months giving bits and pieces of answers, but there has been no action.

On January 22, 1981, I again questioned the Minister of Indian Affairs and Northern Development. The following is part of his answer:

—might I say that a panel of experts has been set up to look into the matter, notice of which has been communicated to the Nishga tribal chief—

I rose the following day on a question of privilege, making it clear to this House that both those statements by the minister were patently false. They have not been corrected in *Hansard* yet. I think the people of Canada have a right to know what is going on in relation to Amax. Why is the Prime Minister hiding? Why is the Deputy Prime Minister hiding? Why is the Minister of Fisheries and Oceans, the Minister of Indian Affairs and Northern Development and the whole cabinet hiding from this issue?

This is a further statement of the Minister of Fisheries and Oceans, which he gave on January 22, 1981:

We are trying to find a way to get a scientific review of the project, not a legal one because it is not a legal problem. It is a question of scientific judgment and that is what we are working on.

I have had conversations with the Minister of Fisheries and Oceans, and I know private citizens have had conversations with him. He is aware that this is a legal problem. He says he is concerned about the expensive legal costs that may accrue as a result of the revocation of the permit at Alice Arm to dump, as no other mining company in Canada has ever, or is at present, allowed to dump.

• (2215)

On January 23 in response to my question of privilege the Minister of Indian Affairs and Northern Development said:

I will endeavour to make a clarification on Monday.

Subject to checking, it was my information that the scientific panel was constituted. It may be in the process of being constituted, which is apparently at variance with what was said yesterday.

Anything could be in process at any particular point in time. Ministers of the government seem simply to stand up and shoot from the hip on any issue any time they want, and then the next day they get up and say they thought it was in process or maybe it is happening. At this point in time I am almost prepared to rest my case. I have gone to everyone with any potential political involvement in this issue within the cabinet, but they all continue to sit on their hands. I believe the question is a very serious one. I am aware that hundreds of thousands of Canadians are personally cognizant of this issue and would like an answer from this government.

As a responsible government, this government should come forward and listen to the different points of view or, at least, when a minister says he is taking a question as notice in July, 1980, as did the Minister of Fisheries and Oceans, an answer should be forthcoming. But I never received a note, a peep or anything. In October the Minister of Fisheries and Oceans again said he would give me a full answer within a week, but he has never given me anything. It is the same with the Prime Minister, the Minister of Fisheries and Oceans, the Deputy Prime Minister, the Minister of Indian Affairs and Northern Development and the entire Liberal Party. It is a litany of incompetence and false statements.

I hope whoever rises tonight will have the decency and honesty on behalf of all Canadians to tell us what is going on in relation to Amax.

Mr. George Henderson (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, I am pleased to have this opportunity to respond to the questions which have been raised on this issue. First, I would like to make it very clear that the suggestion that Mr. John Aird was in some way associated with the decision to approve regulations which authorized tailings disposal in Alice Arm are totally without foundation. There never have been any direct or indirect communications of which I am aware between Mr. Aird and members of the cabinet or their staff with respect to this matter. The decision to allow the deposit of tailings in Alice Arm was taken after a very careful review of data which indicated that this practice could be carried out without jeopardizing the fisheries resource. The regulation was approved with the clear understanding that the mine tailings would be confined to the bottom of Alice Arm at a minimum depth of 100 metres and that salmon and other important fishery resources would not be adversely affected.

Second, I wish to emphasize that we are not insensitive to the concerns which have been raised about this issue by the Nishga and other groups. Officials of the Department of Fisheries and Oceans and Environment Canada have met with the Nishga to reassure them about the tailings disposal operation. As part of the regulations, a comprehensive monitoring program has been designed to ensure that the tailings behave as predicted. Furthermore, we have agreed to establish a special monitoring board which will involve the Nishga and provincial authorities in reviewing all monitoring information.

Despite these initiatives, some public apprehension still exists. Detailed consideration is being given to identifying the best approach for ensuring that marine tailings disposal, as proposed under the regulations, will in fact ensure that fisheries resources and the interests of the native people in the area are protected.

It must be emphasized that the Nishga are not opposed to the operation of the mine. Rather, they are seriously concerned about the long-term safety of marine resources in Alice Arm. This issue is essentially a technical matter, and for this reason the minister has previously expressed a preference for carrying out an independent scientific review as opposed to a full public inquiry. All options for dealing with this issue are still under consideration, and a decision is expected in a couple of days.

● (2220)

The minister has stated clearly his resolve to take whatever action is necessary in exercising his responsibility for protecting the fisheries resource.

Adjournment Debate

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m.

At 10.20 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, February 11, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

SPORTS

SUGGESTION POSTAL STAMP COMMEMORATE 1983 WORLD UNIVERSITY GAMES IN EDMONTON—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43 to place a motion before this House for which I seek unanimous concurrence. Whereas Edmonton has been chosen as the site for the 1983 World University Games, and in recognition of the significance of the 1983 World University Games as a symbol of international co-operation and Canada's commitment to the peace and freedom of the world, I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That this House confirms its expression of support of the 1983 World University Games by recommending the striking of a special stamp to commemorate the "Universiade Edmonton 83" Games.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

OTTAWA WEST NDP ASSOCIATION RESOLUTION—MOTION UNDER S.O. 43

Hon. Erik Nielsen (Yukon): Madam Speaker, whereas last month the annual meeting of the Ottawa West NDP Association endorsed a resolution calling on the federal NDP to withdraw its support for the government's constitutional proposals, and whereas NDP MPs have been informed by a riding organizer that the resolution will be circulated to all riding associations across the country "if we can get the federal office to, for once, serve the members of this party in performing an essential communications function.", I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That this House recommend to the NDP federal office that a request for such a distribution be granted and, failing that, that the NDP change its name to the "Non-Democratic Party".

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FISHERIES

CHINOOK SALMON FISHING SEASON ON FRASER RIVER—MOTION UNDER S.O. 43

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I, too, rise under the provisions of Standing Order 43. Gillnet fishermen are alarmed about the prospect of a 1981 closure to protect the Fraser River chinook salmon run. Since river fishermen take only 2 per cent to 5 per cent of the total chinook catch, and since most of their boats are too old and ill-equipped to exploit ocean fishing grounds without the real risk of loss of life, I move, seconded by the hon. member for Burnaby (Mr. Robinson):

That the Fraser River, from New Westminster to Mission, remain open this season but that the cost of preserving the chinook be shared with the seiners, trawlers and sports fishery rather than expecting gillnetters alone to sacrifice a year's income in the name of conservation.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ECONOMY

SUGGESTED SHELVING OF CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. Vince Dantzer (Okanagan North): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the government has ignored the public's demand for action to relieve the crippling effects of unemployment, inflation and high interest rates, and since it is the responsibility of the Parliament of Canada to address the very serious concerns of the greatest majority of Canadians, I move, seconded by the hon. member for Medicine Hat (Mr. Hargrave):

S.O. 43

That this House instruct the cabinet to shelve the proposed constitutional resolution until rulings have been made on all constitutional issues now before the courts so that this House may concentrate all its efforts on addressing the difficult and, indeed, frightening economic problems faced by Canadians daily.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

MUNICIPAL AFFAIRS

PROLONGATION OF COMMUNITY SERVICES CONTRIBUTION PROGRAM—MOTION UNDER S.O. 43

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the rapidly rising living costs in the province of British Columbia, particularly as they relate to housing, and whereas these rising prices are putting upward pressure on wages by workers forced to meet these costs, I move, seconded by the hon. member for Richmond-South Delta (Mr. Siddon):

That the federal government do its part in relieving the desperate housing shortage in British Columbia by increasing the community services contribution program and prolonging it beyond 1982 to enable municipalities to develop more land for housing purposes.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

COMBINES

CONCENTRATION OF BUYING POWER BY MONOPOLIES—MOTION UNDER S.O. 43

Mr. Otto Jelinek (Halton): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the threat to independent businessmen by the increased tendency toward monopoly mergers within our economy and the inability of existing laws under the provisions of the Combines Investigation Act to deal adequately with the consequences of such mergers, an example being the present controversial takeover of the remaining assets of Zeller's by Hudson's Bay, which already controls 60 per cent of the department store market at the present time, I move, seconded by the hon. member for Saskatoon West (Mr. Hnatyshyn):

That this House instruct the Minister of Consumer and Corporate Affairs to undertake forthwith an investigation into the concentration of buying power under the provisions of Section 7(1) of the Combines Investigation Act in order to prevent further monopolistic mergers which threaten the very existence of many independent small business operations.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1410)

CANADA PENSION PLAN

ATTITUDE OF ONTARIO AND BRITISH COLUMBIA GOVERNMENTS TO PROVISIONS RESPECTING WORKING MOTHERS—MOTION UNDER S.O. 43

Mr. Neil Young (Beaches): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity, especially concerning the working mothers of this country. In view of the fact that a new study by the Economic Council of Canada reveals that the Canada Pension Plan drop-out provision is worth a 21 per cent increase in benefits to working mothers, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Ontario and British Columbia governments be condemned for standing in the way of pension reform worth $2,700 in life-time benefits to working mothers.

Madam Speaker: Is there unanimous consent for the presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FEDERAL BUSINESS DEVELOPMENT BANK

NEGOTIATION OF LOANS ON A YEARLY BASIS—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of extreme urgency. The government has been responsible for literally feeding small businessmen to the lions. Interest rates on Federal Business Development Bank loans have not improved. Depending on the risk of a loan, they are still around 18 per cent, and borrowers continue to be locked in for long stretches of time. In light of this I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That the government allow persons taking out Federal Business Development Bank loans to renegotiate the terms of their loans on a yearly basis, so that they will not longer be forced to pay these exorbitant rates of interest for extended periods of time.

Madam Speaker: Is there unanimous consent for the presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

CANADA PENSION PLAN

STEPS TO PREVENT BANKRUPTCY OF FUND—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under Standing Order 43. Whereas Canada now has a budgetary deficit of some $14 billion a year and the government is paying 20 per cent of the tax revenues to meet interest costs on our debt, and our Canada Pension Plan has an approaching deficit that is shocking to think of, therefore I move, seconded by the hon. member for Western Arctic (Mr. Nickerson):

That the Canadian government smarten up immediately and gather the courage to take the necessary steps to prevent this country and our Canada Pension Plan fund from going into bankruptcy.

Madam Speaker: Is there unanimous consent for the presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

SUGGESTED METHOD OF AMENDING RESOLUTION—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the Government of Canada has put forward a proposed resolution for a joint address to Her Majesty the Queen which would substantially alter the federal structure of Canada, and whereas that resolution sets out a detailed procedure for making future amendments to the Constitution of Canada, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That the Prime Minister of Canada be required to explain to the people of Canada why he is unwilling to put his substantial constitutional amendments, which are widely opposed in Canada, to the test of his own amending formula, imperfect though it is, before the joint address is submitted to Westminster for ratification.

Madam Speaker: Is there unanimous consent for the presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

PETRO-CANADA

ACQUISITION OF PETROFINA—REQUEST FOR INVESTIGATION

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. My leader and I have questioned the minister in recent days about the fact that there has clearly been a degree of speculative activity in the shares of Petrofina prior to the announcement of the acquisition of that company by Petro-Canada. At this stage the issue is not whether there is any wrongdoing, but whether sloppy management practices were followed by those involved in the acquisition negotiations. The purpose of posing my question is that it has led to an increase in the price of shares which has resulted in a higher price than what might have been paid, and that price is indirectly paid by the taxpayers and consumers.

● (1415)

My question to the minister is this: what has he done to ensure that those practices will not be repeated the next time Petro-Canada makes an acquisition? Has he received a full report on this from the present chairman of Petro-Canada? Has he given any consideration to calling on some independent body to embark on an investigation of this matter?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I appreciate the fact that my hon. friend has indicated that he and his leader are withdrawing any accusations or innuendoes that they foolishly put forward in the last few weeks. He referred to some speculation in the shares of Petrofina. The hon. member knows that over the last year there were rumours to the effect that negotiations were going on between Petro-Canada and Petrofina for an acquisition. Those negotiations were interrupted because there was no agreement between the parties on what would be an appropriate price. I can tell the hon. member that, to the best of my memory, at that time Petrofina was asking for a higher price than the one it got this year in negotiations with Petro-Canada.

As far as the so-called activities are concerned that the hon. member has referred to, I have no indication that anything improper or sloppy was done. Everything done by Petro-Canada in this matter appears to have been done on the basis of the best of business practices. I have to indicate to the hon. member that the premium paid by Petro-Canada is well below the average premium paid for take-overs in the private sector in Canada and in the United States in the last year. I see no reason to call for any kind of inquiry in this case.

Some hon. Members: Shame!

Mr. Wilson: Madam Speaker, clearly the minister is not dealing with his own money. If he were, he would take considerably more care with what is going on. He has not answered my question about whether he discussed this matter

with the present chairman of Petro-Canada in order to assure himself that there was no wrongdoing.

ROLE PLAYED BY GOVERNMENT IN TAKEOVER

Hon. Michael Wilson (Etobicoke Centre): I should like to put a supplementary question to the minister further to questions that I asked yesterday regarding this transaction. I said that it was reported in *The Globe and Mail* that Mr. Hopper said that the government played no role in choosing the target or setting the price. He went on to say that Petro-Canada was stretched with debt and wanted to have the Government of Canada finance the entire purchase. Since the government left the negotiations for the purchase of Petrofina to the management of Petro-Canada, and clearly Petro-Canada is not playing with its own money but with the money of the taxpayers of this country, it seems logical to me that the one who is footing the bill should take a greater interest in the negotiations, and that is the minister himself.

Did the minister request a full evaluation report prior to any decision taken by cabinet, if a decision was taken by cabinet? What was the range of values within that report, and was the final price within that range of values that was considered acceptable by that report?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, that is a rather long question but I shall try to give a short answer. As far as the relationship between myself and the heads of Crown agencies is concerned, I have enough confidence in them, they having been appointed to serve Canada, that I do not go on the presumption that they do things in the wrong way or involve themselves in any wrongdoing.

An hon. Member: No one said that.

Mr. Lalonde: I think it would be improper to ask the head of an agency every day if he did something wrong in the last week.

An hon. Member: No one said that.

Mr. Lalonde: With reference to the other question raised by the hon. member, indeed the government did not select the target for takeover. However, as I indicated, on the Thursday night before the takeover, that was about 24 hours before the takeover took place, the government approved the takeover attempt and set up a maximum level for that particular purchase. The head of Petro-Canada and his officials negotiated within that target. They respected the decision of cabinet. The decision to take over Petrofina, to pay the price that was paid, was made on the basis of very extensive analysis by outside consultants retained by Petro-Canada. Incidentally, I might mention to the hon. member that the lawyer who was helping Petro-Canada in those negotiations was the former head of the Ontario Securities Commission.

● (1420)

Some hon. Members: Hear, hear!

Mr. Wilson: Madam Speaker, we have seen an illustration of vintage Lalonde. He was talking earlier about me casting aspersions on people through innuendo. He is casting aspersions on me, or innuendo on what I have been saying.

Some hon. Members: Oh, oh!

Mr. Chrétien: Thin skinned.

Mr. Paproski: Even Johnston is laughing.

Mr. Wilson: There is not one thing suggested in that question of any wrongdoing on the part of the head of Petro-Canada. I am just searching for where responsibility lies in this transaction. Was it with Petro-Canada, or with the minister who is footing the bill? Let me ask a simple question. Did Petro-Canada advise the government prior to proceeding with the acquisition that Petro-Canada would not be able to finance the acquisition from their own funds and that they wanted the government to finance the entire amount of the transaction through a tax on gasoline and heating oil?

Mr. Lalonde: Madam Speaker, we know the attitude of the Tory party about Petro-Canada.

Some hon. Members: Oh, oh!

Mr. Lalonde: It might help my hon. friend to know that a senior member of the firm to which he belonged, Dominion Securities Ltd., stated on television last weekend that the price paid by Petro-Canada was a fair price for both parties.

Mr. Clark: Why are you afraid of the question?

Mr. Lalonde: I suggest my hon. friend consult with his former partners and they will advise him.

Some hon. Members: Hear, hear!

Mr. Lalonde: As far as the discussions which took place with the government are concerned, the government announced in the budget that acquisitions would be financed out of a Canadian ownership tax.

An hon. Member: Who wrote the provision?

Mr. Lalonde: When the discussions took place on that particular Thursday with the head of Petro-Caanda it was indicated that we might have to finance this purchase out of the Canadian ownership tax. The exact amount and in what form this sum would be raised were left for further discussion and decision by the cabinet, as it should be.

Mr. Nielsen: That is pretty weak.

GOVERNMENT FINANCING OF TAKEOVER

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I would like to direct a supplementary question to the Minister of Energy, Mines and Resources. It is important in view of the statements being made by Mr. Hopper with respect to the acquisition of Petrofina. He made it quite clear in interviews

that he was going to rely exclusively on the government to pay for this acquisition, out of taxation moneys.

Having regard to the fact that the Canadian ownership charge can earn a maximum of 3.7 billion per year—Petrofina having cost $1.46 billion—and if we assume the purchase will be paid off in one year, he would need 39 per cent of the Canadian ownership charge—39 per cent of $4 per barrel is $1.56 per barrel which equals 8 cents per gallon at the pump. Supplementary to the question posed by the hon. member for Etobicoke Centre, was there an undertaking on the part of the government to finance this fully through taxes, and over what period of time is it the intention of the government to finance it?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, on the first point I wish that my hon. friend would show a little more honesty when he refers to what Mr. Hopper actually said. Yesterday I quoted the verbatim transcript of what Mr. Hopper had said.

Mr. Clark: Which one?

Mr. Lalonde: Mr. Hopper said that the whole of the amount would be financed out of taxes but that obviously this was a matter for the government to decide. If the government was going to insist that some part of it be financed out of debt, obviously it would create problems in terms of cash flow for Petro-Canada, but it was a matter to be left to the government.

As far as the actual financing of the operation is concerned, I would urge my hon. friend at least to read the press communiqué which was issued. It indicates that the purchase would take place over a period of three years—25 months to be exact—and that the payments will not be required except over that extended period of 25 months. Therefore, it would be ridiculous for the government to raise all the money necessary to make the total payment in one year when we have three years in which to pay it. That seems obvious.

Mr. Clark: That is three metric years.

Mr. Hnatyshyn: Madam Speaker, it is easy to see why the minister is regarded as the J. R. Ewing of Canadian politics.

Some hon. Members: Oh, oh!

PARLIAMENTARY APPROVAL FOR FINANCING BY GOVERNMENT

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I would like to direct my question to the Minister of Finance. Maybe we can get some answers out of him.

An hon. Member: Who?

Mr. Hnatyshyn: Yesterday, J. R. Ewing—

Some hon. Members: Oh, oh!

• (1425)

Mr. Hnatyshyn: In response to a question from my colleague from St. John's West yesterday, the minister indicated a tax would be imposed. Will the minister be bringing legislation forward in the near future seeking authority from Parliament in this regard? He indicated he would not be looking toward taxation as the sole source for the required amount. Can the minister tell the House where the money will come from? Will it be exclusively on a tax base and Canadian ownership charge, or did he authorize this transaction with no idea where the money would come from?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, whatever funds will be made available by the Government of Canada to Petro-Canada will be raised through the charge that was mentioned in the budget. That will obviously require the normal parliamentary approval. When the moment comes to seek parliamentary approval, after the amounts are determined, we will proceed in the normal way and probably table a ways and means motion prior to the necessary legislation.

* * *

AUTOMOTIVE INDUSTRY

PRICE OF AUTOMOBILES MADE AND SOLD IN CANADA

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Minister of Consumer and Corporate Affairs. Figures released today show that the sale of imported cars on the Canadian market increased during the past year by 24 per cent while sales of North American or Canadian produced cars dropped by 10 per cent. One of the obvious reasons for this is that for years General Motors, Chrysler and Ford have been overcharging Canadians. Considering that a car produced on the Canadian side of the border in 1981 will sell in the United States at $500 less than in Canada, even taking into account the differences in taxation and the Canadian dollar value, will the minister take immediate steps to have the price of Canadian produced cars sold in Canada the same as in the United States in order to benefit both Canadian consumers and workers?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, there are many reasons why Canadian consumers purchase one model of car rather than another, and I do not agree with the leader of the New Democratic Party that it is because of the cost of some big cars. I believe that the hon. member is simplifying the reasons why some small foreign cars are now more popular with Canadian consumers than the traditional big cars.

[*English*]

CANADA-U.S. AUTO PACT—DISCUSSIONS WITH AMERICAN ADMINISTRATION

Mr. Edward Broadbent (Oshawa): Madam Speaker, the minister may not think that being overcharged for a product is a reason for consumer preference for something else. I am sure the average Canadian is well aware of the price differential and would like to pay the same price as someone in the United States pays for a car produced in Canada.

I wish to direct a supplementary question on the same subject matter to the Secretary of State for External Affairs. A recent study produced by the government of Ontario shows that within four years one third of all auto workers in Canada will be out of work. The significant point in the study is that there will be a disproportionate drop in the number of auto workers in Canada compared to the United States. Considering that the auto pact is supposed to share "on a fair and equitable basis" the benefits on both sides of the border, did the minister in his recent meeting with the United States Secretary of State obtain assurance that this deplorable situation whereby more Canadians proportionately will be out of work than Americans will be turned around by the American government?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I agree with my friend's interpretation of the auto pact, but that has not been the American position over the years. I have to say that was the one subject which I discussed with Secretary of State Haig to which I did not receive a satisfactory response. His view was the typical, traditional American one where the rules of free trade of the market should prevail. I did not regard that as a satisfactory answer. In fact, discussions are under way between our governments with another member of the administration and we will be continuing that discussion with, I believe, the U.S. Secretary of Commerce.

● (1430)

PLEDGE TO RENEGOTIATE AUTO PACT

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a further supplementary for the Prime Minister concerning the same subject. During the last election the Prime Minister, while speaking in the riding of the Secretary of State, promised the auto workers of Windsor, who make up 45 per cent of the unemployed in that sector of the economy, that a Liberal government would renegotiate the auto pact. I wish to ask the Prime Minister, in light of the rejection by the American Secretary of State of such a proposal by our own external affairs ministers, will the Prime Minister commit himself today in the House to live up to that pledge to Canadian auto workers so that we can get our share of jobs on this side of the border?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, in that speech referred to by the hon. member I made two pledges. The first was to assist in the Chrysler situation, and we have kept that pledge. In so far as the second pledge is concerned, we have first to ascertain, as the Secretary of State has done, what the American position was going to be under its new administration. That being done now, I have little to add to what the Secretary of State has said. We know their position. We do not know whether it is a negotiating position, but we will have to take it from there. I can assure the hon. member that the party which formed the government which brought in the auto pact in the first place is still dedicated to making sure it works fairly for Canadian workers.

* * *

THE CONSTITUTION

ACTIONS OF BRITISH HIGH COMMISSIONER IN CANADA—OUTCOME OF INVESTIGATION

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is directed to the Secretary of State for External Affairs. Last week, prompted by the Leader of the New Democratic Party, he gave us a very pious lecture on how diplomats should behave. He went on to say he would order an investigation into what he called "the totally unacceptable conduct of the British High Commissioner." Can the minister tell us the outcome of that investigation?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I will be prepared in several days, probably before the end of the week, to make some comments with regard to the matter. I should correct the hon. member because I did not say that any conduct which had taken place was unacceptable. I said the alleged conduct was unacceptable.

Miss MacDonald: Madam Speaker, my supplementary to the minister, who seems to be forever backing away from what he says, is that it is now recorded he has shared this information with the British government. Since he has shared the information with the British government, I find it very surprising he could wax indignant publicly a week ago and now he wants to be quiet or reticent with regard to the public record here in the House of Commons. In view of his reticence today about a matter which has alrealdy been looked into and on which information has been given, I should like to ask him if this reticence of his is because he now considers the statements he made previously belong to those comments which he considers to be rhetorical, or is it becoming more and more the practice of all members of the cabinet to be less than candid with this House?

Mr. MacGuigan: Madam Speaker, if I had to judge from what is said in this House, I would say the rhetoric is from the other side.

Some hon. Members: Hear, hear!

Mr. MacGuigan: I will be prepared to make some comments in several days on this matter. I said yesterday to the press that I had shared the information which I had at that point with the British government without making any recommendations.

When the investigation is finished and I am prepared to speak in this House, I will do so.

CONSULTATION WITH PROVINCES

Mr. Ron Stewart (Simcoe South): Madam Speaker, my question is directed to the Right Hon. Prime Minister. In his book, "Federalism and the French Canadians", on page 24 it is stated, and I quote:

It would certainly be an advantage if the federal government consulted the provinces about matters that affect them, even if these matters are entirely within federal jurisdiction. I do not see why we could not establish permanent consulting bodies to ensure that our trade, tariff, customs or monetary policies really reflect the opinions of people throughout the country, and that no province feels undermined by the exercise of central power.

Madam Speaker: Order. The hon. member knows he should not make such lengthy quotations and should go directly to his question.

Mr. Stewart: Madam Speaker, I was only trying to give the Prime Minister a chance to answer. My question to the Prime Minister is, in view of the statement which he made on page 36 of that book, and I quote:

I should be very surprised if real statesmen, given the facts of the problem, arrived at the conclusion that our Constitution needs drastic revision.

—would the Prime Minister explain his drastic change of mind on the Constitution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, if the hon. member is referring to something I wrote some 15 or 20 years ago, I am not sure if his question meets the rule of urgent and pressing necessity. I do not think it does.

Mr. Stewart: Madam Speaker, at the rear of this book it says a question was asked if the Prime Minister would like to revise his statements in 1977, and he said no. The last time I asked the right hon. leader of the Grits a question he accused me of being a backbencher who spreads falsehoods. I would just like to say that I think the Canadian people now know who spreads falsehoods. On page 37—

Madam Speaker: Order. It looks as though the hon. member wishes to read the entire book to us. Would he ask the question?

Mr. Stewart: May I ask the Prime Minister, in his monumental flip-flop of "and so I cannot help condemning—

Madam Speaker: Order. Even if I smile sometimes it does not mean I want to be facetious. I am serious. I would like the hon. member to ask his question right away.

Mr. Stewart: Madam Speaker, I am trying to ask the question but it pertains to the quote. May I just read a short quote? The quote is from the Prime Minister's book, Madam Speaker, and is as follows:

And so I cannot help condemning as irresponsible those people who wish our nation to invest undetermined amounts of money, time, and energy in a constitutional adventure that they have been unable to define precisely but which would consist in more or less completely destroying confederation to replace it with some vague form of sovereignty.

What kind of sovereignty?

An hon. Member: He was smarter in those days.

Mr. Trudeau: Madam Speaker, I only hope those who could not quite understand the quote will buy the book and read it. The part I heard had to do with consulting the provinces and making sure that the central government was involving the provinces in discussions of policies which affected them. It seems to me that is what this government has been doing, and what the government which preceded it was doing. If we consider the matter of the Constitution, I do not think anybody would deny that between June of last year and September there were endless hours of consultation done on behalf of the federal government by the Minister of Justice.

With regard to the matter of monetary policy, I just have to remind the hon. member that early in the seventies we began the practice of having quarterly meetings of finance ministers so that we could discuss with them budgetary framework and hear their views on how monetary and other policies should be developed. On the question of trade, of course, the provinces were very directly involved in consultation while we were discussing at the General Agreement on Tariff and Trade negotiations in Geneva. In every example I have been able to hear from the hon. member there have been very extensive consultations. I think if we read the book we will find other examples.

* * *

● (1440)

TRADE

GOVERNMENT'S COMMITMENT TO EXPORTATION OF COAL FROM BRITISH COLUMBIA TO JAPAN

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is to the Minister of Energy, Mines and Resources. Yesterday Senator Olson committed the Government of Canada to spending some $450 million on a development for the export of coal from northeastern British Columbia. It was also revealed by Stuart Leggatt, a member of the British Columbia legislature, that a B.C. cabinet internal economic planning group had recommended a six-month delay in the project and cautioned that going ahead at this point would be hazardous. Is the Minister of Energy, Mines and Resources aware of these documents and is he, to use the words of Senator Olson in Vancouver yesterday, still happy with this deal?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, obviously we on this side of the House do not have access to the cabinet documents of the government of Alberta, but I certainly would be very happy to see a copy.

Mr. Andre: This is British Columbia.

Mr. Lalonde: British Columbia. I would also welcome those from Alberta, so if my hon. friend has extra copies of all these things we will certainly be very happy to look at them.

As far as the actual commitment of the Canadian government is concerned, the cabinet has taken a decision to co-operate in the implementation of this project. We have insisted on very strict rules in terms of avoiding the national government's subsidizing the export of natural resources. We have held to that very firmly, and we are happy to see that the deal seems to have been made without the federal government's having to subsidize the export of natural resources, which we said we would not do.

Mr. Waddell: Madam Speaker, I wish the minister would do some reading on this deal and do some work on it, because he is facing another possible sellout like the Columbia River treaty. There is $450 million of federal money involved, and perhaps up to $1 billion including B.C. taxpayers' money.

Is it the policy of the government to subsidize the export of non-renewable resources, and will the minister table in this House the documents the federal government has on this deal? Will the government table environmental studies and financial studies with respect to this potentially quite disastrous deal?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I might try to answer this question. Yesterday a paper was issued in Vancouver by Senator Olson, who is in charge of this matter, in which he revealed exactly the terms of the agreement as far as the federal government is concerned.

The first part has to do with some $207 million which CN will invest in this project. That is on a cost-recoverable basis. It is on a commercial basis.

The second item has to do with a federal guarantee of a $3 per tonne throughput at the port of Prince Rupert until the year 1989, and that is indexed to the consumer price index from May, 1980, to 1989. Then after 1989 the matter becomes totally commercial, and if there was any financial support needed to make the $3 per tonne throughput possible in the period 1983-84 to 1989, then that help would be fully cost-recoverable after that time.

The third element is about $10 million of on-site and off-site services and access roads, and that is the package which was put together in the grain agreement. The hon. member will remember that at that time it was anticipated that the coal project would become a reality at Prince Rupert. This was wrapped up at that time, and this is not on a cost-recoverable basis. Those are the facts.

[*Translation*]

THE ENVIRONMENT

ALLEGED REJECTION OF GROS CACOUNA AS SITE FOR FUTURE NATURAL GAS LIQUEFACTION TERMINAL

Mr. Rosaire Gendron (Kamouraska-Rivière-du-Loup): Madam Speaker, my question is for the hon. Minister of the Environment, and as you seldom allow supplementary questions, I would greatly appreciate it if the Minister of Energy, Mines and Resources could also make a few comments. In a Canadian Press item released last evening, the Minister of the Environment is reported as having said:

> The federal Minister of the Environment, John Roberts, announced yesterday that the Canso Strait area had been rejected as a possible site for a natural gas liquefaction terminal.

Mr. Roberts explained that the decision to reject this site had been made by the private sector and not by the federal government.

The terminal will probably be built in Gros Cacouna, Quebec.

Can the minister confirm or deny this report of the Canadian Press and would he tell us whether he was speaking on behalf of the Canadian government when he made this announcement?

[*English*]

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I thank the hon. member for the question. There is a clear explanation for the statement I made. It was a simple error on my part. I managed to confuse the province of New Brunswick with the province of Nova Scotia. It would be inexplicable to the people of New Brunswick and Nova Scotia that I confused one for the other. Indeed, it is almost inexplicable to myself.

The fact is that the statement was absolutely correct except that I should have said New Brunswick when I said Nova Scotia and Nova Scotia when I said New Brunswick. There has been no change in the situation. The site at Gros Cacouna and the site in Nova Scotia are both under the process of environmental review undertaken in each case by the province with the participation and co-operation of the federal government.

* * *

ENERGY

DECISION ON LOCATION OF LNG TERMINAL

Mr. Howard Crosby (Halifax West): Madam Speaker, I have a question for the Minister of Energy, Mines and Resources on the same matter, that is, the decision with respect to the location of the liquid natural gas terminal at Gros Cacouna or in the Strait of Canso in Nova Scotia. Let me say first that I am surprised that the press gallery orches-

tra did not strike up that famous song "How can I believe you when you say you're sorry when I know you've been a liar all your life".

Some hon. Members: Oh, oh!

Mr. Crosby: Nova Scotians and people in Quebec were concerned that the decision with respect to the location of the LNG terminal would be based on political considerations, but the Minister of Finance assured Nova Scotians that the decision would be based on the merits and would be reviewed by the National Energy Board.

Some hon. Members: Order.

Mr. Crosby: I want to ask the Minister of Energy, Mines and Resources whether he will confirm that the decision will be based on the merits and will be decided by the National Energy Board. I would also like him to comment on how the Minister of the Environment could even enter into the field when the matter is supposedly before the National Energy Board.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, my first inclination would be to tell the hon. member, "Play it again, Sam".

Some hon. Members: Oh, oh!

Mr. Lalonde: Without any hesitation I want to state and repeat what I have already stated in Rivière-du-Loup, Gros Cacouna, and this House. This subject is before the National Energy Board for consideration, and the National Energy Board will hold the hearings it is accustomed to holding on such matters. It will hold public hearings and make a public report which will then be submitted to the cabinet. This is the process which has been followed in the past, and it is the same process which will be followed in this case.

As far as the statement attributed to my colleague, the Minister of the Environment is concerned, he has just answered with respect to that statement.

EXTENSION OF NATURAL GAS PIPELINE TO MARITIME PROVINCES

Mr. Howard Crosby (Halifax West): Madam Speaker, I think the Minister of Energy, Mines and Resources knows that the National Energy Board is also concerned about the extension of the natural gas pipeline east, but the minister has said that if the board does not approve the application, he will introduce a bill in this House. I want to ask the minister whether he does not think he has undermined the judicial exercise of judgment by the National Energy Board in this matter of the liquid natural gas terminal and in the matter of the extension of the pipeline by this interference and by the remarks made inside and outside this House.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, as far as the gas pipeline is concerned, the National Energy Board produced a report last year in which it recommended the extension of the pipeline in Quebec but not in the maritimes. That was the conclusion of the National Energy Board. In developing the National Energy Program the Canadian government came to the conclusion that it was essential and in the national interest to have the pipeline built as far as Halifax to serve both New Brunswick and Nova Scotia. This is a national policy decision which has been made by the government in the national interest. We have invited the participants to return to the National Energy Board to pursue their applications. We have indicated quite clearly the decision of the government. We are waiting for the report of the National Energy Board, but the government has indicated that its role is to speak for the people of Canada and the people of the maritimes in particular. We have indicated that we want those people to have access to natural gas on the same basis as people in the rest of Canada, and that is what we intend to provide.

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DISASTERS

COLDBROOK, N.S.—ASSISTANCE IN AFTERMATH OF FIRE

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I have a question for either the Acting Minister of Regional Economic Expansion or the Acting Minister of Agriculture with respect to the very serious fire which destroyed the facilities of Scotian Gold at Coldbrook, Nova Scotia, and the resulting serious blow to the apple and agricultural industry of our province. I am wondering whether either one of these acting ministers can tell us what particular preliminary steps are being taken to come to the aid of that province in this respect?

● (1450)

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Regional Economic Expansion): Madam Speaker, in answer to the question of the hon. member, to my knowledge, from asking in the department, no request has been made yet of the department for assistance.

Mr. MacKay: Madam Speaker, would the parliamentary secretary take into account the desirability of using the Department of Regional Economic Expansion, if their budget is a bit strained at this time, to focus the resources of other appropriate government departments, such as the Department of Agriculture or the Department of Industry, Trade and Commerce, to see what can be done? This is a very serious problem for the agricultural economy; it is of great concern to all members from Nova Scotia, particularly the hon. member for Annapolis Valley in whose constituency it is.

Mr. MacLellan: Madam Speaker, I should like to assure the hon. member that if such a proposal is made to the department, certainly the department would review it on its own and in conjunction with other departments.

[*Translation*]

LABOUR RELATIONS

CANADIAN BROADCASTING CORPORATION STRIKE—INQUIRY WHETHER AUTHORITIES WILL MAKE NEW OFFERS

Mr. Raymond Dupont (Chambly): Madam Speaker, my question is for the Secretary of State and Minister of Communications. In view of the harsh criticisms made by the Quebec Premier, Mr. René Lévesque, about the conflict between the French network of the CBC and its journalists, which has been going on for nearly four months, and in view of the reply made yesterday in the House by the Minister of Labour to the effect that the CBC should relax some of its firm positions, can the minister tell the House whether the management of the CBC is planning to make new offers to the union to reopen negotiations and achieve a negotiated settlement as soon as possbile?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, the great interest of Mr. Lévesque in the good operation of federal institutions is well known, of course. I also believe that Mr. Lévesque is in a good position to comment on the length of this strike since the strike at Radio-Québec under his government lasted nearly seven months, if not more.

As for the question asked by the hon. member, I was informed last evening by the management of Radio-Canada that new salary offers have been relayed to the mediator of the Department of Labour. Of course, we hope that the parties involved will reach an agreement quickly.

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[*English*]

PARLIAMENT

FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING RIGHTS FOR EMPLOYEES

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is directed to the Right Hon. Prime Minister. Over 3,000 employees of Parliament, working in the offices of Members of Parliament and Senators and elsewhere on Parliament Hill, are denied the fundamental freedom of association and denied the right to collective bargaining, if they so choose, rights which all Canadians take for granted. Over two years ago the Liberal government House leader promised the House that these rights would be extended to employees on the Hill. My question is: when will the government put an end to this intolerable situation, with employees being hired and fired at will, and harassed, sometimes sexually, without any appeal mechanism whatsoever?

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. I think the hon. member knows that questions of this nature, although the employees to whom the hon. member is now referring are not directly under the jurisdiction of the Speaker, are not to be discussed under the rules of the House of Commons. I believe this should be discussed in another forum.

Mr. Robinson (Burnaby): Madam Speaker, on a supplementary question—

Some hon. Members: No.

Mr. Robinson (Burnaby): Madam Speaker, the reason this question was addressed to the Prime Minister was that you, Madam Speaker, said that you were powerless to do anything for the employees on the Hill. So, I ask the Prime Minister again what action is the government prepared—

Some hon. Members: Order, order!

Mr. Robinson (Burnaby): Madam Speaker, what action is the government—

Madam Speaker: Order. I just want to say that the hon. member is misquoting me in this particular instance, but I should like the hon. member to come to see me in my office so that we can discuss this matter. He should know that matters relating to the employees of Members of Parliament, as distinct from those who are in the House of Commons, are not under my jurisdiction.

Mr. Robinson (Burnaby): A supplementary, Madam Speaker—

Some hon. Members: Order, order!

Madam Speaker: If it is a supplementary to a question that I cannot allow, I do not know how I can allow it.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): A supplementary, Madam Speaker.

Madam Speaker: The hon. member for Grey-Simcoe.

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VETERANS AFFAIRS

DELAY IN BOARD HEARINGS

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, my question is directed to the Acting Minister of Veterans Affairs. It concerns a veteran, a constituent of mine, who applied for a re-board for a possible increase in his disability pension. He received a reply that his re-board would be 12 to 14 months hence. What steps is the minister taking to correct this injustice? I am sure, as he is a veteran, he agrees there is nothing more horrendous than the Department of Veterans Affairs even suggesting that a veteran should wait that long before any action is taken, because he could be dead and buried before any action is taken.

Hon. J. Gilles Lamontagne (Acting Minister of Veterans Affairs): Madam Speaker, I can assure the hon. member that we are doing everything possible to accelerate the question of allocation or whatever the pension is. I do not know the particular case about which he is talking, but I can take care of it if he wants to give me the information. But he must understand that sometimes it is not always the fault of the pension board or the fault of veterans. Sometimes some of the veterans do not know exactly how to get to the proper pension board. We can help them if they want to come to us.

BACKLOG OF CASES BEFORE PENSION REVIEW BOARD—CALL FOR MINISTER'S RESIGNATION

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, my supplementary question is directed to the Acting Minister of Veterans Affairs. There is a backlog of serious proportions before the Pension Review Board, and many veterans are dying before their claims are processed. As the two previous ministers of veterans affairs were making progress in clearing up this problem, and as things have gone from bad to worse under the minister's direction, is he now prepared to resign and let another minister take his place so that this serious, shocking matter will be cleared up in the department?

Some hon. Members: Oh, oh!

An hon. Member: Don't answer it.

Madam Speaker: The hon. member for Vancouver East.

* * *

HOUSING

IMPACT OF MARKET ON HIGH INTEREST RATES AND REAL ESTATE PRICES

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, my question is directed to the minister responsible for Canada Mortgage and Housing Corporation. Recently the minister told a convention of the HUDAC group that there was no need for government intervention because normal market forces would bring forth a balance of housing supply and demand. Will the minister explain what magic market myth will reduce 16 per cent mortgage interest rates and control the exploding price of real estate in cities such as Vancouver?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, in response to the hon. member's question I need go no further than the city in which she resides and has given as an example. Although prices have been very high and have escalated dramatically in the last year in the city of Vancouver, the market has responded and the starts for housing in that city in the last quarter of last year were an all-time record. This is an example of the action of the market responding to internal pressures.

Mrs. Mitchell: Madam Speaker, obviously the minister has not checked out the prices of those houses; no person can afford a first house in Vancouver. Will the minister delay his ongoing love-in with the real estate industry long enough to meet with people in northern Newfoundland who have desperate housing conditions and need a decentralized home repair program like the one he just cancelled?

Mr. Cosgrove: Madam Speaker, again I think the hon. member is mistaken; no program was cancelled. I assume the reference concerns the change in the delivery agent of the rehabilitation program in the province to which she referred. I really think she does no service to the corporation, to the people served, or even to the people we felt were not doing a good job, to put the case in that kind of language.

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NATIONAL ENERGY PROGRAM

MULTINATIONAL OIL COMPANIES MOVING TO MEET CANADIAN OWNERSHIP REQUIREMENTS

Mr. Maurice Foster (Algoma): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. In view of the importance the government placed on the Canadianization of the petroleum industry in the National Energy Program, could the minister confirm press reports of last evening that at least seven multinational oil companies, including Getty, Murphy, Suncor, Ultramar, Gulf, Shell and Mobil, are all moving rapidly to meet the government's Canadian ownership requirements?

• (1500)

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the government has welcomed, as I think most Canadians have, with the exception of a few Conservatives, the moves taken over the last few weeks whereby Dome Petroleum has agreed to become a Canadian company and whereby Petrofina now belongs to all Canadians.

Some hon. Members: Hear, hear!

Mr. Lalonde: I know there are several foreign-held companies which are now having discussions with private parties in Canada in order substantially to increase Canadian ownership in the oil and gas industry, thereby helping Canadians to own and control the industry well before 1990. We welcome those developments. I hope that a large number of companies will, indeed, abide by the objectives set out in the program and that very soon we will have a much larger base of Canadian ownership than we have had in the past.

[*Translation*]

FINANCE

QUEBEC SHIRT INDUSTRY—INQUIRY WHETHER GOVERNMENT WILL ESTABLISH MORE PROTECTIVE POLICY

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, my question is directed to the Minister of Finance who is responsible for Canada's policy as it relates to international agreements on tariffs and trade, or to his minister of state.

For one year now the Canadian Institute of Clothing Manufacturers has been making repeated representations to the government, through the Minister of Industry, Trade and Commerce, to emphasize the disastrous situation in which the shirt industry in Quebec finds itself, a situation made even worse by the government import policy on shirts from abroad. Is the minister or the minister of state prepared to explain to the House what representations have been made to the countries involved, either directly or through the general agreement on tariffs and trade, with a view to cushioning the harmful effect of that policy on that industry, or what efforts has he made within the government to change that policy?

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, the matter to which the hon. member refers in his question has been a subject of concern for this government for a number of years and the effectiveness of the measures taken by our government dates back to the days when the current Minister of Transport held the industry, trade and commerce portfolio. The Minister of Industry, Trade and Commerce is now examining the government's new policy in light of our obligations under the General Agreement on Tariffs and Trade, and the hon. member knows full well that our policy must be in keeping with the provisions of GATT Article XIX.

Mr. Munro (Esquimalt-Saanich): Madam Speaker, the efforts of the government have led to negative results.

My second question is for the Minister of State for Small Businesses. Bearing in mind that the Yamaska Shirt Company of Saint-Hyacinthe will close its doors on February 15 and lay off 115 or 125 workers, can the minister explain why he is so inefficient within cabinet, or so insensitive to the lot of his fellow countrymen, to the jobs of hundreds of workers in the Saint-Hyacinthe area, to the impending closure of other businesses, and to lay-offs at Trois-Rivières, Saint-Romuald, Saint-Denis-de-Richelieu, Cap-de-la-Madeleine, Montréal, Saint-Georges-de-Beauce, Lachine—

Madam Speaker: Order, please. I suppose there was a question in that long statement by the hon. member, so I will allow the minister to answer.

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, despite the hon. member's inefficiency in asking questions, I would like to tell him that we are now actively studying the recommendations of the report on textiles and clothing. We are very concerned about the current situation in the shirt industry and we hope that before the end of March we will be in a position to introduce legislation or to make an announcement on government policy based on the conclusions of the report on textiles and clothing.

* * *

[*English*]

PRIVILEGE

MR. YURKO—BIRTHDAY

Madam Speaker: I received a notice of a question of privilege from the hon. member for Edmonton East (Mr. Yurko). I must tell him that I received it just before the question period and since it does not flow from the deliberations of this House, and since he made no statement with respect to his question of privilege, I would ask him to supply me with a more complete statement. I will hear his question of privilege at another time.

Mr. Bill Yurko (Edmonton East): Madam Speaker, I wanted to indicate that I was wearing a red rose today because my wife, in collaboration with my staff, decreed that on this day, my fifty-fifth birthday, I was to wear a red rose. I wished to wear blue, but when I look at it it is red.

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POINT OF ORDER

MR. NIELSEN—ACTING MINISTERS' RESPONSIBILITIES

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise on a point of order with respect to the government House leader in his capacity as President of the Privy Council. Yesterday he tabled PC 1980-2824, which is a list of acting ministers and second acting ministers. The list does not indicate who will continue in the House to answer for the Wheat Board. The list does not indicate who will continue in the House to answer for the pipeline. May we assume that those responsibilities have not changed?

My second question is, can we place reliance upon this list, in view of the example today in which the hon. member for Vancouver-Kingsway (Mr. Waddell) directed a question to the Minister of Energy, Mines and Resources (Mr. Lalonde) with respect to the economic development portfolio and it was answered by the Minister of Transport (Mr. Pepin)? If that practice is to continue, perhaps the Minister of Transport should be designated to answer for economic development. May we have that clarified please?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, it is the Minister of Transport who answers in the House for the Canadian Wheat Board and the Minister of Energy, Mines and Resources who answers questions on the pipeline.

[*English*]

Mr. Nielsen: Madam Speaker, there was also my last question, with respect to the question raised by the hon. member for Vancouver-Kingsway (Mr. Waddell). The proper minister to answer was the Minister of Energy, Mines and Resources, but his question was answered by the Minister of Transport. Can we rely on this list and expect answers from the designated ministers rather than from some other minister?

[*Translation*]

Mr. Pinard: Madam Speaker, it can happen, in view of our desire to provide complete answers, that we allow a minister whose department may be more concerned by a particular question to answer. So I think we have to be sufficiently flexible on both sides to understand that sometimes another minister than the one to whom the question was addressed is better qualified to answer a particular question, namely on the Canadian Wheat Board or the pipeline. It was because he could provide a more complete answer, and because there was a link with transport with regard to this particular question that the Minister of Transport answered. Now, if the hon. member would rather have his questions answered by the minister to whom they are addressed he may on occasion get answers that are not as exhaustive, and I do not think that is what the hon. member wants.

[*English*]

MR. ROBINSON (BURNABY)—BARGAINING RIGHTS FOR PARLIAMENTARY EMPLOYEES

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I have given the Chair notice of a point of order arising from the question which I attempted to ask today during question period. I am concerned that perhaps my intent in asking this question was not clearly stated. My question concerned the matter of legislative policy. It concerned possible changes to federal government legislation in the area of collective bargaining rights for employees of the House of Commons, the Senate and the Library of Parliament.

I recognize your jurisdiction over the administration of the employees of the House of Commons, Madam Speaker but, with respect, this is a separate question. As long ago as 1967 there was a recommendation that collective bargaining rights be extended to employees of the House of Commons. With great respect, only the government and not yourself, can introduce legislation granting collective bargaining rights to employees of the House of Commons, which would give them some form of grievance procedure.

● (1510)

Madam Speaker: If I may interrupt the hon. member, I agree totally with what he is saying, if he is asking a question about the legislative policy of the government. But as his question was formulated, it seems to me that it spills over into the responsibilities of the Speaker and confuses the responsibilities of the staff of Members of Parliament with the staff on the Hill. That is why I ruled the question could not be brought up in that form. If the hon. member wishes to bring the question up again in the form in which he has indicated it would be acceptable, although I cannot say so in advance.

Mr. Robinson (Burnaby): Madam Speaker, I would ask again, with respect, that you examine carefully the question which I asked. In fact, I specifically referred to the government legislation. I pointed out the undertaking of the then government House leader, now the Minister of Finance (Mr. MacEachen), that he would introduce legislation to this effect. I pointed out that there were serious concerns over the fact that there is no protection for employees on the Hill, including employees of Members of Parliament. That was the question, and I have it here. I regret that perhaps there was a misunderstanding as to the intent of the question. However, certainly this kind of legislation is long overdue. That was my purpose in addressing the question to the Prime Minister (Mr. Trudeau) as representing the Liberal government, which has not kept its promise to bring in this legislation.

Madam Speaker: I would not want to be unfair to the hon. member, but I jumped to my feet because I heard something to the effect that this question was spilling over into the Speaker's jurisdiction and, therefore, the matter should be discussed directly with me, not in the House. If I have been unfair to the hon. member, I apologize. I will recognize him another time in this respect.

Mr. Maurice A. Dionne (Northumberland-Miramichi): Madam Speaker, my point arises out of the matter raised by the hon. member for Burnaby (Mr. Robinson). In the preamble to his question he referred to members of staff having to suffer sexual harassment. If the hon. member has any evidence to back up his allegations, then I believe he should name names and not smear every member of this House with that kind of accusation.

ROUTINE PROCEEDINGS

[*English*]

LABOUR RELATIONS

B.C. TELEPHONE COMPANY—APPOINTMENT OF MEDIATOR

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I wonder whether the Minister of Labour (Mr. Regan) has a

statement. I will accept a question from the hon. member for Fraser Valley West (Mr. Wenman).

Mr. Wenman: Madam Speaker, what proposals does the minister have to alleviate the conditions that caused such tremendous demands. What responsibility does the govern-

Union sent the following telegram to Mr. Gordon MacFarlane, chairman and chief executive officer of B.C. Telephone Company, and to Mr. William Clark, president of the Telecommunications Workers Union:

This has reference to the collective bargaining dispute between B.C. Telephone Company; Canadian Telephones and Supplies Limited, and Telecommunications Workers Union. As you are aware, there is a growing public intolerance to the effects of this lengthy dispute which has been made clear in the many representations and expressions of concern conveyed to me by telephone users in the province of British Columbia. I am equally concerned over the length of time this dispute has dragged on and am of the view that a settlement can and must be reached at the earliest opportunity in the interests of all concerned B.C. citizens who depend upon the use of this important utility in their every-day lives.

Accordingly, this will advise that I am appointing Mr. William Kelly, senior assistant deputy minister of the department's federal mediation and conciliation service, as a mediator. Mr. Kelly is well known to the B.C. industrial relations community given his involvement over the years in settling major disputes on the west coast. With your co-operation I am confident he can assist in bringing an early resolution of this dispute. Would you and Mr. Wm. Clark, president, Telecommunications Workers Union, please arrange to meet with Mr. Kelly at 2 p.m. on Friday, February 13 in Labour Canada's Vancouver office located at 750 Cambie Street, Seventh Floor.

Hon. Ron Huntington (Capilano): Madam Speaker, I was not aware that the minister would be making a statement on this very serious labour dispute in the province of British Columbia which is putting the citizens of that province to great expense and inconvenience. It is a serious issue. The last word I had on the matter when I was in Vancouver not too many hours ago was that there was little to mediate. The last offers were on the table and no move had been made on either side.

With the minister appointing a very well known and very able mediator, Mr. Kelly, who I am sure has the blessings of this House and of God on high, I hope the deadlock can be broken and some kind of sanity brought to bear on this issue. We are dealing with a public utility in the form of a communications system which is under attack. We are dealing with the seizure or the interruption of private property.

We in this House have an obligation to begin discussing the causes of alienation and antagonism which develop between management and organized labour. I am troubled by the fact that people in these highly organized, high leverage positions dealing with large corporations seem to forget all about the 55 per cent to 65 per cent of the workers in Canada who are unorganized and who are being left further and further behind.

Above and beyond the mediation which is necessary between labour and management in this monopoly situation, I believe this House of Commons and particularly the government should begin giving serious concern to the lack of leverage of those in uneconomic positions of leverage in the private, small and medium enterprise sector. A serious social issue is developing; it is the issue of maintaining some kind of standard of living in what is developing into a double digit inflationary economy. I ask the Minister of Labour to seek the counsel of his colleagues to determine whether the wider sector of the Canadian work force can be considered as these high leverage positions are mediated by his department.

Mr. Rose: Madam Speaker, I congratulate the Minister of Labour for not only intervening at this time to settle a long-standing and very serious social and technological squabble, but also for appointing to the position of mediator a very respected negotiator, Mr. Kelly. We in British Columbia realize the severity of this series of lockouts, sit-ins and strikes. It is a disreputable example of what can be described as less than adequate or less than acceptable labour-management practice in our province, and it is certainly nothing to be emulated.

● (1520)

I agree with the previous speaker that we should do everything in our power to settle this and prevent such things from happening again.

This is not just a matter of B.C. Tel versus its workers; it is a revolution in the telecommunications industry brought about by chip technology and the other things that have the potential of displacing thousands of people in that industry and in the clerical industry in the years ahead.

I would say this dispute has poisoned the atmosphere in a dozen or more communities in British Columbia and it is time it was stopped. There has been delay in installation, poor service, bitterness, hostility, all of which cannot be allowed to go unchallenged or unresolved.

I think everyone knows that in previous mediation efforts the union has shown itself to be flexible in that it has reduced demands in an effort to reach a settlement. The same flexibility has not been forthcoming from B.C. Tel, which is a subsidiary of an American giant. An American management is dictating Canadian labour practices and the service that will be given to Canadians. That is an intolerable situation in an independent country.

May I close by saying that even in the provinces of Alberta and Manitoba which have Conservative governments, and in Saskatchewan which has an NDP government, telecommunications and telephone companies are under provincial control, ownership and jurisdiction. That should also be the case in British Columbia.

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, the minister has taken a very direct course of action in this case but once again we are experiencing crisis management. When a situation becomes intolerable to all parties and action is taken, that only treats the symptom. I wish the minister had gone slightly beyond that symptom in his statement.

Madam Speaker: Order, please. I wonder if the hon. member is going to ask a question. As he knows, only one speaker from each party is allowed to respond to the minister's

statement to make on the B.C. Telephone Company dispute, which I raised yesterday.

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I have this day in relation to the dispute between the B.C. Telephone Company and the Telecommunications Workers ment accept and what is it going to do about the causes rather than just treating the symptoms?

Mr. Regan: Madam Speaker, I thank the three hon. members who participated in the response to this announcement. In particular I thank the hon. member for Capilano (Mr. Huntington) and the hon. member for Mission-Port Moody (Mr. Rose) for their studied and thoughtful comments on a very serious work dispute. I believe the problem has been a very serious one in British Columbia and that is confirmed by my observations when I was in Victoria and Vancouver in the past few days.

One of the problems is that from the beginning, several months ago until the past week or two, little pressure was put on the union or on the company to come to an agreement. Most employees were still working and the normal operations of the company were continuing. Until then, the people who suffered were those requiring commercial installations in new buildings or those who were moving to new quarters. I am sure all hon. members will have received representations from these people about the inconvenience they experienced. The dispute has escalated, of course.

I think that a utility has a particular responsibility to people who are counting on new installations, to bring a dispute of this type to an end even if in its day to day operations the utility does not feel particular pressure.

The hon. member for Fraser Valley West (Mr. Wenman) was rather critical in the question he put, and perhaps was also rather political. That is not helpful in this situation. The hon. member must be aware that the federal Department of Labour has a better record than other departments of labour in such matters. This is not just since I have been in the department but was the case under his own government and under former Liberal governments, because of the abilities of such professionals as Bill Kelly. It must be appreciated that not all problems can be settled. There has to be a willingness to settle before a dispute can be resolved.

I believe we have taken a constructive step today and the two hon. members who spoke earlier agreed. That step could not be taken, however, until, on the basis of the advice of professionals, I judged it to be useful. Sometimes if a special mediator is appointed too early in a dispute, nothing is achieved and proceedings are prolonged. Bill Kelly is a top man in his field.

Some hon. Members: Hear, hear!

Mr. Regan: I am confident that if anyone can, he will make progress in this dispute.

The other aspects of the question from the hon. member for Fraser Valley West related to inflation, governmental policy and international conditions. I am sure, Madam Speaker, you would be upset if I were to take the time I need to deal with those questions, so perhaps I can discuss them with the hon. members on another occasion.

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I have one question to put to the minister but first I should like to join with my colleague the hon. member for Capilano (Mr. Huntington) in extending our good wishes to Mr. Kelly whose reputation in this particular area is well known. In our view, if anyone can play an effective mediation role in this matter it is Mr. Kelly. There could be no better choice.

The minister mentioned the political comments or criticisms contained in the question of the hon. member for Fraser Valley West (Mr. Wenman). In that connection I would recommend that the minister read his own comments as reported at page 7071 of *Hansard* which, in my reading, bear a taint of anti-Americanism. I wonder whether that will make the situation in British Columbia any easier. The minister said that B.C. Tel is owned in the United States and was perhaps not as sensitive to the situation in British Columbia as might be desired. There is a taint in that particular comment. I hope the minister will rectify that to some extent, as it is not going to help in the mediation.

Mr. Regan: Madam Speaker, I thank the hon. member for Esquimalt-Saanich (Mr. Munro) for his question. I do not believe I can accommodate his desire in the matter. I certainly want to confirm that I do not mean to imply any anti-Americanism. I believe we are very fortunate indeed to have such a great neighbour as the United States.

In the remarks I made yesterday I was reflecting what was being said by businessmen in the constituency of the hon. member which I had the privilege of visiting just before last weekend.

Mr. Nielsen: You had better learn to say it.

Mr. Regan: Yes, I had better. The hon. member may have heard people in British Columbia who are not members of unions say that the problem is not just that this is a foreign-owned company, because lots of foreign-owned companies make great contributions to the country, but that a monopolistic utility which services all the people is owned outside the country and this may be a problem in the long history of difficult relations. That does not mean it is the only problem, or that there may not be some problems involving the union.

• (1530)

What I said in my remarks, or intended to say, and I hope I can make it clear to the hon. member, is that in British Columbia there is considerable concern. I would best serve the interests of the people of the country as Minister of Labour if I call it like I see it in each and every dispute. If sometimes that means I feel there are certain things a union should do to improve its position, then I should say so; and if there are

certain aspects of management that I feel are of concern to me, then I should also express them.

Mr. Knowles: Hear, hear!

Madam Speaker: I cannot allow this debate to go on too long. As hon. members know, there is a rule of thumb that we take into consideration the length of the initial statement and then allow for questions in that time.

I will allow the hon. member for Vancouver-Kingsway to ask a question. I am afraid the hon. member for Capilano (Mr. Huntington) has had a chance to make a statement. I think I will have to draw a line there and recognize the hon. member for Vancouver-Kingsway.

Mr. Nielsen: Madam Speaker, I rise on a point of order. Of course, under Standing Order 15(3) the Chair has absolute discretion in determining how much time can be spent on these proceedings. However, would the Chair take into account the fact that there are no British Columbia members on the other side? They are all on this side of the House; five of them in this party, and some to my left. Could that not be taken into consideration? I know my colleague, the hon. member for Prince George-Peace River (Mr. Oberle) has a question to ask and I know that my friend, the hon. member for Capilano (Mr. Huntington) has one. Perhaps the Chair could extend the determination of the time to include at least those two members.

Madam Speaker: No member had risen except for the hon. member for Capilano and the hon. member for Vancouver-Kingsway at the time I said I had to end debate. The hon. member is now saying that several others have questions, but they had not so indicated. I do feel the length of this debate has to be reasonable. It seems to me several questions have been asked on this side. I will now recognize the hon. member for Vancouver-Kingsway. I am afraid I must stick to the rule that debate should not be extended too far. Taking into account that the statements were all brief, I think that suggests something to me about the briefness of the following question period.

Mr. Nielsen: Madam Speaker, of course, I am not going to question your ruling at all. However, I would draw to your attention also the fact that there was no notice given of the minister's intention to make a statement, which is customary. Obviously that gives rise to more questions, than if such notice had been given.

All I am pleading is that the hon. member for Capilano and the hon. member for Prince George-Peace River be recognized for a short question.

Mr. Collenette: Madam Speaker, I do not want to prolong this discussion, but the hon. member for Yukon (Mr. Nielsen) knows that while notice may be given very often, it is not required by the rules.

Mr. Nielsen: It is courtesy.

Mr. Collenette: In some cases it may not be possible, and the minister has not had the opportunity to explain why he did not give the customary notice.

Although, as the hon. member for Yukon (Mr. Nielsen) has said, you have absolute discretion under Standing Order 15(3) about the length of the question period, I for one would object if any member spoke twice in this brief question period. I would support your original intention, which was to allow no other member to speak more than once.

Mr. Oberle: Madam Speaker, I just want to refer to what the acting House leader has said. There was an arrangement yesterday between the minister and the member of the NDP party to bring the question to the House. As you will recall, I rose on a question of privilege following the question period to remind the minister of the responsibility that he has outlined this afternoon. You did not allow me to continue with my question of privilege, Madam Speaker. I did not think yesterday that the minister was serving the cause at all in asserting himself in the manner he did, clearly taking the side of the union, and having made a prior arrangement with a member from the NDP party, which, incidentally, carried over to this day.

The minister had no intention of making a statement on motions. He had an intention to answer a question from a member of the NDP party. Madam Speaker, you will recall that you did not have notice from the minister that he had intended to make a statement on motions. Therefore, it would not be fair at this point to stop the debate. There was merely an arrangement between two members of the House, totally ignoring that there are some valid comments that need to be made on this subject by members on this side of the House.

Some hon. Members: Hear, hear!

Madam Speaker: The Chair is not aware of any kind of an arrangement. It is not the concern of the Chair.

An hon. Member: It should be.

Madam Speaker: It cannot be the concern of the Chair.

I will recognize the hon. member for Vancouver-Kingsway. I will not recognize anyone who has already spoken once. I will recognize a few others who might rise following that hon. member. I had a feeling that everyone who had any intention of asking questions had asked them. That is why I arrived at the decision to end the debate.

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I have a short question. First, I wonder whether my friend, the hon. member for Prince George-Peace River (Mr. Oberle), would note that it is the New Democratic Party, not the NDP party. That is a double: NDParty, party.

Madam Speaker: The question should be addressed to the Minister of Labour (Mr. Regan).

Mr. Waddell: Has the minister received representations over a period of the last year from union members and others from

British Columbia which generally have three points to them: first, they regret that the ultimate control of the company is in the United States and is basically a foreign company; second, they regret that labour control is really through the Canadian Labour Relations Board which, while not foreign, is some 3,000 miles away from British Columbia—British Columbia has very progressive labour legislation—and third, some people who have made submissions want the labour board in British Columbia to have control? In other words, they want the province of British Columbia to have regulatory control and that the company be taken under public ownership in British Columbia.

Would the minister confirm that those have been, the three points of many of the submissions, especially from union members in British Columbia? Would the minister briefly give us his view on the last two matters?

Mr. Regan: Madam Speaker, I think the able young member from Vancouver-Kingsway wants to lead me a little astray or on certain tangents in this matter. Let me say to him that it is true that I have, from time to time, received representations from some people in British Columbia who feel it is unfortunate that jurisdiction over labour matters in B.C. Tel is under federal jurisdiction—under the CLRB—rather than the British Columbia board. It is true that British Columbia does have some very progressive labour legislation passed by the former premier.

Mr. Kilgour: Go and shake hands.

Mr. Regan: Whatever turns you on.

Mr. Kilgour: You might as well go and give him a big kiss.

Mr. Regan: But these matters do fall under federal jurisdiction, and we also have very good labour legislation. We have an excellent labour relations board. We have a regional office in Vancouver which is very ably staffed. I think problems in the area involving a number of unions which are under that jurisdiction are well looked after by that staff.

It is also true that there have been some representations about foreign ownership of the utility, but I have already commented on that. I do not believe I have had particular representation on the subject of public ownership. In this country we have a history of utilities which are publicly owned and those which are privately owned, and as long as there is good regulation—I do not think that in essence presents a problem.

● (1540)

Mr. F. Oberle (Prince George-Peace River): Once again the minister is clearly siding with those people from the left. He is saying it is a matter of opinion whether there is excellent, leading and progressive labour legislation in British Columbia. The fact is that British Columbia has disproportionately more labour problems than any province in this country. We wonder whether the labour legislation in the province of British Columbia could be somewhat responsible for that.

My colleague, the hon. member for Capilano (Mr. Huntington), warned the minister that before taking sides in this dispute, he should make sure he does not dig himself in any further than he did yesterday and again today. Certainly I have faith, as does everyone else, that Mr. Kelly will come up with a report and recommendations which both sides will seriously look at.

We hope Mr. Kelly will look at other issues in this dispute having to do with technological changes which will create serious problems for the work force of this country. We on this side want to encourage these improvements while at the same time accepting some responsibility for those directly affected. We hope Mr. Kelly will look at it in that sense.

Who did the minister meet with when in British Columbia? Did he meet with anyone from the telephone company? Did he look at the regulatory structure? Did he look at the obligations placed on that company? Being a representative of a large northern constituency, I speak with some authority when I say the company has done an exemplary job of bringing telephone service to the most remote areas of the province. This creates an incredible burden on the resources of such a company. Did the minister speak with company officials? I can evaluate both sides, and I agree there has been stubbornness on both sides. Why would the minister come into this House after a two-day visit to British Columbia, knowing all about this dispute and having appointed a mediator, clearly having his mind already made up?

Mr. Regan: Madam Speaker, I know the hon. member for Prince George-Peace River (Mr. Oberle) would not want to say anything that would be interpreted as criticism of the way in which I have discharged the responsibilities of my office and used my judgment as to when a mediator should be brought in. That is a heavy responsibility I must discharge.

I think upon reflection, if the hon. member will consider what I have said, and if he goes back home and talks to some businessmen in Prince George—

Mr. Oberle: I do that all the time.

Mr. Regan: —he will find they are expressing the same sort of concern I mirrored in this House. I do not think we should hide things under the table. If there is such a feeling, and that is a factor in the problem, it should be mentioned. However, I recognize the hon. member's genuine concern and the fact that he is as anxious as anyone that a fair settlement be achieved.

I believe the course I am following in outlining what the problems may or may not be on both sides, and in appointing a mediator of this calibre, will bring the most likely prospect of progress toward a settlement. The hon. member knows, for example, that by using judgment as to when and how quickly to intervene, we in my department were able at the last instant to avoid a threatened strike of flight attendants which would have interfered to a very substantial degree with Christmas travel plans of Canadians. Our record over the past year has

been a rather outstanding one. I hope the hon. member will continue to have confidence in the path we are following in attempting to settle this very serious dispute.

I have not talked directly with officials of the telephone company. A message has just been placed on my desk indicating a telephone call from the chairman of the board of B.C. Tel, Mr. Gordon MacFarlane. At this moment in time, I have not talked directly with him. I did not think it was my role to do that, but rather to follow the course of action that I have followed. I hope upon reflection the hon. member will find that this is a fruitful course for us all.

Mr. Huntington: Madam Speaker, I rise on a point of order.

Madam Speaker: Because the hon. member was not given notice of the statement, which is not required of course, but which is a courtesy usually given to the House, I will recognize him.

Mr. Huntington: Thank you, Madam Speaker, I appreciate that very much. I seek this opportunity to clarify an impression left by the Minister of Labour (Mr. Regan) in his remarks when replying to my colleague for Esquimalt-Saanich (Mr. Munro). He mentioned that ownership of B.C. Tel is American.

Mr. Regan: Not totally.

Mr. Huntington: That is correct. That is the point I wanted to make. It is probably American controlled. There is a great deal of American investment in it. Many people in British Columbia feel it is the tail end of the whole communications system, that all the discarded equipment ends up in the west. They believe we are dealing in obsolete equipment while other parts of North America have modern communications equipment.

In his answer to the hon. member for Esquimalt-Saanich, was the minister implying that the American interests, which perhaps have control of B.C. Tel, are interfering with the management-labour relationship? Is he implying that instruction is coming from a foreign board of directors to the management of B.C. Tel that it not get on with the business of settling this dispute, because in the past that has been one of the problems in British Columbia? We have been the laboratory for labour-management disputes where the unions are controlled from the U.S. as well as the management. If a settlement comes about, it has a spillover effect on the industry and unions, not only in Canada but in the United States.

In his answer, is the minister telling us that the American board of directors is giving instruction to the management of B.C. Tel, which has very capable management, Canadian trained and educated? In most cases, they are all Canadians. Are instructions being issued to obstruct progress and a settlement in this? If so, that is a very serious issue which must be addressed here.

Mr. Regan: Madam Speaker, I am not telling the hon. member any such thing. If he reviews my words, he will find that is not the case. I have said there is some area of concern in the province; that since the ultimate control of the company rests in the United States, the people who have the ultimate responsibility for the company may be in the position of not having the same level of sensitivity to labour relations as they are practised in this country as have people here. As to what the relationship may be between the parent company and the Canadian management, what level of responsibility is exercised in Canada, how much latitude management here have, whether there is any communication and what the nature of that communication is, I have no knowledge whatsoever. If the hon. member reviews my words, he will find that is essentially what I have said on the matter. I believe he will also find on his return to the province that the views I have outlined are the views and concerns of businessmen in British Columbia.

* * *

● (1550)

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 4, 1,651, 1,747, 1,759 and 1,766.

[*Text*]

RAILWAY EXPRESS SERVICES OPERATED OUT OF BROCKVILLE, ONT.

Question No. 4—**Mr. Cossitt:**

What was the amount of business, in each of the past three years, received by the Canadian National Railways and/or Canadian Pacific Railways for express services operated out of Brockville, Ontario?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The Canadian Transport Commission advises as follows:

Canadian National Railways

	1977	1978	1979
Shipments forwarded	80,184	98,283	87,034
Revenue-related to forwarded shipments	$1,206,400	$1,270,000	$1,206,400
Shipments received	67,149	65,414	72,380

Transportation companies generally do not record revenue(s) related to shipments received. These figures, therefore, are not available.

Information concerning express services for the Canadian Pacific Railways is not available.

DREE—REFORESTATION OR RESEARCH

Question No. 1,651—**Mr. Herbert:**

In the past five years, have reforestation or forestry research programs been funded by the Department of Regional Economic Expansion and, if so, where applicable by province, which ones?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): The reply for the Department of Regional Economic Expansion is as follows:

Newfoundland

Reforestation: establishment of a nursery; site preparation, stand reclamation; planting and cone collection.

Research: harvesting and utilization studies; experiments in sawmill design, wide tree chipping, wood fuel, integrated logging and new harvesting techniques.

The above programs were carried out under the forestry subsidiary agreement at a total cost to DREE of $4.2 million.

Prince Edward Island

Reforestation: seed gathering and preparation; seedling production; planting on private and Crown lands; greenhouses and ancillary equipment.

Research: adaptation of research studies to island conditions; growth studies associated with development of superior seedlings; diseases and pests; stump culture; shelter belts and windbreaks.

The above programs were carried out under the comprehensive development plan at a total cost to DREE of $2,562,278.

Nova Scotia

Reforestation: site preparation, planting, tree acquisition and seedling; tree nursery, tree breeding centre.

Research: new uses for hardwood.

The above programs were carried out under the forestry subsidiary agreement at a total cost of $3,577,715.

Various small reforestation projects were carried out under the third agriculture and rural development agreement at a total cost to DREE of $122,557.

New Brunswick

Reforestation: construction and operation of three tree nurseries; site preparation; tree planting; plantation tending.

Research: applied research into the control of the spruce budworm; study of the ecology of the Nashwaak watershed; plantation growth studies; various investigations into the control of fish and wildlife species as an element of forest management.

The above programs were carried out under the forestry subsidiary agreement at a total cost to DREE of $14.2 million.

Quebec

Reforestation: silviculture projects on public forests; aid to provide forest production; reforestation; seed production; seedling production; purchase of potted plants; planting on public forests; planting on private forests; sowing by air and on the ground; upkeep of reclaimed land; mechanization development; arboretum; vehicle management; internal management.

Research: studies of the development of efficient timber allocation.

The above programs were carried out under the forest development subsidiary agreement at a total cost to DREE of $32,533,972.

Various small silviculture and reforestation projects were carried out under the third agricultural and rural development agreement at a total cost to DREE of $335,718.

Ontario

Reforestation: resource assessments and inventories; hardwood forest renewal; forest access; silvicultural camps; nursery expansion; soil survey; development and marketing; private land forestry assistance; forest improvement of Crown lands and lands under control of the Crown; expansion of county and conservation authority forests; management program in Treaty No. 3 area; forest survey of Indian reserves in northwestern Ontario; management and reforestation on Grassy Narrows Indian Reserve No. 21 and Eagle Lake Indian Reserve No. 17.

Research: hybrid poplar technical development, nursery and research.

The above programs were carried out under the community and rural resource development, forest management, eastern Ontario and rural development subsidiary agreements at a total cost to DREE of $4,803,545.

Manitoba

Reforestation: resource development.

The above program was carried out under the northlands subsidiary agreement at a total cost to DREE of $1,316,600.

Saskatchewan

Reforestation: opportunity identification; management, silviculture; small scale forest development; reforestation; forestry operations; harvesting study.

The above programs were carried out under the forest development, interim northlands, northlands and interim planning subsidiary agreements at a total cost to DREE of $2,330,446.

British Columbia

Reforestation: reforestation.

The above program was carried out under the intensive forest management subsidiary agreement at a total cost to DREE of $1,751,257.

ADVERTISING EXPENDITURES

Question No. 1,747—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of the Environment for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): For the current fiscal year (1980/81), Environment Canada's projected expenditures are: (a) $328,400; (b) $3,893,550; (c) $591,400.

Question No. 1,759—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of Regional Economic Expansion for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Order Paper Questions

Hon. Pierre De Bané (Minister of Regional Economic Expansion): The reply for the Department of Regional Economic Expansion is as follows: (a) $1,626,204; (b) $587,633; (c) $389,000.

Question No. 1,766—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of the Solicitor General for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. Bob Kaplan (Solicitor General):

	(a) Advertising	(b) Free or Subsidized Publications	(c) Other Information
	$	$	$
Ministry Secretariat	Nil	281,000	36,150
Correctional Service of Canada	31,000	3,000	Nil
Royal Canadian Mounted Police	275,900	282,000	Nil
National Parole Board	Nil	85,000	15,000
	306,900	651,000	51,150

[*English*]

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

[*Translation*]

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

Some hon. Members: Agreed.

* * *

[*English*]

MOTIONS FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I would ask that the notices of motions for the production of papers be allowed to stand.

Madam Speaker: Shall all those notices of motions stand?

Some hon. Members: Agreed.

Madam Speaker: They will stand.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed, from Tuesday, February 10, consideration of the motion of Mr. Bussières (for the Minister of Finance) that Bill C-59, to provide supplementary borrowing authority, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, when I began my speech last night I was reviewing briefly the contents of the bill, which consists of four paragraphs intending to achieve something which is not new. This is not the first time it has been done in this House of Commons. We go through this exercise every year, or at least we have been doing it under the Liberal administration since 1970.

In 1970 we had a surplus of $493 million. Sine then it has progressively worsened until the last election when we had a very serious commitment from the Grits that there would be no additional deficits, that the government would make every effort to hold the line and that we would not have to go through this exercise much longer of the House being presented with a bill for borrowing authority without really having it supported by estimates or a budget or any kind of statement on how this money is to be spent. The truth of the matter is that since the election promise the deficit has increased by $2 billion.

This bill now asks permission from Parliament to go and borrow, a sum of $14 billion, not just from conventional sources or from domestic sources but from foreign sources as well. The reason it is somewhat different this year is, first of all, because of this lie which stares one in the face, this lie which was uttered in the election campaign, this broken promise that there would be no further increases. More importantly, this year's borrowing bill is different in the sense that it is money which is being spent in much different ways than it has been spent before.

We have been very critical of the government in previous years about the manner in which it has brought in these make-work programs, these schemes which would keep young people employed just long enough to qualify for unemployment insurance. There is an incredible cost associated with these schemes and there has been no major effort to create permanent employment for young people, to encourage them to begin their careers and help them in doing so. That is one kind of criticism. This time it is different as it is associated with another type of spending. This time it is associated with the kind of government takeover spending.

One cannot separate this particular discussion from the takeover. An example of what I am saying is the takeover by the people's oil company, Petro-Canada, of a company called Petrofina. Before I concluded last night I related to my friends

in the House a short dialogue which I saw on television during which the head of the people's oil company, Petro-Canada was asked how the idea to take over this particular company came about. He was musing, and said it was a matter of meeting over a cup of coffee and a drink and somebody saying, "Would you be interested in selling your oil company?" The response was, "Sure, for $150 a share we might be looking at it." The discussion concluded there. After a few weeks there was a telephone call and whoever it was said to the head of Petro-Can, were you serious when you talked about the takeover of our company? The answer was, well, yes, we are always looking around. We have a mandate under the government's program to assert ourselves and to assume a higher degree of Canadian ownership, and that of course is government ownership. He said, we are interested but it would not be for $150 a share. That was something which was kicked around over a cup of coffee. Why don't you make us an offer? I have been paraphrasing what went on in those discussions. I suppose the directors met and they came up with their offer of $120.

As I said last night, it would be the same way you would sell your son's motorcycle which had not been used since he left for university. A person would ask if you were interested in selling the motorcycle and you would agree. This went on, and there was not really any valuation of the assets of this particular company and there was really not any valuation particularly of the assets this company has in the area of production, in the area of development of new sources of energy. If there had been an assessement of that, surely the conclusion would have been reached that this is not one of the companies which should be the first or the next to be taken over by the government.

I have taken a critical look at the company's portfolio and its financial statements. It is true it has a small interest in the tar sands activities. Its main activity in our country is in the retail field. It has a refinery in Montreal which will add to the refining capacity of the people's oil company. Reports tell us that the refinery is rather antiquated and is out of date in relation to new and modern facilities.

What we are buying is a number of service station outlets in Quebec and other parts of eastern Canada so we will have the opportunity to put the Petro-Canada sign on a number of properties to show Canadians we are in the oil business.

There should be a response by both the minister of energy and the chairman of the board of Petro-Canada as to why this acquisition is being made and how it will advance the government's strategy.

You know, Mr. Speaker, there is this myth that we are opposed to government's energy policy. We all agree that energy self-sufficiency is a laudable goal. In fact, it was a main component in the Speech from the Throne and the budget speech of the former government, energy self-sufficiency by 1990. That is where the phrase came from. We are also interested in achieving a higher degree of Canadian ownership. Where we drift apart is in the area of how we define Canadian ownership. In the minds of the people over there it is not Canadian ownership unless it is government ownership, unless the cabinet can say directly how things are managed in a particular Crown corporation. Our scheme was something much different than that, because of our firm belief that freedom of choice is an important component in a democratic society such as ours.

Canadian ownership would have been the ownership by Canadian citizens and not directly by the government. That is a very important distinction.

• (1600)

Apart from that, how will this particular acquisition help achieve these two serious objectives with which we all agree? Mr. Hopper said that Petro-Canada would take over this company, that it has made significant profits and that all these profits will be plowed right into Petro-Canada's exploration efforts in the north and particularly in frontier areas. Let us take a look at what are these profits which will be plowed back into these efforts. As I said, I have looked at the financial statements of Petrofina. We have interim unaudited figures for 1980, but after taxes in 1979 the company made $61.587 million in profit. That was from its Canadian operations. That is a significant amount of money which could be plowed into exploration and development. The company paid $39.441 million in income taxes. Of course, if we just took over the company and operated it as it is, that amount could be added to that $61 million. Or it really should be deducted because the government already had $31 million, and it is now after that other $61 million which the company kept for itself at the time.

Before we get all excited about re-investing these profits, let us look at what actually has to happen as a result of the acquisition. We know that the government does not have the $1.47 billion it takes to acquire the company. It has to borrow that money. If it had the money, we would not have a borrowing bill before us asking us to give the government permission to borrow $14 billion from foreign and domestic sources. The money has to be borrowed. Even at preferred interest rates, to which the government would certainly be entitled, we have to figure on at least 15 per cent interest, and for a loan of $1.47 billion that would require an annual interest and debt charge—hold on to your seat, sir—of $220 million. That is what it would cost us to acquire this company in the first year. We are getting $61 million in profits. That leaves $159 million which we will not have next year to plow into research and development. We would have had that $159 million—or at least that much borrowing power—to put into research and development.

The minister says we will not give these people a cheque, that we will not pay for this in one year, that we will not pay for it right away.

When we talk about foreign companies and multinationals, we usually refer to companies which have their base in the United States, such as Exxon, Standard of California and all those big multinationals which have asserted themselves in such an aggressive way throughout the world. This little company, Petrofina, was actually started by Canadians right

here. They had to go to Belgium to get the money to finance their schemes because Canadian banks, the Canadian government and Canadian institutions were not interested. They did not have any faith in our energy future, so the money had to come from Belgium. The company eventually ended up being a Belgian company. The Belgians have no great design with respect to managing our energy future. Belgium is a country just like ours. The Belgians have problems with bilingualism. They have had them much longer than we have, and they have not found any better solutions than we have. Belgium is just a small country.

Not all the shareholders who will receive that $61 million are Belgians, many of them are Canadians. Somehow the whole thing does not make sense. If I were a shareholder of Petrofina, I would say, "If you want my company, pay me cash because I do not trust you to pay me over a period of time." However, I assume that if the government takes control now—and this is what the minister says is happening—then he has to pay the owners of Petrofina interest if he does not pay it to foreign banks or if the money is not being borrowed to give to the shareholders. The investors are the only people who will profit from this scheme. It will do nothing whatever to find any new oil or bring any new oil onstream. It will do nothing to enhance our Canadian control position, particularly in the crucial area where we must assume control, that is, the area of development and exploration.

We do not need more service stations, surely, and we certainly do not need a refinery at which the pipes are rusty and in danger of blowing out at any time. It has already been said that the refinery is in need of some very major repairs or modifications to bring it into line with what is, in today's concept, considered to be a modern refinery.

We have talked about this takeover in the question period for the last couple of days. All of us who have been critical of the government since the energy statement was tabled in the House have been very diligent in watching the newspapers to see what was happening to oil stocks and oil shares. I personally do not have any, but I have been interested because I travelled to my constituency and was told that all of the major companies drilling in the area I represent in northeastern British Columbia have been making plans to leave and move to the United States or spend their money in other areas in the world where there is not the type of government intervention which is now being experienced in our country. The minister denies this is happening. He says there are actually more rigs drilling this year than last year. That may well be true in a small corner of Alberta or Saskatchewan.

Mr. Lalonde: It is true all over.

Mr. Oberle: It is certainly not true in northeastern British Columbia.

Mr. Lalonde: It is true all over.

Mr. Oberle: If the minister says it is true, I of course cannot call him a liar, but he is a stranger to the truth. It is not true in northeastern British Columbia. Rigs are moving out.

We were watching what was happening to the oil economy, and in almost every instance the value of oil shares was dropping, with the exception, curiously, of the shares of Petrofina. They were increasing from $70. They were listed at that price on the market at the time the first telephone calls about the possibility of a takeover were exchanged. When that happened, Petrofina's shares increased in value from $70 to about $85 per share. In the opinion of most experts $85 would have been a good price to pay.

If one wants to make sure that a takeover does not run aground or afoul about half way through, one usually offers a premium. My analysis of the situation would have been that the premium was already paid in that the value of the shares had increased disproportionately with other companies, from $70 to $85. However, I will give the minister the benefit of the doubt and say that $100 would certainly have been a windfall profit to the people who owned Petrofina shares. But the price was not $100; it was $120. The government paid that amount for the shares without—and I am getting back to that—making a serious assessment or commissioning a serious analysis of the real assets of this company.

The minister sits over there and shakes his head. He has been asked about this, and he has admitted to us that the cabinet discussed it. Yes, the members of the cabinet had a thumb sketch assessment of what was happening, but they really did not know what they were buying or how this particular acquisition would help them achieve some of the objectives laid out in the national energy package. There is a lot of anxiety in the industry, and there is good reason for it.

• (1610)

We are saying that the government energy package is just barely catching up with what is happening throughout the world. We are comparing ourselves with Great Britain, the United Kingdom, Norway, and with companies which operate, under government rules and regulations, in the North Sea and in other parts of the world. Also there have been some interesting discussions in committee as to these comparisons.

Since the Minister of Energy, Mines and Resources (Mr. Lalonde) is present, I should like him to reflect on what I am about to say. If he is really out to smooth the troubled water and to relieve some of the anxiety of industry with respect to the government's future intentions, he should reflect upon this. I am referring to an exchange between a member of the New Democratic Party and the minister. The member referred to the Norwegians insisting on participation in all areas. That is not true at all. I would say they are insisting upon that in some areas. They are not necessarily, as a government or through their national oil company, participating in all ventures. We are insisting upon participation in all ventures on federal land. The member said that in some areas the Norwegians go in with at least 85 per cent public or government ownership. He asked the minister of energy why it would be only 25 per cent here, and the minister said, "We are only just beginning; give us a chance". Certainly these comments are not very prudent or well-designed to ease some of the anxiety and fear of the oil

industry with respect to the government's intentions concerning the future of private industry.

Then we criticized the minister and his policy in committee over the business of confiscating the assets of private companies. As far as we can determine, there has never been a precedent in the western world where a government has moved in and confiscated assets retroactively. There cannot be any other interpretation. As a result of the government's energy package—and the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) agreed on the night the budget was presented—from now on Petro-Canada or the government, through its agent Petro-Canada or some other agent, will own 25 per cent of any lease on federal land. There is nothing wrong with that. It is quite true that most countries in the world, except the United States, insist upon some government or public participation in the oil patch. It would be strange if the government, with its particular political orientation, would not follow that precedent.

We would not be as upset with the minister saying that they wanted 25 per cent of the oil patch from here on in; but the minister said, "We are not just insisting upon 25 per cent of what happens from here on in, we are now taking ownership and control of 25 per cent of everything in federal lands." That is not just money paid out for leases or money already spent in terms of exploration, exploratory drilling and those kinds of things. This is money spent and assets put in place to improve these leases. Now the government is in there and is confiscating 25 per cent of these assets, and there is no precedent for that in the western world. So, it does not come as any great surprise that the oil rigs would be lined up at the border. If the minister and his government insist upon following the disastrous course of the energy package, by 1990 there will be not only 50 per cent or 75 per cent government ownership of the oil patch, it will probably be 100 per cent. But it will be 100 per cent of nothing, because the government oil company and Canadian taxpayers do not have the required resources to make us energy self-sufficient by 1990. The conservative estimates range from something like $300 billion to $350 or $400 billion to recapture energy self-sufficiency in the country.

Is the minister saying that the government will bring in a borrowing bill next year for $60, $70 or $80 billion? If that is what he is saying, where will the money come from? What difference does it make who owns our energy if, in order to buy it, we have to sell our souls to foreign owners and bankers? The bankers, to which the government go to mortgage our children's future, profit from this incredibly dangerous scheme.

One thing which really offends me about this bill is that the government is asking for permission to borrow in a currency other than that of Canada and to repay in the currency in which it was borrowed. This means that again government members will be in their executive jets flying to New York, to Zurich or perhaps to the Middle East to see if some of the petrodollars could be recycled.

As I have said many times in the House, these bankers will be asking the same questions a banker asks an individual applying for a loan; what is your ability to repay, what are your assets? The answers are obvious: our assets are our resources, and our ability to pay is our ability to tax and to pass these monstrous costs on to Canadian consumers. I wonder whether government members ever go shopping? Do they show up at supermarkets other than when they are campaigning? Have they ever seen senior citizens walking along the aisles, turning over certain items on the shelves and looking at the prices?

Mr. Lalonde: I do that every weekend.

Mr. Oberle: Have they ever seen what is going on? Are they too heartless to realize that there are people in the country who cannot afford decent shelter or nutritious food for themselves and their children? Those people are now partners in Petrofina. In the very near future when they go to gasoline stations they will pay another 13 cents a gallon because of the purchase of a number of service stations in eastern Canada and a refinery in Montreal.

Mr. Lalonde: Nonsense.

Mr. Oberle: It has been said that the promises of yesterday are the taxes of today. When we talked about the borrowing bill last year, we said that it could not go on like this any longer. Of course we were right then—it did not go on any longer, it got worse.

What will be the end result? What is the limit to which the government will go to mortgage the future of our children and to mortgage our resources? It will cost us $220 million in debt charges to acquire this oil company. Can one imagine what $1.4 billion is, what amount of money that is? It would be literally mind-boggling to calculate how many Canadians would have to spend a lifetime of work to amass that amount of money.

• (1620)

We talk about constitutional reform and we look at other countries in the world for our models. These countries limit their governments through their constitution in the way in which the taxpayers money should be spent.

Since we are writing a new Constitution I think it would be interesting to look at a provision whereby a government may do some deficit financing but only with the consent of Parliament and the people. In a sense, I suppose the government is asking us for our consent here in this bill. They will not receive it from me because, as I said last night, I would be afraid to go home and face my children if I were to stand up in this House and vote for this measure. But since they have the majority they will be getting consent from Parliament to go out and borrow this additional money.

I think what we should be seriously looking at in the future, as we talk about constitutional reform, is the limitation of government borrowing to domestic sectors. There are only so many places from which a government can borrow money and, of course, it only borrows money when the tax collector has worn out his welcome and the population rebels, not wanting

to pay more taxes. This government wore out its welcome long ago. Canadians would not stand for another increase in income tax.

I would like to make this point, Mr. Speaker. We are faced with so many hidden taxes today the government really does not have a choice at all but to borrow from banks. It has exhausted the pension funds, the domestic and conventional sources and the domestic banks. The government must now go to foreign banks to beg for more money. That, Sir, should be outlawed in the constitution. It takes money out of the country. It takes resources out of our country. These are resources which are sorely needed in the energy field and which are needed to train our young people to prepare them for the twentieth century and the excitement associated with it. These are resources which are needed to maintain and manage an enlightened domestic program.

Mr. David Kilgour (Edmonton-Strathcona): Mr. Speaker, I rise today to speak about Bill C-59, which, if enacted, would authorize the government to borrow $14 billion for 1981-82.

I begin my remarks by noting, Mr. Speaker, that there is not a single member of the New Democratic Party present in the chamber.

Mr. Knowles: You know better than that!

Mr. Kilgour: The hon. member for Winnipeg North Centre (Mr. Knowles) has come into the chamber, but he has had a chance to speak on this bill. I believe no member of the NDP is participating, at least this afternoon, as far as I can see.

Mr. Knowles: Were you here last night?

Mr. Kilgour: We have a new baby at home.

Some hon. Members: Hear, hear!

Mr. Kilgour: I am grateful for the applause, which I am sure is not meant for me. I am also glad that members opposite heckle me now because, believe me, by the time I have finished they will probably have left. They will not like what I am about to say.

I would like to discuss what $14 billion really means. For most of us it is a number with nine zeros, which is completely beyond our comprehension. Let us use a three-bedroom detached home which costs $80,000 as an example. This is obviously more than the average price of homes in some communities and possibly less in others. Unfortunately, it is not an unrealistic price for most people to pay for a home in many parts of Canada today. By my arithmetic, $14 billion would buy 175,000 such homes. Incidentally, 175,000 single family homes, and I stress that, is enough to house eight out of ten people in a city with a population the size of metropolitan Calgary. It would house three out of four people in a city with a population the size of metropolitan Edmonton. It would house eight out of ten people in a city with a population the size of metropolitan Winnipeg, Quebec City or Hamilton. It would house almost 40 per cent of the population of Vancouver. Mr. Speaker, just think how much money that represents.

What we are really talking about in this bill is inflation. An increasing number of Canadians realize that is what we are talking about when we talk in terms of $14 billion. That is why I believe more than 20 state legislatures in the American union have passed proposed constitutional amendments outlawing budgets for their federal government. The people in the United States and in Canada are beginning to realize that deficits resulting from bills such as the one before us are the reason for inflation.

I suggest that a large portion of this $14 billion being asked for by the economic lunatics on the other side of the House will be ultimately printed, or, as they prefer to call it, "monetized", by the Bank of Canada. This will simply push the "on" button for the printing presses of the Bank of Canada. This is how the government covers its deficit. Euphemists call it the monetization of debt. This is what members opposite will do, if they follow their practice of the last eight years. I believe that had the majority of Canadians known what had gone on for the last year, in terms of printing money, they would not have elected a single Liberal MP in any riding in this country.

Some hon. Members: Hear, hear!

Mr. Kilgour: Of course, members opposite know that up to this point in time most Canadians do not know what printing money means. The government continues to rely on the fact that most Canadians do not know what it has been doing to the purchasing power of hard-earned money over the past eight years. What the government prefers to do is say that inflation is the fault of California, Japan, labour unions, business, opposition, and the fault of the member for Winnipeg North Centre. It prefers to blame anyone who is at hand.

I would like to show you what inflation can do to a country. I wish to refer to what happened to the German mark during the Weimar Republic in the 1920s. Many of my constituents are Canadians of German descent and I believe they know I am a strong admirer of what West Germany has done since the Second World War and the lessons it has learned from the kind of economic management members opposite have been giving us for many years.

In my hand, Mr. Speaker, I have a 100 mark note issued in 1908. The next one in this book is a 1,000 mark note issued in 1922. The next is a 5,000 mark note issued in November, 1922. The next is a—

Mr. Lalonde: A five million mark note?

Mr. Oberle: Do you want me to read it for you?

Mr. Kilgour: I wish you would.

• (1630)

The next note is dated November, 1922, and is for 50,000. It is getting more interesting. Here is one for February, 1923, which is for 100,000 marks. On October, 1923, a note for 100 million marks was introduced. The next one, dated December, 1922 is—what is "milliard"?

Mr. Oberle: Billion.

Mr. Deputy Speaker: Order. It may be useful for the hon. member to refer to certain documents, but there are certain limits in terms of how much others can participate to assist in an hon. member's speech.

Mr. Kilgour: Very well, Mr. Speaker. My friend tells me that the word means billion. My friends opposite will be happy to know that this is the last bill. It came out in October, 1923, and is for 20 billion marks. I hope it is clear that there is not much humour to be found in what I have just said. If the government continues with what it is doing, this same situation could result in Canada. Hyper-inflation destroyed Germany's economy, its middle class, and we all know to what it led.

A West German economist who had studied the period between 1963 and 1973 said that of 40 countries which had inflation rates exceeding 15 per cent, 38 had abolished their democratic institutions in one way or another. This is a recent study. The big winners in a period of economic inflation are the speculators, those who are lucky, and rarely is it those who work hard. Home owners win and renters lose. People who own gold win while those who own dollars lose.

On January 5, or January 6, it was announced that the Bank of Canada had no choice but to borrow $900 million in the previous year to prop up our dollar. The interest on $900 million runs to about $400,000 per day. I maintain that the bank could have taken a different route by allowing the dollar to slide. Perhaps Canada would have imported fewer vegetables from Florida or California, but by doing this it might have cost Canada less than $400,000 per day, which is only the interest on the loan.

I believe it can be safely said that the government will simply print a good portion of that $400,000. This will have the ultimate effect of adding to the deficit. In other words, when the anti-energy policy of the government—and I see that the Minister of Energy, Mines and Resources (Mr. Lalonde) has left, although I had not expected him to stay long—runs up bills, buying oil on the world market the government will simply pay them by printing additional money.

Having regard to what I call the anti-energy policy introduced by the government on October 28 it will mean the loss of 40,000 jobs by spring, according to the Canadian Association of Oilwell Drilling Contractors. This association believes that 11,360 jobs have been lost since the introduction of this infamous anti-energy policy, and that by March it will mean the loss of 28,000 jobs in steel mills and auto plants found mainly in central Canada. Let us look at the cost of carrying 40,000 people on unemployment for one year. I am told by my deskmate, the hon. member for Calgary West (Mr. Hawkes), that the maximum UIC benefit is $180 per week. If we multiply $720 per month by 40,000 jobs, we arrive at the figure of $336 million.

This expense is the direct result of the policies of the government. Canadian oil producers estimate that the budget will cause a reduction in oil drilling of 35 per cent in 1981. In other words, instead of 9,000 wells being drilled, as was the case last year, the figure will drop to 5,800 wells, a drop of 35 per cent, and will result in the loss of 30,000 jobs.

I was informed by a person in the oil industry that as of January 15, 38 rigs had left Canada for the United States. It requires 30 trucks to move one rig. One rig generates about $1.4 million per year in spin-off revenue. I was also informed that 134 rigs are not working. This means that only 400 of a total of 600 rigs are now active in western Canada. The minister of energy tries to tell us day after day what his figures show. I do not know what his figures show, but the word for describing what the minister tries to tell this House day after day is the word "show" in the context the Prime Minister (Mr. Trudeau) used it the other day.

Canada takes up half a continent and is compromised of 24 million people. This country buys approximately 430,000 barrels of oil per day on the world market. It is obscene that Canada must outbid Third World countries for oil at a time when the Prime Minister is so devoted to his North-South dialogue he is travelling about discussing the problems of the underdeveloped world. I recently had the good fortune to attend a United Nations Congress on Crime. A speaker from the Third World made the comment that he felt it was a crime the so-called developed world would outbid Third World countries for oil on the world market.

I do not believe there is a person in this country who does not realize the government's policy will increase Canada's dependency on world oil. This can only have a detrimental effect on Third World countries. So when the Minister of Finance (Mr. MacEachen) said, I believe, on January 12—and the crocodile tears were flowing from his eyes—that Third World countries would be required to spend all their hard currency on oil instead of development, it made me, with respect, Mr. Speaker, want to vomit.

• (1640)

Hon. members opposite clearly worship John Maynard Keynes as an idol. They have followed his demand-stimulus policies for many years, policies which I submit have been shown to be no longer workable. It is time hon. members opposite revised their thinking.

In the recent budget statement the Minister of Finance spoke of fighting inflation. The budget statement was clearly based on the premise that most Canadians would not notice on the one hand the causal connection of rising prices and interest rates, the increased budgetary deficit, more unemployment, loss of investment—obviously in the energy industry—the worsened over-all trade deficit, the falling dollar and on the other hand the new oceans of fresh currency the government will continue to force the Bank of Canada to print in order to cope with its ever-increasing debt.

The free world's most successful economies have made the transition from the realities of the post-Keynesian energy conserver age. Ironically, the three that have no oil whatsoever, West Germany, Japan and Switzerland, are experiencing, on a relative basis today, the least inflation, the least unemployment, the lowest interest rates and the greatest suc-

cess in coping with the balance of payments problems and the other economic problems that hurt many Canadians so acutely.

In January, 4,500 Swiss residents were unemployed, or .2 per cent of the working population. That country has taken a strong stand on inflation for many years and, as a result of its monetary and fiscal policy, inflation stands at 3.6 per cent compared to approximately 11 per cent in Canada.

The government proposes to spend $1.4 billion or $120 per share to buy Petrofina. As I understand it, Petrofina owns 1,000 service stations; a 5 per cent interest in Syncrude; a slightly larger interest in the Alsands plant which, of course, has been suspended because of the unacceptable energy policy, and it also has some unexplored frontier land. Incidentally, Mr. Pierre Nadeau, chief executive officer of the company, has resigned because he will not work for a Crown corporation. That is one example of unemployment as a result of the energy policy. The founder of the company, Mr. Alfredo Campo said that the price is so far beyond what any other company would pay for it or what the market is indicating, that he wondered how it made sense. It only makes sense if you are using other people's money, or money printed for the purchase, over and above what can be taken from the Canadian consumer.

The budget mentioned inflation but had absolutely nothing to say about solving the problem of the steadily rising deficit. It is predicted that the deficit for next year will increase by $3.5 billion to a total of $15 or $16 billion. In the west we call that sucking and blowing simultaneously. It is a hard thing to do and it will be even harder for the Minister of Finance to do it. In the east it may be called walking both sides of the street, but in the west we call it sucking and blowing simultaneously.

A request to this House for authority to borrow $14 billion is just another indication of the government's bankrupt economic policy. It is, I believe, the reason there are more than one million unemployed Canadians; it is the reason that inflation is in the order of 11 per cent; it is the reason our dollar recently stood at a 50-year lowpoint; it is the reason that investment capital is leaving the country and has been leaving for the last two or three years at a substantial rate; it is the reason for many people leaving Canada; it is certainly the reason for the oil industry being invited to leave, and I maintain it is the reason hon. members opposite constantly talk about things such as the Constitution. They know perfectly well that nothing can be done about the economy while they try to tear the country apart.

Just yesterday I received a phone call from someone in Quebec telling me that two stores had closed down in the community, presumably because of insolvency or bankruptcy. This is another reason the country has so many economic and social difficulties. Diluting or inflating the currency is not a good place to start and we should recognize that.

I should like to refer to an article which appeared in the November 4, 1980, issue of *The Canadian Journal of Economics* by Thomas J. Courchene, a professor at the University of Western Ontario. At page 559 he writes:

> Moreover, with the decline of the market system as a co-ordinating institution, the regulation of social and economic activity becomes progressively more personalized and paternalistic. The logical culmination of the protected society scenario is aptly captured by Edward Gibbon's comment, albeit in a different context, in the fall of Athenian democracy; "in the end they valued security more than they valued freedom, and they lost both".

He gives an example of what inflation does to people on page 569. Referring to 1974, he writes:

> Yet the bank rate remained at 7.25 per cent. Individuals began to scramble in order to hedge themselves against the ravages of inflation, and not surprisingly, the most obvious and convenient hedge was the housing market. As a result, housing prices jumped precipitately in the first quarter of 1974. Dreams were shattered, substantial wealth transfers occurred, and the market as an allocative mechanism was called into question.

Further down on the same page he writes:

> There is no question in my mind that experience with inflation has convinced a goodly number of Canadians that political rather than market allocative mechanisms are preferable across an increasingly broad range of goods and services.

● (1650)

It is my belief and it is, I believe, the view of an increasing number of Canadians that there is not enough difference between the economic policies of the federal Liberal Party and the federal New Democratic Party to stick in a very small thimble. I maintain that the present government is more irresponsible in terms of economic policy than is the New Democratic Party, for instance, in the province of Saskatchewan. Hon. members may ask why. The New Democratic Party in Saskatchewan does not run a deficit—I believe there was a minor one last year—at least not in the magnitude of $15 billion or $16 billion, which we are talking about next year. The New Democratic Party in Saskatchewan has some sense. I do not think they are financially responsive, to the kind of policy we are getting from this government and have had from this government for many years, or what it is doing to the least protected members of society. I am, of course, including the pensioners. They are the readily identifiable group.

A constituent came to see me about a month ago. He was a pensioner from the CNR. He and his wife receive a small pension from the CNR, the old age security and the guaranteed income supplement. Between the two of them, after paying rent in a city-owned house, light, gas and so on, at the end of every month they have $108 left to pay for their transportation, food and clothing. There is not a member in this House who does not know what government created inflation does to people on low incomes and unprotected members of society. It is an outrageous situation and more and more Canadians are becoming quite desperate about it. I submit it has to stop.

We hear people asking why Canada is becoming so deindustrialized. Professor Innis pointed out sadly that Canada is one of the few countries in the world to go from being a colony to a nation to a colony. That is a tragedy for this country. I believe it is a tragedy created by the economic, fiscal and monetary policies of the present government. May I ask how much time remains, Mr. Speaker?

Mr. Deputy Speaker: The hon. member has 12 minutes.

Mr. Kilgour: I submit that unless we do something about inflation some of our basic democratic institutions will be in considerable danger. People lose confidence in those institutions during a period of inflation. In 38 out of 40 countries it was demonstrated that democracy is endangered when the purchasing power of the dollar is eroded.

My plea to the government is, start listening to people who have a sense of contact with ordinary Canadians who suffer because of inflation. If the government speaks to those people, virtually without exception, they will hear that unless something is done about fiscal and monetary policy, Canada and its very future as a country will be endangered. As a small act of protest against what has gone on in Canada for so many years, when this bill comes up for a vote, I intend to vote against it and I urge others to do likewise.

Mr. Nelson A. Riis (Kamloops-Shuswap): Mr. Speaker, on the one hand, I am pleased to have an opportunity to debate Bill C-59, but on the other, its contents raise a number of concerns in my mind.

I have spent the last few days in my home riding touring a variety of municipalities and travelling throughout some of the rural areas. I have spoken to people from various chambers of commerce, to people in the trade union movement and to individuals at various community functions. A number of questions kept coming up. Some people referred to the state of the constitutional debate and some referred to the general state of affairs in Ottawa. Inevitably, people would ask what we were debating in the House of Commons these days. They asked what the topic was before us and what the government was asking us to support. When I told them that we would be debating Bill C-59, an act to provide supplementary borrowing authority, an act asking for authority to borrow $14 billion at this point in time for a variety of public works and general purposes, the response was predictable. It was the same, no matter the source whether it was a chamber of commerce meeting, a trade union meeting or whether it was from folks on the streets in the various small towns.

People always asked what on earth the government was going to use the $14 billion for. There was some embarrassment on my part because I had to tell them that it was not clear what the government was going to be using it for or how the money would benefit men, women and young people in the constituency. Worse than that, I had to say that out of this request to borrow $14 billion, $3 billion of it was to be set aside as a contingency. In other words, the government would have to wait and see what will happen. Probably the $3 billion would be required, but at this time the government could not account for it. As for the remaining $11 billion, there was some rather vague plan provided on behalf of the government. I want to emphasize it is a "vague plan" at best.

Then a thought occurred to me. What would happen if an individual from any part of Canada were to walk into his bank and ask to borrow $14,000 for a new luxury car or perhaps to start a business of some kind? The banker would probably ask how the money would be used. What if the individual said he had some vague notions about $11,000 of it, which are not very sophisticated or profound? He might think that a lot of people would not support the request. As for the $3,000 he would tell the banker that he was not certain what he was going to do with it, but he wanted it standing by in case of some contingency. It would be some banker who would say, "That is the kind of thing we like to support. That is the kind of request that we would like to honour." I suspect the individual would be going to a variety of bank branch offices and ending up at the FBDB, and he would probably be rejected by them as well.

Last July I believe we were asked to give the government authority to borrow $12 billion. Again, it was without any clear indication of how that $12 billion would be used. Needless to say there was reluctance on this side of the House to endorse and support that request. It is perfectly clear that Canada is facing some serious economic, social and political problems.

• (1700)

The social fabric of this country is being torn apart; west against east, new Canadian against the traditional Canadian, provincial parties against federal parties and French-speaking against English-speaking. There are social problems in the fields of housing, pensions and health care let alone the economic problems which are becoming increasingly more serious every day. This is what alarms many of us who have spoken during this debate. There is the tragedy of a changing economic world and what appears to be the inability of this government to come to grips with it.

With all due respect to my colleagues on my right, I am not encouraged by much of what I have heard and read in their speeches up to this point. They seem to be living up to the last half of their name, conservative, living with principles which perhaps were applicable a number of years ago, but are difficult to apply to the rapid changes occurring in the world economy today and with what ought to be happening here in Canada. Similar serious concerns can be levied against the Liberal government. What indication do we see that the government is coming to grips with inflation and the serious unemployment situation in this country? I will stay with the unemployment situation for a moment or two.

One of the tragedies of Canadian society of late is that the Liberal government has been able to convince a large number of Canadians that an unemployment rate of 6 per cent, 7 per cent and 8 per cent is acceptable. The government believes that is something we must live with. Many times members across the way and others in the Liberal party have said that we must bite the bullet. That is an unfortunate attitude for a government, and especially for a country. A country as rich as Canada should not have to accept such a high rate of unemployment.

The situation is very grave in many parts of Canada. In some constituencies, many represented by Liberals, the unemployment rate is in the 35 per cent to 40 per cent range. In some communities in my constituency, the rate is reaching 12 per cent and 12½ per cent.

We hear talk about one million Canadians being unemployed. Most of these people would love to have a job. They would love to work and be part of the productivity of Canada. However, they do not have the opportunity to do so, largely because this government is not keeping step with the economy as it moves along. As a result, our competitive edge in world markets is declining. Our productivity is declining and jobs are evaporating on a daily basis, and with those jobs go the hopes of many Canadians.

I have been attached to the school system in a variety of ways over the years. I am not pleased with the attitude of our youngsters who are graduating from vocational and technical schools of one kind or another. There simply are not jobs for them. It is a very serious situation.

When discussing unemployment in this House, we often do so in terms of percentage points, 8 per cent, 10 per cent or 25 per cent, or in terms of absolute numbers such as 987,000 or 1.4 million people out of work. It is very easy to speak of unemployment in those terms. What about the social side of the unemployment equation?

An hon. Member: The human cost.

Mr. Riis: Yes, what about the human costs of unemployment in this country? Studies in Ontario indicate that in 80 per cent of families experiencing wife beating, it can be related directly to unemployment. The increasing phenomena of child beating is related to unemployment, as is a percentage of suicides and the number of those entering our mental institutions. A certain percentage of alcoholism problems and family breakdowns can be attributed directly to the increasing unemployment in this and other countries.

No one will say it is a causal relationship, but when measuring the costs of unemployment we must measure more than the unemployment insurance cost and the cost of welfare. We should start measuring the costs of alcoholism, family breakdown and hospitalization of those with a variety of ailments, including those in mental institutions. We simply cannot afford to ignore these costs any longer.

What is the cost of unemployment in terms of young people being caught up in the lack of opportunities for Canada's future? Cynicism is growing among our young people today. That will not do any good for this country. It is not news that there are serious problems in Canada. We are well aware of the serious ailments in various sectors of our society. Members have offered a variety of solutions.

One approach suggested by the hon. member for Broadview-Greenwood (Mr. Rae) a number of months ago bears repeating. As financial spokesman for the NDP, he said it is time that we in Canada clearly differentiate between two kinds of government spending. With all due respect to my colleagues on the right, they seem to have a blind obsession with the deficit, that the ideal is to balance the books and have no deficit at all. While that may be a fine ideal, it is not an acceptable approach. It is too simplistic. It is not in tune with the financial world of the eighties and nineties. Perhaps to give them credit, steps must be taken to reduce the deficit in Canada.

We must begin to reduce government spending in a variety of areas. I suspect we could lop off hundreds of millions of dollars in a variety of areas and no one in Canada would notice. Some time ago members received notice that a game was available which they could send to their constituents. The motivation was good. The game was to introduce young Canadians to the fact that this is not the only country in the world with two official languages. Others have many more than we do. However, spending millions of dollars on that project at this time makes one wonder whether that is wise government spending.

One could identify some of the big errors such as Mirabel airport. It is an obvious white elephant that must be an embarrassment to the government. The motivation may have been correct, but it was an error. The guaranteeing of massive loans to firms like Chrysler, is an error, again recognizing positive motivation, but surely when we have seen the mismanagement associated with Chrysler, the irrational structure of that industry, to simply shore that up as a simplistic way of achieving any resolution to our serious economic problems in Canada is rather irresponsible government spending, I would suggest. One looks at many of the dollars spent in parts of Canada on DREE projects, and I do not wish to criticize DREE per se because the motivation is a positive one and people are obviously trying to improve the situation. What is often created are vast sums of money going into provinces, mainly in central and eastern Canada, resulting in economic enterprises which are not viable, rational and economic enterprises, but they do create jobs in their artificial way. They give the illusion of a sound economy. They give to the people of the communities in which they are located the sense that indeed the economy is emerging and is growing.

• (1710)

After looking at these jobs we find they are created in an extremely artificial and forced way. There is also the question of how long they last? They keep people's interest, they keep their hopes up often only to have them dashed later because a project cannot maintain itself in any realistic way at all.

Then there is the government spending on the constitutional proposal, and hopefully the government will not foolishly spend taxpayers' money in an effort to propagandize one party's position on this very crucial matter. If they do, again we will have to say that is not the responsible way to be spending the budget of Canada.

If one goes back, we recognize that the government spends money in two ways. One is government spending, often irrational but sometimes, however, necessary. We are committed to medicare, we are committed to paying pensions, we are committed to a variety of areas to maintain the basic services and quality of Canadian life. Perhaps there are a number of other health areas, more assistance to seniors and so on, which would be appropriate in the 1980s. Let us also recognize that there is government investment.

I think it is important that, during these times when we are under a great deal of pressure, we reduce the deficit and cutback on government spending. Let us not blindly cut back on government spending for the sake of cutting back. Rather, let us look and see where we can invest in the future of this country.

When a businessman invests his money, it is not called spending, it is called investing. When hon. members purchase a home they are not spending money, they are investing their money. They are investing in the future for themselves and their families. I ask the government to consider what we would advocate on this side of the House, namely, serious strategies, serious plans which would result in a productive Canada and in real jobs rather than artificial job-creation programs which we too often see—the "blips" and "flips" and so on, which again create an illusion of jobs and prosperity but nothing in reality.

What are some of these investments which we on this side of the House would like to see the government consider seriously? One, of course, which is required in a country like ours, with a society like ours living in the competitive world as we do, is research and development. University presidents across the country, principals of trade, vocational and technical schools and the school system per se are saying the same thing; we should invest in the future of this country. One of the ways to invest in the future is to provide more money, more support and more encouragement for research and development for both the private and public sector.

What frightens us is when we hear from reliable sources that the cabinet is not considering spending for the development of Canada but is actually considering cutting back. There is a cutback of $1.5 billion in the field of post-secondary education. If that would not be a backward step, I am sure none of us would be able to identify one. I guess we are confident that sane heads will prevail in Canada, that no cutbacks will occur and perhaps more money can be spent in the field of research and development to assist our institutions and businesses across the country to expand and explore new ways and means of making Canada better.

It is a sorry sight when we look at our track record up to this point. The goal is an admirable goal, to shoot for a 1.5 per cent of the GNP for research and development. That is honourable and respectable and I hope we can see that very soon. Now we are hearing cautionary remarks that this might not be attainable before 1985. That is a long way off in many respects. We are also considering cutbacks in the field, and this is not the kind of encouragement the scientific and technical communities of Canada want to hear. The problem regarding this entire matter is that if the government was to make a commitment today to spend an additional half a billion dollars on research and development we would not begin to receive the results of that for a number of years. If that decision is made today it will take five or six years before we begin to see the benefits of that investment. This makes it clear that haste is in order and that an early decision and an early commitment is in order. I suppose it is the difference between planting small seedlings for an orchard and collecting the fruit seven years later or seeding a crop of potatoes and collecting the crop a few months later. When we speak of research and development we are talking about sometime in the future. Therefore, the earlier the decision the better.

We could speak of and identify a whole variety of ways for investing in Canada's future. The kind of components we would like to see built into an industrial strategy as a blueprint for Canada's economic future and some guidelines and some parameters, electrification for Canadian railroads. Surely if there is a country in the world which should be utilizing its hydroelectric potential to the utmost, it has to be ours. A similar country in geography and in size is the Soviet Union. The U.S.S.R. surely has taken advantage of its edge in this energy field and has now begun and is well into a vast program of electrifying its railroad system. The cheapest kind of power and the most efficient way to move goods is surely the kind of thing Canada needs at this point as well.

Then there is the whole matter of small business. I know the hon. minister opposite is serious about Canadian small business, but he does not seem to act very quickly or to take the necessary steps to show the Canadian small business community that he is serious.

An hon. Member: What about the bond?

Mr. Riis: Yes, indeed that is one small step for small business. Indeed, there is a study being undertaken now to examine financial possibilities for the Canadian business community. The motivation, as always, is positive and good. The study has been underway for a number of months and presumably will continue for some months. It will then come back for analysis and study, and then presentation to the House. Therefore, we are looking at many, many months down the road before anything can possibly come from that. However, I recognize and admit that it is a step in the right direction. That is why I listened with some horror. Perhaps "horror" is too strong a term for colleagues to my right. They refer to the need for government to extract itself from the business and financial world and to let the private sector do it on its own.

• (1720)

They are quick to point out where problems exist. Problems do exist; one would be silly not to admit that, but let us look at some of the most progressive countries in the world and at their economic systems. One of the most successful countries is Japan. Are my friends to my right, the Tories, prepared to say that the government of Japan has a hands-off approach regarding business in that country? Of course not; there is a relationship and a liaison between those two sectors which is extremely sophisticated. Business in Japan does not move without the recognition, concurrence, support and co-operation of government. Japan is not a socialist country by any stretch of the imagination, but it is an example of a sound economy. The private and public sectors work co-operatively in the best interests of the Japanese and Japan.

When we think of the business sector of Japan, we ought to think of large firms such as Honda, but when we look into the fabric of business in Japan, we find that eight out of ten businesses in Japan are classified small and medium-sized businesses. Eight out of ten businesses in Japan are run by small entrepreneurs. These businesses include small shops and small plants, not the large and grandiose operations most of us probably think about when we think about Japan. Yes, in Japan it is in the small business sector where jobs are created. That sector responds to the needs of society quickly and in an innovative and creative way with the support of government. This is a very important phenomenon which my friends to the right must accept. They simply must not abandon that whole concept in their discussions.

We should look at other prosperous countries such as West Germany which, again, is a country with a long tradition of government participation. We would be hard pressed to identify operations in that country which are not going very well, indeed. It is a successful land with a successful and stable economy. That is the type of country we should be looking to as a model for the type of industrial strategy and productivity building we should have in our country.

My hon. colleagues to my right hold up as an example that bastion of free enterprise to the south, the United States, and point out that the economy of the United States operates without government participation and government involvement. I suggest if they look closely at the United States economy, large business and small business alike, they will find that government and business are extremely closely interwoven.

There is a military industrial complex in the United States. The military plays a very crucial role in what is happening in various parts of the United States. I listened with interest when Ronald Reagan spoke about the wonderful world the military will create. He is a leader who is obviously catering to more growth in armaments, and the result will be a "better" society in the United States! That is a sorry comment, perhaps, but nevertheless I think it demonstrates very clearly the very close relationship government, industry and business have even in that bastion of free enterprise called the U.S.A.

Some serious problems exist. The thought of going out and in a sense blindly borrowing $14 billion poses many questions. It certainly must cause some concern.

This is a small item, perhaps, but one notices in various publications across the country these days reference to a Government of Canada bond issue valued at $1 billion or $1.2 billion. The Bank of Canada has agreed to acquire a minimum of $315 million of this particular issue. Government bonds are being sold to the Bank of Canada. When we start looking at some of the implications of that kind of financial transaction, it becomes very clear that if we are buying our own bonds, we are in serious difficulties financially.

Many previous speakers have outlined the problems associated with foreign borrowing, the extent to which we are becoming indebted to foreign banks and foreign lending institutions and the obvious problems that will create in a country like Canada.

We in the New Democratic Party appreciate the need for government to work co-operatively with the public and private sectors. There is a need for government to work with the private sector to ensure that investment is made in the best interests of Canadians. In Canada we are essentially encouraged—and perhaps even required—to do that more than in other countries.

Let me give a couple of reasons for saying that. One of the growing industries in Canada today is the tourist industry. Tourism is a growth industry. Many provinces are now saying it will become their number two industry very quickly in terms of generating dollars for their populations. The Government of Canada too has recognized the role of tourism and what it can mean to the Canadian economy. The federal government is taking a number of steps to move positively in that direction.

One of the problems the tourist industry faces is climate. There is a number of ski hill operators in my constituency and, if it does not snow in the wintertime for one or two seasons, they have serious problems. Large capital investments are made on lift gear, chalets and so forth, and if there is no snow for just a few weeks of the year serious problems arise.

Mr. Lapointe: Is the Liberal Party responsible for that too?

Mr. Riis: I would not say the Liberal Party is responsible for the weather. I certainly would not blame the Liberal Party for that.

Let me go on to other tourist-related industries such as holiday resorts, beaches and so forth which depend very much on the weather. Various fishing camps and recreation areas in the north depend on weather to a crucial extent. In other words, risk is extremely high. I suspect that often the traditional lending institutions of Canada are not enthusiastic about supporting high risk tourist-oriented projects. Therein lies the need for government programs at both provincial and federal levels. There is a need for risk and venture capital for entrepreneurs who are prepared to try new ideas for attracting tourists into Canada and for creating new jobs in the tourist sector. The traditional conservative lending institutions are reluctant to participate in such ventures. If we are to see growth in this very sensitive and risky area, there will have to be co-operation between government and the private sector to see that this evolves in a positive way.

Difficulties are also created by the vast Canadian geography. It is often necessary to move goods and services over vast distances in order to develop difficult resource deposits and to move finished and unfinished products over vast distances. My friends in the Tory party would say that the private sector can easily take care of all that. Quite frankly, I doubt that. I doubt if we could find many countries in the world which are making serious breakthroughs in resource development today in which there is not serious government participation with the private sector.

I listened with interest the other night to an hon. member saying that Brazil is making a tremendous breakthrough in resource development. Indeed it is, but I know enough about Brazil to know that the private sector in Brazil is not doing that on its own; it is certainly depending on the participation of the Brazilian government.

In Canada we have an economic system which has always been colonial in structure. It was designed to provide raw materials for manufacturing and finishing elsewhere. By and large that same phenomenon exists in Canada today.

Earlier today during question period I listened with interest when the government, in a sense, was proud of its arrangements with the province of British Columbia to extract coal from northeastern British Columbia to be sent away for processing into coke and used as a power source in the generation of finished products. It is the perpetuation of the old tradition—get it out of the ground, get rid of it as quickly as possible, hopefully get some half-decent return, and we are happy. It is the hewers of wood and drawers of water syndrome.

• (1730)

This begs the question: could we not as Canadians, with our iron ore and coal, the ability for coal liquefaction and a variety of other options, develop those coal beds in a more sophisticated and economic way, rather than simply digging it out and shipping it out as quickly as possible, and perhaps even paying more for it than we are asking the Japanese to pay?

There is a need for an industrial strategy. Some people will like it a bit more than others, but some people will abhor the idea of government participation in the economic system. Yet, it is a reality today in Canada and in virtually every other country. The best thing the Government of Canada could do today is bring into the House as quickly as possible a serious and sophisticated economic strategy which, once and for all, would be a dynamic document. Of course it would have to be a dynamic document because of changing times. It would point out to business, to industry and to individuals across the country a blue print of how we would like to see Canada develop within the next number of years; it would take advantage of our strengths.

We have immense and considerable strengths and advantages in the country. We have accessible and relatively inexpensive energy. This must be a crucial factor as we attempt to become competitive in a number of ways with the rest of the world. We have a well-educated and skilled populace and the ability to improve easily upon that.

We talk about some of the major resource projects being planned for western Canada. These projects ought to be occurring right now in western Canada, but they are not, for political reasons. We lack the appropriate skilled work force, but we have the system in place. We have the schools—the trade schools, vocational schools, technical schools and universities. If we had the will and commitment, we could provide skilled workers, scientists and artisans. This goes back to the research and development commitment, the commitment to move in that direction.

We have available capital. Capital does not flow easily into other countries of the world, but it does in Canada. People in all corners of the world know that Canada is a safe, stable and good place in which to invest money. We need a strategy to focus that capital into the most positive areas. We have the expertise, the wealth, the size and the resources.

We do not have something which many of the countries have, but it works to our advantage. Many other countries are hindered by old cultural, language, work, family and political traditions. They really hinder creative and innovative economic development. Canada is a youthful country. Most of us can trace back our families only 100, 200 or 300 years, compared to the people in many countries who can trace back their families thousands and thousands of years. We are fortunate that we are not hindered by these old traditions.

In closing, let me say, we have to oppose this particular bill because we do not have faith that the government knows what it is doing at this point. It does not have a blue print for the future, nor can it tell us with any assurance how it will spend that money in the best interests of Canadians. The opportunity is there. All we need is the will to do it. At this point in time we have difficulty supporting Bill C-59.

Hon. Yvon Pinard (President of the Privy Council): Mr. Speaker, I am glad to participate in this debate.

Mr. Knowles: Oh, what is this?

Mr. Pinard: I should like to say a few words on Bill C-59, to provide a supplementary borrowing authority. A tradition has developed over past years, and it seems that to succeed in approving such a bill at second reading stage the government has been required to give notice of limitation of debate under Standing Order 75C. This was also true with the former government in which my good friend, the hon. member for Nepean-Carleton (Mr. Baker), was the government House leader. Even if I am a reformist by nature, sometimes I follow traditions.

We have already spent five days on second reading of this bill, and we will have to spend at least one more day. As I said previously—and I want to be consistent—with the heavy workload we are facing, it is impossible to allot more than five, six or seven days for this bill if we want to assume our responsibilities to the people of this country.

Therefore, I wish to inform the House that there have been consultations among the representatives of the parties and it has not been possible to reach an agreement under the provisions of Standing Order 75A or Standing Order 75B in respect of the proceedings at second reading stage of Bill C-59, to provide a supplementary borrowing authority. I wish to give notice that at the next sitting of the House I shall propose a motion, pursuant to Standing Order 75C, to allocate one additional sitting day for second reading stage of the said bill.

Some hon. Members: Hear, hear!

Mr. Knowles: Shame.

Mr. Baker (Nepean-Carleton): Shame.

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, my first notation for use in this speech was to discuss the House going downhill. It is rather ironic that my contribution should be preceded by another movement of closure by the group opposite. One could not have dreamed that the House of Commons could be demeaned in the way the government has managed to do it in the last few months. It has seized every opportunity to deny the privileges of members of the House with its consistent refusal to co-operate or to afford the usual respect members generally have for each other. It is symptomatic of what is wrong with the House and the country.

Mr. Pinard: Mr. Speaker, I rise on a point of order. Since the hon. member for Victoria (Mr. McKinnon) inferred that we are not respecting the right of hon. members to speak and that we are refusing to negotiate the length of time for this debate, I must intervene to invite him to read carefully Standing Order 75A and Standing Order 75B.

I had an obligation to negotiate a reasonable length of time with his House leader. It was impossible to agree on any reasonable length of time, therefore I had to give notice of limiting the debate. I wanted to reach an agreement on a length of time which could have been more than one day, but it was impossible to reach such an agreement. I am not blaming his House leader for that; he may have his reasons. But I want the hon. member to be fair. He must understand that this is not closure, as he said. It is a limitation of time which came after a serious effort to reach an agreement on what would have been a reasonable additional length of time. I invite the hon. member to read carefully sections 75A and 75B. If he wishes to be honest, as he has always been in the past, he will recognize that our intention is not to limit his own right of speech—in fact, he is speaking now—but it is to try to have this place work in an orderly fashion.

● (1740)

Mr. McKinnon: I will be glad enough to read 75A, B and C. Perhaps the President of the Privy Council (Mr. Pinard) will read the meaning of the word "negotiate". We have run into that word quite frequently recently. This government was going to "negotiate" with the provinces. Unfortunately for the provinces, they were given a document which showed what the government's idea of negotiation was; it was to set them up so that a sham conference could be held which would end in failure. That is this government's idea of negotiating. The negotiating always seems to end in closure. Whether it is called time allocation or by any other name, it still means closure.

I would like to congratulate the hon. member for Kamloops-Shuswap (Mr. Riis) on his speech. I thought he spent a great deal of time preparing it. I am sorry he fell prey to the NDP paranoia about the United States. Coming from B.C. I have become quite accustomed to that. I think his speech, and the bad case he had to present, was very well presented.

Before I go back to my original remarks, Mr. Speaker, I intend to talk for a little while about the situation in the House. Some of the things which have happened lately have caused me a certain amount of distress. I wish to say something about the way this government spends money, about Bill C-59, of course, and the purchase of Petrofina. Then I wish to talk about the expenditure of money in the Department of National Defence.

Yesterday I had lunch with a very distinguished journalist of some 30 years standing. I believe he told me he had been through some 11 election campaigns. His name is Vic Mackie and I believe he has a great many friends on all sides of the House. He is a competent, reliable and well-regarded journalist. He said that in his 30 years he had watched the gradual decline of the House of Commons to its present level, which is lower than it has ever been. I am sorry to say that I have only been here eight years but certainly it has been downhill all the way in so far as parliamentary procedures, debate and the importance of this chamber is concerned.

The mistrust between the sides of the House is of concern to me. There are many new synonyms for not telling the truth. Other people call this lying but we are not allowed to do so. We now have "tongue in cheek", which is a synonym for lying. "Less than candid" is another synonym for lying. "Putting on a brave front" is another synonym for lying. "Being on show" is another synonym for lying. These are all phrases which have been used by the Prime Minister (Mr. Trudeau) when it has been found that he is saying things which are quite the opposite at different times.

The Secretary of State for External Affairs (Mr. MacGuigan) came up with a new one yesterday. I believe it had to do with whether or not he had asked the Prime Minister of Great Britain to lay on a three-line whip, or maybe it had to do with whether she had decided she would. But it turned out that she had not said any such thing. The Secretary of State for External Affairs said that he was being "rhetorical". This kind of sleazy deception goes on until the whole place loses in reputation.

I often think that we are very careful about deceiving the House. I think it was the hon. member for Gander-Twillingate of several years ago who argued with then Speaker Lamoureux about whether he should be banished from the House or punished in some other way for saying that a person had deliberately deceived the House, or lied to the House. It appeared all right to say that an hon. member had deceived the House, provided he did not do it deliberately. Of course, sometimes you can forgive a guy for deceiving the House because no one believes him any more. We are probably reaching that stage with this government.

I would like to point out something that happened here last week in this regard. The hon. member for New Westminster-Coquitlam (Miss Jewett) asked the Prime Minister a question about nuclear weapons. The Prime Minister in his response said:

—the hon. member knows the government's position on atomic weapons of any kind and we have stated that we would not use them and they would not be deployed on our soil.

That is a fairly simple statement, Mr. Speaker:

—we would not use them and they would not be deployed on our soil.

The only problem is that it is untrue. That remark would clearly leave the impression that we do not have any atomic weapons of any kind on our soil.

I managed to get in a supplementary question a little later that same day. I asked the Prime Minister:

Does this mean that nuclear weapons have been removed from Comox, where they have been on our soil for over a decade?

Listen carefully to the Prime Minister's answer, which follows:

Madam Speaker, I thought the policy was made clear when we were discussing F-18. The F-18 will be the new fighter aircraft in Canada, and it is not designed to carry nuclear weapons.

This does not answer the question, Mr. Speaker. It leaves the House still in its deceived state that there are no atomic weapons on our soil. As a result of that, I had to ask another question, which was:

Is he now informing the House, or did he, a few minutes ago, that the nuclear weapons which are on site in Comox at the present time have been removed?

The answer finally came from the Prime Minister:

We have stated repeatedly that our policy is to remove the nuclear weapons, but until the F-18 is in place they will not be removed.

This is the kind of cheap, sleazy little trick that gives this place a bad name.

A great many people who did not see the House on television before, are seeing it now. They did not know what was going on. They are puzzled by this lack of ability to give a straight answer. Why not give a straight answer? Eventually it comes out. I think there is an advantage to the government in not giving a straight answer, in that it usually requires another question and one uses up the allotted time. It is rather like a football team trying to maintain possession when they are one point ahead, by using up time. Sometimes I think that is why this government loves to give so many deceptive answers.

I would like to mention another item with respect to this issue which rather concerns me because it happened with what had been up until now a fairly good minister, in terms of replying to questions. I asked the Minister of Supply and Services (Mr. Blais) on February 5, 1981, just six days ago, about the F-18 fighter contract, which is a matter of great concern in this country for a variety of reasons. One of the reasons is that there is a strong suspicion that McDonnell Douglas are not fulfilling the terms of the contract. The contract said they would provide $83 million worth of new work in 1980 and also in 1981. These were calendar years. When I asked the Minister of Supply and Services if they had fulfilled it he said:

—I am not in a position to advise the hon. gentleman if the specific commitment relating to the KC-10 and the DC-10 in terms of the time frame envisaged by Milestone 6 would entitle the full payment at that particular time. I will review the question of whether the payment has been made, and advise the hon. gentleman.

This matter is really of concern to me since here is a minister who is in charge of that contract. It is his responsibility to oversee it. It is a contract that runs into billions of dollars. McDonnell Douglas were supposed to supply $83 million of new work. Everybody in the area of the plant in Toronto is unhappy about the lay-offs which have occurred there. We have had paraders on the hill, yet the minister says he does not know whether they have fulfilled their obligation, whether they have paid the money or what they have done. In that same response the minister goes on to say:

I will advise him as well about the conditions that were met. I can tell the hon. gentleman that, to the best of my knowledge, the payments that have been made are in accordance with the terms of the contract—

That reply was given six days ago. The last time I asked this question was three months ago. These milestones seem to come up about every three months. When I asked the question three months ago the minister was back within the hour. Six days have now elapsed and he is not back with an answer this time. Of course, that makes me suspicious that there is something even worse going on with that contract than we had thought up until now.

I rather enjoyed the talk from the member for Edmonton-Strathcona (Mr. Kilgour) and with respect to Bill C-59 and the German marks. I have one of those bills from 1923 which illustrated inflation. I picked it up in Germany in 1946. I believe it was a note for 10 billion marks. Of course it was worthless. Before us we have one of the smallest bills imaginable. It is reputed to have four clauses, but there are really only two main paragraphs in it—actually only one, given the short title which reads:

This act may be cited as the borrowing authority act, 1981-82.

Then there is the clause with respect to borrowing authority. Then tucked away at about line 15 are the words "such sum or sums of money, not exceeding in the whole, fourteen billion dollars, as may be required for public works and general purposes." This bill does not get very particular about anything else. It just says that whenever the cabinet needs it they can borrow $14 billion. That is a terrible amount of money.

• (1750)

It would be interesting to compare the amount of money the government is asking to borrow with the number of words in the bill. This very short bill enables the cabinet to borrow $14 billion, although it takes only one column of a page and five lines on another page. The last bill with which we dealt from the Department of Finance was Bill C-54, "An act to amend the statute law relating to income tax". The bill consisted of 225 pages and has the purpose of closing loopholes which taxpayers might use to avoid paying their taxes. It takes 225 pages for the government to close these loopholes, but it only takes two paragraphs on one page to borrow $14 billion. It is no wonder it has taken the borrowing route.

What is the government doing with this money? I do not suppose any of it will go directly to the purchase of Petrofina by Petro-Canada because I understand the financing for that project will come from an increase in the price of gasoline, fuel

oil and other energy sources of a liquid nature. I have listened over the past few days to the questions with regard to the purchase of Petrofina. It reminds me of an Abbott and Costello show. These gentlemen would flummox each other and neither ever understood the other. They had a famous routine of who was on first. It would be appropriate to change the names to the Minister of Energy, Mines and Resources (Mr. Lalonde) and Mr. Hopper because they did not know for sure who would buy the company or who would pay for it, but they went out and bought it anyway at a somewhat higher price. Given this higher price and the confusion between those two gentlemen, it is not beyond the realm of possibility that the minister was bidding up shares in Montreal while Mr. Hopper was bidding them up in Toronto. In any case, they paid far too much for the company.

Petrofina is merely a row of service stations. Dian Cohen described the situation as well as anybody. She said:

> The purchase of Petrofina will do nothing to further the goal of security of supply, since supply is not what Petrofina is concentrating on.

She went on to say:

> It makes sense if your priority (as the government's seems to be) is to be visible—what better way than to buy a string of service stations that will fly the Canadian flag?

The hon. member for Kamloops-Shuswap kept saying that the government would work with industry. I believe industry would have a different word to describe the actions of the government as, for example, when the minister of energy tries to dictate the terms of working with the oil industry. The purchase of these service stations will do absolutely nothing except shorten our cash availability in trying to obtain what we desperately need, a secure source.

However, when the government gets the desire to become bigger and bigger, the cost is borne by the taxpayer. While I suppose Petro-Canada is a success story to its top echelon of management, it is not to many other people. It does not mean that the people of Canada have gained anything. I heard the minister say that Petro-Canada belongs to the Canadian people. If it belongs to me, then I would ask the government to sell my share so I can invest the money myself. I would certainly not buy shares in Petrofina at the price which the government is willing to pay.

I would like to turn my attention to the way in which the government spends money on national defence. I am concerned that the defence expenditures which were projected to be made will not be made for the main reason that the government will not have sufficient funds for the capital expenditures it described. Perhaps I should go into the background. In 1971, the government published a white paper on defence. It was the last such paper published. That document identified the major roles of the Canadian armed forces as; first, the protection of Canadian sovereignty; second, the defence of North America in co-operation with the U.S. forces; third, the fulfilment of such NATO commitments as may be agreed upon, and fourth, performance of such international peace-keeping roles as we may assume from time to time.

Since 1971 many changes have occurred nationally and internationally which have affected the structure and role of Canada's armed forces. External pressures to increase our defence effort in a variety of ways and internal pressures to assign more and more tasks to our forces have all worked to spread what little we have even more thinly. There has been no attempt to review those changes and to produce a new white paper. Without a policy statement, the military's long-range planning is thwarted and the public is left in the dark regarding the defence plans and policies.

The importance of this latter fact should not be overlooked. I have an example of what happens when the government leaves the public uninformed about the defence policy. The Minister of National Defence (Mr. Lamontagne) has stated on various occasions that the Canadian forces' priorities remain the same, but the emphasis has changed. He has not enlightened us as to what is the new emphasis. A poll completed on behalf of the Department of National Defence showed that 37 per cent of the respondents thought that the main role of the Canadian forces was peace-keeping, which happens to be the last priority according to that 1971 white paper.

The Minister of National Defence has stated that he does not want to produce a new white paper, that he would prefer to issue an annual statement on his department's activities and policies. This idea in itself reflects the Trudeau government's attitude toward defence. Instead of the government putting time and effort into producing a clearly defined and coherent departmental statement of direction, we are to be treated to an annual report, much like a company might distribute to its shareholders.

Listening to the Prime Minister and the Minister of National Defence, one might get the impression that much is being done to upgrade the state of our armed forces after years of neglect. They speak at length on the subject of a 3 per cent real increase in the defence budget and new equipment programs. I would like to discuss these and other aspects and then hon. members can decide if the government is fulfilling its obligations to our military.

In 1968-69, 16.4 per cent of total federal expenditures were on defence. In 1978-79, ten years later, the expenditures had decreased to 8.8 per cent or approximately half of what they had been ten years before. In 1978 the Canadian government agreed with the NATO decision to increase defence spending by 3 per cent in real terms each year for five years. Whether or not the government has met and will continue to meet that objective depends on with whom one talks. According to the Minister of National Defence, the DND budget has increased by 3 per cent in real terms for the past six years, if the increases are averaged over that time. I disagree with that. The average is 2.85 per cent.

I also disagree with the premise of the minister's argument. The 3 per cent rate was agreed to in 1978. Therefore, we should be looking at the defence budget since that time to see if Canada has lived up to its commitment. From that perspective, we see that in 1978-79 the DND budget increased by 2.79 per cent and that in 1979-80 it decreased by .23 per cent. In

1980-81, it is expected to increase by 3.5 per cent. These figures were provided by DND and do not include statutory costs.

May I call it six o'clock.

[*Translation*]

Mr. Deputy Speaker: Order, please. It being six o'clock, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 2(1).

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Thursday, February 12, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

THE CONSTITUTION

APPEAL TO SASKATCHEWAN NEW DEMOCRATIC PARTY MEMBERS—MOTION UNDER S.O. 43

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity, and I turn toward the New Democratic Party. In light of the CBC news report last night that the members of the federal NDP Saskatchewan caucus were asked at a meeting with the provincial NDP caucus yesterday what in the world they were doing supporting the constitutional proposals which the Saskatchewan attorney general Roy Romanow described as a "Grab bag of nonsense", and were told by Saskatchewan Premier Allan Blakeney that his government would probably support simple patriation with an amending formula, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That to preserve harmony in the Saskatchewan NDP, the Saskatchewan federal NDP members act on their own beliefs and ignore the dictates of their federal leader and vote against the government's constitutional package so there will be no necessity for cries of "Anguish" when they next meet with their provincial NDP colleagues.

Madam Speaker: Is there unanimous consent for the presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL "SPLIT" DAY

MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that looking for splits, promoting splits, and creating splits if none can be found, has become a national pastime, and in view of the fact that Joe has taken to appointing his friends to ensure he is not split from his position and Pierre to holding his nose while speaking with a split-tongue, and that our ten premiers are maintaining split ranks, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That today be declared National Split Day and that bananas be supplied to the press gallery to symbolize Canada's gratitude for the care and competence they provide in searching out, promoting and heralding splits.

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OFFICIAL LANGUAGES

SUGGESTED LAUNCHING OF INQUIRY—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. Considering the severe personal injustices experienced by Donald Kelso, an air traffic controller at Dorval airport, and taking into account the fact that the Supreme Court has just reinstated Mr. Kelso after noting that no one can be removed from a position solely on the basis of language, I move, seconded by the hon. member for Cumberland-Colchester (Mr. Coates):

That this House instruct the Commissioner of Official Languages, who is responsible to the Prime Minister, to launch an immediate inquiry into this case so that in the future public servants who are unable to learn a second language will not be harassed and reduced to second-class citizen status.

Madam Speaker: Is there unanimous consent for the presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

AIR DISASTER

DEATH OF CHARLES F. FOGARTY, CHAIRMAN OF TEXASGULF—MOTION UNDER S.O. 43

Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour): Madam Speaker, pursuant to the provisions of Standing Order 43, I seek the unanimous consent of the House to move a motion relating to an urgent matter.

[*English*]

Members will be aware of the crash last night of a Texasgulf jet and the tragic death of Dr. Charles F. Fogarty, Texasgulf's chairman and chief executive officer. Texasgulf is a natural resources development company controlled by the Canada Development Corporation. With Dr. Fogarty on that plane were top executives of Texasgulf and two company

pilots. I move, seconded by the hon. member for Vancouver Quadra (Mr. Clarke):

That this House express its sympathy to the relatives and families of those killed in the crash of the Texasgulf jet last night.

Madam Speaker: I am sure that the House shares the hon. member's sentiments, but I do not believe that I can put the motion to the House.

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PETRO-CANADA

FUNDS FOR PURCHASE OF PETROFINA—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. The Crown corporation, Petro-Canada, has sent a credit card to a Vancouver individual already dead and in the grave for five years. I move, seconded by the hon. member for Provencher (Mr. Epp):

That Mr. Hopper be directed to finance the purchase of Petrofina by soliciting funds from the same group of clientele which are already its valued customers, and, failing that, to consider the purchase a dead issue.

Madam Speaker: Is there unanimous consent for presentation of this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE CONSTITUTION

POSITIONS TAKEN BY LIBERAL AND NEW DEMOCRATIC PARTIES—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the warning given to the federal NDP Saskatchewan caucus by Premier Blakeney that support of the government's constitutional package would hurt their election chances in the west—that is, the Liberal party's western branch—I move, seconded by the hon. member for Saskatoon West (Mr. Hnatyshyn):

That this House recognize the coalition and the bedroom relationship between the Grits and federal NDP and direct that the hon. member for Oshawa no longer be paid the allowance for recognized party leaders in the House.

OFFICIAL POSITION OF CONSERVATIVE PARTY—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I rise under the provisions of Standing Order 43 to move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That time be allotted to the current Leader of the Official Opposition in order that he may clearly outline whether the Yurko position, the Clark position, the Hatfield position, the Lougheed position or the Davis position is in fact the official position of the Conservative party on the Constitution.

Some hon. Members: Oh, oh!

* * *

● (1410)

MARINE TRANSPORT

SUGGESTED RELIEF AGAINST INCREASED FUEL COSTS—MOTION UNDER S.O. 43

Mr. Bill Clarke (Vancouver Quadra): Madam Speaker, in view of the disastrous effects upon Canadian shippers in British Columbia of the budget proposal to charge world fuel prices to Canadian international marine carriers, even while engaged in domestic trade, and since Canadian flag carriers with Canadian crews will pay 30 cents a gallon more than foreign carriers engaged in the same trade, I move, under the provisions of Standing Order 43, seconded by the hon. member for Fraser Valley West (Mr. Wenman):

That this House directs the Minister of Transport to consult with his colleague, the Minister of Finance, in order to remove from the proposed amendments to the Petroleum Administration Act which take effect on April 1 all unfair treatment of Canadian marine carriers, in particular the tax on domestic carriers on international routes which will result in a 56 per cent increase in fuel costs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

CALL FOR COMMITTEE STUDY—MOTION UNDER S.O. 43

Mr. Bud Bradley (Haldimand-Norfolk): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Since the Minister of Agriculture (Mr. Whelan) said that he proposed no relief in interest rates for farmers and the Minister of Energy, Mines and Resources (Mr. Lalonde) said that no assistance will be afforded to agriculture in energy, and since the increase in costs to farmers in equipment, energy, seed, manpower, etc. far exceeds the increase in returns to them for their product, thus forcing them to leave the industry in great numbers, I move, seconded by the hon. member for Prince Edward-Hastings (Mr. Ellis):

That this House refer the whole issue of agriculture in Canada to a special committee of this House in order to study the problems related to this vitally important industry and arrive at solutions to ensure the livelihood of those that dedicate themselves to it.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENERGY

EFFECT OF GASOLINE TAX ON FIXED INCOME TAXPAYERS—MOTION UNDER S.O. 43

Mr. Vince Dantzer (Okanagan North): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the government's headlong rush to nationalize the oil industry, as evidenced by its purchase of Petrofina at a cost of $1.46 billion, has the potential to cost the Canadian taxpayer 13 cents a gallon, or $2.60 per tank every time that taxpayer drives up to the pumps, and recognizing that this tax is inflationary, regressive, and impacts most upon those least able to pay, I move, seconded by the hon. member for Huron-Bruce (Mr. Cardiff):

That this House directs the government to shelter senior citizens, pensioners, those on fixed incomes, and farmers from the burden of this socialistic tax.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PENSIONS

CALL FOR LEGISLATION TO PROVIDE PENSIONS TO ALL HOMEMAKER SPOUSES—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Oshawa (Mr. Broadbent) I move:

That this House urges the government to bring in legislation to provide pensions for all homemaker spouses—

The emphasis, Madam Speaker, is on the words "all homemaker spouses".

—in their own right, equivalent to those earned by contributors to the Canada Pension Plan, thus recognizing, for pension purposes, the contribution to our society made by those who work in the home, and that this House urges that such legislation be introduced at an early date.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

REGIONAL DEVELOPMENT

APPLICATION OF PROGRAM TO DEAL WITH REGIONAL INEQUALITIES—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The budget presented to the House by the member for Cape Breton Highlands-Canso (Mr. MacEachen) on October 28 proposed a "bold and experimental new program to help deal with regional inequalities in this country". It ends up that the "bold" part is that the program has been implemented in the maritimes only in Grit constituencies. In view of his blatant patronage, I move, seconded by the hon. member for Prince George-Bulkley Valley (Mr. McCuish):

That this House condemn the callous attitude of the Minister of Finance toward his fellow maritimers and his complete lack of control of the fiscal calamity which has developed in the country.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PIPELINES

DELAY IN REPORT ON NORMAN WELLS-ZAMA LAKE PIPELINE—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I rise under the provisions of Standing Order 43 to introduce the following motion: whereas it would appear that the National Energy Board has again delayed its report on the Norman Wells-Zama Lake pipeline, this time until April, 1981, I move, seconded by the hon. member for Haldimand-Norfolk (Mr. Bradley):

That the government put its affairs in order so that it will be able to confirm the expected advice to proceed with this highly desirable project immediately upon receipt of the NEB recommendations, thereby allowing construction proper to commence in January, 1982, as recommended by the Environmental Assessment Review Panel.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

NATIONAL ENERGY PROGRAM

EFFECTS ON MANUFACTURING SECTOR OF ECONOMY

Mr. Harvie Andre (Calgary Centre): Madam Speaker, in the absence of the Minister of Energy, Mines and Resources, I wish to direct my questions to the Minister of Finance.

This morning the Canadian Manufacturers' Association and six other industrial associations representing manufacturers of chemicals, electronics, steel and plastics, issued a joint press release expressing their opinion that under Canada's current energy program our chances of becoming self-sufficient are nil. The association predicted dire consequences to Canada, and to their industries, as a result of this policy. It seems the government is unconcerned about the effects of the energy program on the oil and gas industry. Is the minister concerned about the effects of the program on the manufacturing sector—a program he authored on October 28—which, according to these industrial representatives, will be very severe indeed unless changes are made soon?

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Madam Speaker, the hon. member opposite will be aware that in the National Energy Program there are incentives to encourage the development of the petroleum industry in Canada, both in conventional lands and in frontier areas. In addition, certain changes have been made as a result of discussions with industry which will further encourage the development of this dynamic sector of our economy.

VIEWS OF MANUFACTURING INDUSTRIES

Mr. Harvie Andre (Calgary Centre): Madam Speaker, my supplementary question is to the acting minister, the Minister of Finance, or someone who knows what is going on in the energy sector in this country.

Mr. Baker (Nepean-Carleton): Judy Erola.

Mr. Andre: Perhaps the Minister of State for Mines is the acting minister of energy and can cast some light on the government's thinking.

These six associations representing manufacturing interests—not the oil and gas industry—stated in their press release that now is the time to get going to obtain maximum employment and economic benefits from what should be a progressive and ongoing energy policy. As a result of the current policy, they have pointed out that their industries face very uncertain and very difficult times ahead. My question to the minister is this: if she does not accept this view of these manufacturing industries which have released this report today, could she please explain where their thinking is in error and how six very respected, non-partisan associations, could arrive at such an erroneous view?

An hon. Member: Sit down, Roy.

Hon. Judy Erola (Minister of State (Mines)): Madam Speaker, obviously the member is aware, as are most members in the House, that those projects have been cut back by the province of Alberta, not by the federal government. The companies involved have been offered a $38 price which would give them the base to go ahead with the projects. It has been the province's choice to cut back on these particular projects.

Some hon. Members: Hear, hear!

REQUEST FOR INTRODUCTION OF NEW BUDGET

Mr. Harvie Andre (Calgary Centre): Madam Speaker, we now know that the parliamentary secretary is not aware of what is going on and, the acting minister is not aware of what is going on.

Some hon. Members: Oh, oh!

Mr. Andre: I am going to try again and ask my question of the Minister of Finance since he authored the budget which brought forward these disastrous policies. Given that virtually the entire Canadian business community, small business, the bankers' association, the manufacturers' association and, of course, the oil and gas industry, recognize that a failure to change the National Energy Program will result in tremendous economic costs to Canada, if the Minister of Finance is not concerned about the effects on the oil and gas industry is he concerned about the effects on all of these other industries? Does he dismiss the view of the entire business community in Canada? If he thinks these people have some reasoning behind their concerns, will he tell the House when he will be bringing in a new budget to correct the damage being done by the energy policy which he brought forward on October 28?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, it would not be correct to suggest that the government or the Minister of Finance is not interested in the views of the business community with respect to the impact of the National Energy Program or, indeed, the views of the oil and gas industry. As the hon. member knows, since the budget, on two separate occasions, I have tabled modifications to the tax regime as a result of suggestions made by the oil and gas industry. On each occasion they have said yes, they think these changes are worth while but they would like more changes. I want to give the hon. member that information as evidence of our willingness to listen and to respond. I want to add further that I disagree with the analysis that he has taken as his own, namely, the analysis presented by a group of members of the business community.

● (1420)

During the budget I made certain projections as to the rate of growth of the economy in 1981 based upon the National Energy Program. I have no reason to alter that projection with regard to rates of growth in the economy for 1981.

QUERY RESPECTING PLANS TO ASSIST MANUFACTURING SECTOR

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is to the Minister of Industry, Trade and Commerce. In the January 15, 1981, *Commons Debates*, page 6221, the Minister of Energy, Mines and Resources is quoted as saying "the Toronto *Star* has not been able to find a single spokesman for any company in Ontario that says it has lost any jobs". So much for the reliability of both the *Star* and the minister, since the statement of six industrial associations said in part that the energy policy as it stands is damaging not just the oil industry, but the manufacturing industry as well. Can the minister indicate whether he has any plans prepared to mitigate the damage to the already hurting manufacturing sector?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, we are building on the very important and positive National Energy Program to strengthen our manufacturing base. Elements of this are found in the oil and gas legislation to enable the development of Canadian jobs and Canadian suppliers, in carrying out major energy projects on the Canada lands. I hope my hon. friends will recognize the importance of this and give it their active support.

Mr. McDermid: Madam Speaker, the minister is supposed to represent his client group, not fight them. He is not prepared to acknowledge what is acknowledged by all the trade associations representing the manufacturing sector and, hopefully, they have a voice in the minister. Is he at least monitoring the situation, or does he intend to let them flounder until they need a Chrysler or Massey bailout?

Mr. Gray: Madam Speaker, we are following the situation very closely. My purpose, and I hope it is that of all members of this House, is not only to speak for individual groups but to work and speak for all Canadians. This is the way we are approaching it, and I think the hon. member should do so as well.

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FISHERIES

CHINOOK SALMON FISHING RESTRICTIONS IN BRITISH COLUMBIA

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, my question is to the Minister of Fisheries and Oceans. Yesterday in Vancouver announcements were made severely limiting the fishing of chinook salmon in British Columbia, resulting from many years of federal government mismanagement of that stock, particularly on the Fraser River. Many of these restrictions are putting an unnecessarily hard financial burden on the gill-net fleet, including the closure of the upper Fraser River to gill-netters and restricting combination vessels in their decision as to whether to gill-net inside or outside. Is there any agreement with the United States to have them restrict their chinook and sockeye fishery at Point Roberts so that gill-net fishermen on the Fraser River may share in some of their own salmon going back to their spawning grounds rather than their being given to the American fishermen?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the last part of the hon. member's question is interesting. I hope he will support the position of this government if and when a treaty is finally negotiated, because one of our aims in the new treaty affecting the Fraser River will be to return the management of that river system to the Canadian authorities. As for the means of conservation which we announced, we have tried to take a balanced view. We have restricted the gillnetters. In fact we said to those who would be very heavily restricted that we are looking at other opportunities that could be afforded to them. We have also restricted the sports fishermen and I have had a number of telegrams of protest on that score. I think they all recognize that the Fraser system chinooks must be given a chance to spawn, and it is to this effect that we have taken these measures.

● (1425)

Mr. Miller: I assure the minister this party will indeed support a fair fisheries treaty between the U.S. and Canada on the west coast, but we do not consider a fair treaty as being an imbalance of 5.8 million sockeye as is the present situation on the west coast.

Some hon. Members: Hear, hear!

An hon. Member: That is not a proposal either.

Mr. Miller: In the recommendations from the Department of Fisheries there is very seldom any mention of a specific portion of the fleet in British Columbia which has grown from 370 vessels in 1969 to over 600 now. What proposals does the minister's department plan to restrict the kill of juvenile chinook as a result of the very efficient seine fleet? That is one of the major causes of chinook reduction in British Columbia. Over hundreds of thousands of juvenile chinook salmon are killed each year by the seine fleet and there is nothing in the press release yesterday which specifically indicates the problem will be looked into and adjusted accordingly.

Mr. LeBlanc: Madam Speaker, that is an ongoing problem with which all representatives of the industry agree, and it is being addressed. In this case we were looking at the Fraser River chinook salmon and conservation measures and the seine fleet was not an overriding concern. It has had limitations in other fisheries in other areas.

Mr. Miller: Madam Speaker, the minister will recognize that we have advocated some regulations on the sports fishing

fleet in British Columbia and we are not saying the regulations presented yesterday are all bad. However, one of the difficulties in the industry is the lack of enforcement officers both for the fishing fleet, both sports and commercial, and also habitat protection. I would like the minister to give this House some guarantee that, in the omnibus bills which were passed by Treasury Board, there will not be a reduction in the allocation of fishery protection officers on the west coast, to go to other segments of the Fisheries and Oceans Department. Would the minister indicate there is a priority to put enforcement officers on the west coast to protect the chinook stocks which section of the fleet is prepared to regulate to protect its members?

Mr. LeBlanc: Madam Speaker, there will be and there is already a recognition of the problem. In fact when my colleague, the President of the Treasury Board, introduces the estimates, members interested in fisheries matters will see, thanks to the support of my colleagues and also the support of members on all sides of this House, the Department of Fisheries and Oceans has done rather well, and I thank all those who have supported me in this matter.

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THE CONSTITUTION

POSITION OF PREMIER BLAKENEY WITH RESPECT TO PATRIATION

Hon. Jake Epp (Provencher): Madam Speaker, I direct my question to the Right Hon. Prime Minister. Premier Blakeney has been described by Liberal Senator Jack Austin as the pivotal premier on whose support or lack of support the fate of the government's constitutional amendments will be determined. In view of Premier Blakeney's statement last night that he could accept simple patriation and an amending formula, I would like to ask the Right Hon. Prime Minister if he has considered that offer and is he willing to give a response today along the lines suggested by Premier Blakeney.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am not a party to what Premier Blakeney said last night. I do remember what he said two years ago at the federal-provincial conference held in Ottawa—

Mr. Hnatyshyn: You complained when we read your book.

Mr. Trudeau: —where he went on record as opposing Premier Davis and the position of several other premiers, which was precisely that, to patriate with an amending formula and nothing else. Premier Blakeney was highly instrumental in preventing that from happening then. If he has changed his mind I am happy to hear it. I just wish he had changed his mind a little earlier.

Mr. Epp: Madam Speaker, I would like to address my supplementary question to the Right Hon. Prime Minister. If it is possible for Premier Blakeney to change his mind, I wonder if it is possible for the Prime Minister to change his mind as well.

An hon. Member: Never.

Some hon. Members: Hear, hear!

• (1430)

Mr. Epp: Is there just one way, and does everyone have to march to his drum?

In the so-called deal between the Prime Minister and Premier Blakeney, the terms of which were finally taken on to Hawaii, the so-called Honolulu formula, did the Prime Minister propose to Premier Blakeney an amending formula which would be based on the principle that all provinces should be regarded as equal?

Mr. Trudeau: Madam Speaker, as to my changing my mind, the hon. member has just realized that the premier has come to recognize the positive character of what this House recognized last May when we all agreed that patriation with an amending formula was the right thing to do. That was then moved by the hon. member for Edmonton East. We accepted that last May, but last summer the premiers—and I have said this time and again—said clearly, on television, that they would not accept that. Even Premier Blakeney has said he would not accept that unless he got international trade and so forth. If they have changed their minds and are coming to a position which this House thought was the right one last May, why did they not say so in Montreal? Six of them met in Montreal. They have not even been able to agree to an amending formula. So what is this business of saying that I should get them together to find a consensus? Even when they meet together they cannot find a consensus.

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RAILWAYS

CROWSNEST PASS RATE—GOVERNMENT POSITION

Hon. Don Mazankowski (Vegreville): Madam Speaker, I would like to direct my question to the Minister of Agriculture in the absence of the Minister of Transport. It arises out of at least three positions the government has espoused through different ministers of the Crown with respect to the Crowsnest Pass freight rates. The Minister of Agriculture has suggested the debate has gone on too long and wants the issue resolved quickly, by August 1 at the latest. The Minister of Transport wants to order a task force to study the matter further. The Minister of State for the Canadian Wheat Board says a study is impractical and bluntly says nothing will be done other than perhaps a CPR inquiry.

Can the Minister of Agriculture tell the House and the farmers of Canada who we are to believe, or are all the ministers speaking with a hell of a tongue in cheek, to quote a well-known phrase?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, when the hon. member held the position of Minister of Transport, I am sure he also discussed the Crowsnest Pass

rates, I do not remember him saying what he would do about it. If he did, he kept it pretty secret. I would like to know his opinion of what should be done also.

An hon. Member: Answer the question. You are the minister now.

Mr. Whelan: This week the Canadian Federation of Agriculture has been holding meetings in the capital of Canada. The federation has been meeting different groups, talking to politicians on both sides of the House, and making suggestions. We have asked this group to come forward with what it really thinks should be done. The federation wants to consult with us further. It wants to negociate with us, etc. We would like to know what firm stand will be taken by different groups in western Canada on what they want, because I am sure the hon. member knows that there is a great difference of opinion on what should be done.

The opinions of western producers differ widely. Some say nothing should be done; some say this should be done; some say that should be done. Those proposals are being studied at the present time, but—

An hon. Member: Order.

Mr. Whelan: —this being such an important matter—it has been established for a great number of years—that when any change is being made it has to be the right one and provide equity for producers of livestock, feed grains and grain, and equity for the railroads, etc. So those are—

Some hon. Members: Order.

Mr. Mazankowski: Madam Speaker, there is a great difference of opinion flowing from the government, and I simply ask for some clarification. Is this troika plan which outlines three different policies designed to confuse or manipulate, or is the minister serious when he says that the debate has gone on long enough and that a resolution should be brought forward and put in place by August 1? Because there is a consensus emerging in western Canada through the western agriculture conference, which represents some 50 farm organizations, is the minister prepared to come forward and outline to the farmers what his government is prepared to do in terms of putting up funding to meet the Crow gap so that the debate can go on, and is the minister prepared to recommend to his cabinet a set of guidelines within which the debate can be advanced? The farmers have stated their position. Now it is up to the government to respond.

Mr. Whelan: Madam Speaker, the hon. member makes it sound quite simple, but he is forgetting the commodity sector from western Canada, which has made a different suggestion. He is forgetting the National Farmers' Union, which has made a different suggestion on what should be done—that we should not touch the Crowsnest Pass rates in any way whatsoever. The hon. member says there is a consensus. The western agriculture committee has made recommendations to us, but that alone is not good enough.

An hon. Member: Where do you stand?

Mr. Whelan: We have had meetings this week, and some of the things said by some of the people differed slightly, and perhaps in a greater fashion than I am describing. They differ in a major fashion from what has been said in written presentations to us, so they have not formed that consensus the hon. member is saying they have, and when they do that, this government will act.

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HOUSING

REQUEST FOR EXPANSION OF COMMUNITY SERVICES PROGRAM

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, my question is directed to the minister responsible for housing. The minister's response yesterday to the housing crisis in British Columbia, to the effect that housing starts were up, was small comfort indeed in view of the problems of 3,000 people on waiting lists to get into co-op housing. There are no available building lots. Average home prices are well over $100,000.

In view of these shortages and in view of the heavy financial commitments which are brought upon home owners when they remortgage their homes at higher interest rates, will the minister reconsider his withdrawal of the community services program, recognize the special need of this rapid growth area of Canada, and implement another extended and accelerated community services program particularly for this rapid growth area of Canada?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, the community services program was not designed to respond to the immediate needs defined by the hon. member. Rather, the response of the government last year, for example, in increasing the number of social units designated for immediate take-up, we believe, is a more useful response at the present time, and it is my hope as well that the lead of the federal government with the MURB program, which was followed by the province of Ontario with a program to build on top of that, will produce results much sooner and more directly in response to the problems which are experienced in the province now.

Mr. Wenman: Madam Speaker, representing the fastest growing communities in North America and representing also an area which has the potential for additional housing units in the Fraser Valley, I can tell the minister that there are no lots available, programs are not working, and demand is too high. The minister said he was removing this program to allow for new initiatives. The new initiatives have not worked. What are the initiatives the minister is planning specifically for this specific western problem which comes at this particular time in the development of our country? What new initiatives is the minister talking about, and what will he do to get the program going, not six months from now, but this month and next month?

Mr. Cosgrove: Madam Speaker, if the hon. gentleman is proposing that in response to this immediate need the community services program is an answer, then I have to remind him that that program will continue with funding from the federal government until the month of March, 1982. Funding is continuing under that program until March, 1982, so to talk about that program in response to what we perceive to be a significant demand change in the province is not the answer. I will only repeat my previous answers. We think other programs are the answer.

Mr. Wenman: Like what?

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INDIAN AFFAIRS

PROVISION OF FUNDS FOR NEW BRUNSWICK WOMEN'S CONFERENCE

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is directed to the Minister of Indian Affairs and Northern Development or, in his absence, his parliamentary secretary. The parliamentary secretary knows that since October status and non-status Indian women in New Brunswick have been planning a conference in Fredericton for February 21.

In addition to funds from the Department of the Secretary of State, the status Indian women requested money from the Department of Indian Affairs and Northern Development for the specific purpose of helping status women to take part in the planning process. In a letter dated January 20 the parliamentary secretary wrote that these funds would be made available. Yesterday, the Indian women were told that this extra money would not be forthcoming. Could the parliamentary secretary or the minister tell the House why this money will not be made available after a commitment has been made?

● (1440)

[*Translation*]

Mr. Ray Chénier (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Madam Speaker, contrary to what the hon. member stated in his question, the money has been turned over to the Native Women's Committee of New Brunswick. They are now having a few additional financial problems which we are also trying to solve, so that they will have the money they need for next week's conference.

[*English*]

Mr. Manly: The minister and the parliamentary secretary know that the most positive way to end discrimination against Indian women is to help these women form their own strong political organizations. I ask the minister, therefore, to confirm that the extra money which was promised for the planning process for status women will be made available.

Mr. Chénier: Madam Speaker, the money will be forthcoming. We agree with the hon. member opposite that we must help these women acquire a strong status in this country, and that is why we are working at present to obtain this extra money. Their conference will be taking place and we will be there with them.

Some hon. Members: Hear, hear!

* * *

[*Translation*]

THE CONSTITUTION

POSSIBILITY OF LIMITING INDIVIDUAL SPEECHES AND OF ADDITIONAL DEBATING TIME

Mr. Gilles Marceau (Jonquière): Madam Speaker, my question is for the President of the Privy Council. The constitutional debate is a landmark in our parliamentary life, and I believe that as many Members of Parliament as possible should be able to contribute to this debate if they wish to do so. Consequently, has the government leader considered as a possible solution shortening the length of speeches and lengthening our sitting hours, and would he be willing to suggest such a solution to the opposition?

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I believe that this is an excellent suggestion. We have now come to the final stage of the constitutional debate, and many members have been able to take part in the discussions during the last four months. I believe that if the length of speeches were limited to 20 minutes and if we were to add about ten hours of sitting each week, this would serve the double purpose of improving the quality of the debate and of allowing in all fairness a greater number of members to take part in the discussions. This suggestion is so attractive, Madam Speaker, that I shall put it officially to the opposition. This would be a good opportunity for hon. members opposite to show their good will.

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[*English*]

SMALL BUSINESS

GOVERNMENT ACTION TO PROTECT SMALL BUSINESS

Mr. Otto Jelinek (Halton): Madam Speaker, my question is for the Minister of State for Small Business. Yesterday in the House the Grits refused to support my motion calling for tougher legislation respecting mergers which are harmful to independent small businesses. I was pleased to hear, however, that the Quebec Superior Court saw fit to acknowledge this urgent situation by granting an injunction which will at least block the Hudson's Bay-Zeller's merger. I should like to ask the minister the following question. Because of the increased tendency toward monopoly mergers and the inability of existing laws to deal adequately with the consequences of such

mergers, can the minister tell us whether or not he has made representations on behalf of the small business community to the Minister of Consumer and Corporate Affairs, and what specific action is the government taking to protect certain small business sectors from extinction?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, as I recall, when the hon. member introduced his motion under Standing Order 43 yesterday, the "noes" were coming from the other side of the House. Moreover, I would like to tell him that I have had many meetings with my colleague, the hon. Minister of Consumer and Corporate Affairs. We have jointly met with the authorities of the Canadian Association of Independent Small Businesses. I have myself met with the Clothing Manufacturers' Association as well as with the textile and shoe manufacturers to discuss this rather important problem of mergers between major distribution chains. Of course, the Minister of Consumer and Corporate Affairs and myself are considering certain measures such as amendments to the Combines Investigation Act.

[*English*]

SMALL BUSINESS DEVELOPMENT BOND PROGRAM

Mr. Otto Jelinek (Halton): These consultations within the Liberal government have been going on for 13 years, and, in fact, last October the Minister of Consumer and Corporate Affairs himself stated on no less than three occasions that immediate action will be taken, but still we have not heard any word. Therefore I should like to put my supplementary question to someone who perhaps will act a little faster.

My supplementary question on a related subject, Madam Speaker, is directed to the Minister of Finance. In view of the fact that the Liberal government is unwilling or unable to deal with high interest rates in general, and because the major concern confronting the small business community is the availability of working capital at realistic rates, as the minister himself knows, I should like to ask the minister to consider expanding the Small Business Development Bond program to include working or venture capital, and to do it forthwith.

Before he replies that he has just extended that program until the end of the year, let me remind him that this extension was undertaken at the insistence of this House. I ask him to expand that program to include working capital. If he is unable to do that, can he tell the House and the small business sector across this country which is suffering high interest rates why he cannot do it?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the extension of the Small Business Development Bond was made on the recommendation of the Minister of State for Small Businesses—

Some hon. Members: Oh, oh!

Mr. MacEachen: —and was supported unanimously by all members in the House. There were no amendments proposed at that time nor were suggestions made to have the bond extended or its ambit widened. It is not the intention of the government to widen the ambit of the Small Business Development Bond. We have taken a major step in extending the application of the bond until the end of this fiscal year. The hon. member asked why it is not possible to widen the scope of the bond. The reason is that extending it to the end of this year was very expensive, and to widen its scope would be even more expensive, and that is an expense which we cannot bear at the present time in the light of our interest to restrain expenditures.

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[*Translation*]

REGIONAL ECONOMIC EXPANSION

INQUIRY RESPECTING ESTABLISHMENT OF PAPER MILL AT MATANE

Mr. Bill Clarke (Vancouver Quadra): Madam Speaker, my question is directed to the Minister of State for Small Businesses. In view of the decision to set up a paper mill at Matane in the Matapédia Valley, as promised by the Minister of Regional Economic Expansion during the last election campaign and as reiterated last spring, and the fact that the local people blocked the VIA Rail track and the TransCanada highway at Amqui in the province of Quebec, I should like to ask the minister whether or not he can tell the House why the government has decided not to have that paper mill built in the Matapédia Valley where there is a 40-per cent unemployment rate?

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, I wonder where the hon. member gets his information. No decision has yet been made with regard to the establishment of a paper mill in the Matapédia Valley. My colleague, the Minister of Regional Economic Expansion, is in constant touch with his Quebec counterpart in an effort to find the best possible solution to the problem of the economic development of the Matapédia Valley.

Mr. Clarke: Madam Speaker, when will the government keep the promises it made to those people instead of trying to make a national park of their valley and thus forcing them to leave their homes.

Mr. Lapointe (Charlevoix): Once again, Madam Speaker, the information of the hon. member is rather sketchy. The government has no intention of having a national park in the Matapédia Valley. Studies have been made, however, by the departments responsible for the environment, with regard to the possibility of having a major salmon river in that valley.

● (1450)

[*English*]

AUTOMOTIVE INDUSTRY

STATUS OF GOVERNMENT'S NEGOTIATIONS WITH CHRYSLER CANADA

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I have a question for the Minister of Industry, Trade and Commerce. How did the cabinet like the new Chrysler deal the minister put to them? Will the minister make a statement in the House with respect to this matter, or will he sneak out and hold a press conference?

Some hon. Members: Oh, oh!

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, I have not yet put a proposal before cabinet with respect to the Chrysler matter. If and when there is a decision taken on this matter I will be happy to make a statement, with the concurrence of the House leaders.

Some hon. Members: Oh!

Mr. Gray: I think the hon. member will have to look forward to whatever decision we are in a position to announce when and if it is taken with respect to this matter.

Mr. Deans: Will the minister indicate the number of dollars, in his scaled-down commitment, which will be invested in Canada in 1981, 1982 and 1983? How many of the current jobs will be protected, and exactly which components of the new K-car will be manufactured here?

Mr. Gray: Madam Speaker, we have entered into no new agreement with Chrysler. If that should happen to be the case, then I will be very happy to disclose the details.

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TRADE MARKS

INTRODUCTION OF NEW LEGISLATION

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is for the Minister of Consumer and Corporate Affairs. In view of the fact that trade mark rules have not been revised in any substantial way since 1954, and in view of the fact that it is necessary to have a complete revision of the rules with the advent of a trade marks act, will the minister advise the House when we can expect to receive the new act?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, the hon. member is right, it is an issue with which the House will have to come to grips very soon. Unfortunately, the legislative schedule is so heavy that the study of several excellent pieces of legislation will have to be delayed. It is my hope that the opposition will co-operate with the government House leader to find a way for the House to expedite passage of many such bills in the coming weeks.

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[*English*]

REGIONAL DEVELOPMENT

APPLICATION OF PROGRAM TO DEAL WITH REGIONAL INEQUALITIES

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question is for the Minister of Finance. It deals with the manufacturers' tax credit program. In the minister's words the program was designed for new manufacturing investment in specifically designated areas in the country characterized by high unemployment and low income. How does the minister justify the fact that in New Brunswick there are at least four regions which would more than qualify under the program with respect to high unemployment and low per capita income, in comparison with those which were designated in Nova Scotia? There are at least two other areas which qualify for the program under those terms in comparison with those which were actually designated. How can the minister justify that, other than the fact that those regions not designated are represented by Conservative members?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): No, Madam Speaker, that would not be a justified conclusion. We operate rather differently from the government of which the hon. member was a supporter when it cancelled decentralization programs in constituencies which were held by non-government members. We have abandoned that kind of politics. We have the tax credit program for areas in the country that can be tested on the basis of economic criteria, not political criteria. If these areas are outside, it is because they are not deserving economically, not politically.

Mr. Corbett: Madam Speaker, in the maritime region that is "fish scales", and the minister knows it. Will he not reconsider the decision he has taken to designate those areas and include all areas which meet those criteria, as he has now said that the decisions will be taken on a fair and equitable basis? Will the minister not reconsider, and include those areas which do meet the criteria of high unemployment and low per capita income? Will he assure the House and the maritime region that all future programs will be shared equally amongst all areas which qualify?

Mr. MacEachen: Madam Speaker, I should explain to the hon. member that the Department of Regional Economic Expansion was responsible for the selection of the areas. As I stated in the budget speech, I introduced that particular tax credit upon the urging of the minister who wished to have a powerful incentive for the poorest areas of the country. It was the Minister of Regional Economic Expansion and his department which established the criteria and selected the areas, not myself or the Department of Finance. I believe that the Minister of Regional Economic Expansion would be eager, as I

am, that the application of the credit be strictly on these criteria. I believe it would be quite unjustified to apply a program of this kind on any other criteria.

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PIPELINES

DISCUSSIONS WITH UNITED STATES RESPECTING ALASKA HIGHWAY ROUTE

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, in the absence of the Minister of Energy, Mines and Resources I would like to direct my question to the Prime Minister. It is in preparation for the forthcoming discussions with the new administration in the United States, during which the question of pipelines will obviously be of top priority.

In light of information which is now available that the northern tier proposal is not a viable proposition and that the Canadian option would have to be exercised, namely, an Alaska highway route for northern oil, or the Kitimat pipeline, I would like to ask the Prime Minister whether the government has arrived at a decision at this point as to its preference for a Canadian route, particularly in light of information which has just come out of British Columbia where there are all kinds of renewed interest in the Kitimat proposal, including oil from Prudhoe Bay and the Beaufort Sea using this route.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Madam Speaker, the factors which the hon. member has mentioned will be taken into account in consideration of this issue and in the preparations for forthcoming discussions with the United States administration.

Mr. Oberle: Madam Speaker, it seems the Prime Minister does not want to answer my question. I am very anxious to know whether there have been any discussions at this point between the government of British Columbia and agencies of the federal government with respect to the preference which should be exercised with respect to an oil pipeline on the west coast and a deep sea oilport.

Mr. MacLaren: Madam Speaker, I am unaware of any recent discussions but I shall inquire and inform the hon. member.

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LABOUR RELATIONS

B.C. TELEPHONE COMPANY—PROFITS MADE DURING STRIKE

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my question is for the Minister of Labour. It concerns the long drawn-out 13-month dispute at B.C. Tel in British Columbia. The very good news yesterday was that Mr. Bill Kelly had been appointed by the minister as special mediator.

I would like to ask the minister if he has considered a recommendation to cabinet that B.C. Tel rates be rolled back along the lines of the 1977 anti-inflation board decision, when the company locked out its employees and made such exorbitant profits that the board ordered that subscribers' fees be returned to the consumers.

Some hon. Members: Hear, hear!

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I thank the hon. member for his question. I think he will agree with me that my responsibilities as Minister of Labour are to attempt to bring about settlement of the strike. I think the appointment of Bill Kelly is the most constructive thing that I could do in that direction. Mr. Kelly will be flying to British Columbia tonight to meet with the parties immediately.

I am not in a position to know whether the company has benefited financially or lost financially as a consequence of the problems of the last few months. I do not think it is appropriately within my jurisdiction to become involved in any assertion respecting the rates which B.C. Tel should be allowed to charge.

Mr. Rose: Madam Speaker, on a supplementary question, certainly all of us in this House, and in British Columbia too, hope that Mr. Kelly's mission is a success, but I would like to ask, since the subscriber has to have some protection as well, whether the minister is aware that under the National Transportation Act the cabinet has the power, should Mr. Kelly not achieve a satisfactory settlement, to vary a CRTC decision relating to rates.

● (1500)

Mr. Regan: Madam Speaker, any question on that subject should be directed to the minister responsible for the CRTC in the House. As I have already indicated, I believe that such considerations are outside the authority and the responsibility of the Minister of Labour.

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BUSINESS OF THE HOUSE

Mr. Pinard: Madam Speaker, after consultations with my counterparts opposite, we have come to an agreement and I now seek unanimous consent for the following House order:

That the first item to be taken up under government orders on Friday, February 13, 1981, shall be Bill C-57, an act to amend the Excise Tax Act and the Excise Act and to provide for a revenue tax in respect of petroleum and gas;

That all questions necessary for the disposal of the second reading stage of the said bill shall be put no later than 3.45 p.m. on February 13, 1981;

That any recorded division on the said bill shall be deferred until the conclusion of consideration of government orders on Monday, February 16, 1981;

That after second reading the bill shall not be referred to a Committee of the Whole, but shall be referred to the Standing Committee on Finance, Trade and Economic Affairs; and

That the said committee shall report the bill no later than April 16, 1981.

Mr. Baker (Nepean-Carleton): Madam Speaker, there were those discussions, there is that understanding, and we are prepared to agree.

Mr. Knowles: Yes, Madam Speaker, there were such discussions among us and we also agree.

Madam Speaker: Does the House agree to the proposed motion of the President of the Privy Council (Mr. Pinard)?

Some hon. Members: Agreed.

Motion agreed to.

Mr. Pinard: Madam Speaker, at this stage I was expecting the usual question on House business. Since we are on a point of order, I might as well outline the upcoming matters. There are some important items coming up next week, and I believe it is important for hon. members to know exactly what will be the business of the House during the next days.

Today we will continue with the debate on the borrowing authority bill. I shall move a motion later. After it is voted on tonight, we will go on with the debate and the appointed day for terminating the second reading stage of the borrowing authority bill will be next Monday. Tomorrow we will deal with the bill to which I just referred, the excise tax bill. If any recorded division is required as described in the House order of a few seconds ago, then this vote will be taken Monday night as well.

[*Translation*]

As for the conclusion of the constitutional debate, it is obvious that if the report is tabled tomorrow, as can be expected, the concluding stage will begin Tuesday afternoon. Most probably the form of that debate will consist in a direct resolution introduced by the government. This way I think I am answering an insistent request made last fall by my colleague, the House leader of the Progressive Conservative Party.

So I want to confirm that, unless something unexpected comes up and subject to a last glance at the committee report, most probably we will allow debate on a direct resolution rather than on concurrence of the committee report, so that if there are any amendments, since several were debated in committee, but if there were one or two more, or any number for that matter, I hope hon. members will be reasonable, those amendments might be moved more directly than otherwise possible had we introduced or were we to introduce a motion for concurrence in the committee report.

Obviously, in both instances, it would be possible to move amendments but we would rather proceed in a way which meets the requests made by the opposition parties and which is also in keeping with our more direct approach to enable us to have a more direct debate in the House as well. Essentially, Madam Speaker, that will be the business of the House until the end of the week and early next week. The concluding debate on the Constitution will begin on Tuesday.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, I thank the President of the Privy Council with respect to that matter. However, I notice in his recitation on how the government intended to handle this matter he stated that "quite probably" it will be in a resolution.

Mr. Pinard: Most probably.

Mr. Baker (Nepean-Carleton): He has now amended that to "most probably".

Mr. Pinard: That is what I said the first time.

Mr. Baker (Nepean-Carleton): Very well, quite probably is the way it stands.

Mr. Pinard: Most probably.

Mr. Baker (Nepean-Carleton): I beg your pardon. So that there will be no misunderstanding, and I was listening to the translator, not listening to the hon. member in my impeccable French with my impeccable French ear, I would like to ask the government whether the resolution will be available in the normal course with the appropriate 48-hour notice? In that case, it would appear on the Order Paper on Saturday morning in the normal course of its distribution in the House and elsewhere. Is there any possibility that we might see that resolution earlier, given the fact that the resolution which will be produced does not necessarily have to follow word for word or arise completely out of the report of the joint committee? Will it be possible to see that resolution in advance?

While the minister is on his feet with respect to that matter, could he tell us whether it would be appropriate to designate an allotted day today. I have sent him a series of allotted days, and I understand that there is no disagreement with the respective dates which are Tuesday, February 24; Wednesday, March 4; Wednesday, March 18; and Thursday, March 26. I would ask the minister to designate Tuesday, February 24 now. Would the minister tell us whether that list is reasonably acceptable and could he designate that particular day now?

Mr. Pinard: Madam Speaker, with regard to the first question on the resolution, I said in French "plus que probable".

What I meant is "most likely". When I say "most likely", the chances are 99 per cent. I would merely like to keep open the possibility, after considering the committee report, of taking some other course if for procedural reasons it is necessary. However, since it is most likely we will deal with the direct resolution, we will give 48 hours notice in accordance with the Standing Order, but first we must await the tabling of the report. That means that the notice will be given around noon tomorrow. I will do my best to make that resolution available to my colleagues in both opposition parties as soon as possible, and perhaps it will be possible tomorrow afternoon, to allow them ample time to review it. In addition, the fact that the debate will begin on Tuesday, rather than Monday, will

give hon. members more time to review the resolution, if we proceed in that manner.

In so far as the word-for-word formulation of the resolution is concerned, obviously, since it is a straight resolution, we will try to respect as much as possible the recommendations of the Joint Committee on the Constitution of Canada, which worked very hard and which deserves our congratulations.

Finally, the Tory House leader wishes me to designate Tuesday, February 24 as an allotted day now, but I am not in a position to do so. I will look into the hon. member's request and perhaps I could give formal notice next Thursday. I will try to inform the hon. member verbally in advance at the beginning of next week. First, I would like to review the list since I have not seen it.

• (1510)

Mr. Knowles: Madam Speaker, the President of the Privy Council has answered most of the questions that I had in mind. Perhaps he answered this one and I missed it. When the debate on the Constitution starts on Tuesday, is it the intention of the government to stay with it until that debate is over, or are there matters for which that debate might have to be interrupted?

Mr. Pinard: Madam Speaker, taking into consideration our large workload, I should like to keep the flexibility perhaps to deal, once in a while, with legislation on which we could get agreement to send it to committee or to approve it through all stages, with a very short delay.

At this stage I should not like to commit myself to dealing with this debate five days a week. I cannot confirm it today, but it is our intention to ensure that the next days and weeks are devoted mainly—and I would say almost 100 per cent—to the debate on the Constitution. But I want to keep the flexibility to once in a while allot a day, because we must allot days for the opposition during that period of time, or perhaps to deal with other business of the House on which we could reach agreement.

Finally, I think it would be very useful, following the question of the hon. member for Jonquière, if I make the offer formally now of reducing the length of speeches to 20 minutes, as compared to 40 minutes, and of extending the sitting hours by ten hours a week. The purpose of this proposal is simply to allow additional members to participate. After the four months we have spent on the subject in committee and in the House—

Mr. Crosbie: Nonsense.

Mr. Pinard: —I am sure it will be easier—and everyone will understand that it will be fair—if we sit longer hours and reduce the very long, unacceptable 40 minutes in 1981 when there are 282 members in the House.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Madam Speaker, I find it really quite strange. First, I thought the question of the hon. member for Jonquière was most unusual for my friend. It was kind of negotiating or forcing negotiations by a planted question from his own party.

Some hon. Members: Order, order.

Mr. Crosbie: A planted question.

An hon. Member: That is exactly what happened.

Mr. Baker (Nepean-Carleton): I thought that was rather strange. Aside from that, in the exchange he and I had before he reached that point, I thought I indicated that we have not yet seen the resolution. The government indicated that it will follow, as closely as possible, what the committee has said. I have no guarantee of that, nor does any other person in the House or elsewhere. I cannot see any reason why one should give the government a blank cheque with respect to a matter we have not seen.

An hon. Member: Oh, come on.

Mr. Baker (Nepean-Carleton): That is my first point.

Mr. Crosbie: We are not going to do it, anyway.

Mr. Baker (Nepean-Carleton): If I may say so, at least at this point it is almost like saying that I should agree, as a matter of advantage to my colleagues and I, to give my friend $100 for nothing. I do not negotiate that way, so we will see as the debate goes on; but certainly it will not be in advance of seeing the resolution.

Quite frankly, I think it was improper conduct—and I say that with the greatest respect—to have placed that planted question by the hon. member for Jonquière.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Pinard: Madam Speaker, certainly it was not my intention to ask for a blank cheque for the government. The offer I was making, resulting from the legitimate question put by an hon. member of this House, was only to accommodate members on both sides of the House. After all, it was not Liberal members who did their gymnastics in front of the Speaker last fall; it was the hon. member's colleagues.

Some hon. Members: Hear, hear!

Some hon. Members: Sit down.

Mr. Pinard: Perhaps this proposal would allow those members to participate in the debate. If we sit ten additional hours a week and if speeches last 20 minutes, it will mean a lot more Members of Parliament will have an opportunity to speak on this important subject, even if it is the conclusion of the debate.

On the other hand, I understand the hon. member's request. I think it is a fair request, that my colleague see the resolution before committing himself. I was not asking for an answer

today. I was only putting this proposal on the floor of the House in the hope that perhaps tomorow, when we give notice of our resolution, my colleagues on the other side would be in a position to confirm quicker that such a proposal gives nothing more to the government, but in fact is just a measure to please members on both sides of the House.

Mr. Baker (Nepean-Carleton): Madam Speaker, we are discussing this in an atmosphere of the House which is now soured by the fact that the next matter with which we will be dealing is a motion to cut off debate on a borrowing bill.

Mr. Hnatyshyn: Shame.

Mr. Baker (Nepean-Carleton): Also, we are dealing with a matter wherein the Prime Minister promised the fullest debate and participation of all members. Then, after he made that promise, he lowered the boom of closure on the debate. Now we are discussing it again when an obviously mischievous question—

Some hon. Members: Order, order.

An hon. Member: Right on.

Mr. Baker (Nepean-Carleton): The government House leader, I, and everyone who thinks about it, know that extension of time is another form of closure.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): This is a closure-crazy government; this is a closure-crazy government.

We are dealing now with something which is rather important to every member of the House of Commons. The rules of practice of the House of Commons were designed to give all members ample right to participate. It is in the light of the intention of those rules that we will judge our conduct, not by some artificial time limit set by an arrogant Prime Minister with respect to the Constitution of Canada.

Some hon. Members: Hear, hear!

Mr. Pinard: Madam Speaker, I do not understand why my hon. colleague, whom I respect very much, loses his temper or cool. After all, I am only making a proposal to him; he does not have to accept it. It is just a matter of wanting members to participate. If he prefers to adopt another attitude, let the public judge. I think there was nothing wrong in what I said. There was nothing that intended to limit debate at this stage. I was only trying to be helpful so that the opposition could participate more in the conclusion of the debate. Obviously, I cannot agree with the reaction of my hon. colleague to our proposal.

Mr. Nielsen: It was devious.

Mr. Pinard: I think the NDP would welcome a suggestion—

Some hon. Members: Oh, oh!

Mr. Pinard: —that would give more members an opportunity to participate in the debate at this stage after four months and that would allow the House to proceed with other urgent business with which we are faced in this nation.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: It is a very uncivilized way of proceeding.

Mr. Knowles: Madam Speaker, first may I say I was pleased to hear the government House leader say that the debate on the Constitution could be interrupted for a day, now and then, if there was something important for the House to deal with, particularly if there was something with which we could deal quickly. He knows what that suggests to me, namely, if there is a piece of legislation from the Minister of Veterans affairs which the House could pass quickly, as I know it will, I hope he will bring it in.

Some hon. Members: Hear, hear!

Mr. Knowles: I should like to say a word or two on the other subject, and I am quite cool, calm and collected in saying it. In our party we feel that the upcoming debate on the Constitution is an extremely important one, and that every member of the House who wishes to speak should have the opportunity to do so.

Mr. Crosbie: Right on.

Mr. Knowles: Toward that end we think consideration should be given—

Mr. Crosbie: Oh!

Mr. Knowles: —to shorter speeches and to extra hours.

Some hon. Members: Hear, hear!

Mr. Knowles: I do not happen to agree with the suggestion of ten extra hours per week, but I think extra hours should be made available. The debate would be sharper and the public would understand it better if we had 20-minute speeches instead of 40-minute speeches.

• (1520)

Some hon. Members: Hear, hear!

Mr. Nielsen: Cuddle up a little closer.

Mr. Knowles: That gets applause from the government side of the House but now may I say that I agree with the hon. member for Nepean-Carleton that this is something we should negotiate as House leaders rather than here on the floor of the House. But I say that, on behalf of the New Democratic Party, that in those negotiations we will be prepared to consider changes for this debate in our rules to enable the largest possible number of members to speak and to facilitate a good, sharp, clear debate.

Mr. Mayer: Madam Speaker, I listened with interest to the exchange between the government House leader and the hon.

member for Winnipeg North Centre concerning the possibility of interrupting the debate on the constitution for important pieces of legislation.

I would ask the government House leader to consider Bill C-46, concerning the importation of meat, which is important legislation. I would point out also that the Standing Committee on Agriculture so far has not met this year. It is waiting patiently for legislation to be referred to it. I can assure the government House leader that if we can get on to second reading of Bill C-46 it would pass fairly quickly. The beef industry is important to all of Canada and it is going through a rather tumultuous time. It has seen a drop in live cattle prices. I hope the government House leader would consider Bill C-46 as the type of legislation in respect of which the debate on the constitution could be stopped in order to allow that bill go on to committee. As I said, the committee on agriculture has not met this year. That tells you something of the priorities which this government has put on agriculture so far.

Mr. Pinard: Madam Speaker, I will try to meet that request.

* * *

PRIVILEGE

MR. FULTON—ALLEGED MISLEADING MINISTERIAL STATEMENTS

Mr. Jim Fulton (Skeena): Madam Speaker, my question of privilege arises from both false and misleading statements made to me by ministers of the Crown. I do not think there is any question now but that my privileges as a member of Parliament have been infringed upon and in that way the rights of every Member of Parliament in this House have been infringed upon.

My question of privilege arises first from a statement made to me yesterday by the Minister of Indian Affairs and Northern Development (Mr. Munro) that before any panel review hearing went ahead in relation to Amax at Alice Arm, British Columbia, I would have an opportunity today to meet with the Minister of Indian Affairs and Northern Development and the Minister of Fisheries and Oceans (Mr. LeBlanc). That statement is confirmed in *Hansard* for January 22, 1981, at page 6452. In response to my question, the minister said:

If he finds that unsatisfactory as to a communicated vote to my colleague and myself, we will be prepared to consider some alterations for that type of panel—

I have also been misled on at least seven other occasions in this House of Commons, not only by the Minister of Indian Affairs and Northern Development, but by the Minister of Finance (Mr. MacEachen), by the Minister of Fisheries and Oceans, by the Prime Minister (Mr. Trudeau) and by the parliamentary secretary responding for the Deputy Prime Minister, as recently as February 10.

Mr. Paproski: Put your seat on the line and challenge him.

Mr. Fulton: I will briefly go through some of the blatant instances where I have been misled in this House, the most recent being January 22, again in response to me by the Minister of Indian Affairs and Northern Development. At page 6452 of *Hansard* we find the following:

—might I say that a panel of experts has been set up to look into the matter, notice of which has been communicated to the Nishga Tribal Chief, Mr. Gosnell.

There are two totally false statements contained in the minister's answer, which directly affected my ability to carry on my duties as a Member of Parliament.

I raised the matter in a question of privilege which Your Honour has ruled on. During the response on the question of privilege, the Minister of Indian Affairs and Northern Development said at page 6507 of *Hansard* for January 23, 1981, the following:

I will endeavour to make a clarification on Monday.

The minister has made no attempt whatever. He has been present here in the House. I sent him notification that I would ask a question. The day before yesterday he asked that it be deferred. I met with the minister. He told me that I would meet with him and the Minister of Fisheries and Oceans today. Instead, they announced a review process. They directly misled me as a Member of Parliament. I have been misled by the Prime Minister. There have been false statements and I challenge the minister to get up and to clarify the situation.

Mr. Paproski: If he is a liar, call him a liar.

Mr. Fulton: He is a liar, if you want me to put that on the record. The Minister of Indian Affairs and Northern Development—

An hon. Member: Withdraw!

Madam Speaker: I will have to ask the hon. member to withdraw that word because it is unparliamentary.

Mr. Fulton: In this situation, I will not withdraw that statement.

An hon. Member: Order!

Madam Speaker: I think the hon. member has been carried away by a suggestion made that he might use that expression. Because of the enthusiasm of the debate, he did use the expression. I am sure he did not mean to offend the minister but I am afraid I cannot accept that kind of language in the House. I would ask the hon. member to co-operate with the Chair and to withdraw the word he used.

Mr. Paproski: Let us hear the evidence.

Mr. Fulton: Madam Speaker, at this point I will withdraw it. However, I put on this caveat that at the end of my remarks I may want to reintroduce it.

Some hon. Members: Order!

An hon. Member: You better not.

Mr. Fulton: I have been raising questions since July 8, 1980, in relation to a special dumping permit. As I have pointed out, I have been misled by many members of the Crown, including the Prime Minister. I would like to put on the record precisely what those statements have been. The most recent being in relation to statements made by the Minister of Fisheries and Oceans and the Minister of Indian Affairs and Northern Development in response to questions I have raised in the House.

After giving out this permit behind closed doors, the ministers have gone ahead with a private study which is to be completed by March 31. This study is looking into the probability of resuspension of tailings as a result of bottom currents. This is really at the centre of this controversy. The study is being done by Woodward-Clyde Consultants Ltd. The funds were put forward. This came to my attention only yesterday.

I have been requesting a full public inquiry, as have five major church groups in this country, the Nishga people from my riding who I have the honour to represent, many other groups including the B.C. Federation of Labour, the Building and Construction Trades Council and, not only tens of thousands but now hundreds of thousands of Canadians who are interested in a full public inquiry.

I will not give the give complete quotations, Madam Speaker, but the dates on which I have been misled are as follows: by the Minister of Fisheries and Oceans July 8, 1980; October 21, 1980; January 16, 1981, and by his parliamentary secretary on February 10, 1981; by the Prime Minister July 8, 1980; by the Minister of Indian Affairs and Northern Development, January 22, 1981, twice on January 23, 1981, and February 11, 1981.

An hon. Member: He should be fired.

An hon. Member: Give us the quotations.

Mr. Fulton: I will be pleased to put the quotations on the record, if Madam Speaker, has the time. It is a most serious question—

Madam Speaker: I must interrupt the hon. member. First, his question of privilege as indicated in the notice which was given is not exactly the kind of thing he is debating now. He is far off the statement he made to me as to what constituted his question of privilege. I would ask the hon. member to speak about the privilege and about the facts as he has put them in his notice to me.

Secondly, the hon. member is debating the question, he is not telling me what constitutes his question of privilege. The ministers are not in the House at the present time. Sometimes some element of debate is acceptable in the course of trying to expose a question of privilege but since the ministers are not here to refute or to answer any of the arguments brought forward by the hon. member I have to ask him to keep very strictly to the question of privilege.

Mr. Fulton: Madam Speaker, I will try to sum it up briefly and to keep to one particular point. There are many places where I know I have been misled. However, what arose yesterday has been to deliberately mislead me as a Member of Parliament. I have the proof in terms of the actions taken by the Minister of Indian Affairs and Northern Development today. Yesterday he told me—

Madam Speaker: Order, please. Does the hon. member really want to say "deliberately mislead"?

Mr. Fulton: I do, Madam Speaker.

Madam Speaker: I have to tell the hon. member that he cannot use this kind of language in the House. This is not an acceptable expression to qualify anything that another member of this House has done. I must ask the hon. member to be extremely careful in the way that he refers to other hon. members. I am here to protect them from this kind of interpolation.

● (1530)

Mr. Fulton: Madam Speaker, I can only say that within a period of 24 hours a minister of the Crown told me one thing here in this chamber, 24 hours before that, and it is recorded in *Hansard*, he made a precise statement that is exactly of the same nature, and today he goes completely contrary to what he has told me both here in the House on the record and to me directly in this House only yesterday. I can only say that, having raised this issue the number of times I have, I have evidence that the statements made to me by the minister are false. He knows they are false. I can prove they are false. I therefore will move:

That Madam Speaker directs that those undertakings made by the Prime Minister, the Deputy Prime Minister, the Minister of Fisheries and Oceans and the Minister of Indian Affairs and Northern Development and that this entire issue be referred to the Standing Committee on Privileges and Elections for examination.

Mr. Nielsen: That's quite a grab bag.

Madam Speaker: I will have to wait until the ministers are in the House in order that they can reply to the intervention of the hon. member. I will rule on it later.

MR. MUNRO (ESQUIMALT-SAANICH)—POSSIBLE DESTRUCTION OF PARLIAMENTARY RECORDS

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I regret that I was unable to serve notice of this question of privilege. It arose as the last item of business in the committee this morning. The matter is urgent because it involves the imminent probability of the destruction of parliamentary records. I am fearful—

Madam Speaker: Order, please. The hon. member knows he cannot bring into the House of Commons any reference to deliberations which take place in committee. The reason is very simple. The House is not aware of such actions as the hon. member is attempting to describe. If he has a question of privilege to raise about something which took place in committee, he should raise his question of privilege in the committee.

Until such time as the committee reports to the House, it is not possible to discuss it here.

Mr. Munro (Esquimalt-Saanich): With due respect, Madam Speaker, a question of privilege cannot be ruled upon in the committee. As I said, it was the last item of business in committee and involved the imminent destruction of parliamentary records which, to my way of thinking, are historical records that must be preserved.

Madam Speaker: Order, please. If a question of privilege is raised in committee, the committee can report it back to the House. If the committee determines there is a question of privilege, it can be properly recorded and brought into the House where it can be dealt with. Therefore, I cannot hear the hon. member on this kind of question of privilege.

Mr. Munro (Esquimalt-Saanich): With all due respect, Madam Speaker—

Some hon. Members: Order.

Mr. Munro (Esquimalt-Saanich): The report had been submitted, voted upon and approved. I cannot see how else I can preserve documents for the archives and the history of Canada other than by raising this for Your Honour to rule on or have it referred to a committee. Failing that, I would implore Your Honour to put a stay on the destruction of those documents until I can formulate a proper presentation for the appropriate place, wherever that may be. They are parliamentary documents and I do not want to see them disappear.

Hon. Erik Nielsen (Yukon): Madam Speaker, may I just speak briefly in the abstract of that question. The question involves the preservation of parliamentary records. Ordinarily the records of any committee proceeding eventually find their way into the report of the proceedings of that committee and then into the Library and other repositories, the same as the record of our debates. There are occasions, however, where a record is kept of the deliberations of any one of a number of the standing committees, but that record is never published.

When a record is kept of the proceedings in camera, I believe it is normally preserved. That may bear some scrutiny in respect of the policies of the officers of this House about the treatment of parliamentary documents. I might suggest that the point raised by the hon. member for Esquimalt-Saanich (Mr. Munro) in this specific instance might be inquired into in light of whether or not it is desirable, where a record of in camera proceedings is kept, that record should be preserved as a general principle or as a policy of the House, in camera, of course in secret, and subject to the usual rules of release, which I understand now is some 30 years.

I am not aware whether the House policy now is to preserve records of in camera proceedings when they are kept, but there have been occasions when records have been kept of those proceedings. I dare say there are instances where those records can still be found. I suggest the point raised by the hon. member for Esquimalt-Saanich is certainly important enough to be taken under consideration by the Chair and perhaps in the process of determining global policy, the specific instance might be inquired into.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, while this point was being raised, I tried to look up the precedents. I believe this is amply covered in Citation 615 of Beauchesne's where it is unequivocally stated:

> The clerk of the committee is responsible for the safekeeping of all the papers and records of the committee.

I would take that to mean records of anything done in camera as well as on the public record.

Madam Speaker: That is a matter which can probably be checked, but it seems to me that none of those documents are ever destroyed. This proves the point that matters dealing with deliberations of a committee should not be raised in this House. The House is totally unaware of what went on and is unable to judge the matter in question. I am at a loss as to what to do with this question of privilege. Perhaps the hon. member will give me proper notice and some idea of what the facts are so that I can see whether it is proper to raise it in the House. If it is, the hon. member can raise his question of privilege and I will rule on it at that time.

Mr. Munro (Esquimalt-Saanich): It was my intention, Madam Speaker, in view of your ruling today that you could not accept it, to ask that I be allowed to raise this matter on another occasion. I hope to be able to do so. Meanwhile, I want to make it clear that in raising this matter, I am not casting any aspersions, none whatever, on the co-chairmen. It was a decision of the committee, not the co-chairmen. I want that on the record.

ROUTINE PROCEEDINGS

[*English*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, possibly with unanimous consent you could call questions on the Order Paper before I move my motion.

Madam Speaker: Does the House agree that I proceed with the usual proceedings before the President of the Privy Council (Mr. Pinard) moves his motion?

Some hon. Members: Agreed.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 250, 747, 1,833 and 1,875.

Order Paper Questions

[*Text*]

PETROLEUM INDUSTRY

Question No. 250—**Mr. Herbert:**

1. What percentage of the shareholding of (a) Imperial Oil (b) Shell Canada (c) Gulf Canada (d) Texaco Canada, is believed to be owned by Canadians?

2. In each of the past five years, what was the combined (a) profit after taxes (b) dividends distributed (c) taxes and royalties paid to the (i) government (ii) provincial governments?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Department of Energy, Mines and Resources and Statistics Canada as follows: 1. Statistics Canada reports that in 1979, the latest year for which information is available under the Corporations and Labour Unions Returns Act, the degree of Canadian ownership was as follows:

(a) Imperial Oil	22.33 per cent.
(b) Shell Canada	25.92 per cent.
(c) Gulf Canada	26.13 per cent.
(d) Texaco Canada	9.10 per cent.

2. EM&R has obtained the following data on the petroleum industry under the auspices of the Petroleum Corporations Monitoring Act relating to their upstream operations except for dividends which relate to total operations:

(i) and (ii)	1977	1978 ($ Millions)	1979
(a) Net Income After Income Taxes	2,079	2,285	3,525
(b) Dividends	452	510	737
(c) Current Income Taxes	1,100	980	1,022
of which federal government (estimated)	825	735	766
of which provincial governments (estimated)	275	245	256
Royalties to provincial governments	2,710	3,112	3,820

NOTE: This type of data was not collected prior to 1977. Data for 1980 is not yet available.

DEPARTMENT OF INDUSTRY, TRADE AND COMMERCE
CONSULTANTS

Question No. 747—**Mr. Shields:**

Since August 1, 1978, how many (a) administrative (b) policy consultants were under contract to the Department of Industry, Trade and Commerce and/or any boards, commissions or corporations reporting to the minister and, in each case, what amount was paid to them?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): In so far as the Department of Industry, Trade and Commerce is concerned: (a) 25—$418,436—See list below. (b) Nil.

In so far as Metric Commission Canada is concerned: (a) and (b)—Not applicable.

In so far as the Foreign Investment Review Agency is concerned: (a) and (b)—Not applicable.

In so far as Canadian Patents & Development Limited is concerned: (a) Nil. (b) 1—$1,575—See list below.

In so far as the Federal Business Development Bank is concerned: (a) and (b) 27—$601,884.73—See list below.

In so far as the Canadian Commercial Corporation is concerned: (a) 6—$136,328.96. (b) 4—$128,964—See list below.

In so far as Export Development Corporation is concerned: (a) 16—$138,070.50. (b) Nil.—See list below.

Industry, Trade and Commerce

August 1, 1978 to March 31, 1980

(a) Name	Number of Contracts	Cost
Deloitte Haskins & Sells	1	$ 15,000.00
Bureau of Management Consulting Services	3	81,800.00
Management Consulting Ltd.	1	4,725.00
A.B. Sunter & Partners	1	25,000.00
Systems Approach Consulting	1	24,600.00
Foster Business Services Ltd.	1	15,000.00
Quasar Systems Ltd.	1	16,600.00
Murray Friesen & Associates Inc.	1	15,100.00
Murray, Nicholas & Associates	5	57,208.00
Currie, Coopers & Lybrand Ltd.	1	19,500.00
Audit Services Bureau (DSS)	1	15,400.00
Eric Miller Consulting Group Ltd.	1	20,600.00
Technovation Consultants	1	25,000.00
Mr. William Chandler	1	7,500.00
Quantum Communications Ltd.	1	25,000.00
E.R.A. Consulting Economists Inc.	1	17,125.00
Ernst & Ernst	3	33,278.00
Total	25	418,436.00

Canadian Patents & Development Limited

(b) Name	Number of Contracts	Cost
J. L. Orr—Technovation Consultants	1	$ 1,575.00

Federal Business Development Bank

August 1, 1978 to March 31, 1980

(a) and (b) Name	Number of Contracts	Cost
William M. Mercer Limited	1	$ 25,471.00
Runzheimer and Company Inc.	1	49,160.00
Gazda, Valois & Associates	1	52,897.10
Hickling Johnston	1	17,093.70
Hay Associates	1	11,762.67
William Hastings & Associates	1	4,467.00
Blake, Cassels & Graydon	1	3,904.82
Ogilvy, Montgomery, Renault, Clarke, Kirkpatrick, Hannon & Howard	1	57,801.54
Price Waterhouse & Associates	1	32,778.72
Public and Industrial Relations Ltd.	1	43,200.00
DPA Consultants	1	26,661.26
Informetrica	1	14,305.43
Ducro, Meilleur & Roy & Associates	1	55,505.75
Quantum	1	12,377.74
Systemhouse Ltd.	1	133,090.00
Digital Equipment (Canada) Ld.	1	23,000.00
C. M. Whittaker & Associates Ltd.	1	800.00
Caron, Racine, St. Denis & Associates	1	5,666.00
Keith & Assoc. Ltd.	1	2,148.00
Eastcan Consultants	1	1,000.00
Lester J. Page (Architect)	1	4,392.00
Robert Cassidy (Architect)	1	10,410.00
Philip J. Greenacre	1	8,995.00
Guy Labbé & Louis Dion	1	1,593.00
M. S. Thompson	1	1,700.00
Smith Carter Partners	1	1,200.00
Mechanical Consultants Western Ltd.	1	504.00
Total	27	601,884.73

Canadian Commercial Corporation

August 1, 1978 to March 31, 1980

(a) Name	Number of Contracts	Cost
Lemberg Consultants Ltd.	1	$ 86,535.96
Drake Personnel	1	8,185.00
Harrington Personnel	1	2,945.00
Bradon Personnel Services	1	11,420.00
BB&H Graphics Limited	1	26,658.00
Jacques Charette & Associates	1	585.00
Total	6	136,328.96
(b)		
Ernest & Ernst Management Consultants	1	40,300.00
Peat Marwick & Partners	1	37,000.00
Sorès Inc.	1	19,500.00
Stevenson & Kellogg Management Consultants	1	32,164.00
Total	4	128,964.00

Export Development Corporation

August 1, 1978 to March 31, 1980

(a) Name	Number of Contracts	Cost
Hay & Associates	1	72,000.00
Informetrica Limited	1	9,000.00
Canecs Co. Ltd.	1	5,000.00
Federal Systems of Canada	5	16,924.50
Multiple Access	5	30,986.00
Data Crown Inc.	3	4,160.00
Total	16	138,070.50

EDUCATION STATISTICS

Question No. 1,833—**Mr. Herbert:**

In the last year, what percentage of (a) grade school (b) high school children studied their second official language?

Hon. J.-J. Blais (Minister of Supply and Services): Statistics Canada reports: in the 1979-80 school year, 44.8 per cent of elementary school children and 40.8 per cent of secondary school children in the nine provinces outside Quebec studied French as a second language. In Quebec, 37.0 per cent of elementary school children and 98.0 per cent of secondary school children studied English as a second language. It is important to note that the figures above are based on eligible students only. In Quebec, English and French students enrolled in English immersion education are excluded, as are students enrolled in French immersion education in the other provinces.

PETRO-CANADA BOARD OF DIRECTORS

Question No. 1,875—**Mr. Wilson:**

What were the dates and the locations of the meetings of the board of directors of Petro-Canada for (a) 1978 (b) 1979 (c) 1980?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Petro-Canada reports as follows:

S.O. 75c

(a) 1978

Date	Location
February 28/March 1	350 Sparks Street, Ottawa, Ontario
April 21	407-2nd Street S.W., Calgary, Alberta
June 14	Constellation Hotel, Toronto, Ontario
June 23	350 Sparks Street, Ottawa, Ontario
August 17	350 Sparks Street, Ottawa, Ontario
September 21	407-2nd Street S.W., Calgary, Alberta
November 8	Royal York Hotel, Toronto, Ontario
November 17	350 Sparks Street, Ottawa, Ontario

(b) 1979

Date	Location
January 14	407-2nd Street S.W., Calgary, Alberta
March 15	350 Sparks Street, Ottawa, Ontario
May 10	407-2nd Street S.W., Calgary, Alberta
June 18	Hotel Toronto, Toronto, Ontario
August 16	350 Sparks Street, Ottawa, Ontario
September 20	350 Sparks Street, Ottawa, Ontario
November 15	407-2nd Street S.W., Calgary, Alberta
December 20	Four Seasons Hotel, Montreal, Quebec

(c) 1980

Date	Location
January 17	407-2nd Street S.W., Calgary, Alberta
February 27	350 Sparks Street, Ottawa, Ontario
April 17	350 Sparks Street, Ottawa, Ontario
June 19	407-2nd Street S.W., Calgary, Alberta
August 22	L'Auberge de la Chaudière, Hull, Quebec
October 17	350 Sparks Street, Ottawa, Ontario
November 20	350 Sparks Street, Ottawa, Ontario

[*English*]

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

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

Some hon. Members: Agreed.

* * *

● (1540)

[*Translation*]

BUSINESS OF THE HOUSE

TIME ALLOCATION FOR SECOND READING OF BILL C-59

Hon. Yvon Pinard (President of Privy Council) moved:

That in relation to Bill C-59, an act to provide for supplementary borrowing authority, one additional sitting day shall be allotted to the further consideration of second reading stage of the bill; and that at 15 minutes before the expiry of the time provided for government business on that day, any proceedings before the House shall be interrupted, if required, for the purpose of this order and, in turn, every question then necessary in order to dispose of second reading stage of the bill shall be put forthwith and successively, without further debate or amendment.

He said: Madam Speaker, this is a motion under Standing Order 75c which we were forced to introduce because we could not reach agreement with the opposition parties to allocate a definite period of time to conclude the debate on second reading of the bill to authorize the government to

borrow some $14 billion. Now to justify our action and our attitude, may I remind the House that in recent years, when debating bills to authorize the government to borrow certain sums of money, more often than not the government has had to resort to that procedure so as to be able to make progress.

[*English*]

Yesterday I inadvertently mentioned that under the former government a motion under Standing Order 75c had been introduced dealing with the borrowing authority bill. I was wrong and I apologize for that. What I had in mind was the income tax bill when they used 75c. It was a slight error and I just want to correct the record. Let me state clearly that at that time the opposition, of which I was a member, collaborated very much with the government of the day. My hon. colleague, the hon. member for Nepean-Carleton will recall that during the debate on Bill C-10, the borrowing authority bill, only three and a half days were spent on the second reading stage, while this year already five days have been devoted to the second reading stage of the bill. That is why, failing to find that kind of collaboration on this bill, we are forced to send it to committee as soon as possible in order to clear the stage for the House to deal with other urgent and pressing business.

[*Translation*]

Mr. Speaker, I was saying that on the basis of the most recent precedents it has been current practice to limit debate on the type of legislation which is controversial and which generally prompts the opposition parties to object strenuously, rightly or wrongly. In any event, notice was given and this motion was introduced for Bill C-7 in 1978. As I have just said it was not the case in 1979, but the same thing happened for a bill to amend the Income Tax Act and the Progressive Conservative Party, then in office, had to resort to Standing Order 75c, something which we did not do in the case of our bill to amend the income tax legislation. And in 1980, this was Bill C-30, after five days on second reading, we were also forced to serve notice and introduce this motion.

So why have recourse to that procedure as we are doing now? First of all, there is the practice I have just mentioned which seems to become a tradition whereby the opposition parties, excluding the Liberals when they were in opposition, feel the need to block passage, until S.O. 75c is used, of a bill authorizing the government to borrow money. It would appear that a practice has developed whereby an opposition party is reluctant to agree to a given period of time, even a long one, before referring a bill of this kind to committee.

Again I say that is done rightly or wrongly, but I am fully at ease to act as I am doing now because we feel that practice is unjustifiable. It seems to me that after five days of debate on second reading of a bill such as this one, knowing that the bill will be studied in Committee of the Whole and then come back on the floor of the House for the report and third reading stages, it seems unacceptable to me that a government which wants to discharge its full responsibilities should tolerate an even longer debate on second reading of a bill.

Mr. Speaker, here we are in 1981 and once again we are facing, and I repeat—

Mr. Kilgour: Hear, hear!

Mr. Pinard: Hear, hear. This is the year of the birth of my colleague's baby. I congratulate him. He was telling me yesterday how proud he was to be the father of a new baby born in 1981. The earth continues to turn, hon. members continue to have children, but we also continue to have too much work. We inherited a situation due to two elections within one year. Hon. members will recall May, 1979, and February, 1980, not even twelve months between those two elections, and during that time Parliament was practically paralysed and unable to meet its legislative obligations. Despite the fact that Parliament could not prevent work from piling up, the opposition still continues to enjoy all the benefits to which it is entitled under the rules of the House, and all I need do is point out to the 25 days allotted under the Standing Order governing the business of supply. The opposition is still entitled, and that is normal, to its six days of debate on the budget, to eight days on the throne speech, and also, as we saw before the holidays, to six days for two proclamations concerning certain sections of the Petroleum Administration Act.

I am saying all this because if on one hand Parliament is faced with an exceptionally heavy work load as a result of two elections within one year and of our ever greater contemporary obligations to intervene in various sectors of our society, be it energy, the economy or the Constitution, in spite of that additional load, fully explained and quite justified, the opposition still continues to enjoy the same privileges which take up so much of the time of the House. So we are all the more justified to act this way, Mr. Speaker, as we have on the Order Paper 40-odd bills which deserve to be studied during this session, as we have indicated in the Speech from the Throne.

For all these reasons, this action on the part of the government, in its wish to make this institution more effective seems logical to me and not an abuse especially when the opposition acts in this way for political or other reasons. I believe that a responsible government should put some order in the proceedings of the House, and that after a reasonable delay—I respectfully submit that is the case here as I have looked at second reading debates on similar bills, and I have noted that they have lasted an average of five days while, as we all know, after this motion, there will be an additional day of debate, which will mean six to seven days of debate at the second reading stage—we should keep to the average length of time spent on debates on similar bills in the past, and I think that no one could say that we are being arrogant or that we do not respect the right of members to express themselves on such bills. Once again, and I have spoken of this often, I know that my colleague from Nepean-Carleton agrees with me in this

regard. As a matter of fact, he himself has tabled a working paper on the reform of our rules. I have read this paper with interest. It contains excellent suggestions. I do not agree with all of them, but as I have already stated, I intend to reintroduce several of them at the appropriate time.

However, until this desirable reform has occurred, it seems to me that we should all try to be reasonable and to limit the length of our speeches by using personal discipline. This would shorten the length of debate and while not preventing Parliament from sitting since it will sit as long as it does now in any case, it would allow Parliament to better reflect modern realities and assume its responsibilities in many areas instead of spending an undue amount of time in debating specific bills or issues.

I believe that the opposition could meet these objectives if it showed more discipline—and the same applies to the government—and it could debate and raise issues it considers of particular interest if the length of its speeches was limited to allow a greater number of legislative measures to be debated. I suggest that this would not penalize the opposition because the House would be sitting at least as long as it does now, and this institution would be able to play its true role, to show its respect for the Canadian people and to prove that it can be effective and worthy of their confidence.

● (1550)

[*English*]

Hon. John C. Crosbie (St. John's West): Mr. Speaker, the government House leader is so reasonable in his approach and in his words that he reminds me of a female black widow spider who, after she has attracted the male and gets him to mate, devours him. If we were to listen to the siren talk of the government House leader, that is what would happen to us. We would be devoured.

It is very significant that the government House leader said during his remarks that the government could no longer tolerate going on with further speeches on this borrowing bill. The government does not want to tolerate an opposition. It is intolerable to the government that there is an opposition in this House and that the opposition wants to discuss this bill.

This bill involves authority for the government to borrow $14 billion. It is objectionable not ony for that reason but because it also wants authority for $3 billion of that amount to continue on beyond the end of the next financial year, to continue indefinitely in case the government suffers from contingencies. The government foresees some kind of a $3 billion contingency for which it wants to retain authority. This has not been done before, at least not in my experience in this House. This is why we object to the bill, and we want to discuss it thoroughly.

The government has invoked closure on four occasions since it got re-elected on February 18. On June 9, 1980, it invoked closure on a borrowing authority bill. It borrowed $12 billion just six months ago. The government got final approval in July, and it used closure. On October 23, 1980, the government used closure on the constitutional resolution. On January 13, 1981, the government used closure on Bill C-48, a part of the government's new energy policy which is ruining Canada and which is foreclosing our economic prospects. Today the government is using closure, for the fourth time, to get approval to borrow $14 billion. That is a disgraceful and shameful record. Disgraceful and shameful is putting it mildly.

The minister says he wants this through the House so he can get on to other pressing and urgent business. Is it not pressing or urgent to the government that the people of Canada should have full information on what the government's financial policies are or what its economic policies are?

We are opposing this because the government has given no program to the Canadian people to overcome our present economic morass. We have not yet had any true budget. We had the budget that brought in the new energy policy of October 28, which is a complete disaster. The Economic Council of Canada has pointed out that it stops our chances for economic growth in the 1980s.

We are opposing this because of the government's absolute lack of concern for the consumer or for lower-income Canadians. We are opposing this because the government is allowing gasoline and oil product prices to burgeon, despite their promises during the campaign a year or so ago that they would not allow prices to group at all.

We are opposing it because of the lack of candor of the government. Neither in constitutional matters nor in financial matters is there any candour.

Just look at this. Here are the solemn commitments the Prime Minister made in the economic and financial field just last year. On January 19 in Vancouver the Prime Minister said, and I quote:

> Liberals believe that we should use all the instruments at our disposal to try and stem the tide of the coming recession.

That commitment was made during the campaign, but the government has not used one instrument at its disposal to try to stem the tide of the recession. We have been in a recession ever since they reassumed office. There are 945,000 people out of work today. The government has not used one instrument, much less all. The Prime Minister has forgotten that promise.

He said in Sudbury on February 2:

> We the Liberals would not try to set one province off against another. We would have responsible negotiations with the provinces and we'd work out a price.

That was an absolutely false statement. They have spent their time since February 18 setting off Ontario against Alberta, setting off east against west, setting off the centre of this country against the rest of this nation. There have been no responsible negotiations to work out a price for energy.

Other commitments made by the Prime Minister have been broken. Do you think we are going to approve borrowing authority of $14 billion for a Prime Minister who is so lacking

in decent standards of conduct that he has forgotten the solemn commitments he made to the electorate a year ago?

He said at the great Liberal campaign college in Toronto back in January, and I quote:

We will hold the line on government expenditure growth to under the rate of GNP. He has not done that. The GNP went down last year, and spending is up something like 12 per cent.

He was going to review the tax system to ensure that everybody made a fair contribution to future needs. Instead of that we have had a series of tax increases for consumers of heating oil and gasoline and energy and no energy tax credit, nothing to help the lower income Canadians that we offered them in our budget. And on and on in this tissue of deception that the Prime Minister campaigned on.

This party will not simply stand by and let the recession come. We will fight it and overcome it.

That is completely forgotten. Another promise was that the Liberal party endorses the right of every Canadian to have a job.

I can go on and on with those commitments of the Prime Minister that he has forgotten. We do not propose just to go along blindly giving $14 billion in spending authority to a Prime Minister who has forgotten what the meaning of truth is or who has forgotten any concern at all about the ordinary Canadian. He has forgotten all his economic and financial pledges. He has a Minister of Finance who is the invisible man, who is hiding from the Canadian people because he has nothing to offer them. The Minister of Finance says he has a gradualist policy. He is going to reduce gradually the size of the deficit. He is taking a gradual approach. He has taken a very gradual approach to the truth, and so has his Prime Minister. He has taken a gradual approach to the loss of jobs, to the loss of real earning power by Canadian working people over the last three years, the loss of productivity, the reduction in the size of the deficit, and the increase in prices. An increase in prices this year of over 12 per cent is forecast. Is that a gradualist approach to improving the economic lot of Canadians? We have a gradualist Minister of Finance.

I say he is a gomphious Minister of Finance, which means toothless. We have a "gomphious", toothless Minister of Finance. He is "cacophrenic". That pertains to an inferior intellect, or if he has a superior one, he has not shown it to us. He is a Minister of Finance who has forgotten his beginnings. He has turned his back on the people of his own district. I referred to this, and I will refer to it again. It is the January 23, 1980, *Scotia Sun* published in Port Hawkesbury. This Minister of Finance, who is now in a position to carry out his promise, said that on December 11, 1979, the Tories attempted to put up oil and gas prices, but, he said, the Liberals had defeated them with the NDP.

Vote for Clark, Crosbie and the Tories and you have their promise that the price of gas will go up again!

He said: "December 13, 1979, the price comes down". Here is his picture up here. Then it says "because Allan J. MacEachen and the Liberal party spoke up for you". That is his allegation. Then he says, "Vote Liberal, and the price will stay down!" That is the living evidence of a lie because the Minister of Finance has done nothing to ensure the price will stay down. There have been eight price increases in oil products since that advertisement was published on January 23 and the government took over, and now the Minister of Finance is promising the people of this country that he will impose another price increase—for what? Not for western producers, not for the industry, not to encourage conservation but to finance Petro-Canada buying out Petrofina; $1.46 billion is to be collected from the consumers of this country regardless of whether they are rich or poor, medium income or what they are.

That is his promise, eight cents a gallon likely in gasoline; six cents a gallon on heating oils. That is what is going to happen or, if it is not all done in a year, if it is done over three years, we have to add $500 million in interest that the consumers of oil and gas products are going to have to pay in this country. That is why we cannot trust this government to spend this $14 billion. We cannot give them an extra $3 billion authority beyond the end of next year. It is not a truthful government. It is a deceitful government. It is a deceptive government which is given its example by the Prime Minister and the Minister of Finance, that to tell the truth is silly. To tell the truth is foolish. It is "fool the people", that is the policy.

• (1600)

It is the half truths, the amused shrug of the shoulders when you are caught in saying an untruth, a tongue in cheek attitude. Now, after only 12 hours of debate, never mind five days, that is, over $1,150 million of borrowing authority an hour, the government is going to impose closure to stop us from considering this bill further or asking the government questions. Read the two speeches made by government members, one by the Minister of State for Finance, and another short one by the parliamentary secretary. There was no information in them at all.

Mr. Deputy Speaker: I regret to interrupt the hon. member, but the time allotted to him has expired.

Mr. Crosbie: I urge all hon. members to vote against this attempt to stop the debate.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, we are opposed to the motion to which the President of the Privy Council has placed before us today, and we shall make that clear when the vote comes some time this evening.

Fundamentally, we are opposed to the motion because we believe that the use of Rule 75c is no way to run this House of Commons. I quite agree with the emphasis which has been put by the hon. member for St. John's West (Mr. Crosbie) on the fact that Bill C-59 is a bill of considerable importance since it asks for authority to borrow $14 billion, and the thought of closing off debate on such an important matter is really preposterous.

Let me get back to my basic contention that the use of Standing Order 75c is no way to run the business of Parliament. I know that every time this two hour debate takes place under rule 75c, there are those on the government side who will say the rule is in the book, it is there to be used, and it is perfectly proper and legal to do so. Like a few other members in the House, I was here when Standing Order 75c was put into our rule book. I have here two volumes of *Hansard*, which I think should be recommended reading to those who are not aware of how we came to have Rule 75c. Shortly after the election of 1968 when the present Prime Minister came back to the first full term of his government, a very large package of rule changes was proposed by the president of the Privy Council of that day, the Hon. Donald Macdonald. It was proposed early in the session which began in 1968, and we dealt with it off and on right up until Chritsmas. There were some good things in that package. There were changes in respect of the handling of bills, which included the report stage, there were changes with regard to the supply practice, and so on. But included in that package was a rule called 16a which practically put in the hands of the government House leader the right to close off debate at any time. The House found it most offensive, and most of the debating and fighting over that package centred around Rule 16a. Finally, because Christmas was approaching and members wanted to get home as did the government, the government agreed to drop Rule 16a from the package if we would put the rest of the rules through. The House agreed to that suggestion, and we got rid of Rule 16a, or at least we thought we did.

At the same time, the government proposed a motion that later on there be a further study of the question of the use of time. So, come June of 1969, we had back before us a substitute of the old Rule 16a, which was Rule 75a, 75b and 75c. We found it no better than the old Rule 16a and we continued our opposition to it. If one were to read Volume X of *Hansard* of the session of 1968-69, one would find that it was debated at length in the House, it was dealt with in the standing committee for a long time, and finally it came back to the House for further debate. How did it end? It ended because the government decided it wanted to have that rule, on the books despite the opposition of all opposition parties, and it invoked the old 1913 closure rule to put another closure rule in the rule book.

Some hon. Members: Shame.

Mr. Knowles: The vote of the opposition parties against it was unanimous. It was only because of the government's majority that it was put through. While I have to admit that, legally, that puts the rule in the rule book, it is really only a rule of the Liberal majority; it is not the rule adopted in the way which most rules of parliament are adopted; that is by Parliament, by consensus. I think it is a travesty of parliamentary practice to keep on using that rule, and it makes it even worse when members stand up, as they probably will today, and say that they have the right to use the rule because it is there. They put it there under conditions that are a disgrace to Parliament itself, and I believe this should not be done.

I have demonstrated several times in debating these motions under Rule 75c that I am not opposed to efforts being made to make good use of our time, and I think we have to pursue that effort. The difficulty with Rule 75c is that every time it is used, the government thinks it does not have to do anything more about the use of time. I proposed, the last time we debated this, that we should have the government's business for the session given to us at the start, and that we should have a set of rules under which we could send a few unimportant bills to committee without debate, have a fixed time limit of a day or two of debate on the bulk of the bills, and have debate without restriction on the crucial bills, the controversial ones picked out by the opposition. I still think that is a good idea.

I would point out, Mr. Speaker, that even in my lifetime in this Parliament there have been many changes in the use of time. Some members would be surprised if I told them that when I first came here there was no limit on the time to be taken up by the debate on the Address in Reply to the Speech from the Throne, there was no limit on the debate on the budget, there was no limit on supply, there was not even a fixed limit on the number of supply motions. In fact, all we had was a 40-minute limitation on speeches and the rule that the House rise at eleven o'clock at night. Let me say that in those days we sat until eleven p.m. on Mondays, Tuesdays, Thursdays, and Fridays. It is pretty soft around here these days.

The point I am making, Mr. Speaker, is that the business with which we have to deal has grown and multiplied tremendously, so we have put in some time rules. We have cut the debate on the Address in Reply to the Speech from the Throne down to eight days, we have cut the budget debate down to six days, and we have cut the supply days down to 25. We have made all sorts of arrangements which arise from the fact that there are only so many days in the year and that the business has to be dealt with, business which, as I said, has increased tremendously. I believe what we have to deal with, what we have to come to, is a planning of the whole session. That is totally different from going along, as we do, allowing the government, on an ad hoc basis and whenever it feels frustrated, whenever it feels it cannot tolerate any more debate, to come in and use an unfair rule to cut off debate on the part of the opposition.

As I said already, I fully agree with the position taken by the hon. member for St. John's West that this is a bill of great magnitude and of great concern.

While you have been in the Chair, Mr. Speaker, you yourself have found it difficult to apply the rule of relevance to the debate on this bill because it touches the whole gambit of economic affairs in this country, including taxation, spending, and government policy in every area. In other words, it is probably the most important subject that has been before Parliament in this session. Some might say that the constitution is more important, but we have that with us day and night, we have lived with it for 114 years. However, in terms of the problems facing the country in the economic area, an

economic bill becomes terribly important. In that respect, I submit that Bill C-59 is a very important bill and that the government is doing no service to Parliament and no service to the people of this country by imposing closure under Rule 75c. I know the government does not like to call it closure; it likes to call it allocation of time. The President of the Privy Council slipped once yesterday when he called it "limitation of time". In other words, it is closure, Mr. Speaker.

• (1610)

I end with the words I used when I began: this is no way to run the House of Commons of Canada.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Mr. Speaker, we are now dealing with a motion introduced by the President of the Privy Council, intended to limit the debate on second reading of Bill C-59, an extremely important measure providing for the government a borrowing authority of $14 billion. The proposal for a time limit does not indicate that the government does not believe in that important measure. On the contrary, it is a significant bill but is is the responsibility of the Leader of the Government in the House and President of the Privy Council (Mr. Pinard) to organize and plan the legislative program and the business of the House to manage to get some bills passed during a session. The President of the Privy Council has indicated that he was not very thrilled to introduce this motion in his capacity as government House leader. It is generally agreed that it would be far better to reach a consensus or to resort to provisions under S.O. 75a or even to come to an agreement of the kind which took place, for example, last week when in the space of a few days we disposed of several bills of some significance since one of them amended the Income Tax Act, while another had to do with equalization payments to the provinces. However, when the government House leader and President of the Privy Council reviews the bills which should be considered and passed by this House, there comes a time when he must decide whether he will allow the debate to go on indefinitely, as it seems to be the case with Bill C-59, or will he try to get the other House leaders to agree on a time schedule as he did in this case. However, if there is no agreement, if he cannot get a consensus, he must decide whether he will let the debate go on or limit the speeches. He took that decision to let us have an orderly calendar and to speed up our proceedings in the House and not, as I said earlier, because he thought that the bill was not important or because he enjoyed taking that kind of decision. On the contrary, I think that it is with regret that he took it but it is his duty as government House leader to organize and plan the legislative business of the government.

As I said, Bill C-59 is seeking a supplementary borrowing authority of $14 billion. Already, on second reading, 24 hon. members have had the opportunity to indicate what their respective party's position is on this issue; more specifically, 19 members of the Progressive Conservative Party have already indicated what they think of this bill seeking a $14 billion supplementary borrowing authority, and four members of the New Democratic Party have done the same. I feel that when 19 members of the same party comment on a bill, it should be adequate to put forward their party's position on that bill, whether it is for or against it, as well as its reasons for being for or against it.

And I think that because all these 19 members who have received the proper training, who had adequately prepared their remarks, have each spoken for more than the 20 minutes allotted to them, without making any rhetorical comments and abusing the time of the House, we now know all the reasons why anybody could be against this bill. And I think that the same applies to the speeches made by the four NDP members who had carefully prepared their remarks of over 20 minutes duration, who researched their subject to tell us why their party should oppose this $14 billion borrowing authority, so that they had all the time they needed to indicate why their respective parties oppose this $14 billion borrowing authority. In any event, as indicated by the President of the Privy Council, this evening, after the vote on the time allocation motion, the debate on the borrowing authority will resume and continue as well on Monday.

In addition, the bill will be referred to the Standing Committee on Finance where, once again, committee members who represent the three parties sitting in the House will have the opportunity to put questions not only to the Minister of Finance (Mr. MacEachen) and myself but also to departmental officials on the bill requesting a $14 billion borrowing authority. Might I also point out that when departmental estimates come up for study each year, hon. members have a chance to put many questions on all aspects of government spending, whether it be those of the Department of Energy, Mines and Resources, the Department of Fisheries and Oceans, Department of the Solicitor General of Canada, or the important and wise expenditures of the Department of the Environment with its fine scientific program, Parks Canada. All those topics and departments can be adequately examined in depth through whatever questions are put, so that not only are the $14 billion expenditures looked into but also the expenditures involved in the estimates prepared by the government that are subjected to close examination in the standing committee.

All that to say, Mr. Speaker, that during those five days when 19 members of the Progressive Conservative Party and four of the NDP intervened in the debate, it became clear why those two parties oppose the bill granting a $14 billion borrowing authority. Their reasons were either philosophical or practical. For instance, it was claimed that the amount was too high, that it would burden the country for far too long a time, and so on. Be that as it may, there was time to point out the reasons why passage of this bill is being opposed, to express them without repeating them, because repetition of arguments

does not lend them greater strength and their substance rests on principles, on their logic and not on a mere repetition or summing up. Because something is repeated 20 times over does not add to its logic. It may sink in one's mind better, but that is a matter of memory and not intelligence, and passing judgment depends on intelligence and not memory. Remembering things depends on memory, but judging them depends on reason. So, it is pointless to repeat the same thing for 20, 25 or 26 hours. The matter at hand is one of argument and demonstration that one is right; that has already been done over a certain length of time, or a number of hours; arguments have been made and proved and, for our part, we feel the point has been made adequately. Why are they opposing it? As for us, we took a few minutes to make our point on second reading, and we are ready to keep discussing this particular bill in committee. As I said, Mr. Speaker, all members have the opportunity to ask questions on every aspect of government spending during consideration of the estimates in committee.

In conclusion, Mr. Speaker, I would like to say that the government House leader is always reluctant to set a time limit on debate. He would rather reach a common agreement, but he has to assume his responsibilities and expedite the business of the House and the government's legislative program in an orderly fashion. That is why we have to discuss this motion.

• (1620)

[*English*]

Hon. Walter Baker (Nepean-Carleton): Mr. Speaker, I have listened with interest to the remarks of the Minister of State for Finance (Mr. Bussières), who implied that the government was continually faced with delays which they for some reason or other could no longer tolerate. It should be apparent to all hon. members and particularly to the deputy government whip who just waved to me that that is not the case.

The history of this session of Parliament has been that when the Government of Canada has seen fit to bring forward legislation which advances the interests of the country, the opposition parties have in fact co-operated with the government House leader to ensure that the legislation goes through. Although there are many such instances, two come to mind. One is the freedom of information bill on which we spent only one day of debate, because it was a worth-while piece of legislation and there was general agreement in principle. There were some differences with regard to some measures in the bill, but a general agreement in principle.

As the result of agreement between all parties, a House order was introduced today with respect to an important bill to amend the Excise Tax Act. I say to the Minister of State for Finance that he ought not to imply, as I believe he was coming very close to implying, that the government is beside itself because it has a great legislative program which it must get through.

If the minister was classifying the borrowing authority bill, to borrow $14 billion which will be laid on the backs of Canadians, as one of the pieces of legislation which just must get through, then I take issue with him and the implication in his speech, and with the statement by the government House leader that the government just cannot tolerate the delay. The government has said that the precedent for their actions is that I did the same thing when I was government House leader.

I imposed closure after five days of debate on a bill which was quite different. This borrowing authority bill does not confer any benefits on Canadians. It confers a $14 billion debt on the taxpayers. It loads onto a tax system which is already loaded. It is so loaded that out of the total outlay of government expenditures of some $67 billion, approximately $12 billion constitute the debt charges as the result of the government's borrowing. One fifth of the total government expenditures constitutes debt charges. That money does not come out of the air; it comes out of the taxpayers' pockets. The government must repay that money with interest. This bill is of no particular benefit to Canadians, because the government has not outlined an economic program. I contrast closure, limitation of time, shortening the debate, or what have you on this occasion, with the benefit which we as the government sought to incur in the bill in respect of which we were forced, by reason of repetition, to introduce closure. That bill, the property tax credit bill, stood in the name of the then minister of finance, the hon. member for St. John's West (Mr. Crosbie).

The property tax credit bill would have allowed home owners the benefit of such a tax credit. It was introduced in a period of time when interest rates were not as high as they are today and the difficulty of owning a home was not as apparent. It was at a time when AHOP was at least still working, even though we were warned it would not work and that people would walk away. It was not a time when people were walking away from their homes because they cannot carry the mortgages because interest rates are being doubled upon renewal. This is the situation in my constituency, in Toronto, in the constituency of Brampton-Georgetown, in southwestern Ontario or Saskatoon, it is the result of high interest costs which are caused direct by the economic policies of this government. At the time, we were in government and, because we wanted to confer a benefit on Canadians, we felt we had to use Standing Order 75c. There is no benefit being conferred on anybody by this bill, none whatsoever.

Mr. Evans: What about the principle?

Mr. Baker (Nepean-Carleton): I understand the necessity even though the hon. member for Ottawa Centre (Mr. Evans) does not understand.

Mr. Evans: I understand the principle.

Mr. Baker (Nepean-Carleton): The hon. member does not seem to understand the difference between a piece of borrowing legislation which would impose $14 billion in debt upon the system and the property tax credit bill which would benefit a property owner.

Mr. Evans: It is irrelevant to the principle.

S.O. 75c

Mr. Baker (Nepean-Carleton): The hon. member is mouthing from his seat the same speech he made on the last occasion. He is beyond the pale, I feel nothing but kindly pity for him, and I express it to him.

Mr. Evans: How does that relate to the principle of cessation of debate in Parliament?

Mr. Baker (Nepean-Carleton): It relates in this way. A government must have the power from time to time to shorten debate. However, that power is such a strong weapon that it must be used judiciously. It ought not to be used, as the hon. member for Winnipeg North Centre (Mr. Knowles) has said, in a bill of this nature, a bill which can impose tremendous burdens. However, when a government has a specific program which it would like to bring forward and which is of some benefit to the country then, I believe, in the face of mindless opposition—and that is precisely what we faced with regard to the property tax bill—it is justified. There is as much difference between this borrowing bill and the property tax credit legislation as there is between night and day in terms of benefits.

Mr. Evans: I am glad you are not the House leader any more.

Mr. Baker (Nepean-Carleton): If the government would use closure or allocation of time, then, in the absence of any other remedy, the government has the power to cut off the right of parliamentarians to speak. While I was government House leader, I put forward some proposals which I believe would have given additional rights for Parliament to hold government accountable. However, the history of rule changes has not been to make Parliament less the handmaiden of the government; it has been exactly the reverse. Parliament's powers have been eroded.

Parliament's power to carry out the duty of making the government accountable has been less with each change. I would like to believe and accept wholeheartedly that it is the intention of the government House leader to give greater opportunity to the opposition parties or private members of this House to hold a government accountable. I hope his legislation will preserve, on the one hand, the right of the government to govern and, on the other hand, provide the opportunity to the opposition and others within this Parliament who are not members of the government the right to hold the government accountable. That is why we are here. Part of that accounting process now is the right to debate and to expose to public view the failure of government policy. The failure of the government's economic policy shows in this bill in two ways. First, we are looking at $14 billion; second, it is for a period beyond that which is required by the government. No self-respecting member of Parliament could possibly support the motion put forward by the Hon. President of the Privy Council (Mr. Pinard).

• (1630)

Some hon. Members: Hear, hear!

Mr. Jim Peterson (Willowdale): Mr. Speaker, I am very pleased to be here.

An hon. Member: Is the applause for you?

Mr. Peterson: I appreciate the distinguished taste of my colleague, but I think the applause was because the hon. member for Nepean-Carleton (Mr. Baker) had finished his remarks. It is obvious that I have not been here very long; I have been here for approximately a year. Perhaps I have a lot to learn, but, after listening to the hon. member for Nepean-Carleton, I should like to recount the lessons I took from what he said.

I think he was telling the House that if we had an important bill before us it would not require debate, we could agree to it, it would go through, and the opposition would not consider it worthy of debate. He is saying this is not an important bill, therefore they will debate it. He said that we do not have a program before us, therefore they will debate it.

Mr. Kilgour: Horse feathers.

Mr. Peterson: That is what the member said. I can assure the hon. member for Edmonton-Strathcona (Mr. Kilgour) that he will find those comments in the blues.

Mr. Baker (Nepean-Carleton): Read the blues.

Mr. Peterson: Even though I am a new person around here, to me it is an unacceptable approach.

Another thing concerned me about his speech and it relates to the substance of what we are doing right now. He said that the bill on which he introduced Standing Order 75c, the tax credit for home owners, was fundamentally different from this borrowing bill; therefore, he was justified in doing what he did but we are not justified in what we are doing at the present time. When is it justified to use Standing Order 75c?

As a new Member of Parliament, I feel it would be appropriate to look at the words of the hon. member for Nepean-Carleton when he compared the use of closure in the flag debate to his use of closure in December, 1979. He said:

> It was the initiative behind the debate to ram changes in the rules of the House down the throats of members. I do not intend to do that today. What we are using here, and I think we had better make it clear to the people of Canada, is time allocation under the provisions of Standing Order 75c. This is a far gentler measure.

I suggest it is. It was put in the rules for a very important reason, the reason expressed by the hon. member for Nepean-Carleton at that time. He said:

> If I had any qualms or any worries as a parliamentarian about bringing forward a motion of this nature to close off debate, these qualms and worries disappeared a few months ago when I watched a long litany of motions and other matters being brought forward that bore no relevance to the business of the House.

Mr. Kilgour: You have only ten minutes.

Mr. Peterson: Let me turn to what has been brought forward thus far during the debate on this matter. Everyone in the House agrees that Canada's economic future is of major importance to every Canadian.

Mr. Kilgour: Do the Liberals?

Mr. Peterson: There is absolutely no question that every one of us feels it must be given due time and attention. When we discussed the budget we had opportunity to debate economic matters; as well as on various opposition days. Having introduced the budget, having it fully debated and having had the House agree to it, we are just taking one logical step to implement its provisions—the authorization of the necessary borrowing power.

Mr. Kilgour: Plus $3 billion.

Mr. Peterson: What constructive alternatives have been put forward by members opposite?

Mr. Hnatyshyn: Many.

Mr. Peterson: The hon. member for St. John's West (Mr. Crosbie) criticized our economic policies. I should like to point to two of his criticisms. He said we have broken promises.

Miss MacDonald: That is true.

Mr. Peterson: We have never broken our promises on energy. Our promise on the pricing of energy was that it would always be lower than the price charged by Tories. We have held by that commitment, and we shall honour it.

Some hon. Members: Hear, hear!

Mr. Crosbie: Your commitment was that the price would always stay down.

Mr. Peterson: The hon. member will remember his comments to the House a few minutes ago when he criticized Petro-Canada and the fact that Petro-Canada would acquire Petrofina, so that Canadians from coast to coast could have their own retail outlets and could drive their cars into Petrofina stations. Does he want that for his home riding? Is he concerned that his riding will have Petrofina service stations? Does he not want Petrofina stations in his riding?

Mr. Crosbie: Petrofina is not there. We do not need them, and we do not need Petro-Canada.

Mr. Peterson: Canadians in every city which has had Petrofina stations have responded by giving them the greatest patronage of any retail outlet in the country. We are proud of that move. We invite hon. members opposite to join with us in supporting the move of Petro-Canada to bring the energy situation back to Canada.

Some hon. Members: Hear, hear!

Mr. Peterson: The hon. member for Winnipeg North Centre (Mr. Knowles) raised a matter of serious concern; that is, the allocation of time in the House. In raising that question, I think he recognized that we have a very complex and difficult situation before us. There are many problems of importance with which we must be concerned. I refer particularly to the constitutional bill and to the National Energy Program. None of us have pretended that these measures are simple; they are important.

An hon. Member: Oh, hell.

Mr. Peterson: If the hon. member is indicating that the National Energy Program and the constitutional resolution are not worth anything more than a profane comment, I wish he would accord the House the respect it is due and read about those two matters. He would find them most enlightening. It astonishes me that hon. members opposite have raised again this question of the Constitution. Are they afraid they will miss this historic moment in Canada's development? They will have an opportunity to join with the premier of Ontario and the premier of New Brunswick. They will have a chance to join with the NDP.

Some hon. Members: Oh, oh!

Mr. Peterson: They will have a chance to join with them.

Miss MacDonald: Crawl into bed with whom you will.

Mr. Peterson: They will have a chance to join with the people of Canada and to give the people of Canada what you and they admitted they want. They want a constitution made in Canada, with an amending formula and a charter of rights. That is what the people of Canada want, and we have the courage to give it to them.

Some hon. Members: Hear, hear!

Mr. Peterson: I feel sorry for members opposite. What will they say to their children 20 years from now when they ask, "Where were you; where did you stand when they brought the Constitution home?" We are talking about serious measures.

We have before us a motion to limit debate on a matter which has been discussed by the opposition. This is a supplementary aspect relating to the budget. We want an opportunity to discuss other important measures such as the National Energy Program and the constitutional bill. We will welcome the comments of members opposite. We will await patiently their concrete alternatives.

The hon. member for St. John's West criticized the budget on which this is based. He said it did not contain all the measures that were in his bill.

An hon. Member: Thank goodness.

Mr. Peterson: What constructive alternatives did the hon. member for Nepean-Carleton call for before one can introduce Standing Order 75c? What constructive alternatives did he present? I have not heard them. I have listened to a cacophony of gushing and meowing. They have asked for at least 30 new spending programs, in the face of a very responsible budget. The budget did not depress the economy by decreasing the deficit too much and it did not increase inflation by increasing spending the way the NDP wanted.

S.O. 75c

● (1640)

Members of the official opposition cannot have it both ways. They cannot call for at least 30 new spending programs and ask us to reduce the deficit even more. That is why you have to be consistent. I ask for their reasonable consideration of our efforts to get on with the major business rather than steamroll and buttress these arguments which have no bearing on what is the substance of our economic program, the National Energy Program being at the heart of it.

It is with a great deal of pleasure that I speak, Mr. Speaker, and I ask for the support of this House for limitation on debate at this particular time.

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, I listened with some interest to the hon. member for Willowdale (Mr. Peterson) who I presume time has passed by as he slept away there in the backbenches of the Liberal Party. He is certainly unaware of the facts and seeks to prove a totally false case, that the energy promises made in the last election campaign by his party have not been absolutely and totally broken. Just look at the way in which the price of gasoline and the price of oil per barrel have increased since last February. In case the hon. member does not know it, the price of a barrel of oil has gone up $4.88 in that year. That is far more than the $4 which was talked about by the Conservative government.

Some hon. Members: Hear, hear!

Miss MacDonald: In case he does not know it, I can tell the hon. member the price of gasoline per gallon has gone up eight different times since last February. Let me repeat, it has gone up eight different times, totalling more than 20 cents. It has gone up 30 cents a gallon in the city of Montreal, and there is more to come. The poor member from Willowdale has been unaware of all of that.

An hon. Member: He has been asleep.

Miss MacDonald: I pity him, Mr. Speaker. But far more do I pity the people of Canada who were taken in by the false promises of the Liberal Party when they made them a year ago.

Some hon. Members: Hear, hear!

Miss MacDonald: Here we have the Liberal Party, the Grit government, once again trying to muzzle Parliament. Here they are invoking closure, refusing to let Members of Parliament express their point of view and doing their utmost to destroy the morale and spirit of this chamber. I shuddered earlier this afternoon when I heard the government House leader alluding to opposition days. He implied that we did not have anything to worry about because we have so many opposition days. It seems to me the moment he brings something like that to our attention he says it with a self-fulfilling prophecy. I think he really wants those opposition days to disappear, and would take those away from the opposition as well, just as he has been trying to take away the right to speak in this chamber, and trying to limit debate on any number of bills that we have before us.

Mr. Evans: Name one.

Miss MacDonald: I suppose we should not be surprised by that. When he spoke in the chamber on January 13, this year, we find at page 6147 of *Hansard* the following:

> If in the future we do not obtain agreement to reasonable time limits on the discussion of a particular bill, then it will be impossible for this House to function and we will be forced to use Standing Order 75C more frequently than has been the case in the past.

That is what he said when he threatened the House in January. It is certainly coming true. It has become commonplace for this government to introduce closure. We have seen it on three different occasions in the last four months. We saw closure introduced during the constitutional debate. Then we saw closure introduced in the energy debate. The member from Willowdale said that he wanted to be able to debate energy matters in this House. It was his government House leader who introduced closure relating to regulation of oil and gas in Canada lands. Now we have closure on a bill which goes to the very heart of Parliament itself, namely, parliamentary approval for the government on the way it supposedly handles the finances of the country judiciously.

The parliamentary system is based on the principle that the way in which the government raises or spends public moneys must be thoroughly and exhaustively examined by Members of Parliament. That is the single most important reason why this institution exists.

Back in the days when the barons forced the monarch to relinquish some of his power over the purse, they felt they should know how and from whom money was going to be raised, and that they should know how and on what it was going to be used. I sometimes think as I sit here in this chamber that the barons in those days of burgeoning Parliamentary process were more successful in getting answers from the monarch to the critical questions of how money is raised and spent than are opposition members who put questions to government ministers in the House of Commons today. I have no doubt that King John was far more forthcoming than King Pierre.

Mr. Crosbie: Queen Pierre.

Some hon. Members: Hear, hear!

Miss MacDonald: Here we are facing closure on a money bill which asks us for government authority to borrow $14 billion: For what? We don't know.

Mr. Evans: Read the budget.

Miss MacDonald: For how long? We don't know that either. At what rate? That is another unknown factor. What we do know is that $14 billion is one heck of a lot of money. It is a lot of money and it is not a figure to which most Canadians can easily relate. Quite frankly, I admit it is very difficult to relate to $14 billion. I have to try to relate it to

something more tangible than just say it is a lot of money. I suppose if I were to relate it to a commodity, such as cars, I could figure out that for $14 billion we could buy 1,400,000 cars at $10,000 each. In other words, you could buy a car for every man, woman and child in greater Vancouver. That gives you some idea of the magnitude of the amount of money the government is seeking. As soon as you begin relating that figure to something tangible you are struck by the enormity of the amount the government is asking for in this borrowing bill. Is it any wonder that members feel obligated to ask about the bill, to debate the matter, and to raise it over and over again? Is it any wonder that members are perturbed that this amount will drive up our already unmanageable national debt? It will drive up the amount of money which flows continually out of this country for interest rates on loans already outstanding. I have to ask myself what is it about this bill which makes the Liberals so reluctant to allow members to debate it in full. The answer is probably because it is an embarrassing bill—

An hon. Member: It's a cover-up!

Miss MacDonald: —and because it is a bill which points to the sorry state of the government's debt. It is a bill which points to the Liberal government's inability to hold on to the purse strings. It points as well to the lack of respect which the Minister of Finance (Mr. MacEachen) and the Minister of Energy, Mines and Resources (Mr. Lalonde) have for the taxpayer's dollar. No wonder they do not want to debate it. No wonder they are invoking closure. They cannot stand the heat of having their economic policies and their economic record brought up time and time again. They are running out of arguments to support what really is in essence insupportable.

No doubt one of the reasons they are invoking closure is that they cannot get anybody on that side to stand up and say anything positive about the government's economic record. Closure is a pretty harsh measure to invoke when members are genuinely trying to figure out what are the government's economic priorities. That is a difficult job at any time, Mr. Speaker, but in a period of recession, such as we have today, surely the government should be willing to listen to suggestions of how it should better order its priorities to get the best possible value it can from its dollars.

• (1650)

We know the government does not like to refer to what is going on here today as closure. It would rather refer to it as time allocation under Standing Order 75C. We know only too well and they know only too well that closure does not smell very sweet. However, closure under any name you want to give it, no matter how you attempt to pour perfume on it, will not make it any sweeter. Every time this government introduces closure as it has done, it chews away at the very foundations of our parliamentary system.

In closing, I would like to say that the group opposite is like a bunch of termites or death watch beetles eating away at the basic underpinnings of this structure. What they do not seem to realize or appreciate is that this kind of sustained abuse to which they are subjecting Parliament not only demeans and degrades Parliament, but in the end, if they continue in this way, will destroy it.

[*Translation*]

Mr. René Gingras (Abitibi): Mr. Speaker, the purpose of the motion introduced by the President of the Privy Council (Mr. Pinard) pursuant to Standing Order 75C is to limit debate on Bill C-59. The House has been discussing this bill since January 30. Furthermore, it will be considered in committee and must be approved by March 31 for the government to proceed with its 1981-82 borrowing program.

Mr. Speaker, the House has 40-odd bills and resolutions to consider. In the last year, the President of the Privy Council has done a very efficient job as government House leader in an attempt to make up for the time lost during Parliament's sabbatical leave which lasted from May, 1979, to February 1980. Mr. Speaker, these are historical times. I am happy to be living at this point in our history, when we are dealing with an energy policy and a Canadian Constitution with a charter of rights and an amending formula.

At present, the House has 32 standing, special or joint committees whose purpose is to relieve the House of its workload. I have here the Standing Orders of the House of Commons, and I want to draw the attention of the hon. member for Kingston and the Islands (Miss MacDonald) to the fact that there is a vast difference between Standing Orders 33 and 75, the latter being divided into three parts. Under Standing Order 75A, there can be an agreement to allot time for a debate. Standing Order 75B deals with the situation where the majority of members come to an agreement in respect to a debate. The present motion is proposed pursuant to Standing Order 75C which applies when no agreement has been reached on time allotment. The President of the Privy Council gave notice yesterday that we would be debating this motion today.

Here we are, Mr. Speaker, participating in a debate which could have been avoided if the opposition did not want to appear on television at all costs. I think the proceedings of all 32 committees should be broadcast to enable the Progressive Conservatives to say "Hello, mom." on television. We saw this morning when the Constitution committee proceedings were no longer televised that the Progressive Conservatives completely changed positions. Those same hon. members refuse to shorten the speeches. If at least their speeches were entirely relevant, but they are always harping on the same string, but I shall not name anybody.

Mr. Speaker, we were elected to the Canadian Parliament to make it work. We were also elected to represent our constituents in our respective ridings.

Mr. Kilgour: Do it!

Mr. Gingras: We need time to do that. We have to update our Standing Orders. An efficient way to begin updating our

S.O. 75C

Standing Orders is to limit our own speeches. Having said this, Mr. Speaker, we shall have the opportunity perhaps in the next debate to apply S.O. 75A and to agree on time allocation in the House. Mr. Speaker, I hope I shall not have to make another speech on S.O. 75C in the forthcoming debate next week.

[*English*]

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I listened with interest to those on the government side speak about Standing Order 75C. Without the advice of the hon. member for Winnipeg North Centre (Mr. Knowles), I went back to see how 75C came about. I can only say that I agree with my colleagues 100 per cent.

Members opposite say it is a parliamentary law, one of the rules of Parliament, so they should use it. It is a law that was brought in by closure. The laws of Parliament must be built by consensus. We, the elected Members of Parliament representing our constituents want to have this House work effectively and we strive to that end. We cannot have the tyranny of a majority. This law was put on the books by a Grit majority. It was brought in by closure. The government member who just spoke said they want an efficient government, an efficient operation of this House. By continuing to use 75C, they indicate that they want to be efficient but do not want opposition. They do not want any member of this party or the party to my left to oppose them. They want to run roughshod over the people of Canada, continuing in their wild and woolly spending ways.

Government tells us not to debate in this House, not to bring up those things they have done. We are told not to get involved. The government says it wants to run Canada and that it should be allowed to dominate it. If we oppose, they bring in 75C. That is what this government has done, is continuing to do and will do in the future when people in Canada try to express a legitimate concern on behalf of their constituents.

We are here to express concerns on behalf of those we represent. We are expressing concern on behalf of those who contribute the money about the spending by this government. We are debating Bill C-59 because we have a debt. It is not the government that has the debt, but the people of Canada. It is not Liberal members opposite who owe this money, but all Canadians. As far as the use of 75C is concerned, which stifles and stops debate and the democratic process, I find it repugnant both as a Canadian and a parliamentarian.

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

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Yukon (Mr. Nielsen)—Federal lands—Yukon—Disposition of certain lots without tender; the hon. member for Vaudreuil (Mr. Herbert)—Petro-Canada—Inquiry whether offer made to purchase Petrofina; the hon. member for Surrey-White Rock-North Delta (Mr. Friesen)—Fisheries—Regulation of herring fishing on west coast.

● (1700)

It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, private bills, notices of motions (papers), public bills. There being no items on the Order Paper under the heading of private bills, the House will proceed to the notices of motions (papers).

PRIVATE MEMBERS' MOTIONS

[*English*]

Items Nos. 1, 22, 5, 28 allowed to stand by unanimous consent.

* * *

FOREIGN INVESTMENT REVIEW AGENCY

REDUCTION OF SHAREHOLDINGS BY TATE & LYLE HOLDINGS LTD. IN REDPATH SUGAR LIMITED

Mr. Hal Herbert (Vaudreuil) moved:

That an order of the House do issue for copies of all agreements, correspondence, notes and other communications relating to the requirement by the Foreign Investment Review Agency that Tate & Lyle Holdings Limited reduce its shareholdings in Redpath Sugar Limited.

He said: Thank you, Mr. Speaker. This is not the first time I have stood in the House to discuss this particular subject. May I say at the outset and repeat what I have said before, though I will be mentioning Redpath Sugar, I am not criticizing any of their actions. Though I will be mentioning the Export Development Corporation, I will not be attacking them. Even though I will be talking about the Foreign Investment Review Agency, it is only because of some concerns about the operation of the agency which I hope to explain in my remarks.

The interest in the subject of sugar goes back several years to my concern about developing countries in the Caribbean. It seemed to me it did not make sense that we in Canada were

importing our sugar from Africa, crossing the Atlantic in one direction, while the Caribbean countries were sending their sugar across the Atlantic in the other direction to England.

I asked a question back in the fall of 1974 about the import of sugar from the Caribbean countries and the effects of transportation costs. The answer I received was that the transportation costs of sugar from any country of origin are not taken directly into account. The price of sugar in Canada is linked directly to the London daily price. In response to some further questions on tonnage, I was told again in the fall of 1974 that, whereas Canada was importing some 4,000 metric tons of sugar from Barbados, that country was sending 102,000 tons to the United Kingdom, and Jamaica was sending about 10,000 metric tons to Canada and 158,000 metric tons to the United Kingdom. Also in the same response, when I asked about the estimated percentage of Canadian sugar imports being received by Canada Sugar and Dominion Sugar, which was at that time and presumably still is a subsidiary company of Tate & Lyle Holdings Ltd., I was told that 37 per cent of our raw sugar imports were being brought into the country by that company. I did note that some 105,000 or 106,000 metric tons of sugar was coming in from Cuba, which would indicate there was no reason why there should not have been some agreement with the other Caribbean countries.

I have mentioned Tate & Lyle Holdings Ltd. and that is going to be part of the reason for discussion this afternoon. Tate & Lyle Holdings Ltd., which has an operation in some 24 countries including Canada, is obviously a giant multinational and effectively controls the sugar market of the world.

In February, 1975, we read the report that Redpath Industries Limited, a subsidiary of Tate & Lyle Holdings Ltd., was criticizing politicians and it suggested that politicians were becoming instant experts on sugar matters. I suggest we have not taken enough interest in this subject.

In April, 1976, Redpath Industries Limited issued a news release and I quote from this release:

> Redpath Industries Limited has been awarded a contract to construct a major agro-industrial sugar complex by the government of the Ivory Coast in Africa. Total cost is estimated at $155 million—

The Export Development Corporation gave a boost to Redpath Sugars Limited, and this is probably why the contract was signed, by helping finance the Canadian sugar complex on the Ivory Coast. The Export Development Corporation kicked in, according to the report, $88.3 million in the form of a ten-year loan. I also read that some $10 million was expected to come from the Canadian International Development Agency in the form of a concessionary financing loan. I am not particularly opposed to the co-operation between CIDA and EDC. In fact, I have suggested we probably do not do enough of this type of thing. If we follow the example of West Germany as a case in point, we might find it somewhat easier to increase our export business.

However, the repayment of this Export Development Corporation loan was to be in 20 semi-annual instalments beginning six months after completion. The Export Development Corporation also provided a guarantee for loans by banks of up to $5 million. The terms under which the agreement was made were not disclosed, and I do not take great issue with the reasoning given.

I discussed the matter in the House in December, 1977, and the following month received a letter from the chairman of the board and president of the Export Development Corporation, Mr. John A. MacDonald. I am digressing somewhat, but I mentioned Mr. John MacDonald last week in this House when I was speaking of the reorganization of the Department of Public Works. Back in the late 1960s he was the deputy minister of that department. If I can read from his letter, and I have read this into the record before, he says and I quote:

> Only by guaranteeing commercial confidentiality will clients of the corporation be prepared to disclose the kind of information necessary to ensure viable transactions and serve the Canadian interest.

Further on in the letter we read and I quote:

> —you and other interested Canadians . . . cannot become party to information which, if released, might put Canadian firms at a competitive disadvantage.

The difficulty I am running into will become apparent. In a letter dated May, 1979, from the then minister of industry, trade and commerce there was some discussion of the commitment by Tate & Lyle Holdings Ltd., the parent of Redpath Sugar to which I have previously referred. He said in his letter that the commitment, that is to divest itself of its interest in Redpath, will be implemented as soon as the financial position of Tate & Lyle Holdings Ltd. recovers sufficiently.

What bothers me somewhat is that if we are waiting for the share price to improve so that Tate & Lyle Holdings Ltd. can put its shares on the market for Canadians, it means in effect we are waiting for a time when Canadians can be expected to pay more for those shares.

● (1710)

I understand why the Foreign Investment Review Agency may have some reason for extending the original agreement, but once again this question of disclosure is looming large. What we do not know makes us ask questions.

In November, 1977, talking about this undertaking by Redpath Industries and its U.K. parent, Tate & Lyle Holdings Ltd., we note there were two investment proposals which were allowed under the Foreign Investment Review Act. The date of allowance was October 7, 1976, and the undertaking was that Redpath and its parent, Tate & Lyle Holdings Ltd., would increase the participation by Canadians in the capital stock of Redpath to 52 per cent, and the fulfilment of this undertaking was not required until September 30, 1980. At that time it was some three years after the date of the letter I received from the then minister of industry, trade and commerce.

The legally binding undertakings made by a firm in the course of winning approval from the agency are in most cases not published. There is no public accounting of how well companies have fared in meeting the undertakings to provide significant benefit, and the agency at one time estimated that approximately 20 per cent of the cases failed to meet the original undertakings.

Thus in the minds of members of the public there is some doubt as to whether there is any strength to the original agreements, and we are therefore somewhat concerned about enforcement. "We need more data to maintain public confidence in the integrity of the process". That statement was made by the present Minister of Industry, Trade and Commerce (Mr. Gray).

It is interesting that in the 1979-1980 annual report on the Foreign Investment Review Act we find that following the election on February 18, 1980, the minister to whom I have referred, the Minister of Industry, Trade and Commerce, became the minister responsible for the administration of the Foreign Investment Review Act. This gentleman was the head of a group which was established in 1970 to analyse foreign investment in Canada and to recommend appropriate policy measures to the government of the day.

The group's 1972 report, "Foreign Direct Investment in Canada," led to the enactment of the Foreign Investment Review Act and to the creation of the Foreign Investment Review Agency. Most acquisitions are by non-Canadians, and this also applies to new businesses.

I want to talk now about the number of cases which are going through. In 1976 the number of reviewable new business cases was 196. This number increased in 1977 to 328; in 1978 to 331; and in 1979 to 379. The total number of cases resolved in those years increased from 144 in 1976 to 373 in 1979. It is interesting to note in those same years that the amount of investment in millions of dollars decreased from $803 million in 1977 to $202 million in 1979. I have not received an explanation for that drop in the dollar total of investment.

To complete the package, reviewable acquisition cases amounted to a total of 171 in 1976 and increased in number to 261 in 1977, 360 in 1978 and 380 in 1979. The total number resolved increased from 160 in 1976 to a total of 372 in 1979.

The work which was being done by the Foreign Investment Review Agency appeared to be improving in terms of productivity. Why, then, am I concerned today? I should say that just by coincidence, when I was in Montreal last night, the president of a foreign-owned company made a point of complimenting the Foreign Investment Review Agency on the manner in which it had efficiently handled applications by his firm for acquisitions in Canada. That said, however, the reason I am concerned is that within the past short period of time I have received complaints from three different companies about delays in getting their applications through FIRA. I feel that we are facing a rather difficult and possibly a political situation here, something about which, frankly, I am not necessarily happy.

I will explain. For fiscal year 1979-1980 the agency received a budgetary allotment of $3.779 million, and that was to be for 116 person-years. As a result of the government's restraint program actual expenditure was $3,507,710, and 108 person-years were utilized. It is abundantly clear from the figures I have put on the record that the number of applications is increasing each year.

It is apparent that the agency is doing its best to cope with the increased workload being brought to it. However, if it is not given the tools with which to work, essentially its budgets, so that it can hire personnel, then obviously there will be a slowing down in its operation. I suggested this is probably the problem some companies are facing today, particularly those companies which have been complaining to me personally about the length of time it takes for their applications to be processed.

The obvious benefits flowing from the work of the agency are mentioned in its report, which says that in the five years to the end of March, 1979, the agency's proposals provided for the direct creation of almost 52,000 jobs. Many thousands of additional jobs have been or will be created indirectly through the multiplier effect of these investments.

In the last two minutes remaining to me I should explain one other point which is bothering me. I say this without trying to be at all unkind to the minister. I feel the Minister of Industry, Trade and Commerce was trying to put us on the right track in the work he did back in 1972. I was personally the chairman of the standing committee which was responsible for putting this act through the committee stage and bringing it back into the House.

I expressed concern then, and I have expressed concern since, not about the act as it was written, but about the possibility that administrative difficulties could result in delays which would have an effect on foreign investment, not intended by the act itself. I have inquired as to whether it is possible that our minister, using his ministerial prerogative, is asking additional questions or in any way acting as a brake to try to hold up the rate at which these applications are being processed. I reiterate that in a general sense the operation of the agency is considered satisfactory.

● (1720)

I suggest first, that if by an increased number of applications their workload has been increased, if the actions of a minister justify this and the amount of work which they have to do to satisfy his requirement has been increased, then the proper way to ensure that these applications can still be processed on time is to give them the tools they need, which would be an increased budget and an increased number of trained persons to handle the increased workload. If the parliamentary secretary who will reply will assure me that that is the intention of the Department of Industry, Trade and Commerce, I would be very happy to receive that news this afternoon.

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Regional Economic Expansion): Mr. Speaker, the motion refers to an undertaking given to the Crown in 1976 by Redpath Industries Limited of Montreal and its parent company, Tate & Lyle Holdings Ltd. of England. This undertaking was given in consideration of the allowance by the governor in council of the acquisition by Redpath of two Canadian companies: Merry Packaging Limited of Don Mills, Ontario, a custom supplier of flexible packaging material, and Holway

Paper Box Manufacturing Limited of Agincourt, Ontario, a manufacturer of folding paper boxes.

When these decisions by the governor in council were announced on October 7, 1976, the government of the day also announced the undertaking given by Redpath and its parent, Tate & Lyle;

To increase the participation by Canadians in the capital stock of Redpath from 45 per cent to 52 per cent.

That is still their commitment. The undertaking given in 1976 was framed in the light of circumstances at that time. Some time later, as a result of changed circumstances, it became apparent to Redpath and Tate & Lyle that they would not be able to fulfil their commitment as quickly as they had originally expected without considerable handicap. Therefore, they approached the agency with a view to renegotiating the terms of their undertaking. The government of the day was satisfied with the representations made by the companies.

Following negotiations between the agency and Redpath, the government agreed to revised terms under which participation by Canadians in the capital stock of Redpath would be increased in stages. The new agreement contains specific measurable benchmarks relating to the financial affairs of the companies which would reflect their ability to increase Canadian participation, and thus would serve as an unambiguous trigger for fulfilment of the commitment. I want to emphasize that the commitment itself is unchanged, that is, to increase Canadian participation in Redpath from 45 per cent to 52 per cent.

In the matter of enforcement of undertakings given under the Foreign Investment Review Act, the government has reassured investors that common sense and understanding will prevail. That is as it should be. This issue was addressed when the foreign investment review bill was being considered by Parliament in 1973 prior to its enactment. When the bill was before the Standing Committee on Finance, Trade and Economic Affairs, the minister, speaking on behalf of the government of the day, said the following:

In principle, all undertakings are binding. In those cases where a person fails to comply with undertakings, the minister may apply to the courts for an order directing that the undertakings be fulfilled. This, however, is likely to be a procedure of last resort.

You will recall that I suggested some undertakings at least would be based on the medium-term plans of the acquiring company. These plans would, to some extent, be based on the conjecture about the future and therefore would simply reflect the company's anticipation concerning its future development. They would not be guaranteed in their entirety. Thus, flexibility and good sense must be exercised by the minister.

In normal circumstances the inability to fulfil understakings will lead to discussions with the minister and perhaps to the negotiation of new undertakings. Like any contract, an undertaking can be modified with the consent of both parties. If, however, the failure to comply with an undertaking is clearly the result of changed market conditions—for example, the undertaking to export frisbees is followed by the collapse of the frisbee market—the person would not be held accountable. It should be remembered, however, that some undertakings may be tailored to a range of market expectations.

The purpose of the Foreign Investment Review Act is to ensure that certain forms of foreign investment will be of significant benefit to Canada. I do not believe it would be of benefit to Canada for the government to administer the act in a draconian or unreasonable manner by insisting that in all circumstances commitments given in good faith by investors on the basis of their expectations for the future must be fulfilled to the letter, even when circumstances have changed and implementation of those undertakings would impose an unexpected hardship on the investor concerned.

But that does not mean the government is abdicating its responsibility to ensure that investments allowed under the act are of benefit to Canada. Procedures have been established to monitor the implementation of plans and undertakings presented by investors whose applications were allowed. The monitoring is usually carried out at annual intervals. Most undertakings cover an investor's performance over a number of years and require monitoring for a commensurate period of time. The great majority of investors have been able to fulfil their commitments. But in those cases where changed economic circumstances have made it necessary to renegotiate undertakings, the agency seeks new commitments offering at least equal benefits to Canada. The minister has the authority to initiate legal proceedings in any case where an investor fails to comply with the terms and conditions of his investment. To date it has not been necessary for the minister to exercise that authority because both the government and investors have approached this matter in a reasonable and businesslike fashion.

I would now like to address the concerns expressed by the member about the amount of time taken to resolve investment proposals under FIRA and the amount of information required to be filed by foreign investors in the review process.

It should be kept in mind, first of all, that FIRA places an onus on the foreign investor who wishes to acquire control of a Canadian company or establish a new business, to demonstrate that his or her proposal is, or is likely to be, of significant benefit to Canada. The specific factors to be taken into account in the determination of significant benefit, the assessment criteria, are outlined clearly in the act.

The two major points to be kept in mind at this juncture are that the initiative is with the foreign investor to make his case to the government; the other major point is that the test of significant benefit means exactly what it says, a proposal by a foreign investor who is able to demonstrate only that his or her proposal would not be detrimental to Canada, which would, by the terms of the statute, be found to fail.

The assessment criteria, upon which the government bases its decisions, are composed of a number of commercial, industrial, economic and public policy considerations. They include, first, the effect of the acquisition or establishment on the level and nature of economic activity in Canada, including, without limiting the generality of the foregoing, the effect on employment, on resource processing, on the utilization of parts, components and services produced in Canada, and on exports from Canada. Second, they include the degree and significance of participation by Canadians in the business enterprise or new business and in any industry or industries in Canada of which the business enterprise or new business forms, or would form, a part. The third consideration is the effect of the acquisition or

establishment on productivity, industrial efficiency, technological development, product innovation and product variety in Canada. The fourth point is effect of the acquisition or establishment on competition within any industry or industries in Canada. The final consideration is the compatibility of the acquisition of the new business establishment with national industrial and economic policies, taking into account industrial and economic policy objectives enunciated by the government or legislature of any province likely to be significantly affected by the acquisition or establishment.

● (1730)

The minister responsible for the act has the responsibility of recommending to the government which of the foreign investment proposals that come before him can properly be allowed and which should not be allowed. It cannot be a rubber stamp operation. I think it is obvious from what is required of the minister that he has to be fully briefed about each and every foreign investment proposal that comes before him. To accomplish this task effectively, he needs adequate information and analysis on which to base his recommendations; unfortunately, that can take time.

The review process in itself can be complex and often time-consuming. As soon as an application outlining an investment proposal is received by the Foreign Investment Review Agency, it is scrutinized by FIRA's compliance branch to determine whether or not the proposal is reviewable and whether the notice contains the information prescribed by the Foreign Investment Review Agency's regulations. That is to say, it ensures that the investor has met the basic legal information requirements. If the proposal is found to be reviewable, it is passed on to the assessment bureau for an evaluation based on the significant benefit criteria to which I referred earlier. Frequently, at this stage, relevant information additional to that contained in the notice is sought through contacts with the applicant and consultations with appropriate federal departments. The notice is also circulated to the province, or provinces, significantly affected by the proposal with a request for their views and comments so that the agency knows how the proposal is received regionally and locally.

When all the necessary information has been assembled, the case is then referred to the minister, together with an assessment by the agency of the perceived effects of the investment. If the minister concludes that the investment is likely to result in significant benefit to Canada, he must make a recommendation to the governor in council or cabinet, that the investment be allowed. If not, he must so inform the agency, which in turn informs the applicant accordingly. The applicant then has the opportunity to make further representations. When those representations are completed, the case is referred to the minister a second time for a decision on what his final recommendation would be.

In reaching his decision the minister must frequently take into account the representations he receives from other members of Parliament which reflect the concerns of their constituents about particular investments and the impact thereof. The agency, too, receives numerous representations from third parties including competitors, labour unions, and employee or management groups which have a direct interest in the outcome of a takeover bid and the terms on which it takes place. In addition, with increasing frequency, Canadian companies are coming forward to make known their interest in competing against foreign takeover bids. These interests of Canadians cannot be ignored by the government. They must be taken into account in any assessment of the benefit to Canada of a foreign investor's proposal.

I mention all of this not to justify the delay in dealing with investment proposals under the act but to make the point that the process is one that very often requires a number of months to complete. There is obviously no advantage to the government in unnecessary delay. If the government is not satisfied that an investment is of significant benefit it can—and has—disallow it.

The government has taken a number of steps to expedite the review process. In 1977 the regulations under the act were amended to provide for a much abbreviated form of notice for small business investments, that is, investments involving assets of less than $2 million and involving fewer than one hundred employees. The procedures for dealing with those investments were streamlined to permit the minister to judge, within a matter of days, whether on the basis of the information available in the notice, he was able to recommend allowance. Roughly 60 per cent of all the investment proposals reviewed by the agency are dealt with under these streamlined procedures which enable government to reach a decision. The investor is advised of this decision usually within 20 days of the date his application was filed. I cannot think of many administrative processes with that sort of record, whether at the federal, provincial or municipal level. But, of course, the longer more complex cases take a longer period of time to deal with, for the reasons I have mentioned.

The time taken in reviewing investment proposals must be measured against the results of the review process, that is, the benefits to Canada of investments that are allowed to proceed. Indeed, most of the work of the agency centres on the effort to improve original proposals and to negotiate additional firm commitments which will bring economic benefits to Canada. It is not in the interest of the department to be adverse to these proposals but rather to bring the best proposal forward.

An analysis carried out by the research staff of FIRA has revealed that since the agency was created, investment proposals reviewed and allowed have involved 70,000 new jobs and $5 billion of investment. These statistics obviously have only a limited meaning as indicators of FIRA's performance. For one thing, the figures do not show what FIRA has achieved through negotiating with applicants to upgrade the quality of investment proposals as a condition of allowance.

Using jobs as an example, I should like to speak about how the agency's work has improved the quality of employment in Canada. FIRA's negotiations have helped to increase Canadian participation in the direction, management and ownership of the firms involved and to create opportunities for Canadians

in research, engineering, new supplier industries and in a variety of consultant services. As a result, doors previously closed to Canadians have been opened.

The agency has negotiated commitments from investors to carry out research and development in Canada and to exploit the results of such research in Canada. To date such commitments amount to over $130 million in expenditures in research and development. The concrete benefits of FIRA extend to other important areas, such as exports and the greater use of Canadian suppliers of goods and services. Thus, one of the most long-standing complaints about foreign ownership or control has been the constraints frequently placed on Canadian subsidiaries in their export efforts. FIRA's work has led to applicants establishing export targets. It has led to Canadian subsidiaries being assigned exclusive rights to export either all their products to certain countries or certain products worldwide. Some applicants outside North America have given exclusive rights to Canadian subsidiaries to service the entire North American market. In cases where prospects for exports are too uncertain for investors to make specific commitments, the agency seeks undertakings to protect the Canadian business from restrictions on seeking out and exploiting any export opportunities.

• (1740)

With respect to domestic sourcing, FIRA often negotiates commitments that a minimum percentage of total requirements on specified materials, components, merchandise and services will be sourced in Canada. In situations where the investment calls for purchases of machinery and equipment, the agency will seek assurances that Canadian manufacturers be given the opportunity to tender. The negotiations have produced clear benefits, including new jobs, the expansion of existing businesses and, in some cases, the fostering of supplier industries in Canada.

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I do not intend to speak for very long, but I was interested in the points made by the two previous speakers, particularly the points in defence of FIRA. On balance, everyone appreciates that the job which FIRA has is difficult. The questions which we most often ask are asked because the information we need in order to make reasonable judgments about the decision-making process of FIRA in a given situation frequently is not forthcoming. This is the primary purpose of this motion today. It is very difficult to make any kind of learned judgment on the appropriateness of the decisions of FIRA, given the nature of the act within which it must operate and the secrecy which must surround its deliberations.

The matter of Redpath which was raised in the motion is only one of such instances that bring very serious questions to mind. I would like to put more examples on the record which, in my mind raise the question of whether the act ought to be broadened in order to permit disclosure. Very few people disagree that disclosure is required. Those who argue against disclosure are not aware that in many other parts of the world disclosure is required as a matter of course, unless it directly involves processing and therefore may hurt the company's operation. But in terms of the undertakings made by a company seeking approval for a takeover, disclosure would make for a much tidier, much more acceptable operation.

The following are some examples about which I have been wondering. In 1978, the application of Skyline Steel Corporation to acquire control of Skyline Steel Industries Ltd. received approval. Of many and varied requirements which range all the way from increased employment, new investment, increased processing additional exports, Canadian participation, improved productivity and industrial efficiency, enhanced technological development, improved product variety and innovation, beneficial impact on competition, to compatibility with industrial and economic policies, the company met three. They met the criteria for increased resource processing, beneficial impact on competition and compatibility with industrial and economic policy.

Let me give hon. members a description of the significant benefits the Foreign Investment Review Agency identified in a press release dated July 13, 1978:

> A proposal by Skyline Steel Corporation of Port Kearny, New Jersey, U.S.A., which is wholly-owned by Trade ARBED, Inc. of the U.S.A., which in turn is controlled by ARBED, S.A. of Luxembourg, to acquire control of Skyline Steel Industries Ltd., of Burlington, Ontario, which is a subsidiary of Engelhard Minerals and Chemicals Corporation of the U.S.A., which in turn is utlimately controlled by South African interests, and is a business engaged in the distribution principally of steel sheet piling which is not now manufactured in Canada.

Given that this company only met three requirements and that the information above does not lead one to the conclusion that it will manufacture anything of significance, one must ask why it won approval. If I were to ask that question, I would not receive an answer because the law does not permit it. Yet, I believe I have every reason to wonder why that company was given approval under the Foreign Investment Review Agency's mandate. There is reason from time to time to wonder about whether or not there is sufficient disclosure.

Here is another example. In 1978 a firm called Tomorrow's Heritage, Inc. of Beverly Hills—that is a sexy name—out of all those categories met four requirements. This company would increase employment, create new investment, increase resource processing and use of Canadian parts and, of course, like all of them, it is comparable with industrial and economic policy. Here is the description taken from the same press release:

> A proposal by Tomorrow's Heritage Inc. of Beverly Hills, California, U.S.A., to establish a new business in Burnaby, British Columbia, to be engaged in the marketing of family photographic portraits.

Pray tell, what is the significant benefit to Canada in that? I would like to be told in the House why FIRA approved that company so that I would know. Of course the minister cannot tell me, because the law does not permit that. Therefore, I must wander around, disgruntled, for the rest of my life because I cannot find out if either of these companies would provide a significant benefit to Canada, what their commitments are and whether they lived up to them.

I have another example for hon. members. I have picked these examples at random and they are spread over a number

of years. This one is dated 1976 and was approved by the Minister of Justice (Mr. Chrétien) who was then responsible for the administration of FIRA. Incidentally, the other two companies were approved by little Jack Horner. In any event, Harlock Williams Lemon Ltd. scored six out of ten on the criteria scale.

Mr. Rose: That's good.

Mr. Deans: Yes, he did very well.

Mr. Rose: He was not a lemon.

Mr. Deans: Let me tell hon. members about Harlock Williams Lemon Ltd. An agency news release dated October 7, 1976 states as follows:

A proposal by Harlock Williams Lemon Ltd. to establish a marine insurance underwriting agency in Vancouver, British Columbia. The proposal was deemed to have been allowed.

What was the significant benefit to Canada? Do we not have enough marine insurance underwriters on the west coast? FIRA not only gave approval, it deemed his application approved, which concerns me somewhat. However, I have no way of finding out whether the company lived up to its commitments, how much money was involved, and whether there was any benefit to anyone other than the company.

Mr. Darling: They will take insurance from Canadian agencies.

Mr. Deans: Yes, and presumably ship it out of the country since the company was to be involved in exports. I expect the export was money—money which we can hardly afford. My last example, can be found in an agency news release dated January 28, 1981. It reads:

The allowance of one foreign investment proposal was announced today by the Hon. Herb Gray, minister responsible for the administration of the Foreign Investment Review Act.

A summary, in tabular form, of the benefits identified is attached.

The proposal is by Sandvik Canada Corp., of Mississauga, Ontario, which is owned by Sandvik AB of Sandviken, Sweden, which is controlled by two Swedish companies, Kornaes-Marmo AB and Investment AB Kinnevik, both of Sweden; and Noranda Mines Limited, of Toronto, Ontario, to acquire control of the business carried on by Noranda Metal Industries Limited, consisting of its Special Metals Division at Arnprior, Ontario, which manufactures nickel alloy and stainless steel seamless tubing for use primarily in Candu nuclear reactors.

● (1750)

Given that it scored seven out of ten, I wonder if the House thinks it is a good idea to transfer the ownership of a company manufacturing something as important as the tubing for Candu nuclear reactors to a foreign-owned and foreign-controlled company? What would be the significant technological benefit to us? What would they be able to do that we were unable to do previously? If we were not able to do it previously, does it mean we were making an inferior product prior to this company taking over? Does it mean that the product which was being made previous to this approval was not of the highest quality? Does it mean that we were producing tubes for Candu reactors in a less efficient, less controllable and less beneficial way than it will be the case in future?

I should like to refer to some of the reasons for this takeover. The first of the serious matters dealt with was improved productivity and industrial efficiency. The second was enhanced technological development. Then there was improved product variety and innovation, as well as beneficial impact on competition. Of course the takeover fitted in, as everything supposedly does, with industrial and economic policies.

There are some questions I should like to ask. What was this company doing that did not measure up to what will now be done? What about the products it made which are in place in nuclear reactors?

Perhaps the other cases to which I referred were somewhat humorous, although important, but they made my point. But in a case such as this, surely to God there is a reason for having a clear picture of why it is deemed important to Canada's future to allow this takeover. What improvement can we expect as a result of the takeover? Perhaps the most important question would be: Were we getting less efficient or somehow less acceptable products prior to the takeover? If not, what are the benefits?

I do not think my questions are unreasonable and I should like to know why this proposal was accepted. Is it in our best interests to have a foreign-controlled and foreign-operated company making such a crucial part for nuclear reactors in this country? What conditions were placed on the company? To what extent do they have access to the technology involved in the Candu reactor development? To what extent will that technology be available to people outside the country as a result of selling this company to a foreign-held subsidiary?

It is part of the job of a Member of Parliament to try to get to the bottom of something that is as strategic as this. I share the concern of the hon. member who moved the motion about the Redpath matter. As he pointed out, he has no axe to grind with Redpath, with FIRA or with the Canada Development Corporation. I have no axe to grind with Sandvik; I do not even know the people.

In terms of policy, FIRA cannot hide behind the act. The act was not written well. It does not permit the disclosure the public of Canada requires. The act must be changed and not just when the minister gets around to it. If this type of approval is to be given in an area as important and as crucial as this, then the act must be changed forthwith so that we can adequately monitor the effect of takeovers of this type. Quite frankly, I suspect many of these things are happening. Because of their workloads, vast majority of members, are unable to keep up with all the changes that are taking place.

I want to stress that I am delighted the hon. member raised this matter today. It is a crucial matter and it is important for us to address it now. I think we should have a response from the minister as quickly as possible about the changes he will undertake in order to guarantee that a significant benefit is always involved. This must be fully disclosed, together with all the terms and conditions of any transaction, so that we can adequately monitor the work being done by FIRA and determine the degree of benefit in each transaction.

[*Translation*]

Mr. Gérald Laniel (Parliamentary Secretary to Minister of Industry, Trade and Commerce): Mr. Speaker, I know that under our Standing Orders, no member can speak on an issue other than the one before the House, but I hope you will allow me to extend, on behalf of all members, our wishes for a speedy recovery to the hon. member for Glengarry-Prescott-Russell (Mr. Ethier), the Deputy Chairman of Committee of the Whole who, as we know, has been hospitalized because of a fairly serious illness. We all hope to see him back in the House very soon.

[*English*]

It would be difficult for me to reply to all the remarks concerning the motion put by the hon. member for Vaudreuil (Mr. Herbert) who admitted that the operation of the agency was satisfactory. I suppose his main purpose in moving the motion was to show his concern about the enforcement of, or the qualifying requirements of, the decision by FIRA.

I listened attentively to most of his remarks, especially those in which he referred to the Minister of Industry, Trade and Commerce (Mr. Gray) who answers for FIRA in the House. I hesitate to get into a debate on remarks which seem to imply that the mere fact that we have a responsible, interested, hard-working, competent, concerned and efficient Minister of Industry and Commerce—and I see the hon. member for Hamilton Mountain (Mr. Deans) laughing—

Mr. Knowles: So are you.

Mr. Laniel: —who tackles problems on a daily basis, might have the effect of delaying the decision-making process of FIRA. The member opposite should find out whether the agency has fulfilled its mandate, then he will understand the advantages of having such a good minister. He should have congratulated the minister for his efficiency. I understand the preoccupation of the hon. member for Hamilton Mountain, but this is practically a square circle. It would not be easy for the agency to make a judgment on a takeover or an investment in Canada without, in the first place, supplying some guarantee to the enterprise concerned regarding confidential information.

We are members of Parliament. I do not think we have a responsibility that requires us to know all the details. If we are generally satisfied, as the hon. member for Vaudreuil indicated when he spoke, with the good work of FIRA, that satisfaction is endorsed by the statistics, the results of investments, the job creation, the access to the technology and the progression of these new industries in coming to Canada. The pattern is a good one. That is why I appreciate the good work of this agency.

● (1800)

May I call it six o'clock so that I may have an opportunity when this debate comes back again before the House, to go further into the workings of FIRA and answer the requests of hon. members.

S.O. 75c

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): That is agreed. The Chair will take special pleasure in conveying the hon. parliamentary secretary's compliments and good wishes to the deputy chairman of the Committee of the Whole.

It being six o'clock, I do now leave the chair until eight o'clock this evening.

At 6.03 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

ROUTINE PROCEEDINGS

[*English*]

BUSINESS OF THE HOUSE

TIME ALLOCATION FOR SECOND READING OF BILL C-59

The House resumed consideration of the motion of Mr. Pinard:

That, in relation to Bill C-59, an act to provide supplementary borrowing authority, one additional sitting day shall be allotted to the further consideration of the second reading stage of the bill; and that at 15 minutes before the expiry of the time provided for government business on that day, any proceedings before the House shall be interrupted, if required, for the purpose of this order and, in turn, every question then necessary in order to dispose of the second reading stage of the bill shall be put forthwith and successively, without further debate or amendment.

The Acting Speaker (Mr. Blaker): When the debate on this motion was interrupted at five o'clock this afternoon, the hon. member for Kindersley-Lloydminster (Mr. McKnight) had the floor, and had some time remaining. He would be entitled upon his return to seek the floor. In the interim, I will recognize the hon. member for Winnipeg-Birds Hill (Mr. Blaikie).

Mr. Bill Blaikie (Winnipeg-Birds Hill): Mr. Speaker, it gives me a sense of mixed pleasure to have the opportunity tonight to speak in opposition to the government's move on the legislation having to do with the borrowing authority. I say mixed pleasure because, of course, it is not pleasant for us to have this experience in the first place, to witness the government trying to close off debate on a matter as important as the borrowing authority. However, I take some pleasure in being able to stand in my place and be part of the tradition which the hon. member for Winnipeg North Centre (Mr. Knowles) so aptly represents. I refer to the tradition of this party and its opposition to closure, its opposition to 75c going back to its very formation at the time when the Liberal government used closure to bring in this new form of closure. Therefore, it is with some pleasure that I stand here today along with the hon. member for Winnipeg North Centre to register opposition to

the government's most recent attempt to stifle debate in Parliament.

I have only been a member of Parliament for a short while. It will be two years in May. I experienced the invocation of 75C in the Thirty-first Parliament and I have experienced it three times in this Parliament. Before I came here, I was of the false impression, it now appears, that closure was something that was only brought in on very historic occasions, and even then was regarded as a negative move on the part of the government.

When I was just five years old, the Liberals of the day, in 1956, brought in closure on the pipeline debate. I was one of those young Canadians who grew up with the perception that closure was something that was used only in those kinds of political events that were perceived to be crises by the government of the day. Since becoming a Member of Parliament, I have seen closure used time and time again.

I want to take this opportunity to make a few brief remarks about what the debate on closure ought to bring to mind for us. First, we have to remember, particularly as closure is being brought in on the borrowing authority, that the original purpose of Parliament was to put control of the public purse in the hands of the people for the first time.

We have here a particularly poignant example of the government returning to itself the divine right of kings. It seeks to limit the possibility of debate in Parliament on something so fundamental as the borrowing authority for some $14 billion when we in our party, for example, have only had the opportunity of putting forward three, perhaps four, speakers. There is something wrong when there is so little opportunity to sort out the kinds of priorities the expenditure of that kind of money represents.

We ought to look at the larger picture of what has happened to parliamentary debate. I am not sure how long it has been the case, but I want to say to other members who may feel the way I do that one of the problems with debate, period, is not just that it is closed off, but that at times it seems so meaningless. What we have here is not real debate. We have a sort of pro forma exercise in which everyone gets up and does a little part of the charade. A charade is going on now with members chatting and doing their own thing. I am going through the exercise expected of me; after me, others will go through the exercises expected of them. We will then have the vote and everything will be fine.

The problem is, this is no longer a debate. And this is not a chamber for the exchange of ideas. No one is open to persuasion. Members know what they believe when they stand up and they know what they believe when they sit down. No one is listening to anyone else.

The opposition does not have the power of persuasion because there is no real debate going on here. The only power the opposition has is to delay government action. I suggest this is why so much bad feeling is aroused when the government moves against the power of the opposition to delay legislation. In fact, Parliament has so little power—and the opposition in turn has even less—that this power to delay is cherished by the opposition and ought to be cherished by the opposition until such time as we can restore some integrity to debate in this House.

• (2010)

One of the problems with debate in this House is that it reflects the sense in which all of us are prisoners of the big lie; nobody really expects anybody to tell the truth any more. From the time we turn on our television sets or radios in the morning until we turn them off after the news at night, we expect to be bombarded with all kinds of falsehoods and half-truths, and we carry that attitude toward communication into this House. I wish to use this opportunity to call, in so far as it is possible to call for something like this, for the restoration of the integrity of communication so that we can have some kind of real debate here. This will have to happen on a much wider scale than just this Parliament, but we can begin by restoring some integrity to debate here and not sliding down the slippery slope toward a lack of genuine communication. We do not want the kind of politics that relies on advertising, on slogans, on the indifference and apathy of the Canadian people. We must get out there and let them know what is really going on. We are all guilty, in this respect, of cheapening the worth of political debate.

The government's move to close off debate is part of that syndrome; it is a sort of "Catch 22" situation. I am sure that one of the reasons closure does not seem to be such a tragedy to some members is that the debate is so worthless in the first place. And it is worthless because the government and others have had the attitude that it is simply something we must get through. It is a vicious circle. I ask the government to break out of the role it has been playing. It has more power than the opposition, obviously. I ask the government, in its leadership role, not just in its technical role, to give more power to the opposition and to committees. In turn, this would bring more power to debate. Perhaps we could actually turn this House into the institution I thought it was, perhaps naively, when I decided to run for office. If that were so, we could have some genuine debate about the future of the country and many of the matters which are troubling us at this time.

This move on the part of the government to close off debate is the kind of cynical manoeuvre which destroys rather than promotes the possibility of what I am talking about.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, I was very interested in the remarks made by my friend, the hon. member for Winnipeg-Birds Hill (Mr. Blaikie). The hon. member has touched one of the very real problems we face in this House, the fact that business has to be done, debate has to be held and such debate must be relevant. That is one of the problems to which my hon. friend referred and of which I am aware from listening to debates on a number of issues.

My friends on both sides of the House will agree that debate has strayed far from the topic which was under discussion in

the House. One of my hon. friend's points with which I disagree is the fact that—

Mr. Blaikie: Thank God.

Mr. Evans: He says, thank God. I am glad we would both thank the same person.

After six days—and that is how much time will have been spent on the debate on the borrowing authority—one would expect we would have heard the major arguments pro and con the borrowing authority, and that the bill could then go to committee where one or both ministers would appear and important aspects could be studied in depth.

After listening to the majority of the speeches and having read the rest, I am sorry to say that I think the direction given to the government by the members of the opposition has been marginal at best. I think any objective observer would have to say that. As parliamentary secretary I organized this debate on behalf of the minister. I had to ensure that the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) and the Minister of State for Finance (Mr. Bussières) could agree that the opposition had the maximum amount of time to present their views with regard to this particular bill on borrowing authority.

Until today, we had placed two speakers before the House on this debate, the Progressive Conservative Party 18 and the New Democratic Party five. By the time the debate terminates on Monday, as called for in the motion under Standing Order 75C imposed today, it will have lasted six days and then, as I said, the bill will be transmitted to the Standing Committee on Finance, Trade and Economic Affairs. When it returns to the House for third reading there will be additional debate. In my opinion, given that kind of flexibility and latitude, and the ability of members of the opposition to make their views known in speeches of some duration, there has been no throttling of debate.

We have listened to the speeches of hon. members opposite, we have monitored the debate closely, we have listened to the objections raised by hon. members, and we have tried to get the sense, in certain cases, of how their remarks were relevant to the question before the House.

We should get something else on the record as well. My hon. friend, the hon. member for Winnipeg-Birds Hill, put his finger on another issue; that is, that the tactic of delay is used, and used effectively, by the opposition. When faced with that kind of tactic, and when certain hon. members opposite say with a smiling face, "We are going to delay until you are forced to use 75C", then I think the kind of rhetoric we have heard today about debate being throttled, and the abuse of Parliament is just that—pure rhetoric.

An hon. Member: Who said it?

Mr. Evans: It is pure rhetoric and I think we all admit it.

An hon. Member: Name the hon. member. No guts.

S.O. 75C

Mr. Evans: Today the hon. member for Kingston and the Islands (Miss MacDonald) indicated dismay that to her mind the government was asking for $14 billion worth of borrowing authority without a plan. All I have to say to the hon. member for Kingston and the Islands is that if she were to read the budget she would find that it includes the most comprehensive fiscal structure ever presented to Parliament.

In that fiscal plan are the envelopes which indicate to all hon. members the areas in which government expenditures will take place. In addition to that, the hon. member knows very well that it is from the fiscal plan set out in the budget that the estimates of each department are derived. These give a much more detailed explanation of expenditure plans for the departments. The revenue-raising side of the budget is in the form of the borrowing authority. The size of borrowing authority is clearly indicated in the budget. The fiscal plan is there, and the estimates are there. When the hon. member for Kingston and the Islands says there is no plan, I am sure it is simply because she does not understand the fiscal arrangements of government.

● (2020)

Borrowing authority has traditionally been used as a vehicle for the discussion of a wide range of matters because anything which involves taxation or expenditure can, presumably, be discussed under the heading of borrowing authority. But it seems to me that in future all hon. members should sit down together and ask, in all honesty, if we can focus debate on borrowing authority bills any more tightly than we have with regard to this legislation, previous legislation from this government and, indeed, legislation from the government of hon. gentlemen opposite. The public must be totally confused when it watches television and sees what is going on. It must wonder what in the world this debate is all about. Is it about borrowing authority but we are talking about everything under the sun except the subject of borrowing authority?

Hon. members opposite say we have throttled debate on economic issues. Not only have we not throttled debate on economic issues—in particular, debate on borrowing authority—but we probably have had more debate on economic issues in the last three to four months than in any other Parliament in the history of this country. The budget was brought down in October, and a debate followed that. There were energy bills, and the debate followed them. There was an emergency debate before Christmas which set a record for length of continuous debate. All these were on economic issues. We have just passed an income tax bill. Again there was an economic debate of some length. Finally, we have before us a borrowing authority bill.

I think we have to be realistic. We know for sure that the opposition can and has used the rules to stall and delay. The hon. member for Winnipeg-Birds Hill admitted that tonight by saying that this is a valuable tool of the opposition. When the government faces that kind of situation, when we face a series of legislative initiatives which should be brought forward and when hon. members opposite want very badly to get into

debate on the Constitution, then the government has to take some initiative.

It has to show some leadership. That has required the imposition of Standing Order 75c in this case, and I certainly do not apologize for that.

Some hon. Members: Hear, hear!

Mr. Evans: With regard to the principle behind the use of Standing Order 75c, the hon. member for Nepean-Carleton (Mr. Baker) waxed long and, he believed, eloquent earlier this evening about when Standing Order 75c should and should not be used. To his mind it is all right to use Standing Order 75c, limitation of time for debate, as long as the bill under consideration confers benefits on someone, but if it does not confer benefits, then it is not appropriate to use Standing Order 75c. That flies right in the face of what my friend, the hon. member for Winnipeg North Centre (Mr. Knowles), said with respect to the principle of debate—irrespective of the bill under consideration, it is the principle of debate—and the hon. member for Winnipeg North Centre would stand on that principle. He spoke earlier about it. In fact, he spoke just before the hon. member for Nepean-Carleton and laid out quite clearly what the principle behind the use of Standing Order 75c is, and it has absolutely nothing to do with the content of the bill under discussion.

I would like to quote some of the words of the hon. member for Nepean-Carleton when he spoke with respect to Bill C-20 in the Thirty-first Parliament. At that time the hon. member for Nepean-Carleton indicated that he was a patient man. He went on:

> I do not want the Liberal Party to try such a feeble argument that they can appear to be co-operative on the one hand and obstructive on the other. I want them to be known for what they are—obstructors. They have proven this today.

The hon. member was talking about our objections at that time to the use of Standing Order 75c by the Conservative government with regard to Bill C-20, which was with respect to mortgage interest and property tax credits.

Finally, I would like to read one more quotation from the hon. member for Nepean-Carleton as follows:

> I think the opposition will strain the credulity of the public in other ways. They will be claiming that they have been cut off at the knees; that their pearls of wisdom on this bill have not been given sufficient time to be heard; that the Canadian government is so Draconian that it is cutting short the debate on Bill C-20. I think this government has been extremely generous with the opposition.

That was said after five days of debate, and we are imposing Standing Order 75c after six days of debate. I appeal to the hon. member for Nepean-Carleton to read his own words and then withdraw some of the remarks he made during his speech today.

Mr. Ron Stewart (Simcoe South): Mr. Speaker, I rise to oppose this motion, which has nothing to do with borrowing. This motion deals with closure.

I want to say at the outset that I do not agree with the previous speaker in any way, shape or form. I am becoming increasingly alarmed about the routine application of the device of closure under the fancy name of Standing Order 79c.

Mr. Evans: Seventy-five.

Mr. Stewart: The point is that it throttles free speech. The legality of Standing Order 75c, as the hon. member for Winnipeg North Centre (Mr. Knowles) mentioned this afternoon, is not the issue. I wonder if members of the government, which so readily applies closure in this House, really believe in the charter of rights for Canadians that they are espousing.

Closure was a seldom-used parliamentary strategy until this present administration assumed office. Now, three times in five months it has been invoked. When the constitutional committee reports, I think on Tuesday, what will happen then? Will it go as the old song goes, "Mr. Five by Five"? Will there be five closures in five months? The hon. member for Ottawa Centre (Mr. Evans) said there should be relevancy. I think five out of five is very relevant, and I do not think it is rhetoric. If it is rhetoric, then I am all for it. I was denied the right to speak on behalf of my constituents during the budget debate. Why? Because of closure. I was denied the right to express my views and the views of my electors during the Constitution resolution debate. Why? Again, because of closure.

This afternoon the House leader said it was not members of the government side who did gymnastics in front of the Speaker's chair when closure was invoked in the debate on the Constitution. He missed the whole point of that occasion. Why were there gymnastics? There were gymnastics because those who participated in them were denied their rights, as members of this House, to speak on what is probably the most important issue for Canadians since confederation.

Now, again, I am being limited. I have many things to say. Instead of the customary 40 minutes, I have 10. I wonder—and I ask hon. members opposite to wonder—whether we are about to see the day when free speech is eliminated entirely from this House. Will we see the day when members just mail in their speeches or deliver them to the *Hansard* office to have them printed? It is a sad reflection on parliamentary democracy when a government hides—and I say "hides"—behind closure to avoid the spotlight of opposition examination and criticism. And this government has a majority.

I came to Ottawa to act as an extension of my constituents, which I believe is the democratic way. I did not come here to be a trained seal, as mentioned by the author of the book, "The Backbencher". I did not come to sit idly by and watch an autocratic leader of the Grit party turn this nation into a presidential-type republic because of an idea of a constitution made in his name. The seat I occupy is the most prized possession I could ever have. I sit in what I believe to be the highest court of this land, and unless that is changed by what I call the three Ts, that is the way it should remain. Those three Ts are the "trauma of the Trudeau treatise", or more specifically, the changing of our Constitution.

This chamber should be the embodiment of free speech. It should be the epitome of all those basic rights we have come to hold so sacred in this great country of ours. I personally will

not stand idly by and be gagged by a Prime Minister (Mr. Trudeau) who has nothing but contempt for Parliament and who has said so. He calls parliamentarians "nobodies" and sees Parliament as a necessary evil while going on his merry way. He treats Parliament as a puppetmaster treats marionettes, and he has his own Pinocchio.

There are no marionettes on this side of the House. Where are the voices of protest in the government ranks? There has to be one person who will speak the truth. Have government backbenchers become the trained seals about which I spoke? Are they so browbeaten that they are afraid to speak out in defence of the freedom of this House?

• (2030)

If we lose freedom of speech, as we have started to lose freedom in our economy and as did Petrofina, we will lose individual freedom, because that is what happens when economic freedom in lost. If we lose freedom of speech by closure, the right to oppose, the right to criticize, the right to scrutinize public business and public accounts, what reason is there to sit in this House of Commons? What would Caesar have us become, eunuchs in his court? What would the emperor have us be? Spear carriers I suppose, strewing olive branches at his feet as he enters this chamber. Is the emperor afraid to be told he has no clothes? Is he afraid to meet Parliament face to face? Is he afraid to look us in the eye? Is he afraid to involve us in the process of developing progressive legislation which will advance the ideals and goals of this nation? Is the government reverting to the arrogance which dates back to the jackboot days of C. D. Howe and his "who's to stop us" statement?

I tell you Mr. Speaker, we cannot be stopped with closure. That statement was made when closure was invoked during the infamous pipeline debate. But today hon. members opposite are sitting with a comfortable majority. I for one refuse to stand silent and see the rights of Parliament abused, frustrated and strangled. I believe in open covenants, and I believe they should be arrived at openly. We, as elected Members of Parliament, hold a public trust. That trust is being abused when a parliamentary majority seeks to withhold the rights of the opposition minority. I refuse to worship at the throne of the emperor from Mount Royal who, in turn, worships at the throne of Castro, Galbraith, Mao and Lasky. Let me say this, Mr. Speaker, we are all commoners in this chamber, and let the right hon. member opposite not forget that.

I intended to rise in the debate and speak with pride on Bill C-59; not pride for that abominable piece of legislation but pride at being a member of the only truly national party of Canada, the only party which wants to preserve our federal Commonwealth status. In that bill, the government wants to borrow $14 billion. Not only does the Grit government want to borrow that amount, but it wants to put an extra $3 billion in the deficit kitty, which would not be repayable until March, 1982. The bill does not state what the interest rate will be, it does not state what the vehicle of borrowing will be, and it does not state from what country the government wishes to borrow. Why is that? Because it is ashamed; that is why it had to invoke closure.

Is the reasoning behind closure that we have an 83-cent dollar and our dollar being the measure of the trust and confidence which the world places in us, it would not be flattering to the government to admit that if the United States is the source of those funds, it would cost us 17 per cent more?

The harsh reality, the grim prospect, the very thought of borrowing $14 billion is frightening. The figure of $14 billion boggles the mind of most people, but not that of the fellows opposite. It should bring fear into the souls of the backbenchers opposite. It is a legacy of debt. I have a ten-year-old son, as do other hon. members here and as do other Canadians, and that is what we will leave them. What is the government's answer to that? Its answer is, "Don't talk about it, sweep it under the rug, hide it with closure".

An hon. Member: Why don't you listen over there?

Mr. Stewart: The government treats this bill as if it were a routine piece of legislation. Unrepentent, the government brings the bill forward unrevised, and it does so with closure; in other words, with fear, with trepidation. I just wonder how much people can take, especially hon. members on this side of the House who are barred from their democratic right to speak on this bill. Surely hon. members opposite feel some shame. The government is displaying colossal gall and unmitigated effrontery in asking Parliament to condone its profligate and reckless spending. I have to ask the government if it has lost touch with reality. The answer is yes. Does the government fully comprehend the magnitude of what it is asking Parliament to do? Yes it does, because it invoked closure. It understands what it is doing full well.

Has the government become so isolated and insular that it does not understand the ramifications of its massive borrowing? The United States understands it, and is starting to do something drastic about it. The deficit spending mentality is so ingrained in this government and has impressed itself so much on it that it no longer possesses the will or the desire to put the nation's finances in order and to forget about a constitution which has served us well for 130 years. That is why it rules by closure.

I shudder when I see a government rule by fiat and spend by fiat. All that fiscal and monetary policies mean to this government is another shift at the printing plant to roll off more dollars to cover deficit stacked upon deficit and bill upon bill. The term "balanced budget" is not in the government's glossary. The government would not know a balanced budget if it tripped over one and broke Pinocchio's nose.

A few years ago the Auditor General warned Parliament that financial controls did not exist and that the government was in trouble. I was not in Parliament when that happened, but I can conjure up the phantasm of the right hon. gentleman sitting opposite and shrugging, although he probably did not even read the Auditor General's report. He cannot shrug away the fact that he is bankrupting this nation, and people are starting to discover it quickly, as demonstrated by the 64 per

cent response to the poll on the Constitution. Our $100 billion-plus budgetary deficit is an anchor against progress. You have to sell and you have to spend, but you have to take in more than you spend, and that is axiomatic. We need a chance to discuss this matter fully and openly, as we should discuss the Constitution. All I can say to the government is: show intestinal fortitude over there and vote against it.

[*Translation*]

Mr. Henri Tousignant (Témiscamingue): Mr. Speaker, for quite a while now, five days to be exact, we have been discussing Bill C-59 to provide authority for the government to borrow the required sums of money for its most basic operations. I fully realize that this exercise is necessary and in accordance with the spirit and the realities of our parliamentary system, and that in effect it guarantees the protection of our democratic rights and thus the proper management of the affairs of the state.

That being said and agreed upon, Members of Parliament and the public in general will no doubt recognize that although this is a necessary and useful exercise, members opposite have abused the time made available to them by introducing arguments of doubtful relevancy into the discussion which only serve to foster all kinds of statements which do not promote in any way the advancement of political science, Mr. Speaker, nor for that matter the consideration of Bill C-59.

An hon. Member: They do not realize it!

Mr. Tousignant: I am absolutely astonished that members opposite should act so innocently when the government proposes to limit debate with the agreement of all parties. I almost fell off my seat when I heard the comments of the former government House leader under the Conservative government of 1979; I was flabbergasted, because that is certainly not what he said at that time. Here, for instance, are some of the things the hon. member for Nepean-Carleton (Mr. Baker) said when he was government House leader, and I quote from *Hansard* of December 7, 1979:

> Also we are hearing from the other side of the House great appeals to parliamentary democracy and that we are destroying it, I should like to indicate to the hon. member that I know it is the kind of thing I used to say when I sat on the other side of the House of Commons.
>
> What a hypocritical statement!
>
> Having watched a former government claiming abuse of the rules, let me say that if I ever had any doubts about the importance of Standing Order 75C, those doubts were blasted away by the actions of that party . . . We do not intend to allow the opposition to put the government into that position, or to so ruin the proceedings of the House of Commons that the people of Canada cannot get the piece of legislation which the government promised during the last election.

• (2040)

[*English*]

I would like to read what the House leader of the former government, in 1979, had to say.

An hon. Member: Who was that?

Mr. Tousignant: The hon. member for Nepean-Carleton (Mr. Baker). This is what he had to say:

> As the Minister of Finance (Mr. Crosbie) said, I am a patient man. I do not want the Liberal party to try such a feeble argument that they can appear to be co-operative on the one hand and obstructive on the other. I want them to be known for what they are—obstructors. They have proven this today.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Tousignant: Mr. Speaker, what more can we say? Where is the sincerity of those so-called defenders of our parliamentary traditions? Of course it helps a bit to understand their generalized frustrations. Remember all the time they waited to form the government. All of a sudden, through sheer accident, they are swept into office but they cannot hang on and power slips through their fingers. Canadians did not waste any time to decide that important issues could not be left in the hands of children. As we have all seen in the past, the people, of course, cancelled their right to govern. We have all seen dogs running after cars and we are tempted to ask ourselves what they would do if they caught up with them. When we look at the people across the floor that is the impression we get. Frustrations, Mr. Speaker. We have to sympathize with them. They were given the chance to form the government but were so careless that their fellow countrymen had to tell them to their face, no we cannot let you go any further, you no longer have our confidence. And so today they want to appease this passion brought on by their defeat. The official opposition simply and deliberately goes out of its way to criticize every move made by this government.

You have to see how far they are prepared to go to throw the country into confusion and chaos. For instance, how did they attack our energy policy? Can you imagine, they accused us of being socialists. Mr. Speaker, 72 per cent of the capital of oil companies operating in Canada is foreign capital, and it leaves the country with 22 per cent of net profits. So we in the government—

Mr. Lalonde: You mean 82 per cent.

Mr. Tousignant: The hon. Minister of Energy, Mines and Resources (Mr. Lalonde) says 82 per cent. That is correct.

This government assumes its responsibilities, knowing as it does that those resources belong to all Canadians, yet hon. members opposite rake us over the coals throughout the country. It is the same thing with the Constitution, Mr. Speaker. If they wanted to be just a wee bit sincere—they know that very well—and tell the truth, Canadians from one end of the country

to the other would be grateful for what we are doing for them now. Mr. Speaker, I realize that time flies by but, in my opinion, if those people across the floor were to stop shedding crocodile tears and support us we could get down to the job of governing the country.

[*English*]

The Acting Speaker (Mr. Blaker): Order, please. It being 8.45 o'clock the two hours provided for the consideration of the motion now before the House under the provisions of Standing Order 75C have expired. Accordingly, under the terms of the standing order it is my duty to interrupt the proceedings and put every question necessary to dispose of the motion.

All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Blaker): All those opposed to the motion will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Blaker): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Blaker): Call in the members.

The House divided on the motion (Mr. Pinard) which was carried on the following division:

● (2050)

(*Division No. 44*)

YEAS

Messrs.

Appolloni (Mrs.)	Desmarais	Landers
Bachand	Dion	Lang
Baker (Gander-Twillingate)	Dionne (Chicoutimi)	Laniel
Beauchamp-Niquet (Mrs.)	Dionne (Northumberland-Miramichi)	Lapointe (Charlevoix)
Bégin (Miss)	Dupont	Lapointe (Beauce)
Berger	Erola (Mrs.)	LeBlanc
Blais	Evans	Lefebvre
Bockstael	Fisher	Loiselle
Breau	Fleming	MacBain
Bujold	Flis	MacGuigan
Bussières	Foster	Mackasey
Campbell (Miss) (South West Nova)	Gendron	MacLaren
Campbell (LaSalle)	Gingras	MacLellan
Chénier	Guilbault	Maltais
Chrétien	Harquail	Marceau
Comtois	Henderson	Massé
Corbin	Herbert	Masters
Corriveau	Hervieux-Payette (Mrs.)	McCauley
Cosgrove	Hopkins	McRae
Côté (Mrs.)	Irwin	Nicholson (Miss)
Cousineau	Isabelle	Olivier
Cullen	Johnston	Ouellet
Cyr	Joyal	Parent
De Bané	Kaplan	Penner
de Corneille	Kelly	Pepin
Demers	Killens (Mrs.)	Peterson
Deniger	Lachance	Pinard
	Lajoie	Portelance
	Lalonde	Regan
		Roberts

Messrs.

Robinson (Etobicoke-Lakeshore)	Smith	Tousignant
Roy	Stollery	Trudeau
Savard	Tardif	Veillette
Simmons	Tessier	Watson
	Tobin	Weatherhead
		Whelan—101.

NAYS

Messrs.

Althouse	Fulton	Malone
Andre	Gamble	Manly
Anguish	Gilchrist	Mayer
Baker (Nepean-Carleton)	Gurbin	Mazankowski
Blackburn	Halliday	McCain
Blaikie	Hamilton (Qu'Appelle-Moose Mountain)	McCuish
Bradley	Hargrave	McDermid
Cardiff	Hawkes	McKenzie
Carney (Miss)	Hnatyshyn	McKnight
Clarke (Vancouver Quadra)	Hovdebo	Miller
Coates	Howie	Neil
Corbett	Huntington	Nickerson
Crosbie (St. John's West)	Ittinuar	Nielsen
Crouse	Jarvis	Oberle
Dantzer	Keeper	Paproski
Darling	Kempling	Riis
Deans	King	Roche
de Jong	Knowles	Rose
Dinsdale	Korchinski	Sargeant
Ellis	Kushner	Scott (Victoria-Haliburton)
Epp	Lambert	Siddon
Fraser	MacDonald (Miss)	Stewart
Friesen	MacKay	Towers
		Wilson
		Wright
		Yurko—72.

[*Translation*]

Madam Speaker: I declare the motion carried.

● (2110)

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed, from Wednesday, February 11, consideration of the motion of Mr. Bussières (for the Minister of Finance) that Bill C-59, to provide supplementary borrowing authority, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, this gives me the opportunity to participate in this debate, curtailed and shortened as it was by the Draconian imposition of closure on the part of the government. I am very pleased to see that the Prime Minister (Mr. Trudeau) is staying to hear my speech because I have many remarks to direct to him personally as leader of this government.

It is very interesting to note that since the Prime Minister has occupied that position he has never participated in any debate aside from the required and mandatory Address in Reply to the Speech from the Throne. The Prime Minister

regards the House of Commons as a nuisance and a bother. He never, never participates in the debates about our country.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: He thinks so little of the House of Commons that he is well known for this reference to members of Parliament as being nobodies. Now, at his direction, the House leader has imposed—

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: Mr. Speaker, I am sorry, but I have to make a reference to a member in the House across the way, because the only time he speaks is when he is seated. He never speaks when he is standing up. I am, of course, referring to the hon. member for Gloucester (Mr. Breau).

If the Prime Minister participated in these debates and if he understood that the people of Canada are concerned in the context of today's conditions, he would know that the people want to have a debate on the economic circumstances of Canada. This is a very important and worth-while debate in terms of what is happening in our country.

Many constituents speak to me and ask why we have not addressed ourselves to some of the serious problems in our country at the present time. They ask why we have a preoccupation about matters such as the constitution. They ask why we do not get on to the realities of the economic circumstances in Canada today. I can only reply that this debate offers members of the House of Commons the opportunity to make suggestions to the government and to discuss the economic circumstances of our country.

An hon. Member: You are driving him out of the House.

Mr. Hnatyshyn: The Prime Minister has moved to a place where he should be in this House, and that is to the backbenches.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: The people of Canada do want to hear about the economic circumstances of our country. They want to hear why it is that our government is coming to Parliament to ask for authority to borrow $14 billion. After 12 years, the legacy of this Prime Minister is that the government goes to the foreign markets and to the banks in this country—

Mr. Trudeau: He is reading the newspaper.

Mr. Hnatyshyn: I do not mind the Prime Minister not speaking in this House but this is the first time he has ever sat in the House during the course of a debate.

Mr. Trudeau: At least I am listening, but your hon. members are not.

Mr. Hnatyshyn: My hon. members are listening with rapt attention.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: I speak not only to the Prime Minister but to the people of Canada. I can tell them that this is an important bill. Many people do not understand the enormity of this particular legislation.

Mr. Trudeau: I don't have to. Look at Crosbie.

Mr. Hnatyshyn: The Prime Minister says, "lend me $14 billion".

An hon. Member: Why?

Mr. Trudeau: He is reading the funny papers.

Mr. Hnatyshyn: People do not understand what a billion is.

Mr. Regan: Try $140 a second.

Mr. Hnatyshyn: Do people really understand? One billion seconds ago the first atomic bomb had not yet been exploded. One billion hours ago Christ was still on this earth.

An hon. Member: Where did you get that from?

Mr. Hnatyshyn: One billion years ago man was still living in caves. One billion dollars ago, in terms of federal government spending, was yesterday.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: That is the reality of our circumstances in Canada today.

I would ask members on the other side to restrain themselves, Mr. Speaker. I know they will want to listen with enthusiasm to what I have to say.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: Today we have been faced with closure once again as part of the arsenal of tactics of this government. Because of its majority, closure has been imposed on a most important bill which we must consider in this Parliament. The argument has been made that this bill has received some 12 hours of attention and therefore we must move it from the House of Commons and into committee where it will not embarrass the government. The government's main preoccupation is to move the bill off the floor of the House of Commons into the obscurity of a committee where it will not have the full attention of the public and the mismanagement which has taken place under this government, will pass unmarked.

I suggest that second reading of this bill gives members of the House of Commons an opportunity, as parliamentarians, to discuss in principle the questions related to the borrowing of this money. These are related to the larger question of why we are in these circumstances today. We can make constructive suggestions to the government. It can take advantage of the advice it receives from members representing constituencies across this country.

• (2120)

Canadians are anxious that Members of Parliament discuss the economic circumstances of this country. The role of parliamentarians is to represent their constituents, to discuss the issues that are relevant and important and to have some control over the executive which would otherwise go unfettered. The imposition of closure should be of serious concern not only to members of the opposition, but to the government, the backbenchers in particular. This is one opportunity for them to bring to the attention of the executive, the cabinet, their concerns, apprehensions and hopes for the country. Any move on the part of this government to impose closure is a retrograde step that we and the people of Canada do not deserve.

I want to deal with the question of why this borrowing bill is so important. A number of myths have developed and have been, if I may use the term, perpetrated by this government. There are suggestions that somehow this borrowing is not all that bad, that we in Canada should not be too concerned about the government borrowing such an enormous amount of money.

One of my colleagues pointed out that this borrowing bill is like giving the government a carte blanche to spend, because it does not have the ability to control spending. Certain myths have been perpetrated by supporters of the government. I am not sure if the hon. member for Ottawa Centre (Mr. Evans) supports this proposition, but one myth is that deficit spending is good for Canada's economic health. Nothing could be further from the truth.

The myth has been spread across the country that somehow deficit spending is in fact helpful in terms of the government's activities and responsibilities. Deficits do not necessarily occur as a consequence of measures designed to promote economic growth. A considerable portion of the existing deficit is purely and simply the result of the failure to achieve economic growth.

If a deficit has been incurred as a consequence of measures taken to promote economic growth, there may be some economic benefit from it. As the same time, however, regardless of how the deficit occurred, there are serious economic consequences. There are really only two ways to finance a deficit. The first is by the printing of money. This leads to an expansion of the money supply and increased inflation. The second is the method used under the provisions of this bill, namely, borrowing money.

Borrowing money, as contemplated by this bill, has a number of consequences. It crowds out private sector borrowing and increases interest rates. At a time when we are faced with unprecedented interest rates in this country, it should not be lost on the supporters of this government that one of the consequences of this bill will be that the borrowing of this money will have a very deleterious effect on interest rates and very serious consequences on the average consumer.

In recent years, net new federal borrowings accounted for more than one-third of non-consumer borrowing. I ask hon. members to consider the consequences of what I am saying. This is a frightening prospect in terms of the direction in which we see this government moving in these economic programs, or lack of programs and planning.

When a government borrows money, its total interest costs go up and, as a result, the deficit goes up. In the normal course of events, more money must be borrowed to pay the interest on past debts.

Another myth perpetrated by this government is that somehow this deficit that they have incurred is increasing year by year, as certain as the sun comes up in the east and sets in the west, because it is taking positive initiatives which are somehow directed toward assisting Canadians. It is fair to point out at this time, with respect to this bill, that a number of factors are responsible for Canada's recent deficit. One of the most important is the fact that we have economic mismanagement and we have had this mismanagement from successive Liberal finance ministers. Poor economic performance results in slow revenue growth and increased expenditures in social programs such as welfare and unemployment insurance.

In addition, the inflation generated by the Liberals in the seventies has driven government spending up at a faster rate than revenues. Unnecessary spending by this and preceding Liberal governments has caused a drain on the treasury. I will not waste the time of the House listing examples of unnecessary spending, but there is one of recent interest that comes to mind.

An hon. Member: List them.

Mr. Hnatyshyn: There is an awful urge to list them, but I only have 40 minutes and it would take far more time than that to list the unnecessary expenditures of this government.

There is one example that the hon. member for Vegreville (Mr. Mazankowski), having served as minister of transport, will remember well. I refer to Mirabel airport, a $500 million white elephant. The Liberals have consistently failed to exercise adequate cost control over projects and programs. In October, 1979, for example, it was discovered that cost overruns on ongoing projects initiated by Liberal governments totalled $1.1 billion. In 1978, the Unemployment Insurance Commission paid $290 million to persons not legally entitled to receive benefits.

These are the kinds of expenditures that come from mismanagement and a lack of control. These amounts could have been saved for the Canadian public if the government had any interest, desire or motivation with respect to looking after and properly managing the taxpayers' money in this country.

In some cases the Liberals have driven up the cost of government by rewarding their friends and attempting to buy votes in order to remain popular. That is the tradition of the Liberal party. Their political strategy has been spend, spend, spend, particularly at election time. At that time nothing is sacred. They spend money to buy their way back into power. Unfortunately, they are using the taxpayers' money, increasing the deficit and causing serious problems not only for us, but for our children and children's children.

I want to remind hon. members of a period of time which was particularly devastating to the Canadian economy. It was during the minority government of 1972-74. At that time, in order to sustain power and deal with their bedmates and friends in the Democratic Party—

An hon. Member: They paid for it.

Mr. Hnatyshyn: The Canadian people are still paying for it. Spending rose during that period of time at a rate of 20 per cent per year. This is the price Canadians paid and will continue to pay because of the federal Liberal Party's desire to keep the New Democratic Party onside, to keep them in a coalition. The two of them have cost our country dearly both in terms of spending practices and the deficit we now face.

● (2130)

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: There is another myth put forward by the government; that there is nothing wrong with having a large national debt. We hear that from government spokesmen from time to time. The government says we owe the money only to ourselves and that there are assets to offset the debt. The major problem with that particular argument is that the debt must be serviced in the current fiscal year, and the cost of servicing it will exceed $11 billion. That is just under one tax dollar in every four.

Let us consider the consequences of one dollar of every four collected from the taxpayers of our country, going purely and simply to service the deficit and the debt incurred by this government, and preceding Liberal governments over the years. Of course, the Liberal Party thinks that is funny. It thinks that somehow attaining power, spending taxpayers' money and retaining power is all that counts in political life; that honesty plays no part in politics. One dollar out of every four dollars collected by taxpayers is used to service the debt! If you convert that to the liability of each taxpayer in Canada, it comes to $1,200 each every taxpayer in Canada. The gross debt is three times larger than the estimated value of the government's assets. So much for the argument of the government that somehow we have assets to counteract the deficit and the debt we have incurred.

Another argument or myth put forward by the government is that there is nothing wrong with short-term deficits. The federal government has not balanced its books since 1970 and is unlikely to do so over the course of the next five years. The Liberals maintain that since 1970 the deficit has been a short-term problem. There is nothing short-term about 15 years of deficit financing in this country.

Another argument that the Prime Minister in particular likes to put forward whenever there is a question about the deficit in our country and the spending activities of the government, is that compared to other nations, our deficits are not all that bad. I think statistics will prove that out of 17 OECD countries for which 1979 data is available, only five nations had a deficit which was proportionately larger than Canada's and 11 had a deficit which was proportionately less.

Since 1979 our fiscal situation has deteriorated. The United States, our largest trading partner, is expected to balance its books in the next year under its new administration. Considering the potential this country has, the ability of our citizens and our productivity, why are we in a declining deficit position?

I also want to deal with the argument put forth by this government that this deficit is not too bad in relative terms. I have heard the argument that relative to our GNP, our debt is smaller than it was at the time of the Diefenbaker government. During the Diefenbaker years, the government had a relatively large debt, due to the obligations created during the Second World War.

In 1960 the net debt was equal to 33 per cent of GNP; it declined to 13.1 per cent of GNP in 1975. However, since 1975 the net debt relative to our GNP has more than doubled, to a projected 28 per cent in the current fiscal year. If current trends continue, this government will be unable to use that particular comparison much longer. It does not have the consequences of the Second World War to rely upon. This situation has come about because of its own spending habits, its mismanagement and its inability to deal seriously with the fundamental economic problems of our country.

I want to deal briefly with the fact that during the time this party was in power, it took steps to control spending. In the time that my colleague for St. John's West (Mr. Crosbie) was minister of finance, a real attempt was made to control spending and reduce the deficit. It took a lot of courageous action on the part of all ministers and members of this party to bring things under control and reverse the tendency to increase the deficit.

When we took office, internal projections showed that the deficit would rise to $18 billion by 1984-85. Action was taken to reduce the figure to $9 billion by 1983-84, one-half of the deficit position in the previous government's estimates. Our budget projected that cash requirements be cut in half, from $9.9 billion in 1979-80 to $4.8 billion in 1983-84, and that spending increases be held to the rate of inflation in the country.

We took measures to improve expenditure controls and accountability, such as the envelope system. We took steps to reduce overclassification problems in the civil service and to impose tough financial penalties for government departments which incurred cost overruns on capital projects. We arranged to implement several of the recommendations of the Lambert commission. There were real cuts in spending. The government of which I was privileged to be a member was very serious about its responsibility to manage the taxpayers' money and to look after the affairs of this country in a responsible manner. As a result of the return of this government, we are back on the old trail. With single-minded determination it seems to be determined to take us down the road of increased deficits, increased spending and it seems to have no concern at all about efficiency of operation and efficiency of management.

I know this causes some anguish and grief to the member for Ottawa Centre and he is right to be concerned. I am sure that in his heart of hearts he understands the difficulties this government is creating. Representing as he does a constituency in the capital city, he fully understands. Having had the opportunity to serve in the public service, he will fully understand the implication of this policy and where it is taking us in terms of the future of our country.

What we are dealing with in this bill is the request for authority to borrow $14 billion. Included, is a $3 billion contingency fund, a sort of a slush fund if you will, in case the government finds that some of its actions are off target. I suggest that this is one of the fundamental problems with this particular bill. On the basis of its record we know that building in a $3 billion slush fund will do nothing to make this government concerned about the efficiency of its operation or the consequences of its spending programs. This record causes great concern to anyone who takes responsible government in this country seriously. We are facing a situation where the taxpayer pays, and pays and continues to pay. The obligations imposed upon the taxpayer of this country are becoming enormous.

• (2140)

All members of Parliament receive letters from constituents with respect to the increased burden of taxation now imposed on private citizens, wage earners and middle and low-income Canadians who try to work, try to participate and try to involve themselves in the productivity of our nation. They find that the taxation imposed by the federal government is oppressive. They see no relief, and this naturally leads to a sense of despondency and real concern about where our country is going. They wonder about the advantages of being involved in any occupation, employment or small business. They wonder why they should be working. With the present rate of taxation they sometimes feel they would be better off on unemployment insurance. We all hear that from our constituencies. Hon. members opposite know that is the kind of correspondence they get; it is the kind of correspondence I get. I receive correspondence expressing concern about the weight of taxation.

The budget brought down by the Minister of Finance (Mr. MacEachen) projects spending of $66.6 billion next year. A deficit of $13.7 billion was projected. The gross national debt last year was $107 billion, and I suspect it will exceed $120 billion by April of this year.

As I have mentioned, interest is a very, very serious drain on our economy, and it will cost the Canadian taxpayer $12.3 billion next year.

I am sure people who are watching this debate are just befuddled by these huge and enormous figures. It must be very difficult for the avearage citizen to comprehend them. My colleague, the hon. member for Kingston and The Islands (Miss MacDonald), in an excellent involvement with respect to the closure motion, brought to our attention the fact that it is hard for the average person to relate to the amounts of money we are talking about. I would like to deal just for a moment with some examples of what is involved in terms of the government's spending programs and in terms of cost to the taxpayer. I think when these figures are presented in very simple terms, they become meaningful, and people can understand what the government is about. This matter is almost akin to "How many ways do I love you" but this time it is, "How many ways am I fixing you" on the part of the federal government. I want simply to put the matter in that context because I have some examples which might be of interest to members of the government who are sitting across the way.

Government spending will be equal to $7,600 per taxpayer in the coming fiscal year. The Prime Minister sat, smiling and smirking during this debate. That $7,600 compares to government spending of $1,692 per taxpayer when he assumed office. That is the kind of increase per taxpayer we are facing on the basis of the government's spending program.

On a per capita basis, government spending next year will amount to $2,730 per man, woman and child in Canada. That compares to $549 per capita when the Prime Minister assumed office.

Government spending is now more than five times greater than it was when the Prime Minister first took office and ten times greater than it was during the Second World War.

The hon. member for Kingston and the Islands (Miss MacDonald) made some references to buying cars in relation to

total government spending. I want to relate it to the buying of houses. Total government spending is enough to buy a new $75,000 home for every householder in British Columbia.

Mr. Paproski: If they could find one.

Mr. Hnatyshyn: My colleagues will be interested in knowing that interest on the public debt is enough to buy a new $75,000 home for every householder in the city of Calgary. I think I will move to Calgary. That is a place where a house costs much more than $75,000, but at least it would be a down payment.

The annual cost of interest on the public debt next year will equal $500 per capita and $1,390 per taxpayer. These are facts with respect to the spending habits of this government as they relate to the individual citizen. It is impossible to talk in terms of billions of dollars because, as I pointed out, it is impossible to comprehend. The fact that a billion seconds ago the first atomic bomb had not yet been exploded, shows how enormous a billion is. We are talking now about 14 times that.

As I mentioned before, one in four tax dollars is used to service the debt. Seven years ago, the burden of paying that interest rate was only one dollar in nine. That is now reduced to one dollar in four. With that progression we will be faced with a very serious proposition two or three years down the road.

I want to give some other examples because I have many of them, and I want hon. members opposite to listen very carefully to these statistics. The government's total debt is the equivalent of $5,000 per capita and $13,700 per taxpayer. That is the total debt obligation on every citizen of this country. The cost of interest on the debt exceeds the value of federal income taxes collected from persons earning less than $30,000 a year.

I have a number of other examples which relate to the average citizen of this country. These relate to the enormity of the spending programs and the deficit which has been occasioned by this government. I would be only too happy to table this information for the benefit of hon. members.

If any member is interested in exactly what the consequences are and wants more examples of what this means to every taxpayer, I would be glad to give this information or to speak to any member personally.

I have just a couple more minutes, and I want to finish by calling attention to what I thought was an excellent address referred to in a recent article by Ronald Anderson of *The Globe and Mail*. The address was given by Professor J. C. Gilson of the department of agricultural economics of the University of Manitoba. Professor Gilson pointed out that we in Canada are headed on a very serious course for the future of our country. In his remarks he demonstrated a serious concern for the future of our country. He pointed out that, unfortunately, under this government we now have a country which is torn by dissension and is apparently unable to deal intelligently with economic problems, while other less well-endowed nations seem capable of doing so. He said that an important part of the problem is that in Canada the revolution of rising expectations has turned into a revolution of rising entitlements.

People in Canada, according to Professor Gilson, have somehow come to expect, as a result of this government's spending habits, more and more government spending and more and more government intervention in terms of the day to day activities of life and business. But, Professor Gilson points out, we are now facing leaner times and leaner circumstances and must come to grips with the very serious problem.

Professor Gilson said the following:

> Seldom in the history of our nation have Canadians faced as much contention, conflict and confrontation, with so little resolution of their basic economic problems, as they did during 1980.

He said:

> The urgent economic issues which . . . are developing into a national crisis, are inflation, the large and increasing federal budgetary deficit, the chronic deficit in the current account balance of payments, and the weak performance in productivity improvement.

I think Professor Gilson really puts his finger on the problem in our country when he points out, and I quote:

> It is clear that our society needs to take stock of itself; to make an honest assessment of its goals, values and institutions, and to decide how it is to be reshaped and matched with current realities.
>
> Unless and until the federal government gets its revenue and expenditure policies under control, to the point where effective fiscal policy can be used along with monetary policy to combat inflation our nation will continue to alternate between periods of monetary squeeze and excessively high interest rates, and serious upsurges in the rate of inflation.

Put into very simple terms, the proposition is that with the deficit position this government has inflicted on the people of Canada, there is absolutely no room for flexibility in dealing with the serious problems of the average citizen. Where is the resilience and the strength in our economy that would enable us to deal with oppressive interest rates? Where is the ability to help, as we attempted in our budget to help, the low and middle-income earner? Facing that kind of drain on the economy, what can be done to deal with interest rates? What can be done to help the small businessman or the average citizen in terms of mortgage interest rates on his home or in terms of real property taxation, which is now growing because of the requirements of the municipalities of our country? An ever-increasing cycle is developing as a result of this government's actions?

● (2150)

I want to give a message to the government tonight, a message which is serious and which we must all consider: unless we get together in a constructive way—and that is the basis of all my remarks on second reading of this bill, on the principle of this bill,—unless every member of the House comes forward and tries to give advice to the government and

tries to suggest a course of action for the government and does so in a co-operative way, in a non-partisan way; unless we create an economic future and plan our economy so that we can reduce the deficit, then the requirement for borrowing money, which expanded from $12 billion in June of last year to $14 billion six months later, will be a rollercoaster proposition which will worsen.

I plead with the government to take advantage of this opportunity when it is a majority government. There are advantages in having a majority. It gives the government the ability to take the kind of action that will give stability and flexibility to our economy. By doing so, the government will be rendering a service to the Canadian people. If it continues on the present course, we in Canada will face a poor and unfortunate future. A country such as Canada with the potential it has, deserves far better.

Mr. Bill McKnight (Kindersley-Lloydminster): Mr. Speaker, I want to thank my colleague, the hon. member for Saskatoon West (Mr. Hnatyshyn) for making his comments brief. I hope, Mr. Speaker, that I will not be the cause of members leaving the chamber.

For the past number of hours we have been debating the $14 billion which this government wishes to borrow to subsidize its deficit. If this government were an individual or a company, it would declare bankruptcy. The problem is that the federal government has no place where it can file bankruptcy papers. I am sure that if it could, it would file them. You cannot have deficits continuously, as this government does, and go on and on, unless you happen to be the government.

We understand that much of the money that is allocated by this government goes toward western development. Hon. members in the government party have often referred to the figure of $4 billion. We cannot find the $4 billion in the budget. When we take a close look at the budget, we find $2 billion to be spent over three years, but when we take another look to try to find out where this new $2 billion will be spent, we find it is to be spent on existing programs. There is nothing new, nothing to benefit or assist the people.

I see the hon. member for Ottawa Centre (Mr. Evans) shake his head, but the fact is that the $2 billion will not be spent on new programs. Let us see where this $2 billion comes from. It comes from the $37.5 billion which will be removed from the resources of western Canada in the next three years. The proposal is to return $2 billion and to take away $37.5 billion. This will not make people in any part of Canada respect a government which tries to promote such flim-flam and chicanery as taking $37.5 billion and returning only $2 billion.

I heard the hon. member for Willowdale (Mr. Peterson) referring earlier this evening to prices which this government is charging for gasoline. I should like to read into the record figures representing the difference between what was proposed in the PC budget of December, 1979, and what is projected in the present budget for the year 1983. Under the December PC budget, the average annual tax on heating oil was equivalent to 19 cents a gallon. Under the Liberal budget, by December, 1983, the average tax on heating oil will be 55 cents a gallon, and that is before the purchase of Petrofina, as my colleague, the hon. member for Yukon (Mr. Nielsen) says. Under the PC budget, the average annual tax on gasoline was 39 cents a gallon. The average annual tax in 1983 under the Liberal government's budget will be 59 cents a gallon. In spite of this, hon. members opposite cried about the 18-cent increase we proposed! Under our budget the total tax, before the energy tax credit, for the average Canadian family would have been $483. Under this budget, the average tax will be $790. In our budget we proposed an energy tax credit because we had compassion and sympathy for middle and lower-income Canadians. It would have meant another $220. Under our tax system, the average Canadian family would pay $263, but under the system proposed by this bellicose government, they will have to pay $790, and hon. members opposite are wondering why the people of Canada are saying that their budget is not that great.

Let us see why we have a deficit of $14 billion. We have heard the reason given by members on the other side. The reason, they say, is that the government has a program and it needs $14 billion. What do they need it for? They need it for JetStar trips. I would like hon. members opposite to listen. In 1978, under the old Liberal government, 431 trips were made, for a total of $274,107,000. In 1979, under the Progressive Conservative government, 162 trips were made. Hon. members opposite are saying that is why we lost the election. They cannot really think that we lost the election because we were careful with the taxpayers' money. That cannot be the way they think of the taxpayers of Canada. I am sure that hon. members opposite have more sense than to think that our taxpayers can be purchased with their own money.

Let us look at the period of time when Otto Lang was minister of transport. I see there is a mistake in my notes here. The name of the minister is spelled "Auto", and I apologize for that because he took up more time flying. He made 30 JetStar trips in the same time period as the hon. member for Vegreville (Mr. Mazankowski) took three. Recently the JetStar has been used for 56 trips a month, or two trips every day including Saturdays and Sundays. The big user of the JetStar seems to be the Minister of Agriculture (Mr. Whelan) who travels across Canada promoting himself. He is not of great assistance to my part of the province of Saskatchewan.

Mr. Speaker, I see that the clock is moving ahead, so may I call it ten o'clock?

Adjournment Debate

• (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

FEDERAL LANDS—YUKON—DISPOSITION OF CERTAIN LOTS WITHOUT TENDER

Hon. Erik Nielsen (Yukon): Mr. Speaker, since the rules changed in 1972, I believe it was, when this late show was first invented, this is the first time I have risen to take advantage of it. I do so because of a matter which is very important to Yukoners.

I telephoned the office of the Minister of Indian Affairs and Northern Development (Mr. Munro) and informed him that I would be raising this matter tonight. But I suppose he had other pressing matters to deal with and he did not consider the land question in the Yukon of sufficient importance in relation to his other responsibilities. I see the hon. member for Timmins-Chapleau (Mr. Chénier) in his seat, though. He is probably here tonight to read the written response to what is anticipated will be my presentation.

The constitution is of importance to Yukoners, Mr. Speaker, in terms of government reform. Fuel prices are very important in the north. High taxes and high interest rates are extremely important in that high cost area, as are high food prices. High unemployment and native land claims, too, are important. Environmental concerns and the aspect of the Alaska highway natural gas pipeline are also very high on the priority list of important items in the Yukon, as are the functions of the Northern Canada Power Commission. Transportation and mining development are also of great importance. But I cannot think of a more important issue in all of my years in the Yukon than the availability of land. Of the 207,036 square miles of Yukon, the territorial government has jurisdiction over some 367 of those. All of the rest are federal.

I would like to break down this problem into two compartments, and it is important to do so. If it were not for the land freeze which the federal government imposed until the settlement of native claims in Yukon, an individual—and I am emphasizing that word, individual—would be entitled to apply for permission to purchase a plot of land, whether it be a small plot in the municipality or a larger plot in the countryside. That application would be initiated by the individual and dealt with by the government.

If the member for Timmins-Chapleau is to answer my question, will he at least pay attention to my submission, which he is to respond to?

Mr. Chénier: I always do.

Mr. Nielsen: I will compartmentalize the one problem of an individual. Again, in all of my time in Yukon, which is going on 30 years now, I know of no instance where there has been a federal disposition of multiple lots of land which has not been—I know of no such disposition. If there had been one, I would be extremely surprised if it were not publicly advertised and all Yukoners given an opportunity to apply.

The recent case which gives rise to these questions concern six lots of federal land available in the Cowley Lake area and seven other lots along the Carcross Road which became available for disposition. That is 13 lots in all. They were snapped up by individuals who seemed to have some kind of inside information. One of those individuals was the chief administrator of lands in Yukon whose application was right there on top, among others from prominent individuals in the community. There was no public advertising and no request for public tenders.

At that stage I raised the matter in the House. Since that time there have been meetings between the territorial government officials and the federal government officials in Yukon to determine how to resolve the matter. Territorial government policy is to advertise such dispositions publicly and to give every Yukoner an equal opportunity to apply for those multiple land dispositions. The outcome of that meeting has not yet been decided but I was informed today that the federal position now is that everything is in a holding pattern and that there will be no disposition of those 13 lots. The whole matter is under review and until such time as a policy is developed, there will be no disposition. That is some progress, and with that position I agree.

• (2205)

There are two possible solutions to this particular problem. First, the federal government could advertise those lots as being available for sale, which would give every Yukoner an equal opportunity to apply for them. The other and more preferable solution is that the federal government could transfer those lots to the Yukon government which, in turn, would dispose of them. I know that it is the standing, invariable policy of the Yukon government to publicly advertise multiple lot dispositions for sale so that everyone is given an equal opportunity.

I suggest that in the future the disposition of federal lands of multiple disposition be publicly advertised so that every resident of the Yukon may be given an equal opportunity to acquire those lands. I make the final distinction; we are not speaking about an individual application, as difficult as that is to get through, but about several lots belonging to the federal government and put up for sale by the federal government. In such instances it is the obligation of the government to follow its own guidelines for the disposition of public lands set out by the Treasury Board and to call for public tenders, which means advertising and giving an equal opportunity to all to obtain those lands.

Mr. Ray Chénier (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, for the past two or three years there has been controversy in the Yukon concerning the policies and operations of the Depart-

ment of Indian Affairs and Northern Development in regard to making land available to Yukon citizens for lease or for purchase. The hon. member for Yukon (Mr. Nielsen) highlighted this controversy by alleging improprieties in the department—

Mr. Nielsen: That is not true. I alleged no improprieties.

Mr. Chénier: —in regard to some 13 rural lots south of Whitehorse. Of course, there was no such impropriety, as was recently stated publicly by the Minister of Indian Affairs and Northern Development (Mr. Munro).

There are, however, some lingering misunderstandings of the department's land disposition policies in the Yukon which I would like to dispel. For many years the department held to what can be described as a laissez-faire policy in the granting of surface interests to Yukon lands.

Individuals or firms which applied to the federal lands office rarely had their applications rejected. The primary criteria was that an applicant should receive as much land area as he needed for his purpose. There was only a cursory review and evaluation of the application, with little or no territorial government input, and the cost of land was set at the minimum allowable in the territorial lands regulations. It became obvious that uncontrolled disposition could lead to costly unplanned-for demands for public services and to environmental damage. It soon became necessary for the department to apply policies that would gain control of the situation. As an example, the department felt it necessary to apply a policy under which cottage recreational lots would be made available in future only in planned subdivisions. Some 500 lots have been prepared and released by the department since then.

However, the predominant measure taken to impose order on a situation that was getting out of hand by the mid-1970s was to enter into co-operative land-use planning projects with the Yukon government. Since 1977, both levels of government have pursued land-use planning in what is called the Whitehorse north study area, encompassing 750 square miles, and the Whitehorse south study area, encompassing some 1,400 square miles.

• (2210)

In effect, these projects have addressed the rural land development requirements and aspirations of 60 per cent of the Yukon's population. The projects were carried out with extensive public participation. The Yukon government and the Department of Indian Affairs and Northern Development have approved the findings of the studies which will provide for rural residential acreage lots being made available in the near future. The government of the Yukon will announce very soon a policy for rural lot development in the Whitehorse area.

The method by which the department makes land available in a fair and equitable manner also needs to be addressed. The regional lands office employs three systems. I will not be able to explain all of them, but I should like to continue this with the hon. member when I get the chance.

Mr. Nielsen: I wish you would answer the question.

Adjournment Debate

PETRO-CANADA—INQUIRY WHETHER OFFER MADE TO PURCHASE PETROFINA

Mr. Hal Herbert (Vaudreuil): Mr. Speaker, on Friday, January 16, I put a question in the House to the Minister of Energy, Mines and Resources (Mr. Lalonde). I asked him whether he could deny or confirm that Petro-Canada had made a purchase offer to Petrofina. He replied that he was not aware of any approach made by Petro-Canada to Petrofina in recent months.

I should explain that the background to that question was a conversation I had with the minister the previous Wednesday, in which I made known to him that there were allegations that the president of Petrofina had made known to other persons what he considered to be offers by Petro-Canada for the purchase of his company.

Two weeks later came the confirmation that our suspicions were well-founded—Petro-Canada was buying Petrofina. The acquisition by Petro-Canada of Petrofina represents a significant step in achieving the goals of the government's energy program.

From now on Petro-Canada will not be only a national company by name, but in reality, from Cape Breton to Vancouver. Petro-Canada already owns gas stations in western Canada, but not in the east. This will change with the acquisition of Petrofina's 1,086 stations across Ontario, Quebec and the Atlantic provinces.

When the federal Liberal government announced the National Energy Program on October 28, the keystone of the program was, and still is, the intention to increase Canadian participation in our domestic oil and gas industries. This acquisition is one of which all Canadians can be proud.

Easterners should be able to buy gas from their national oil company rather than from foreign-owned gas stations, as westerners have been able to do since Petro-Canada bought Pacific Petroleums in 1978.

The energy policy received an additional boost a couple of weeks ago when Dome Petroleum announced a multibillion dollar energy exploration program. The price paid for Petrofina has been estimated by various people, but I have noticed that Wood Gundy, a brokerage house, calculated Petrofina's net asset value before the federal budget as $99.31 a share and its post-budget value as $81.54. Of course the point is that as a nationally-owned company it can return to its $99.31 per share value. A premium under those circumstances of $21 a share or 21 per cent is certainly not out of line with similar purchases.

The purchase of Petrofina propels Petro-Canada into fifth place from eighth place in the oil and gas business. The other four major petroleum companies—Imperial Oil, Gulf Canada, Texaco Canada and Shell Canada—are all foreign-owned. Petrofina's oil and gas production, its tar sands interests, its Montreal refinery and its more than 1,000 gasoline outlets will now be owned by Petro-Canada.

I should like to make some reference to the four foreign-owned companies which I mentioned. For example, Imperial

Oil has only 22 per cent Canadian ownership; Shell Canada, 26 per cent; Gulf Canada, 26 per cent and Texaco Canada, 9 per cent. I ask, therefore, where did the profits go? I want to make reference to this matter, and I shall be very precise. The net income of these four companies, after income taxes, in 1977 totalled just over $2 billion. In 1978 it went to $2,285 million, and in 1979 it went to $3,525 million. Of that amount, in the three years about which I am talking, 1977, 1978 and 1979, the federal government took in $825 million; $735 million and $766 million respectively. The amounts that went to the provinces were as follows: in 1977, $2,985 million; in 1978, $3,357 million and in 1979, $4,076 million. I think it is time we called a halt to this. There was an increase of 27.6 per cent in the profit of Imperial Oil for the year ended December 31, 1980, over the previous year. This did not include a one-time increase in cash profits amounting to some $81 million.

• (2215)

It is interesting that the foreign-owned multinationals are starting to make a move. Canadianization is no longer in doubt. Gulf Canada submitted a report proposing three alternative Canadianization schemes. Shell Oil is negotiating with two medium-sized Canadian companies to form a new consortium. Mobil, similarly, is negotiating with two Canadian companies to bring off the same deal as Shell.

The decision to go after and take over Petrofina was made by the board of directors and management of Petro-Canada. The negotiations were carried out on a business basis by the management of Petro-Canada, and the government has approved the takeover. I sincerely applaud the government's initiatives. I look forward to receiving my Petro-Canada gas credit card at an early date so that I can leave the profit on Canada's immense natural resources in Canada.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, the hon. member has so well comprehended the government's policy of Canadianization in the petroleum sector that there is little that I need add.

I should, however, take this brief opportunity to draw attention to the Canadianization goals in the national energy policy, goals which were set forth against the background of foreign ownership in our petroleum industry which has been much greater than in other industrialized countries.

The National Energy Program identifies a greater Canadian ownership and control in the petroleum industry as a principal goal. It holds out the expectation that from Canadianization a yet more dynamic energy sector will emerge, one more responsive to Canada's broad national goals. More specifically, the program looks toward 50 per cent Canadian ownership of oil and gas production by 1990; Canadian control of a significant number of larger oil petroleum companies and an early increase in the share of the petroleum sector owned by the Government of Canada.

As the hon. member for Vaudreuil (Mr. Herbert) has suggested, the popularity of the Canadianization program cannot be in any doubt. The evidence is ample, whether it be in the form of opinion surveys or simply in the form of the increased customer demand at existing Petro-Canada stations in western Canada. I want also to draw attention, as the hon. member has just done, to the fact that in the purchase of Petrofina, Petro-Canada has acquired a company with assets that fit in particularly well with its present activities and which, when integrated, will help to ensure that we have a truly national, viable state oil company.

FISHERIES—REGULATION OF HERRING FISHING ON WEST COAST

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, on Monday last I rose in my place to ask the Minister of Fisheries and Oceans (Mr. LeBlanc) questions about the herring roe fishing policy that he was implementing this year on the west coast.

Until now I have had a great deal of respect for the answers the minister has given when he has been asked about fishing policy in Canada. I always felt that he was trying to be candid, not like another cabinet minister in the government; I felt that he was as open and forthcoming as possible—until last Monday.

• (2220)

I was surprised and alarmed that he skirted around the questions and never answered them. What alarms me most is I do not think he knew the answers. I do not believe he was trying to be untruthful; he just did not know.

When I was elected in 1974, three Liberal members were elected in British Columbia, representing coastal fishing communities. Today there are none. It appears that at least the fishermen are trying to send this Liberal government a message that they are unhappy with the fishing policy as it is being administered. The government is not catching on to that message.

The minister is not going to British Columbia any more now than in the days when Liberal members represented those coastal fishing communities. If he cared for his entire portfolio, not only the eastern maritime portion but also the Pacific portion, he would go there a few times each year and hear first hand what the fishermen have to tell him.

I had several simple questions to put to the minister. First, will those fishermen who have herring fishing licences automatically be able to fish for herring roe? Second, in the event there is the exception of those people who already hold that licence, will there be other categories, such as natives and other groups, who will be subjected to the lottery system? Third, why did the minister shelve the program which the department had in place for the 1980 season? Since there had been a strike during that year and the program had never been used, why did they shelve that program for 1981 and surprise the fishing community with an entirely new, untried policy? The fishermen had already invested money in preparing themselves and their equipment for the policy announced in 1980.

After that investment, the program was shelved for an almost entirely new one for 1981. Fourth, are there plans for expanding that kind of policy to other species such as salmon? That is the only question the minister attempted to answer. All he could say was he did not know of any plans, he would have to check.

I received no answers. My concern is that the minister does not know what is going on in the west coast fishing industry, nor does he understand the problems those fishermen are facing.

This raises new concerns. The fishermen are being continuously faced with what appear to be impetuous, in-house decisions made by people who seldom go into the field. They are made on the eleventh or fourteenth floor, if there is one, of an office building on Pender Street in Vancouver. It is a policy untouched by human hands; sterile, as clinically pure as possible. Those policymakers do not ask how their decisions affect the fishermen who have made their investment and their plans.

The minister should have known that eight out of the 11 groups were opposed to the lottery system. Only three wanted it. Although roughly 60 per cent to 70 per cent of the fishermen were opposed to it, he was set to go ahead. I understand that since I asked the question, there has been a modification of the program. Part of the lottery system has been cast aside and most or maybe all of the fishermen will be allowed to go out.

I want to quote from page 2 of a news release issued by the department entitled "1981 Herring Roe Season". I quote:

—it has been necessary to set a maximum number of vessels of each gear type for each of the three areas. Consequently, all fishermen may not receive an area licence certificate for that most preferred area.

I showed this to the minister after I had asked the question. He did not understand what it was all about. I must say I am worried. In his answer to me the minister said, as reported at page 7016 of *Hansard*:

● (2225)

—but in 1981, according to the reports of the biologists, we had to question very seriously if the type of management breakdown which had occurred in 1979 was tolerable—

In talking to fishermen I find it was not the biologists, but the herring co-ordinator who was out there. The minister is simply not doing his job for Pacific coast fisheries; he is not going out there and he is not consulting the industry thoroughly. He seems to have a few officials he consorts with and he bases his final decision on the basis of that short and shallow consultation. It is time he went out there and listened to the fishermen.

Adjournment Debate

Mr. George Henderson (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, an area licensing system is being implemented for the 1981 roe herring season. All herring roe fishermen are eligible for the program, with no special entry status for any particular group of fishermen.

Three areas of the coast were identified as separate fishing areas and I will mention them: north of Cape Caution, the Gulf of Georgia and the west coast Vancouver Island. Each roe herring licence holder is eligible to fish in only one of these three areas. A choice form was sent to roe herring licence holders on which they were asked to rank the three areas according to their order of choice. Licence holders were advised that, in order to achieve relatively equal opportunity for catches in each area, a draw might be necessary in order to award licence certificates in some areas.

According to choice forms submitted as of yesterday February 11, 1981, 1,416 indicate that although an optimal management situation may not be possible in all areas, the fleet is adequately distributed by first choice to allow a fishery to proceed in an orderly manner and to provide equitable catch opportunity. All roe herring licence holders are being assigned to their area of first choice for the 1981 season. This will accommodate voluntary pooling and fishing in traditional areas for native and other fishermen.

A number of management options were discussed for the 1981 roe herring season. The options discussed with industry were: no roe fishery; vessel pooling for seiners; individual vessel quotas; and no change from current management practices. The consensus among the industry organizations canvassed was that a new management plan was essential. The establishment of zones will improve gear distribution on the grounds and is expected to lead to larger catches being available in each area without endangering the stocks through high risk fishing situations.

● (2230)

It is quite an undertaking to manage the west coast fishery, and I think the Minister of Fisheries and Oceans (Mr. LeBlanc) and the department are doing their best in a very, very severe situation.

[*Translation*]

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 11 a.m.

At 10.30 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Friday, February 13, 1981

The House met at 11 a.m.

• (1105)

ROUTINE PROCEEDINGS

[*English*]

THE ECONOMY

INCREASE IN COST OF LIVING—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the latest figures released by Statistics Canada indicate an annual inflation rate of 12 per cent, with food for home consumption up 15 per cent since a year ago, led by the price of fresh vegetables which is now 42½ per cent higher than under the Conservatives 12 months previously, and whereas the Liberals have deliberately caused an increase in the price of heating oil of 9 per cent in one single month, I move, seconded by the hon. member for Okanagan-Similkameen (Mr. King):

That this House condemns the Grit government for squeezing the Canadian consumer between unprecedented high prices on the one hand and declines in real wages on the other.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

POSITION OF SASKATCHEWAN NEW DEMOCRATIC PARTY MEMBERS—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that Premier Blakeney of Saskatchewan has fallen off the fence and, by chance, landed on the side of the people of Canada, much to the disappointment of the hon. member for Oshawa (Mr. Broadbent) and the hon. member for Mount Royal (Mr. Trudeau), I move, seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That this House urge that the federal New Democratic Members of Parliament from the Province of Saskatchewan vote against the constitutional package, as their constituents are requesting, and that the House direct the NDP House leader not to physically abuse his colleagues who stand to oppose this legislation.

Some hon. Members: Hear, hear!

* * *

STATUS OF WOMEN

CALL FOR MINISTER TO ATTEND INDEPENDENT CONFERENCE—MOTION UNDER S.O. 43

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I rise under the provisions of Standing Order 43 to move the following motion. Given that the minister responsible for the status of women tried to mothball the Conference on Women and the Constitution scheduled for February 14 and 15, and given that hundreds of women from all across Canada have emerged to stage this important conference in defiance of the minister's dictates, I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That the minister responsible for the status of women emerge from the cocoon in which he is trying to shield himself from the views of women and make it a priority to attend the conference on February 14 and 15 so that he can be informed on the issues of importance to women, who have flown here from all parts of the country.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BELL CANADA

PROPOSED INCREASE IN RATES—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I rise under the provisions of Standing Order 43. As you know, Bell Canada has asked for a 30 per cent increase with respect to some of its rates. This year that increase will yield it $183 million in addition to what it currently makes, and next year it will yield $550 million in additional revenue. I therefore move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House inform Bell Canada that its line to the public purse may be disconnected unless it spends more energy improving services and less lobbying for outrageous and unwarranted 30 per cent increases.

Some hon. Members: Hear, hear!

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

HOUSE OF COMMONS

REQUEST THAT HOUSEHOLDER MAILINGS BE USED FOR ACCEPTABLE PURPOSES—MOTION UNDER S.O. 43

Mr. Marcel Dionne (Chicoutimi): Madam Speaker, I rise under Standing Order 43 to ask the unanimous consent of the House to move a motion on an urgent matter of pressing necessity.

In view of the fact that members' services allow all members to send householder mailings to their constituents four times a year; considering that the contents of such mailings should reflect the facts rather than convey false and heinous information; whereas the member for Okanagan-Similkameen (Mr. King) suggests in his last mailing that the government's patriation plan would make the people in Montreal, Chicoutimi, Toronto and Windsor more equal than those in Grand Forks, Merritt, Osoyoos, Penticton and Westbank; and since the member suggests as well to his constituents that they must be ready to become second-class citizens if the government's patriation plan is passed, I move, seconded by the member for Manicouagan (Mr. Maltais):

That, since this household mailing is only deceitful and heinous literature, the printing costs be incurred by the hon. member for Okanagan-Similkameen or by his own political party.

Madam Speaker: The House has heard the motion of the hon. member. The presentation of such a motion pursuant to Standing Order 43 requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1110)

[*English*]

ENERGY

DEVELOPMENT OF BAY OF FUNDY TIDAL POWER—MOTION UNDER S.O. 43

Hon. J. Robert Howie (York-Sunbury): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion. Whereas the production of electric power from the tides in the Bay of Fundy has, for many years, been the subject of repeated studies which have shown this renewable energy project to be feasible and capable of producing over 4,000 megawatts of electric energy, and whereas the Premier of Nova Scotia has journeyed to New York to explore plans for the further development of this tremendous electric power potential, I move, seconded by the hon. member for Carleton-Charlotte (Mr. McCain):

That this House commend the Premier of Nova Scotia for his leadership and direct the minister of energy to make a solid financial commitment to substantial assistance for the development of Fundy tidal power in Canada by Canadians and for the benefit of all Canadians, particularly those who live in the maritime provinces.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

POLITICAL PARTIES

MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that those Canadians who have donated their hard-earned dollars to the Conservative party have been getting questionable political benefits in return, and since Joey has been spending party funds to have Numero Uno fly around to cut and wash his hair, making Joe's haircuts of more value than a pensioner's monthly income, I move, seconded by the hon. member for Kamloops-Shuswap (Mr. Riis):

That Joe come clean and return the hundreds of dollars he has ripped off from donors to the Conservative Party used in the interests of keeping him pretty, and that at all future times he trim his own fat wages—

Madam Speaker: Order, order. This is really an abuse of Standing Order 43.

* * *

[*Translation*]

AIRPORTS

RETURN SALE OF EXPROPRIATED LANDS AT MIRABEL—MOTION UNDER S.O. 43

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, under the provisions of Standing Order 43, I seek the unanimous consent of the House to move a motion related to an urgent matter.

Considering that the federal government has at last made up its mind about Mirabel and decided to resell the land expropriated in 1969; and considering that the federal government has acknowledged that many of those parcels of land are in a

pitiful condition, I move, seconded by the hon. member for Bruce-Grey (Mr. Gurbin):

That the House commend the government for its decision and particularly for confessing thereby that massive expropriations were a monumental mistake, provided, however, it makes public amends for having devastated what were then the most beautiful arable lands in Quebec.

Madam Speaker: The House has heard the hon. member's motion. Pursuant to the provisions of Standing Order 43, this motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*English*]

AIR SAFETY

LANDING OF AIRPLANES DURING HEAVY RAINFALLS—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion. A recent study done by the University of Dayton Research Institute in Ohio shows that 18 of 25 serious aircraft crashes studied could be mainly attributed to landing in a heavy rainfall. Taking into account the fatal crash of a Texasgulf jet last Wednesday as it was trying to land in heavy rain at Westchester County airport I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That the Minister of Transport obtain assurances from his air administrator and from Canadian and all foreign airlines that they are not allowing planes to land in Canada in a heavy rainfall and that he report back to the House as soon as possible.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FISHERIES

REFERENCE TO STANDING COMMITTEE—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in view of the fact that the Standing Committee on Fisheries and Forestry has not been convened since November 6 of last year for the purpose of discussing fishery management policy, and given the number of urgent seasonal problems developing in the fishing industry on both the east and west coasts, which must be addressed immediately by members of this House, I move, under the provisions of Standing Order 43, seconded by the hon. member for Carleton-Charlotte (Mr. McCain):

• (1115)

That the Standing Committee on Fisheries and Forestry be given an immediate reference from this House, which would permit the hearing of witnesses from both the fishing industry and the Department of Fisheries and Oceans, in relation to the new east coast licensing plan, the groundfish management plan for 1981, the 1981 herring roe management plan and the crisis in chinook salmon stocks, all of which have imminent and urgent importance to fishermen.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

REQUEST FOR INTRODUCTION OF ENERGY TAX CREDIT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is to the Minister of Finance who will know that the annual inflation rate is now at 12 per cent, the highest in the last six years. He will also know that while the Government of Canada preoccupies itself with constitutional and other questions, this increase in inflation is hitting hardest at lower and middle-income Canadians. Earlier in this session the Minister of Finance refused to bring in any action of relief, an energy tax credit or anything of that kind. In light of the fact that fuel oil costs for homes have gone up 37 per cent over last year, will the minister now consider bringing in an energy tax credit or some other means of relief for Canadians who are suffering from the government's failure to deal with economic policy and to deal with inflation?

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the Leader of the Opposition referred to a concern about the Constitution. I remind him that for the last weeks the House has dealt almost exclusively with economic matters through a number of tax bills that were before the House. Therefore I am surprised at the Leader of the Opposition suggesting there has not been ample opportunity to deal with or that we have not been concerned with economic questions. I have no intention of introducing the energy tax credit proposal which had been part of my predecessor's budget because it would do little good for the Canadian people in the present circumstances. For example, the first benefit would only have been available in March, 1982.

Oral Questions

MEASURES TO STOP DECLINE IN REAL WAGE INCOME

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I take it the Minister of Finance intends to do nothing at all to help low and middle-income earners across the country who are facing 12 per cent inflation this year and who receive from the Government of Canada no solace or help at all. May I deal with another problem of economic policy which the government is ignoring. The minister will know that real wages have been steadily declining. He will know that the Economic Council of Canada estimates that there will be a further decline this year. He must know that will lead to serious labour difficulties. Will the minister tell the House of Commons what the government intends to do to stop that decline in real wages and to head off the labour difficulties which are surely going to follow if the government continues to do nothing about the decline in real wages of Canadians across the country?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I would first like to comment on the allegation of the Leader of the Opposition that the government has done nothing at all to assist consumers in Canada. The first thing we did was to bring in a price regime for energy that was less expensive than the one he supported when he was Prime Minister of Canada. The second thing we did was to provide immediately an increase in pensions for our senior citizens which came into effect in 1980, not like the proposal advocated by the right hon. gentleman which would have come into effect for the first time in the pockets of the people in March, 1982. That is what we did. I think it compares very favourably with the non-action of his government. The right hon. member talked about the decline in real wages which has existed in this country. It is obviously related to another phenomenon in the economy, namely, declining productivity, and the decline in the output per worker in the country which is very persistent.

• (1120)

An hon. Member: What are you going to do about it?

Mr. MacEachen: The right hon. member and hon. members in the Tory party are asking what are we going to do about it. I ask him what is the economy going to do about it because we are not advocates of running the economy.

Some hon. Members: Oh, oh!

Mr. MacEachen: We still believe in the market system which prevails in Canada.

GOVERNMENT STANCE AGAINST INFLATION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the only thing the Minister of Finance believes in is abandoning his responsibility to give economic direction to the country. He talked about there being an energy pricing regime brought in and, yes, there has been. That has stopped the development of jobs and heavy oil development and has caused an increase of 37 cents a gallon in the price of gas, and has caused an increase of 37 per cent in the price of fuel oil for homes. That is what the pricing regime of the Liberal government is doing, and the people cannot stand very much more of that.

Some hon. Members: Hear, hear!

Mr. Clark: Not very long ago when speaking to the IMF—the minister laughs at the burden he imposes upon the people of the country. Not long ago when speaking to the IMF, the Minister of Finance said, and I quote, "a firm stance against inflation must remain a key element in any economic strategy". Will the Minister of Finance tell us where is his firm stance against inflation?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I will be glad to give one illustration to the right hon. gentleman illustrating my firm stance against inflation, a firm stance against increasing expenditures which are advocated daily by his supporters in the House. If he believes in taking a stand against inflation he ought to discourage his supporters from getting up in the House every day asking the government to spend more and more, and thereby add to the deficit. That is the firm stance I am talking about.

FORECASTS RESPECTING INFLATION RATES—REQUEST FOR NEW BUDGET

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is directed to the Minister of Finance whose stance is as firm against inflation as his promises were during the election when he said, "Vote Liberal and the price will stay down." Now we know heating costs are up 36.8 per cent since last year despite the minister's promise. That is how firm his stance is. In the minister's budget of October 28 he forecast the inflation rate for 1980 at 9.7 per cent, and it was actually 11.2 per cent. For 1981, only three months ago, he forecast inflation to be 10.2 per cent, and it is now 12 per cent.

An hon. Member: Boy, what a record.

Mr. Crosbie: Will the minister tell this House whether he is going to revise and table new projections, or is he going to resign because of this monumental failure? Just what is the explanation for this extraordinary falseness of his projections of just three months ago?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. gentleman should go back and compare the projections which he made in the December, 1979, budget for the annual rate in 1980, and his projection for 1981. I ask him to compare those, and then ask another question.

Mr. Crosbie: Madam Speaker, this minister cannot answer questions; he can only ask them. Well, I have the answer. I forecast an 11 per cent increase for 1980 and an 11.4 per cent increase for 1981. The minister's projections are nowhere near

that. The minister is incapable of being honest with the public of Canada.

An hon. Member: That's right.

Mr. Crosbie: Just so the minister cannot escape, I will read from his budget on the inflation side, page 18, "the outlook for the remainder—"

Madam Speaker: Order. The hon. member is getting argumentative and I have a feeling he is preparing for quite a lengthy quotation. I would like him to ask his question.

Mr. Crosbie: Madam Speaker, the minister has promised a firm stance against inflation. Is he now going to bring in a budget which will introduce policies for that firm stance, and will he now roll back the increase in the price of heating fuel and gasoline, increases of over 37 per cent which have come about in the last 12 months? Will he follow up on his firm promise of January 23 to the people of Port Hawkesbury whom he fooled for the last time last February?

• (1125)

Mr. MacEachen: Madam Speaker, I want to advise the hon. member that I have no intention of responding to his daily request for an additional budget. When the budget was presented last October, I clearly stated that the foremost problem facing the Canadian economy was inflation, and that budget established a medium-term assault on the problem of inflation in the form of supporting monetary restraint, in the form of reducing the deficit over time, and in the form of restraining government expenditures. That is the medium-term policy, and it will take some time to succeed.

Mr. Clark: Tell us about Petrofina.

Mr. MacEachen: If the hon. gentleman opposite, the Leader of the Opposition, or any of the various economic spokesmen have a different proposal or if they want to establish, for example, mandatory wage and price controls, then let them get up and say so, and not provide a different answer every day to the economic problems of the nation.

POWER OF GOVERNMENT TO DEAL WITH ECONOMIC EMERGENCIES

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Prime Minister. Just before Christmas he acknowledged outside the House that the government did have the power, if it declared there was an economic emergency, to take special action. Since today, if we exclude food prices, we have the highest level of inflation in the past 33 years, the lowest level of industrial capacity in 18 years, and more than one million unemployed, the highest level of unemployment since the depression, will the Prime Minister finally acknowledge that we have an economic crisis and instruct the Minister of Finance to bring in a new budget to deal with it?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am happy to see that the Leader of the New Democratic Party has now revised his constitutional positions on the matters of energy and inflation. He was advocating all the time that at any moment the federal government could bring in control of prices and wages, but particularly prices. He now understands that it can only be done under the emergency power, under the BNA Act. It cannot be done without that power.

He will recall that after the 1975 imposition of wage and price controls the matter went to the Supreme Court of Canada, and it was judged there that the only reason controls were intra vires was that there was in effect an emergency recognized as such by all the governments of Canada. This is not the situation now. We do not see the premiers asking for stronger federal intervention in order to curtail what the hon. member describes as a crisis.

REQUEST FOR INVOLVEMENT OF PROVINCIAL PREMIERS

Mr. Edward Broadbent (Oshawa): Madam Speaker, it is the Prime Minister who has revised his position, not me. It was my question before Christmas which pointed out that we had an economic crisis and that the Prime Minister had authority to act.

At the time he brought in a wage control program we had a level of inflation lower than that which we have now. We had a level of unemployment lower than what we have now. Will the Prime Minister not take some initiative, contact the premiers, point out to them that the problems right now have nothing to do with increasing wages but everything to do with escalating prices, and ask for their support to bring in special powers to deal with the inflation which is affecting every family in the country?

Right Hon. P. E. Trudeau (Prime Minister): The hon. member is right. At this time the greatest inflationary pressure is coming from higher energy costs. If the Leader of the New Democratic Party looks at the recent report on inflation, he will see that that is one of the principal factors and that, of course, is because of the world price of energy.

Some hon. Members: Oh, oh!

Mr. Trudeau: In Canada we are keeping energy prices below the world price. We are not, as had been advocated by the Tory party, going to 85 per cent of world prices. That is the difference between us.

In so far as wages are concerned, the hon. member is right. They are not at the level they were at when we brought in controls in 1975, at which time the average settlements were in the area of 20 per cent. That is why the country was particularly concerned. We believe now that there is a more voluntary concern about the state of the economy and more co-operation, except from the Tories, in the fight against inflation.

• (1130)

Mr. Broadbent: Madam Speaker, that is precisely the point. The Prime Minister waited last time until wages went way up

until he did anything to control the economy. What we are asking from this side is why, in order to avoid the level of industrial disputes now taking place in Canada because workers have experienced a net loss of income in each of the past three years and will have a net loss of income in 1981, the Prime Minister is waiting for wages to catch up? Why does the government not act now on the price side whether it is in housing, in food, or in any other sector, so that the ordinary worker does not have to push up his wages?

Mr. Trudeau: Madam Speaker, the hon. member suggests some area of concern. He knows that the two main areas of concern now are food prices and energy prices. It would be interesting to hear from the hon. member how he would expect us to control food prices and, perhaps, to control energy prices any more than we are doing now in so far as Canadian production of energy is concerned.

* * *

RAILWAYS

CROWSNEST PASS RATE—GOVERNMENT POSITION

Hon. Jake Epp (Provencher): Madam Speaker, I should like to ask a very straightforward question of the Right Hon. Prime Minister. Has the cabinet made a decision on the Crowsnest Pass freight rates?

Right Hon. P. E. Trudeau (Prime Minister): Yes, Madam Speaker, we have made a decision not to deal with the Crowsnest Pass freight rates until there is a very strong demand from representatives of western farm groups and other groups to touch the Crowsnest rates.

Mr. Epp: If that is the position of the government at present, can the Prime Minister explain to us why the minister in charge of the Canadian Wheat Board would be phoning his past political friends telling them to start the campaign, that he has lost the fight in cabinet on Crow rates and that the campaign to oppose the government's position should start?

Mr. Trudeau: I cannot comment on those phone calls about which I know nothing, but I can tell the hon. member that some farm leaders have met with the Minister of Transport, with other ministers, and with myself, in recent weeks, and some of them have advocated reopening the Crow rate and examining a new approach to transportation in the west, which would mean changing the Crow rate. I told them—and yesterday I said it publicly—that we do not want to fiddle with the Crow rate unless there is some very strong feeling throughout the west that this rate should be reopened and the question re-examined. I imagine that any phone call along the lines referred to by the hon. member would have been to tell these community leaders exactly what I told them, that is "if you want the Crow rate to be reopened and re-examined, you had better say it loud and clear because we will not do it on our own initiative."

PENSIONS

NATIONAL PENSIONS CONFERENCE—REQUEST MADE BY PROFESSIONAL INSTITUTE OF PUBLIC SERVICE

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, my question is for the Minister of National Health and Welfare as she is responsible for the National Pensions Conference to be held in Ottawa from March 31 to April 2. I want to ask the minister why it is that the conference co-ordinator, Mr. Guy Fortier, has written the following to the president of the Professional Institute of the Public Service of Canada:

> I am very sorry that we cannot accede to your request to have the Professional Institute of the Public Service of Canada attend the National Pensions Conference . . . there are literally hundreds of separate organizations such as yours—

I want to ask the Minister of National Health and Welfare why she is denying those public servants who represent the largest pension funds in Canada the opportunity to attend and to participate in this conference.

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I am not aware of that particular letter. The conference will accommodate the maximum participation. Right now we think that more than 300 participants plus media representatives will be active at the Conference Centre. The participation will be divided equally among the main players, and surely, as the hon. member says, the superannuation officials, both employers and employees, are the key players in the pension system in Canada. Therefore, I will look into the particular letter referred to by the hon. member, which, of course, was given to us out of context. By the way, Madam Speaker, I welcome the interest of the Tory party in this matter. It is now a month before the conference and this is the first question we have had from them on this subject. This is remarkable progress.

EXCLUSION OF GOVERNMENT EMPLOYEES

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, although the minister pleads ignorance of this question, it is a fact that her officials have directed that some 16,900 members of PIPS will not be allowed to attend this conference, and I presume that neither will the 500,000 Canadians who are employed by the Government of Canada who have entrusted over $20 billion in the form of an unfunded liability into the hands of the Government of Canada.

My supplementary question is directed to the President of the Treasury Board. Does the minister, who is responsible for the pensions of public service employees, and in fact is benefiting from the third party benefit which the government receives by way of a $2 billion annual subsidy to the government's budget, condone the exclusion of his own employees from this very important pensions conference?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I do not know where the hon. member gets his numbers. I intend to sit down with him one of

these days and explain how the pension accounts actually work.

Some hon. Members: Oh, oh!

Mr. Johnston: I understood him to say in his preamble to the question that we were excluding 16,000 people of the PIPS group from attending this conference. The point is that my colleague, the Minister of National Health and Welfare, has responded to that question. The conference is being sponsored by her department. I thought her answer made perfect sense, that the key players in this are the employer and employee groups who are the direct participants in this fund. I would be more than happy to receive any representations that PIPS has to make with respect to the government pension plan, as I have in the past from other groups. As the hon. member has pointed out, we are the employer and obviously we are concerned with their pension plans, and if they have specific representations I would be delighted to receive them myself.

SUBMISSION OF PIPS REPRESENTATIONS TO CONFERENCE

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, the minister having said that he would be delighted to receive the representations, would he be prepared to give an undertaking to the House that he would take the representations to that conference as one of the employers?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the Treasury Board will be represented at that conference. The Treasury Board representatives at that conference—

Some hon. Members: Oh, oh!

Mr. Johnston: I am sorry, Madam Speaker, additional questions are being asked at the same time—

Mr. Clark: Monique Bégin is answering for you.

Madam Speaker: If I may help the minister, he may simply answer the question that has been asked and not concern himself about those that are shouted across the floor.

Mr. Clark: Ask Monique Bégin, Don.

Mr. Johnston: We intend, as the largest employer in Canada, to put forward the point of view of Treasury Board.

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RAILWAYS

CROWSNEST PASS RATE—CABINET POLICY

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, my question is for the Right Hon. Prime Minister. It concerns the question put by the hon. member for Provencher, and it is really supplementary to it. With regard to the speech given on Wednesday by the minister responsible for the Wheat Board in which he unequivocally supported the continuation of the Crowsnest freight rate, it is clear that the minister was speaking for cabinet when he made that policy statement that there will be no changes in the Crow rate?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I believe that that is the answer I gave a moment ago. At present there is no decision and no intention in cabinet to change the Crow rate. I understand that even the western premiers cannot agree on whether or not it should be changed. Apparently the province of Saskatchewan is opposed to any change. The other two prairie provinces want change.

● (1140)

Some hon. Members: Oh, oh!

Mr. Trudeau: Madam Speaker, I am being urged by the Tory party—and now by the NDP—to tell the west what is good for it in the area of grain transportation.

Mr. Hnatyshyn: God help us.

Mr. Trudeau: I think they would be the first to tell us that that is not the right approach.

Mr. Nielsen: Double-tracking.

Mr. Trudeau: At the present time our policy is not to touch the Crow rate, but if there is a general feeling in the west that the question must be reopened, then we would be happy to do so.

Mr. Epp: Will you do the same with the Constitution?

HALL REPORT RECOMMENDATIONS

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, I like that statement except for "the present time" part of it. Regardless of the statements being made by the various ministers who are indulging in an attempt to establish public opinion across the west, there is a great deal of consensus among farmers that the Crowsnest freight rate should stay as is.

My supplementary question is for the Minister of Transport, but perhaps his parliamentary secretary, the hon. member for St. Boniface, could answer it. In its deliberations on the Crowsnest freight rate is the Department of Transport taking a good look at the recommendations in the report of Mr. Justice Emmett Hall on grain handling and transportation, and considering extending the Crow benefits to other products to alleviate some of the concerns of the people who are bothered by the level of Crow rates?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Madam Speaker, the Ministry of Transport has been receiving delegations from various commodity representatives and groups interested in freight rates in the west. Their representations are being taken into consideration. At some future date the minister will be making recommendations to cabinet.

Mr. Clark: Which minister?

Mr. Bockstael: The Minister of Transport will be bringing recommendations to cabinet for its authorization or approval.

MINISTER'S STATEMENT

Hon. Don Mazankowski (Vegreville): Madam Speaker, I should like to direct a supplementary question to the Prime Minister. Could he enlighten the House on whose behalf the Minister of Agriculture was speaking when he stated the following in a recent speech:

> The debate on the Crowsnest pass freight rate has gone on for too long and I hope it can be resolved quickly.

—preferably by August 1? For whom was the Minister of Agriculture speaking, if the minister in charge of the Canadian Wheat Board was stating government policy?

Right Hon. P. E. Trudeau (Prime Minister): He was speaking for all of us, Madam Speaker.

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AUTOMOTIVE INDUSTRY

REQUEST FOR STATEMENT ON NEGOTIATIONS WITH CHRYSLER CANADA

Hon. Sinclair Stevens (York-Peel): Madam Speaker, in the absence of the Minister of Industry, Trade and Commerce, perhaps I could direct my initial question to the Acting Minister of Industry, Trade and Commerce. Could that minister indicate when we will hear a statement with respect to the current negotiations involving Chrysler Canada Ltd.? Will that statement be made first in the House? May we be assured that the press or a press conference will not be arranged first, rather than coming to the House and making a statement in the House?

Mr. Nielsen: The question is for you, Lapointe.

Mr. Epp: Just say "yes".

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, I apologize to the House and to the hon. member. I did not hear the thrust of his question.

[*English*]

Mr. Stevens: Madam Speaker, I should like to repeat the main thrust of my question to the minister. It involves the current negotiations with respect to Chrysler Canada. When may we have a statement in the House concerning the minister's determination to date with respect to those negotiations? May we be assured that statement in fact will be made in the House and will not be made first to the press, or even in a press conference?

[*Translation*]

Mr. Lapointe (Charlevoix): Madam Speaker, the Minister of Industry, Trade and Commerce is now engaged in ongoing consultations with spokesmen for the industry and the United Auto Workers, and the government will soon be in a position to make a decision in that respect.

[*English*]

Mr. Stevens: Madam Speaker, in view of the minister's non-answer, I feel I have no alternative but to go to the Prime Minister. Would he indicate whether in fact there has been an agreement in principle between the Government of Canada and Chrysler Canada with respect to the current guarantee and other loan arrangements upon which agreement may be reached?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I apologize. I have not been following the exchange. There have been discussions between the government of Ontario and the Government of Canada, but as far as I know no final decision has been taken.

Mr. Crosbie: Wake up. This is question period.

* * *

ENERGY

IMPACT OF PRICE ON CONSERVATION MEASURES AND DEVELOPMENT OF ALTERNATIVE SUPPLIES

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. It relates to the conservation programs of the federal government. The minister will know that the usage of CHIP has increased by a factor of about four in the last year or so and that there has been a great deal of interest in oil furnace conversions and other federal government conservation programs. Could the minister tell the House what impact he feels energy pricing has had on conservation, or whether people are now responding to conservation because they have a fear about energy supplies?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, it is extremely difficult to give an answer to the question raised by the hon. member. It is of a nature which concerns consumer habits. It is interesting to see that petroleum consumption in Canada last year went down by about 3 per cent. It is the view of the government that it would be completely irresponsible to rely essentially or mainly on increases in price alone to reduce consumption. Our position and our view is that people are interested in new and alternate forms of energy and that the government programs to increase conservation, to substitute oil for gas, and to insulate their homes better, are still the best means of ensuring oil self-sufficiency in the country, rather than socking it to the consumers by much higher prices.

Some hon. Members: Hear, hear!

Mr. Gurbin: Madam Speaker, my supplementary question is also directed to the Minister of Energy, Mines and Resources. I think most Canadians now know that we have a problem, or certainly an arising problem, in terms of energy supply. That is precisely the point. The effect or impact of energy pricing on supply is one factor and on conservation it is another factor. In addressing the supply problem, could the minister tell the House what impact he feels pricing has on the development of the alternative supplies we must have to replace oil which is not there because of the government's energy pricing program? Are we backing ourselves into a position where not only do we have subsidization of every energy system in the country, but also a rationing system?

[*Translation*]

Mr. Lalonde: Madam Speaker, I once again thank the hon. member for his question. Of course when we prepared the National Energy Program we kept in mind the view expressed by the hon. member, namely that we must promote the development of alternative energy sources to eliminate eventually the need to subsidize available forms of energy through public funds. The advantage of the National Energy Program is that it clearly shows the prices that we shall have to pay for oil and gas in the next ten years. For instance, the price of oil will double within four years and will nearly quadruple by the end of this decade. This is a clear indication to the industry and those interested in alternative forms of energy that they may make specific plans and market new products or alternative energy sources which will certainly be competitive in oil, as they already know the level of prices they will be facing in 1985, 1987 and 1990. I believe this is the wisest policy for us to follow.

* * *

● (1150)

[*English*]

ENVIRONMENTAL AFFAIRS

DUMPING OF RADIOACTIVE TAILINGS BY RIO ALGOM MINES

Mr. Derek Blackburn (Brant): Madam Speaker, my question is for the Minister of the Environment. Would he explain to the House why AECD has allowed Rio Algom Mines of Elliot Lake to dump on a continuous basis—24 hours a day—low-grade radioactive tailings into lakes which were once pure and natural, an environmental tragedy that over the last quarter century has destroyed the entire Serpent River system in northern Ontario?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, generally I have confidence in the AECD supervision of that process, but I shall investigate the information which the hon. member has brought to my attention today and report back to him.

Mr. Blackburn: Madam Speaker, my supplementary question is for the same minister. Does the government intend to allow Rio Algom to build several proposed dams, some out of radioactive tailings, in order to reverse the flow of water in several streams which could easily result in the destruction of Elliot Lake's most popular recreational lake, Lake Dunlop?

Mr. Roberts: Madam Speaker, from the point of view of my responsibilities I would be concerned that, if any such development is to take place, it be done in a way which is consonant with the safe protection of the environment, and I would essay every course of action to ensure that this took place.

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FITNESS AND AMATEUR SPORT

TERMINATION OF NATIVE SPORT AND RECREATION PROGRAM

Hon. Steven E. Paproski (Edmonton North): Madam Speaker, my question is for the Minister of Fitness and Amateur Sport. The minister is not giving the National Indian Brotherhood the $1.2 million for recreational activities which was allocated in this year's estimates. Many of the programs are already under way. Why is the minister discriminating against these people?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I thank the hon. member for his question and particularly for his concern in relation to the Indian people. Some years ago the Department of Fitness and Amateur Sport was authorized to carry out an experimental program which involved expenditures, and for the past year expenditures reached approximately $1.2 million, to cover status and non-status people in the country in the recreational and athletic field.

After being in existence for some years, a decision has been taken with respect to the program. The department, as the hon. member is well aware since he was the former minister, is very small and compact and does not have representatives in all the different parts of the country. This department is poorly structured to carry out supervision or monitoring of the effectiveness of these programs and how they are carried out. As a consequence a decision has been taken that a similar amount of money will be utilized for other purposes related to the health and welfare of the Indian people.

Mr. Paproski: Madam Speaker, the minister's statement is neither candour, nor rhetorical, nor tongue in cheek; he speaks with a forked tongue.

Some hon. Members: Oh, oh!

Mr. Regan: You have to be nicer than that to me.

Oral Questions

FISHERIES

CHINOOK SALMON FISHING RESTRICTIONS IN BRITISH COLUMBIA—NEGOTIATIONS WITH U.S. AUTHORITIES

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I direct my question to the Minister of Fisheries and Oceans. In his policy of shutting down the Fraser River to gill-netters and in his answers in the House yesterday, the minister displayed an appalling lack of the understanding of the geography of the lower mainland of British Columbia. The salmon destined for the Fraser must swim through American waters where, during the season, the American fishermen fish seven days a week. Why does the minister not strike up discussions with the United States to shut down the American fishermen, rather than the Canadian fishermen?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the very purpose of the agreement which we are trying to reach with the United States on the whole issue of salmon interception is to deal with this type of problem. As the hon. member knows very well, the treaty which governs the management of the Fraser River is not the creation of this administration. That treaty goes back some years and we are attempting to have it changed. In fact I hope everybody, including the United States, will accept the reality that the chinook stocks have been over-exploited, that they are endangered and that we have to take difficult and painful measures to deal with the problem. I believe I would be irresponsible if I did not ask all elements of the industry to share equally in this effort of conservation.

Mr. Friesen: Madam Speaker, that is my point; all elements are not sharing equally. I would like some assurances, rather than merely statements of hope, that the Americans will not continue to fish for those salmon destined for the Fraser River while the Canadian fishermen are not allowed to fish. Would the minister give the House the data on which he based his policy of curtailment of the sports fishery? Would he publish the studies on which he based that policy?

Mr. LeBlanc: Madam Speaker, the hon. member likes to have it both ways. On the one hand he supports the policy that all elements of the fishery should share in the constraints of conservation measures and, on the other hand, he seems to be arguing that we should not have asked that the sports fishermen also have some restrictions.

Mr. Friesen: I did not say that.

Mr. LeBlanc: The reality is that the chinook salmon, especially the Fraser River chinook, have been decreasing in numbers quite dramatically. This is a trend which must be arrested, especially if we are ever to enhance the Fraser River and bring it up to its potential. We hope to take over direct management of the system. This situation is known by all the advisers. The difficulty in this situation can best be described in a phrase which I will borrow from the Minister of Justice—"Everybody wants to go to heaven, and nobody wants to die."

PUBLIC SERVICE

INTRODUCTION OF NEW MANAGEMENT CATEGORY

Hon. Ron Huntington (Capilano): Madam Speaker, I have a question for the President of the Treasury Board, who was the former chairman of the Standing Committee on Public Accounts and a hard-working member of the House while he worked on the whole matter of accountability which was launched when the Auditor General of Canada said that government spending is out of control.

In the proposed management structure which Treasury Board is bringing down to correct the situation and bring spending under control by putting in place value for money concepts, is the minister's plan, both phase one and phase two, an actual means whereby Treasury Board is raising the membership of the Professional Institute of the Public Service of Canada, and is he using this management structure to amend the Public Service Relations Act through Treasury Board regulations rather than through legislative introduced in this chamber?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I thank the hon. member for his question. I have noted accusations in the press made by some of the unions with respect to this new management category. I pointed out when this policy was initially introduced last July, I believe, that there would be no raid in this phase on any union groups whatsoever. To do so would require amendments to the act in question. Effectively, what we are doing is creating a management category consisting of the executive group now in place, and other members, particularly the PM Seven Group, who at the moment are effectively excluded from bargaining units. So there is no raid on the Professional Institute ranks as suggested by some observers in the press.

Mr. Huntington: Madam Speaker, would the President of the Treasury Board then assure us that phase two will not be a mushroom in the growth of another level of bureaucracy whereby the management group tries to compete with the science, professional and trade groups in terms of pay and numbers? I hope that the minister will not create another level of bureaucracy in his attempt to bring financial management under control and put systems management into place. I hope that the fear the Professional Institute has of phase two, that some 11.3 per cent of their membership could be removed from the union category, is unfounded. Surely the government will not create a bureaucratic category whereby management will compete with our top professional scientists in terms of pay. For instance, hospital administrators do not expect to compete with doctors.

• (1200)

Mr. Johnston: Madam Speaker, as I indicated, the establishment of this management group is something, as the hon. member knows, which has been recommended by all independent observers—the Auditor General, the D'Avignon Commission and the Lambert Commission. We are in the initial stages of it, if you like, almost at an experimental stage. I think we all

recognize the importance of having a definable, responsible and accountable management category. I am just as interested, as the hon. member is, and all members on this side of the House, in ensuring that the size of the bureaucracy does not mushroom through this very important exercise in management accountability.

Some hon. Members: Hear, hear!

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PRIVILEGE

MR. FULTON—ALLEGED MISLEADING MINISTERIAL STATEMENTS

Madam Speaker: Would the hon. Minister of Fisheries and Oceans (Mr. LeBlanc) like to revive the question of privilege which was raised yesterday by the hon. member for Skeena (Mr. Fulton)?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): With your permission, Madam Speaker, I would like to say, first, that I just became acquainted with the point raised by the hon. member for Skeena. I would also like to check the record very carefully and, of course, give my colleague, the Minister of Indian Affairs and Northern Development (Mr. Munro) a chance to do so. He is absent at this time. With your permission, Madam Speaker, perhaps we can put this off until Monday or Tuesday next. I believe both of us will be here on Monday.

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POINT OF ORDER

MR. CLARK—INCREASE IN PRICE OF GASOLINE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise on a point of order to simply correct a figure which I gave earlier in the course of the question period. In fact, the price of gasoline at the pump has gone up, on average, 32 cents a gallon in 1980. That price, of course, is still rising.

* * *

PRIVILEGE

MR. STEVENS—STATEMENT BY MR. GRAY

Hon. Sinclair Stevens (York-Peel): Madam Speaker, as you know, I indicated last Friday that I would like to raise a question of privilege at the earliest possible opportunity. Subsequently, on Monday, my colleague, the hon. member for Yukon (Mr. Nielsen) tabled a formal motion which I would like to move with respect to my question of privilege.

I first intended to proceed with my question of privilege today but I see that the Minister of Industry, Trade and Commerce (Mr. Gray) is not in his seat. Unless there is some indication that he will be here later, perhaps I could defer my

argument. But before deferring it I would like to indicate, at least, that if there is any confusion concerning the motion, the thrust that I will be making—and I give this to you, if you like, in the form of a new notice—is that the minister misled the House a week ago Friday by indicating in his answer that the negotiations with Massey-Ferguson were still under active review and that he had no statement to make at that time.

Subsequently, I will be showing in the course of my argument—

Madam Speaker: Order, please. That is sufficient notice to the Chair of the kind of question of privilege the hon. member intends to rise on. If he wishes to defer until such time as the minister is here, that is quite acceptable.

Mr. Stevens: Madam Speaker, in fairness to the minister and the other three ministers involved, I want to indicate the thrust of my argument in order that it will be recorded in *Hansard* in a formal way they will not be able to say I have caught them off guard.

Various cabinet meetings have been held and I want to disclose what was decided at those meetings. The four ministers involved are the President of the Treasury Board (Mr. Johnston), the Minister of Industry, Trade and Commerce, the Minister of State for Economic Development, Mr. Olson, and the Minister of Finance (Mr. MacEachen). I think it is important that they come prepared, if you like. A press release was prepared between the hours of 1 and 1.30 Friday morning concerning this matter. This is what I hope they will be willing to respond to when we get into the substantive argument which I will be making, hopefully, on Monday.

* * *

POINT OF ORDER

MISS MACDONALD—ACTIVITIES OF BRITISH HIGH COMMISSIONER

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I rise on a point of order. Earlier this week, on February 11, in answer to questions in the House, the Secretary of State for External Affairs (Mr. MacGuigan) indicated that he would be prepared to make a report to the House by the end of the week with respect to his investigation of the alleged activities—as he said, the "totally unacceptable" activities—of the British High Commissioner. I would like to ask, in light of the minister having made that commitment to the House earlier, if he is now prepared to do so, particularly in light of the remarks of the Prime Minister (Mr. Trudeau) at his press conference yesterday.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I did not make a commitment to the House. What I said was that I hoped to be able to do so by the end of the week. In fact, I am ready for a question on that subject today, and if Madam Speaker—

Mr. Clark: You said a statement.

Mr. MacGuigan: —wants me to reply to a question at this point I would be very happy to do so.

Some hon. Members: Oh!

Madam Speaker: I am afraid Oral Question Period is over and I cannot allow any further questions.

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, what is of concern to us—and this issue has been raised before—is that this government has developed the practice of moving away from statements on motions which allow the House of Commons to be the place in which policy is first announced. This denies members of the House of Commons the opportunity to reply to policy announcements. We were given a clear indication by the Secretary of State for External Affairs (Mr. MacGuigan) that he intended to make a statement. We naturally interpreted this to be a statement in the normal course, a statement on motions. He is now backing away from that commitment. In backing away from it he is repeating a pattern of this government by refusing to allow the House of Commons to deal in the first instance with matters which should be raised here, particularly when a promise was given. I hope that promise was not rhetorical, tongue-in-cheek or less than candid.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, since reference was made to a statement I made in a press conference yesterday, I want to inform the Leader of the Opposition (Mr. Clark) that I did not make a statement at that press conference. I merely answered questions. A question was asked of me and I gave the answer. I think every day of the week the Leader of the Opposition and his cohorts have the opportunity to do the same, if they can think as fast as members of the press.

Some hon. Members: Hear, hear!

Mr. MacGuigan: Madam Speaker, I really want to say it is not my understanding that I made any kind of commitment to the House, certainly not as to a statement of motions. But I can assure the Leader of the Opposition that I will be prepared to answer a question with respect to this matter on Monday. I will not make any statement outside the House until then.

* * *

PRIVILEGE

MR. SMITH—RADIO ADVERTISEMENT

Mr. David Smith (Don Valley East): Madam Speaker, my question of privilege is one which I believe relates to all members of the House. I am referring to a radio advertisement which is currently being broadcast on Canadian stations. I myself heard it on a Toronto station. I believe it constitutes a slur on the integrity of all Members of Parliament, in that it sets out a fact situation which, if it were the case, would constitute an offence under the Criminal Code of Canada. The advertisement is a 60-second clip.

I have a transcript of it here and with your indulgence, Madam Speaker, I would like to read it into the record. It is a conversation between a person called "Jiffy", who is allegedly the owner of a supermarket, and a person called "Miles Pleasant", who describes himself as "your local MP" It goes as follows:

> Jiffy here!
>
> Jiffy, this is your local MP, Miles Pleasant.
>
> Oh?
>
> I have received a complaint from a customer of yours, a Mrs. Meanswell.
>
> Oh, yeah?
>
> Says they've misplaced the Highliner fillets in sauce!
>
> Misplaced them! But they're here in the Highliner case file under "Fish".
>
> She says they should be with the other frozen entrees like frozen lasagna . . .
>
> But . . . but . . .
>
> Now see here, Jiffy, they're tender white fillets covered in yummy sauce. You just eat 'em and eat 'em. I ate 'em, so I know.
>
> Yes, but . . .
>
> Mrs. Meanswell suggests the very least you can do is to put up a sign saying, "If you're looking for Highliner fillets in sauce, they're not here!"
>
> What?!
>
> Oh, about your application to build a parking lot adjacent to your supermarket, it's on my desk right now . . .
>
> Oh, I see . . .
>
> The Meanswells are great, uh, friends of mine.
>
> I'll look into it sir.

Then there is music and the advertisement ends up by asking: "Will Mr. Jiffy get his parking lot? Will he put up the sign at the frozen entree case saying, If you're looking for Highliner fillets in sauce, they're not here"?

I would submit that constitutes a prima facie case of contempt of the integrity of Parliament.

I have looked at a number of precedents. I do not intend to cite all of them, but I would like to refer to one made by the Hon. T. C. Douglas in a debate on Thursday, June 4, 1964, at page 3917 of *Hansard*. He is referring to a press report and this is what he says:

> I do not raise this on any basis of personal resentment, Mr. Speaker. I say this is a reflection on the integrity of all members of the House. What is to my mind even worse, it helps to feed the cheap cynicism that is all too prevalent with reference to Parliament and its membership.

That is the same way I felt with respect to this ad when I heard it on the radio. I would submit that it is, in fact, an affront to Parliament and all its members and that we have a prima facie case of contempt of the House.

● (1210)

Madam Speaker: I will look into the advertisement, and examine it to see whether it really reflects on the ethics of parliamentarians. I will rule on the matter later.

MR. NIELSEN—STATEMENT BY MR. CHÉNIER

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise on a brief question of privilege which arose out of the proceedings during the adjournment debate last night when I spoke to the question of federal land dispositions in the Yukon. The hon.

member for Timmins-Chapleau (Mr. Chénier) read what was obviously a departmentally prepared reply. At page 7203 of *Hansard* for February 12, 1981, the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development said this:

The hon. member for Yukon (Mr. Nielsen) highlighted this controversy by alleging improprieties in the department—

In other words there was a direct accusation against me that I had alleged improprieties. At that time, I intervened and said "That is not true."

Madam Speaker: I have to interrupt the hon. member. He could raise this question of privilege at this time if the content of his question of privilege flowed from the deliberations of today. But if it flows from yesterday's proceedings, he knows the usual notice is required. I will accept that notice and hear him later on.

Mr. Nielsen: Madam Speaker, I was simply trying to save the time of the House. All I wanted to add to the question raised today, so that I will not take up the time of the House tomorrow, was that if the departmental official who prepared that written reply had referred to page 6544 in *Hansard* for January 26, 1981, he would have found that no such words and no such allegations were made by me.

I would urge parliamentary secretaries and others who have the responsibility for delivering written replies prepared in the department to look at them a little more carefully before they accuse members on this side of making improper allegations.

Some hon. Members: Hear, hear!

Madam Speaker: I very much like the representation, and I suppose the House has accepted it as such.

ROUTINE PROCEEDINGS

[*Translation*]

SPECIAL JOINT COMMITTEE ON THE CONSTITUTION OF CANADA

TABLING OF COMMITTEE REPORT

Report of Special Joint Committee on the Constitution of Canada—Mr. Joyal.

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

[*English*]

FISHERIES AND FORESTRY

THIRD REPORT OF STANDING COMMITTEE ON FISHERIES AND FORESTRY—MISS CAMPBELL

Miss Coline Campbell (South West Nova): Madam Speaker, I have the honour to present the third report of the Standing Committee on Fisheries and Forestry. If the House gives its consent, I intend to move concurrence of this report later.

* * *

PETITION

MR. SIDDON—1981 HERRING ROE MANAGEMENT PLAN—LICENSING RESTRICTIONS

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I have the duty to present a petition on behalf of large numbers of British Columbia herring fishermen who oppose the 1981 management plan for the season which is to open in the next few weeks. The 1981 herring management plan was developed without regard for the advice of the minister's own officials and experts. The last minute changes in the area licensing and lottery draw selection procedure were totally contrary to the 1980 plan which has never been tested. Therefore, these petitioners have asked as follows:

Wherefore, the undersigned do hereby protest any attempt by the Government of Canada to impose an eleventh hour decision of area licensing upon the British Columbia Herring Fishery without an opportunity to provide adequate input on this very serious measure, and do pray that the House of Commons will correspondingly reject any such proposal and instead will instruct the minister to implement the 1980 Herring Roe Plan, which had been the product of extensive consultation with the fishermen.

Therefore, on behalf of these petitioners, I ask for serious consideration of their strong appeal to the Minister of Fisheries and Oceans (Mr. LeBlanc) and to the Government of Canada through this House.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Madam Speaker, the following questions will be answered today: Nos. 259, 699, 988, 1,497, 1,732, 1,847 and 1,848.

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

Order Paper Questions

[*Text*]

CMHC—SENIOR CITIZENS' HOUSING

Question No. 259—**Mr. Herbert:**

1. Were official requests received from the Quebec Housing Corporation for Canada Mortgage and Housing Corporation funding of senior citizen housing projects in the constituency of Vaudreuil and, if so, for which projects?

2. Will the projects be eligible under the National Housing Act for loan insurance and interest rate write-down subsidy assistance?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows: 1. CMHC funded the following senior citizens' housing projects in the constituency of Vaudreuil:

Name of Project	Municipality
Foyer de Rigaud	Rigaud
Manoir Roger Bernard	Pierrefonds
C. A. Dorion	Dorion
C. A. Laurent Bergevin	Île Perrot
C. A. Denis Benjamin Viger	St-Raphaël de l'Île Bizard
St-Polycarpe	St-Polycarpe
St-Zotique	St-Zotique

2. The first six projects were approved under the old social housing programs and are therefore not eligible for interest rate write-down subsidy assistance. In the case of the St-Zotique project, CMHC insured a loan under the National Housing Act to Quebec Housing Corporation and will contribute subsidy assistance in the form of an interest rate write-down.

MSUA—PROFESSIONAL SERVICES CONTRACTS

Question No. 699—**Mr. Clarke:**

1. For the fiscal year 1978-79, how many contracts were let by the Ministry of State for Urban Affairs for professional services, to persons who at any time within the past five years, had been employed in indeterminate positions under the Public Service Commission?

2. How many contracts were (a) for less than one year (b) for one to two years (c) over two years?

3. How many contracts were let outside the National Capital Region?

4. What was the total cost of all such contracts?

Hon. Paul J. Cosgrove (Minister of Public Works): The information is not readily available as the ministry was disbanded in March, 1979. To provide an accurate reply would entail a thorough and lengthy examination of all relevant files currently in the Public Archives. The costs and the time required to obtain all this information would be prohibitive.

PRICE INCREASE OF ONTARIO WINES

Question No. 988—**Mr. Cossitt:**

1. Did the Minister of Finance's statement in the House on April 21, 1980, indicate a price increase in Ontario wines and, if so, is he aware that the Ontario Grape Growers Marketing Board is concerned about such increases and the effect it will have on the grape growers and wine producers in Ontario?

2. Is the minister prepared to alleviate any problems such an increase has created and, if so, to what extent?

Hon. Pierre Bussières (Minister of State (Finance)): 1. The April 21, 1980, statement increased the excise taxes on wines by 13 cents for a bottle of table wine and 44 cents for a bottle of fortified wine. The tax on sparkling wine was reduced by 17 cents per bottle.

2. Any change to the tax rate changes noted in 1. above would be announced to Parliament by the Minister of Finance.

TAX EXPENDITURES

Question No. 1,497—**Mr. MacKay:**

1. What was the government's estimate of tax expenditures available to the manufacturing sector in 1979, by province and territory, created by the (a) lower corporate income tax rates on manufacturing and processing profits (b) investment tax credit on manufacturing investments (c) two-year write-off on manufacturing estimates?

2. What was the government's estimate of tax expenditures available to small business in 1979, by province and territory, created by the (a) lower or small business income tax rate (b) sales tax exemption on up to $50,000 on manufacturing sales?

3. What was the government's estimate of tax expenditures available for research and development in 1979, by province and territory, created by the (a) immediate write-off on R and D expenditures (b) additional allowance of 50 per cent of incremental R and D expenditures (c) investment tax credit on R and D expenditures?

4. What was the government's estimate of tax expenditures available to the resource sector in 1979, by province and territory, created by the (a) fast write-off for Canadian exploration expenses (b) fast write-off for Canadian development expenses (c) 33⅓ per cent earned depletion allowance (d) excess of tax depreciation over book depreciation (general) (e) investment tax credit on resource investments?

Hon. Pierre Bussières (Minister of State (Finance)): The aggregate values of these tax expenditures in 1980, as given in the most recent tax expenditure account are as follows:

1. Manufacturing:

(a) lower corporate tax rate on manufacturing and processing profits, $600 million;

(b) investment tax credit in the manufacturing sector, $170 million;

(c) two-year write-off, $500 million.

2. Small business:

(a) reduced small business income tax rate, $1,200 million;

(b) sales tax exemption, $20 million.

3. Research and Development:

(a) immediate write-off on R and D expenditures, $63 million;

(b) allowance on incremental R and D, $34 million;

(c) investment tax credit on R and D, $45 million.

4. Resource Sector:

(a) preferential treatment of exploration and development expenses, $1,250 million;

(b) accelerated capital cost allowances, $370 million;

(c) the investment tax credit on capital expenditures by resource industries, $125 million.

It is not possible to provide a breakdown of these amounts by provinces and territory. Tax data on the claims of these items are not available by province. Moreover, the concept of

residency is not applicable to corporations in the same manner as it is to individuals. The taxation of corporations is determined by their place of business. However, over one-half of taxable income is earned by corporations which operate in more than one province. The financial accounts of corporations are not broken down by province. Nor do separate tax accounts exist by province. Taxable income for provincial corporate income tax purposes is allocated according to a formula which generally distributes income in proportion to the shares of wages and salaries paid by each corporation in a province and the corporation's sales in the province. While this formula clearly does not necessarily reflect the provincial incidence of the tax expenditure itemized, the following distributions of taxable income for the manufacturing sector and the resource sector provide some indication of the provincial pattern of corporate activity in these sectors.

Share of Taxable Income by Province
for Selected Sectors, 1978

Percentage in round figures

	Manufacturing	Resource Sector	All Industries
		Per cent	
Newfoundland	1	X	1
Prince Edward Island	—	X	—
Nova Scotia	2	1	2
New Brunswick	1	—	1
Quebec	22	3	19
Ontario	46	9	37
Manitoba	3	2	3
Saskatchewan	1	5	3
Alberta	9	70	20
British Columbia	14	8	12
Yukon	—	—	—
Northwest Territories	—	2	—
Total	100	100	100

NOTES: 1. —less than one-half of one percent
2. X suppressed for confidentiality
3. Totals may not add due to rounding

SOURCE: Statistics Canada, 61-208, Preliminary Data on Corporate Income Taxes

SIMCOE SOUTH—FINANCIAL ASSISTANCE

Question No. 1,732—**Mr. Stewart:**

For each year 1975 to 1979 in the constituency of Simcoe South, what organizations or community groups were in receipt of financial assistance from the Secretary of State under the (a) Multiculturalism Directorate (b) Official Language Minority Groups Directorate (c) Community Groups Program (d) Citizen's Participation Directorate and, in each case, what was the amount?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): Department of the Secretary of State: the Grants and Contributions Secretariat and the Secretary of State's records both indicate that since 1977-78 no financial assistance has been given to organizations or community groups in the Simcoe South constituency from the programs specified in Mr. Stewart's question. Prior to 1977-78 no records indicating Secretary of State funding by riding were maintained by the Grants and Contributions Secretariat or the Secretary of State's office.

CANADIAN PENSION COMMISSION

Question No. 1,847—**Mr. Herbert:**

1. What is the present (a) authorized (b) actual personnel strength of the Canadian Pension Commission?

2. How many positions are designated (a) unilingual English (b) unilingual French (c) bilingual and, in each case, how many persons occupying the positions have indicated their willingness to relocate in Prince Edward Island?

Hon. J. Gilles Lamontagne (Minister of National Defence):

1. (a) 232 Head office staff;
128 District office staff.
(b) 214 Head office staff;
129 District office staff.

2. At Head office:
(a) 136;
(b) 1;
(c) 69;
2 French or English.

There are twenty-four commissioners appointed to the Canadian Pension Commission by order in council. These positions do not have a language designation. Because the Canadian Pension Commission is not scheduled to relocate to Prince Edward Island until 1983, staff have not yet been required to officially indicate their willingness to relocate. See also reply to question No. 82, part 4, answered July 2, 1980.

WAR VETERANS ALLOWANCE BOARD

Question No. 1,848—**Mr. Herbert:**

1. What is the present (a) authorized (b) actual personnel strength of the War Veterans Allowance Board?

2. How many positions are designated (a) unilingual English (b) unilingual French (c) bilingual and, in each case, how many persons occupying the positions have indicated their willingness to relocate in Prince Edward Island?

Hon. J. Gilles Lamontagne (Minister of National Defence):

1. (a) 33;
(b) 31.

2. (a) 9;
(b) None;
(c) 14.

There are eight employees who are order in council appointees and their positions do not have a language designation. The War Veterans Allowance Board officially relocated to Charlottetown, Prince Edward Island, in June, 1980.

[*Translation*]

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

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

EXCISE TAX ACT AND EXCISE ACT

MEASURE TO AMEND

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance) moved that Bill C-57, to amend the Excise Tax Act and Excise Act and to provide for a revenue tax in respect of petroleum and gas, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

He said: Mr. Speaker, the bill which we are considering this afternoon is an important one which seeks to implement two major parts of the energy program of the government and a number of changes in federal sales and excise tax measures.

The bill consists of five parts. Part I introduces amendments in the federal sales tax system, such as the application of tax to marginal manufacturing activities and to advertising inserts in newspapers.

Part II contains provisions for the new tax on natural gas and gas liquids. Part III deals with changes in the taxation of alcoholic beverages and technical provisions of the Excise Tax Act. Part IV establishes an 8 per cent tax on petroleum and gas revenues under a separate act; and Part V prescribes the commencement date for the various provisions in the first four parts of the bill.

Without going into the details of the different provisions at this time, I would like to take some minutes to elaborate on some of the more significant provisions of Bill C-57. Perhaps the most important amendment in Part I is the reduction in the federal sales tax from 12 per cent to 9 per cent as originally proposed by the Minister of Justice (Mr. Chrétien) in his budget of November, 1978.

● (1220)

This measure, which has had a substantial stimulative effect on the Canadian economy, has been continued in force since November, 1978, by way of a remission order under the Financial Administration Act. Other tax changes, including a few increases in federal sales and excise taxes, have also been administered since that time on the basis of the ways and means motions in accordance with our traditional practice. This bill covers these outstanding proposals, extending back to 1978.

Bill C-57 also contains a number of important amendments relating to the structure of the federal sales tax, which I announced in my October budget speech. As many tax practitioners and taxpayers are aware, the current federal sales tax system contains serious inequities and anomalies. These include the taxing of goods at different trade levels, and thus different prices, the lack of a comprehensive appeal system, the avoidance of tax by shifting some manufacturing operations beyond the taxing point and the bias favouring imported goods over domestic products.

These inequities are well documented. Numerous reports, including the Carter Royal Commission Report, the 1975 discussion paper and a report of the commodity tax review group, have all highlighted them and proposed potential solutions. Unfortunately, there appears to be little public appreciation of the seriousness of these inequities. However, I do not believe that the existing inequities can continue. For this reason, I announced in my October budget an amendment to correct one of the most serious deficiencies of the existing act—the shifting of otherwise taxable activities, sometimes referred to as marginal manufacturing activities, beyond the tax point.

I have received certain representations from the business community on this proposal. While they are generally sympathetic to the need for this change, they would have preferred a comprehensive reform of the sales tax system. I find the emphasis placed on the need for comprehensive reform encouraging. The inclusion of marginal manufacturing in the tax base is an important step in this regard. But I wish to emphasize that this is only a first step and that other inequities and structural deficiencies in the act will have to be dealt with in the near future.

Let me briefly explain what the problem of marginal manufacturing is. Put very simply the value of any operations performed by a manufacturer prior to the sale of the goods, are included in the manufacturer's sale price and hence form part of the base for the federal sales tax purposes. This includes such operations as assembling and packaging. When these operations are performed beyond the tax point, however, by a person who is not the licensed manufacturer of the goods, the value added through these functions escapes the tax. This is clearly inequitable, as one person is required to pay tax on a series of specific operations as part of a manufacturing process while no tax liability is imposed on another person who performs essentially the same operations.

A second less obvious but perhaps more important fact is that the incidence of tax avoidance through marginal manufacturing is most prevalent in the case of imported goods. In fact, from the information and submissions which I have received, it would appear to be confined almost exclusively to imported goods. Importers frequently import goods in unassembled and unpackaged form, pay tax on them at the point of importation on relatively low values, and escape tax on packaging and assembling operations subsequently performed in Canada.

A study prepared by my officials suggests that the resulting biases in the application of tax are of a serious order of magnitude. For most imports, the effective rate of tax is two or three points lower than on comparable goods produced domestically. This is a disparity of 20 per cent to 35 per cent in the burden of tax, a substantial proportion. For example, in the case of toys, the federal sales tax as a per cent of the sale price to retailers is 7.4 per cent for domestic goods as compared to 3.3 per cent for imported toys. Other examples include golf balls at 8.3 per cent for domestic products and 3.5 per cent for imports, and coffee makers at 8 per cent and 4.6 per cent respectively.

It has been suggested that although my budget proposals will resolve the inequities in respect of the application of tax to marginal manufacturing activities, some importers may choose to move their packaging offshore to minimize their added tax burden. Of course, Mr. Speaker, this would not necessarily be successful. First, the packaging value added abroad would be rolled into the value for duty, and thus would attract both duty and tax. Secondly, as the product would be more bulky, shipping costs could be expected to increase significantly. Nevertheless, I do recognize that in some instances, this will occur. It is for this reason that I emphasized in my budget the need for other major changes in the application of the tax.

This bill also proposes a number of important changes in sales tax exemptions, administrative provisions and taxes on alcohol and tobacco products. These will be dealt with in greater detail obviously as we come to them in our study of the bill in committee. One amendment, however, which has received a great deal of attention is the proposal relating to the taxation of printed advertising materials and the sales tax exemption for newspapers.

This bill addresses two issues relating to the sales tax exemptions for newspapers. First, it proposes amendments to ensure that the sales tax exemption is confined to newspapers and does not get extended to publications whose content is primarily advertising. Second, it extends the tax to apply to advertising materials such as catalogues and flyers which are not an integral part of a newspaper, but are inserted into newspapers primarily for distribution purposes.

I received a number of representations following the October budget from small weekly newspapers concerning the proposal that the exemption for newspapers be limited to publications which have no more than 70 per cent advertising content in 50 per cent of the issues in the previous three months. Some publishers expressed concern that while the advertising content of their publications was generally less than 70 per cent, occasionally they could exceed this limit for seasonal or other factors. In response to these concerns, and to provide some safety margin, I tabled a new motion on January 22, 1981, proposing that the 70 per cent limit be raised to 75 per cent. I believe that this new limit will provide a fair criterion for separating tax exempt newspapers from other forms of taxable printed matter and will address the specific concerns of the community newspapers.

Excise Tax

The second issue concerns the taxation of printed advertising materials. Prior to the October budget, all printed advertising material was taxable except those materials which were inserted in a newspaper for distribution purposes. Newspaper inserts were exempt from tax under a provision which exempted articles and materials used in the manufacture of a newspaper. This relief placed direct mail firms, the post office and door to door distribution firms at a competitive disadvantage in relation to newspapers. It was clearly inequitable because identical printed advertising materials were taxable when distributed by them but exempt when inserted in a newspaper. To correct this problem, amendments are being proposed to ensure that federal sales tax applies to all printed advertising materials, including those which are inserted in newspapers for distribution purposes. The new proposals will establish equitable tax treatment for alternate modes of distribution.

• (1230)

I wish to assure hon. members that the newspaper itself will not attract tax, nor will advertisements appearing on the regular pages of newspapers. The tax will apply only to advertising inserts.

The exemptions provided to newspapers and to certain other goods under the excise tax act constitute important tax concessions. Such concessions to one part of the community must be financed through higher taxes in other areas. The amendments proposed in this bill are designed to ensure that these tax preferences are properly targeted.

This bill also provides authority for two new energy-related taxes which I proposed in my budget. Part II of Bill C-57 imposes a special tax to be known as the natural gas and gas liquids tax while Part IV of the bill imposes the 8 per cent petroleum and gas revenue tax.

The gas tax will apply to all sales of Canadian natural gas and natural gas liquids, which are propane, butanes and ethane, regardless of whether the sales are to domestic or foreign buyers. The rate of tax is 28 cents per gigajoule on gas effective November 1, 1980, for domestic sales and February 1, 1981, for export sales. The tax rate will be increased in three stages to reach 70 cents per gigajoule on January 1, 1983. Equivalent rates of tax apply to gas liquids.

The petroleum and gas revenue tax will be imposed under a separate act. Under this tax, effective January 1, 1981, all oil and gas producers are subject to a tax of 8 per cent of their net operating revenue from the production of oil and gas. In order to ensure that the tax base is not eroded, no deductions are permitted for exploration and development expenditures, capital cost allowances, interest payments or royalty payments to governments. The tax applies to all persons who receive income from oil and gas production. In order to ensure equal treatment of taxpayers, whether or not they are liable for normal corporate income tax, the petroleum and gas revenue tax is non-deductible for income tax purposes.

These taxes are obviously an important part of the government's new energy program as announced in my budget. The program has three important objectives, namely, security of

supply and ultimate independence from the world oil market; a fair pricing and revenue-sharing regime which recognizes the needs and rights of Canadians in all provinces; and greater Canadian ownership and control of the oil and gas industry. The two taxes contained in this bill are essential for the achievement of these objectives.

Revenues from the two new taxes will, of course, assist in the financing of new energy-related programs announced in the National Energy Program. These include incentive payments for exploration and development of oil and gas, grants for conversion from oil to gas, electric heating or other fuels, subsidies for gas pipeline extension into areas dependent on imported oil, and increased incentives for home insulation. All of these programs are important in achieving our goal of energy security.

The natural gas tax forms part of the over-all pricing strategy set out in the national energy program. That document outlined various goals for oil and gas pricing. They include providing adequate incentives for supply without giving unwarranted profits to producers, providing an impetus to conservation without undue shocks to the Canadian economy and encouraging consumers to switch from oil to gas.

The tax is an important instrument in serving those goals. Even with the full implementation of the tax, the price of gas to Canadian consumers will decline relative to oil prices, on a heat equivalent basis, from roughly 85 per cent to 65 per cent. There will be, therefore, a major incentive to switch from oil to gas.

The tax also has an important role in ensuring that the difference in the returns to producers from exported gas as opposed to domestic sales is not increased, thus not adding to incentives to find gas solely for export markets. Under existing arrangements the returns to producers from exporting are high. This creates an undesirable bias in the system to find gas and export it. On a long-term basis such a policy does not make a lot of sense for this country. As I indicated in my budget, our preferred approach to redress this bias would have been to impose an export tax on gas which would have captured some portion of the difference between the world price and the Canadian price. However, the producing provinces and Members of Parliament objected strongly to this approach. For this reason I proposed a tax on all sales of gas. Some have criticized the application of this tax to gas destined for export. But, as Canadians, are we really prepared to say that the gas used in Canada to serve Canadian needs will be taxed while gas sold abroad would be exempt? I, for one, was not prepared to put in place a tax which further increased the incentives to ship gas abroad rather than using it at home.

Let me turn now to another of our energy objectives—a fair division of revenues. Oil and gas prices have increased dramatically in the last few years and will continue to rise under the National Energy Program. In the absence of changes in the fiscal regime, the increase in prices would generate additional profits for the industry and would result in an inappropriate sharing of revenue between the federal and provincial governments.

Under the oil regime, Canadians in all provinces, through the federal government, bore much of the burden of rising energy prices. But they received few of the benefits. In recent years the federal government has received about 10 per cent of petroleum production revenue. Provincial governments and the industry have each been receiving about 45 per cent of revenues. It is to redress this imbalance that I have proposed the petroleum and gas revenue tax and have made certain changes to the income tax depletion allowances for oil and gas. I do not believe this tax intrudes into areas which provinces can legitimately claim as solely their own. The rate of tax, 8 per cent, reflects the capacity of the oil and gas industry to pay and brings its contributions more closely in line with what other industries are required to pay. The new fiscal structure is also more fair to companies in different circumstances. The new 8 per cent tax is the same, regardless of whether the company pays income taxes. The replacement of depletion allowances by a grant system also contributes to fairness in the fiscal regime. The depletion allowances benefited taxable companies who were generally the larger foreign producers, while the new incentive grants will be available to both taxable and non-taxable companies and will be better targeted in favour of Canadian companies.

In general, under the new proposals the industry will be left with significant levels of cash flow even compared to the high levels for 1978 or 1979. Although the cash flow of the industry will be obviously reduced from what it would have been if the old fiscal regime had been allowed to continue, nevertheless the industry is left with adequate cash flow to finance the levels of exploration and development expenditures necessary to increase our energy supplies. For example, cash flow in 1981 is projected to be up 28 per cent over the 1979 levels.

• (1240)

These are the main elements of this important bill. Undoubtedly there will be discussion in the House but even more detailed discussion and consideration of the proposals in the committee. From what I have said it is obvious that this is an important bill. It brings into law necessary changes in the sales and excise tax system which address real deficiencies in that structure as it now stands.

The energy taxes are also important. They are warranted at the present time, and I believe they deserve the support of members of the House.

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, although we have been exposed in three budgets to proposals with regard to changes in the excise tax, this is the first time we are talking about a bill in that respect—after three budgets. As a matter of fact, there are additional ways and means motions which find their way into this legislation, and I am talking about those which appear in *Votes and Proceedings* of December 17 dealing with petroleum and natural gas.

This is a very wide-ranging subject. We always used to think of sales tax as being that hidden manufacturers' tax. When I first came into this House it was 6 per cent. Then Walter Gordon, of unlimited memory proposed in 1963 that that sales

tax would apply to practically everything including productive machinery and all sorts of things. Of course, that was when the Liberals were in their 60 days of action.

Mr. MacEachen: Decision.

Mr. Lambert: Sixty or one hundred, I do not know.

Mr. MacEachen: Decision.

Mr. Lambert: "Decision". Well, it was 60 days of unmitigated daily disasters, as we recall it. Experts were hired for the preparation of the budget, which was then found to be contrary to practice. Amateur tinkerers were working with an amateur minister, and National Revenue officials were not consulted at all either with respect to income tax or customs or excise tax. Then when they were in deep trouble it was rumoured that the deputy minister of national revenue on the one side of that department just merely took off and went fishing, leaving the minister to wriggle on the end of the hook he had so fashioned.

In any event, now we are coming to these proposals, and while this debate will only last for today, because of the importance of the subject matter being covered I am very pleased to have participated through, shall we say, informal channels, to have this bill referred to the Standing Committee on Finance, Trade and Economic Affairs rather than being considered as a ways and means bill in Committee of the Whole.

There are some very contentious areas. The minister has quite candidly admitted that one of the areas which will be very difficult and which will excite a great deal of controversy is the so-called marginal manufacturing. I will not talk too much about that. My colleague, the hon. member for Capilano (Mr. Huntington), will have something to say because he knows what it is all about. My colleague, the hon. member for Burlington (Mr. Kempling), will also have something to say. While our colleague, the hon. member for Bow River (Mr. Taylor), brought out during debate on income tax the other day some real horror stories with respect to the application and interpretation of the Income Tax Act, the hon. member for Burlington has a whole book of horror stories of incidents about the application and administration of excise tax.

As far as the public is concerned the excise tax is a hidden tax. It is the indirect tax that the retailer has had to include in his price. Somewhere along the line it is included prior to the contact between the retailer or distributor and the consumer.

Provincial sales tax, on the other hand, is not included directly in price, except in the case of some things like alcohol, cigarettes and a few others. By and large sales tax is computed and applied at the time of sale. This means that regardless of who buys a pair of shoes, trousers or whatever the goods might be, and regardless of income, sales tax is paid. All consumers pay the same level of sales tax. This is regressive and contrary to the principle of ability to pay. I saw the Parliamentary Secretary to the Minister of Finance (Mr. Evans) shaking his head a moment ago. The parliamentary secretary, with his more inflated salary than mine, pays precisely the same amount of sales tax as I do.

Mr. Evans: Not for clothing and footwear for children.

Mr. Lambert: Again the hon. gentleman, in his inimitable fashion, is talking about oranges and apples. I am talking about the same commodity. I am talking about furniture, for instance. If he buys a chair and I buy a chair or table, he pays the same amount of tax as I do, and we both pay the same amount as a person earning half our income.

Mr. Evans: We pay the same price for a car, too.

Mr. Lambert: Taxation is justified in a number of ways. Our friends from the far left—and the government too—clothe themselves with the wraps of sanctity when it comes to income tax by saying that all tax should be on the basis of ability to pay, but that does not apply in the case of federal sales tax. In Ontario, however, when it comes to the question of provincial sales tax, there is an adjustment on the annual filing of income tax returns. When people in Ontario pay their share of provincial income tax, there is an allowance, albeit small, but it is an adjustment so that the lower income earner gets a break in respect of the quantum of estimated provincial sales tax he or she may have paid. There is nothing like that with regard to federal sales tax.

Adding federal sales tax to the cost of commodities is a means of providing fodder for that ever-widening mouth of the government's requirement for funds to spend. Ministers and senior bureaucrats are always looking for ways and means of spending money. They insist that they must spend more. Our bureaucracy is set up on the basis of encouraging spending more money because he who has the administration of a larger budget—or today a bigger envelope or purse—naturally merits a higher salary and usually merits a greater number of people under him.

There is an incentive to spend more money. In order to do so, one must get more money. We have a ludicrous situation today because of the economically and abysmally stupid practice of subsidizing petroleum products. These subsidies frankly are not holes in a rice bag; they are the bottom out of the rice bag.

• (1250)

But the federal government has programs requiring more and more money, and so do many of the provincial governments. True enough, there is the incidence of inflation, a great one now. We have not just achieved double-digit inflation this month, we have reached 12 per cent, the highest in six years. This is a great example arising out of the series of budgets with which the minister has been connected in the past years, when controlling inflation was to be the main aim of the government. Government spending programs were going to be limited. But now we see the truth behind the whole scheme where this government comes out to get more and more money, sometimes trying to legitimize it. We have here an extension of the sales tax on graphic art. Initially a mistake

had been made and the tax applied to serigraphs. It was admitted to have been a clerical error, but the tax applied. Now, because an injustice seems to have been created by the application of the tax in the first place, it is being corrected by extending the tax to other works of art, limited editions and the whole field. In other words, two wrongs are going to make a right in this case, the right being the government wanting and needing more money.

There is a proposal in this bill dealing with the newspaper printing problems, the 70 per cent advertising content which has been raised to 75 per cent. I have copies of briefs here which show that the determination of whether a publication is recognized as a newspaper depends on advertising content. Some of these publications have been in existence for 50 years and some for even 100 years, and yet, if its advertising content does not meet the 70 per cent criterion and its editorial content does not meet the 30 per cent criterion, it is not recognized. The percentage has now been increased to 75 per cent. Incidentally, that does not cover the cost of operation, particularly in the case of the weekly press. I am looking at my own constituency where we have the flag ship of the Southam Press. In a newspaper which, on a Wednesday night may run from 140 to 160 pages and on a weekend certainly exceeds 100 pages, we see inserts four, six or eight pages long by supermarkets and department stores, plus inserts of Canadian Tire, Beaver Lumber and a number of others. At one time that advertising was distributed by hand from home to home and came out of the commercial printing press. Now much of that work is done in commercial printing plants and comes out as inserts in the big dailies. The big dailies have a much wider base on which to spread their costs and they can carry these inserts, but they will not pay tax on them. I know of some instances where the big chains which publish the newspapers control the commercial printing plant and, therefore, it is all within the house operation.

Let us look at this in another way. In order to legitimize the excessive amount of advertising which appears in specific editions of our daily newspapers—we get an eight or 12 page section in our dailies and 98 per cent or 99 per cent of that section will be whole page advertising—the back page will carry anywhere from one column down one side, or perhaps three or four inches across the top, some wire copy merely saying that this section is part of the newspaper, and this carries some of the editorial content.

I say to the minister that the increase of 70 per cent to 75 per cent in permitted advertising content will not save the weekly newspapers. I am quite aware of the fact that they are already trying to make very strong representations, and I think we should take a look at both sides of the question.

I hope we will recognize within this act the margin at which a person or a firm is a true manufacturer. There was the small manufacturer notch years ago, and I remember that it used to be $3,000 a year. Well, today, an industrious man with a jack-knife could almost whittle $3,000 worth of goods. We have to provide for a realistic increase in that ceiling so that the small manufacturer does not become involved in the Excise Tax Act. In so far as the marginal manufacturer is concerned, the smell of the value added tax emanates from the legislation so that if the goods are imported for boxing purposes or for packaging purposes, to put them in English and French as required, or for the change to cater to Canadian distribution, the value of the tax on the goods is added so that the goods will then be sold for tax.

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

The Acting Speaker (Mr. Blaker): Order, please. The Chair will expect to see the hon. member again at two o'clock to hear his continued intervention.

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

At one o'clock the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

Mr. Lambert: Mr. Speaker, I wish to terminate my remarks at this time because I realize there are a number of members who wish to speak in the limited time available in the balance of today, but in summary I should like to return to the newspaper proposal and so the representations which have been made to myself and my leader. If I referred to the Canadian Community Newspapers Association assessment of the tax, it would put it before members most succinctly. First, the tax is a tax on newspapers.

Mr. Evans: That is not true.

Mr. Lambert: It is the first in North America. It fails to define a newspaper except by volume of advertising content. Anything with less than a 75 per cent advertising content is deemed to be a newspaper. In the context of today's operating conditions, it will be detrimental and discriminatory on smaller papers. It will increase the cost of newspaper production since central plant markets for other products may be reduced. Enforcement will be very difficult because of the numbers involved; that is, not only the number of newspapers, but the number of publications.

The Deputy Prime Minister and Minister of Finance (Mr. MacEachen) must wonder about the fact that it is one of those taxes which has a clear passage through to consumers and will simply increase the cost of living all the way around. As soon as it is on it will be reflected in the CPI. Does that do a great deal of good to the country? Coupled with rapidly escalating material costs, the tax affects newspaper support at a time that coincides with diminishing retail sales. So, the newspaper operation is caught between the two pincers of a jaw.

• (1410)

The tax is confusing, and its ramifications are far more extensive than could possibly have been intended in this legis-

lation. Frankly, the local newspaper, in more instances than may be imagined, is probably the sole remaining local forum in many communities. If this tax strikes deeply and hard at those community newspapers, it is another knock on what we would like to have as the true system of free local press.

Free press is abused by both the press and others in many ways. I feel completely at ease here, because outside one distributive paper which contains some editorial comment—and the ads pay for its production and distribution, and there is no annual subscription—other than two city dailies, there are no newspapers distributed in my riding. Therefore, I am not arguing on behalf of a particular constituent. Surely, all those in this House who represent rural ridings in particular will want to be at the committee hearings when they start next week or the week after to hear what the tax people and the newspaper association people have to say.

I will conclude my remarks because a number of my colleagues wish to speak, and I am sure there will be other speakers from other parties. I hope the committee will deal with this bill quickly. It must return to the House some time before Easter, and there is a lot of other work to be done, including a companion piece of legislation called the customs tariff which also goes back Anno Domini in its origin, not having been considered by the House for nigh unto three years.

Mr. Bob Rae (Broadview-Greenwood): Mr. Speaker, because of the fact there has been agreement to move this matter to committee, I do not think it is necessary, particularly on Friday afternoon, that I deliver a lengthy address on the taxation policies of the government, the nature of the government's energy policy or any of the other topics on which a speech could be made. Because of the importance of the measures contained in Bill C-57, however, I do wish to give the minister an indication of some of the questions which we will be raising in committee with respect to this bill, questions which would involve officials from this department, representatives at other levels of government and representatives from the industry.

I will deal first with the non-oil and gas issues and refer the minister to two or three areas which have already been touched upon somewhat by the hon. member for Edmonton West (Mr. Lambert). There is the question of the new definition of newspapers, the impact of the government's plan to tax those newspapers which, in its opinion, have an unduly high advertising content, and the effect it will have on the community newspapers.

I expect the government has had studies performed to determine how many newspapers would be involved and how many have a content of more than 75 per cent advertising. This is a very important factual question. Just how many people and what kind of community publications will be affected? We are also entitled to know whether the tax will have the effect of restricting communications and the ability of smaller businesses and smaller community publications to communicate with a fairly wide public.

As the minister will know, the definition of advertising is sometimes a tricky one. There are many community newspapers printed in Canada's non-official languages which have a very high advertising content because of the fact many of them include government advertising for government programs. This question is of great concern to me because many multicultural publications have a difficult time surviving.

If the impact of this legislation will be to reduce the quantity of those publications and the ability of the publishers of those publications to make a living, then this must be taken into account. Obviously, the government is concerned with publications which have as their primary or sole concern the publishing of advertisements for various businesses. The government is intent on arriving at a definition which will eliminate these publications from the category of newspapers.

However, as the hon. member for Capilano (Mr. Huntington) called out in the middle of the speech of the hon. member for Edmonton West, "The question is what is a newspaper and what is news". There are instances in many community publications where an ad could be defined as advertising in some context but, in another context, could be considered a very important aspect of the dissemination of information.

Since the minister has now returned to his seat, let me repeat, there is the question of heavy government advertising in many third language publications and the fact that these vehicle communications are terribly important to many communities in our country. I would like some hard factual information from the minister's department as to what forms of publications it hopes to deal with, what precise effect the government's proposal will have on the dissemination of information and the provision, in many cases, of a very useful service, and whether the taxation of this service will help the economy or eliminate an unnecessary loophole which presently exists.

There are many other areas with which one could deal in excise tax legislation. I am sure the minister is aware of many small businesses which have complained and lobbied vigorously with respect to the effect of the 9 per cent federal sales tax on cosmetics. I am sure he is also aware of the tax change being put on sales to the retailer trade level. I appreciate the justification from the department that the purpose of this tax is to eliminate tax avoidance arrangements which place Canadian cosmetic manufacturers at a disadvantage compared to importers of cosmetics. I think it is also important for us to realize that while this may be the intention of the department, in eliminating the previous arrangement of sales tax on cosmetics, we will again want to hear representations from the business community to see whether this is, in fact, the effect. We will want to judge for ourselves whether the government's purpose is well served by a measure that we will have put in.

• (1420)

We have also received letters from small independent retailers concerned about the new changes in retail sales tax. Shifting the imposition of the sales tax will have little, if any, effect upon the large retail chains, since they often deal

directly with the manufacturer, buying in volume. They pay the 9 per cent federal sales tax on the f.o.b plant price, which excludes freight. The small retailer who utilizes the services of a wholesaler ends up paying the federal sales tax not only on the manufacturers' price but also on the freight from the manufactures premises to the wholesaler.

While I understand that the Department of Finance considers this to be a minor inequity and has so far not indicated any change in its policy, we will also want to see the precise effect this has on smaller businesses. We will want to see whether it does have the effect of reducing competition by giving, in a sense, an advantage to larger retailers which is not available to smaller retailers because larger retailers have different buying practices, as of necessity, than smaller retailers. This is the kind of question which I think we will be looking at in committee. I appreciate the opportunity to discuss these things in committee, since they are the kinds of details which I think can best be solved at committee level. They are basically factual questions, as to what the real effect of the changes will be, and can, I think be more effectively changed in committee than in the House.

The third general item I wanted to raise with the minister is that, as I am sure he is aware, we have all heard from the Canadian Wine Institute and from the wine industry. We have also heard vigorous representations from the Brewers' Association of Canada about the permanent increases now being built into the taxation of alcohol which may be unfair. This may have the effect of building in prohibitively high increases in the tax on these items. This also seems to me to be a factual question put forward by the Brewers' Association. Something the committee will need to consider is whether the separate indexes for beer, wine and spirits will result in a further distortion of existing relative tax burdens between beer, wine and spirits. Again, the relative impact of these increases seems to me to be an important question to be considered with respect to these industries.

There is one general question about the effect of the over-all excise taxes with which I think we must deal. This matter has been mentioned before by the hon. member for Edmonton West; that is, that the excise tax in general is, of necessity, not a progressive tax. This tax falls heavier, not on the consumer, but on the small businessman. It has a more serious effect on small business as opposed to large business, particularly at a time when we are entering a period of high interest rates and the costs of doing business are so high for the smaller businessman. Something which we will want to look at very hard indeed is the impact these kinds of measures are having on the relative power of small business as compared to large corporations.

It is within the context of the relationship between smaller and larger businesses that I wish to deal with the question of the 8 per cent production tax on petroleum and natural gas. As I understand it, the dilemma facing the federal government is this: the federal share of this very significant revenue source is too small. It amounts to roughly 10 per cent of the revenues from oil and natural gas, the other 90 per cent being shared almost equally between the industry and the provinces. This has been indicated several times in the House and, if I understand the Conservative position correctly, they have indicated this as well. If one looks at the figures over the last ten years dealing with the relative importance of resource revenues on provincial revenues, he will notice that there is no category of revenue which compares to natural resources in terms of increase.

There has been a tenfold increase in the revenues from oil and natural gas over the last ten years. There is no other industry where this has occurred; not the steel industry, manufacturing industry or in agriculture. You cannot take any other sector and compare the rise in the value of those goods with the rise in the value of oil and natural gas. Because this resource is a depleting one, and because of the pressure of OPEC price increases, one can predict that the price of oil and natural gas will increase dramatically. The federal government has obviously taken the view that if it does not now act quickly, to increase the federal share of that rapidly increasing resource revenue, not only will its fiscal position be threatened but the fiscal imbalance between the federal and provincial governments will simply be increased.

Again, if I understand the federal government's position, it has two or three choices. It could have done what the Conservatives did, which was to impose an excise tax on the sale of gas at the pump. The second thing it could have done was deal with the problem of its tax share through the income tax system. The third thing it could have done, and which it has done, is impose a tax, basically a kind of royalty, at source—a production tax. Obviously, for political reasons, the government could not take the first route, having denounced the Conservatives for introducing an 18-cent excise tax.

Mr. Evans: Who else denounced that tax?

Mr. Rae: The hon. member for Ottawa Centre (Mr. Evans) asks who else denounced the tax. I also denounced it. I remember my speech very well and I do not regret having made it.

Mr. Evans: Keep the record clear.

Mr. Rae: I want to say to the hon. member for Ottawa Centre that, having rejected that kind of excise tax, I do not see how the federal government can now turn to another kind of excise tax and think it has done anything more progressive. Instead of simply attacking the buyer at the pump it has attacked the buyer at every single level. I do not see anything more progressive in the excise tax, which the government has put forward, than that which the Tory party put forward in its brief period in government.

• (1430)

I was not intending to give a highly partisan speech this afternoon, but the member for Ottawa Centre seems to be moving in that direction, much against my will.

An hon. Member: Much against your nature!

Mr. Rae: I was not going to say nature, but I am happy to give that kind of a speech. I would rather deal with some purely factual questions in respect of the effect which this excise tax is going to have.

I come back to my three choices. As I understand it, the second course, the income tax route, which the government could have taken, was rejected. I would imagine it was rejected because in the government's view corporations could have found a way to reduce their tax burden through their own internal accounting procedures, rapid depreciation and so forth.

Since the first choice was ruled out for political reasons, let us deal with the choice between the other two; that is, between the income tax route and the royalty route, which the government has taken. The problem with the 8 per cent production route—a question about which we will want to examine Department of Finance and Department of Energy officials very closely—is that it affects all producers equally even though all producers are not equal, either in size, in origin or in terms of whether they are genuinely independent Canadian companies. But it is the differential impact of the 8 per cent increase which has caused the most concern. Obviously the other problem is that the 8 per cent royalty affects the petroleum industry in some provinces more than it does in others, and in that way it affects the resource revenue going to those provinces. Which route is best for the federal government? Is it to go the excise tax route, as it has gone, or what I call the royalty route, the 8 per cent tax at source, or is it to go the income tax route? Our preference would be for the government to go the income tax route and build into the income tax system the kinds of distinctions, variations and discrimination which the government wants to carry out. It cannot do this by virtue of the 8 per cent royalty tax because the effect will be the same right across the board with no exceptions. It will have a much harsher effect on smaller companies than it will on larger companies. This is ironic, Mr. Speaker, in view of the declared intention of the government to carry out a policy that will discourage foreign ownership.

In this connection, I would like to hear from the industry and from those people who are aware of what is going on in the industry to find out whether this is really the case. The evidence we have seen so far is that the smaller producers and smaller exploration companies, most of whom are Canadian, are much harder hit than those companies which have achieved a very high degree of vertical integration. I refer to the multinational companies who are in a better position, through their own internal power and by the fact that they carry out not only production but also refining, distribution, merchandising and retailing of oil and natural gas to diversify their own production and increase their power compared to the smaller producers.

This is a purely factual and important question. In my opinion, it should be removed from the purely partisan discussion which we have seen so far. The Minister of Energy, Mines and Resources (Mr. Lalonde) has said that more drilling is going on this year than last year. Members of both my party and the Conservative Party, who know what drilling activity is in fact going on in Alberta, British Columbia and Saskatchewan, say that is not the case. They say there is extensive evidence that drillers are leaving the country at a great rate. I have not been in this House very long but it seems to me this is a factual question. It is a question which can be resolved by looking at what drilling activity was carried out last year and what companies' intentions were last year for the next year or two. We know that companies do not do things from month to month but plan for year to year, and we can look at what effect the petroleum and gas revenue tax has on the whole of the industry, whether it really is part and parcel of the Canadianization proposals of the government or whether it contradicts the Canadianization proposals. I think this is a genuine problem.

When the government introduced the 8 per cent tax, it did so, as I suggested at the beginning of my remarks, not to further the Canadianization of the industry, not to encourage self-sufficiency but to deal with a third problem, a genuine one, one which is recognized by all members of the House; that is, the federal government has to get a greater revenue share of a resource which is rapidly depleting. The current revenue-sharing arrangements are the source of what the Leader of the Opposition (Mr. Clark) quite correctly describes as a severe fiscal imbalance within confederation. I hope the minister will recognize, in attempting to carry that out, and avoiding the income tax route for the reasons I have described—I am not sure those reasons are prohibitive but they obviously weighed heavily on the government's mind—that it is possible, it will have the effect of not increasing Canadianization of the industry but decreasing it. That tax and its effect will fall more heavily on smaller companies simply engaged in the production of oil and gas. These companies do not do anything else. They do not refine, distribute or retail. This will have a lesser net impact on the cash flow of the larger multinationals. If the name of the game is cash flow, and we are told all the time by those in the industry that is the name of the game and the nature of the problem. Then that is a purely factual question which has to be answered.

The other source of concern, expressed by a number of producing provinces, is that this is a form of taxation which directly conflicts and cuts into their source of taxation. Some members who come from non-producing provinces say, "Well, they have lots of oil and gas anyway." But if you are living in Alberta, British Columbia or Saskatchewan and see the federal government unilaterally, if you will, occupy part of a field—not the whole field—which up to that time had been occupied by a provincial government, you will clearly know the dramatic effects this will have on that provincial government's future budgetary and financial management plans.

I do not know who is right in terms of figures, Mr. Speaker. I do not know whether the Department of Energy, Mines and Resources or the Department of Finance is right when they say the reduction in the provincial share will be two percentage points, or whether the spokesmen for the governments of Saskatchewan, Alberta and British Columbia are correct when

they say a reduction in the provincial share and the relationship between the provincial, federal and producers share will be changed far more dramatically by this than the Minister of Finance (Mr. MacEachen) has suggested in the national energy policy released on budget night. I do not know the answer to that question, but I do know there are conflicting stories and conflicting figures. I say to the minister that the effect will be significantly different from that set out in his budget.

● (1440)

There will be a reduction in the ability of certain provinces to provide for their future. The relationship between the federal and provincial governments will be affected because of a serious difference as to what the impact of their share will be. This clearly has to be resolved in committee.

Our party would have preferred an income tax measure which would allow the government to discriminate between Canadian and non-Canadian companies as they said they intend to do in order to increase Canadianization. We would have preferred to see the federal government deal with the problem of excess royalties at the provincial level in a more imaginative way than has been evidenced so far.

After suggestions from our party and the official opposition last week, the minister agreed to establish a committee. We do not know whether that committee will deal with the very large provincial surpluses and how capital surpluses can be recycled. That is a fundamental question which the minister did not deal with in his budget.

I come back to one point. The 8 per cent tax the government has put on is an excise tax, just as the 18-cent tax was an excise tax. On the night of the Crosbie budget, the present Minister of Industry, Trade and Commerce (Mr. Gray) expressed concern about the effect of an excise tax on Canadians. It fell equally on those able to pay and those less able to pay.

It increased the costs for workers who have to drive, through no fault of their own, 20 miles to work rather than use public transportation. That creates inequality. That is what is wrong with relying too heavily on the excise tax system for government revenues. There are certain problems inherent in it.

At the time of the Crosbie budget, we suggested the way to get around that was with a cost of living tax credit. The Crosbie budget included an energy tax credit, as the hon. member for St. John's West (Mr. Crosbie) does not hesitate to remind us every time he gets up on his feet. The effect of the energy tax credit put forward by the Conservatives was miniscule because it was going to be delayed. Its introduction was to be phased in so the over-all impact would not have been felt for some two years. It would have in no way compensated for the price increases and the excise tax proposed in the Crosbie budget. It was clearly stated in the projections.

We know what the effects of the energy price increases will be. They will be even more serious if the government reaches an energy agreement with the producing provinces. We know what the impact will be of further OPEC price increases. Energy costs will rise substantially. Contrary to the position taken by the Minister of Industry, Trade and Commerce, the government has consistently taken the position that it will not recycle its surplus from the production of oil and gas in the form of an energy tax credit.

If I understand correctly, the surplus will be essentially used on what the minister calls the supply side. The government will use it for the economic development envelope. I simply say with regard to the supply side and the demand side that you have to walk on both legs.

The differential impact as a result of oil price increases which are part of the government's budget will have a strong impact on lower-income people. The effects will be felt in a discriminatory way by people who through no fault of their own have a low income and must pay high energy costs. If this is allowed to continue, the government is betraying the fundamental image it presented to the Canadian public at the time of the Crosbie budget. The government is saying let bygones be bygones and look to the future. It is not going to recycle this money in the form of a cost of living tax credit, energy tax credit or whatever it might be called. The principle is the same.

The government is limiting its ability to provide a greater degree of fairness. It is limiting its ability to provide the growth in the economy which will be necessary so that Canadians can buy the capital and consumer goods on which the minister is concentrating all his efforts in the economic development envelope.

I realize the policy options we are putting forward have been rejected by the government. The minister will not stand up on this Friday afternoon and say that he will change the policy because he has decided to recognize the wisdom of the opposition. However, I say to the minister that there is a fundamental contradiction in what the government has done. It rejected the Crosbie budget because it provided for an excise tax. However, it has put on an excise tax which will have a much more serious effect on consumers, provincial revenues and the relationship between the federal and provincial governments than the Crosbie budget.

The government has refused to introduce a cost-of-living tax credit which would recycle some of the surpluses that have accrued in order to provide some equity between the supply side and demand side, the social policy envelope and the economic policy envelope. For those reasons I believe the government is missing an opportunity. Rather than being the source of federal-provincial conflict, it could produce a greater degree of unanimity. As I said on other occasions, we cannot go into every budget facing a constitutional crisis. We cannot go into every economic decision with such tremendous hostility between the producing and the consuming provinces. An agreement between the producing and consuming provinces and the federal government is essential for the future of this country.

The federal government must show leadership and concern for the consuming provinces and the consumers of Canada. Energy costs have been rising. It is not only the cost of gas, but

heating oil and gas for the home. The government must use some of its surplus to help those who are so badly affected by these rising costs. I think then the consumers of Canada would say, "All right, if the government is prepared to exercise some leadership in this direction, we are prepared to go that extra bit and try to find an agreement with the producing provinces". But, as long as the government is determined to suck up whatever surplus there is, to go into provincial fields and to take up that surplus and run with it and not to put it to the use that the consumers of the country can see is good, then it is simply pitting consumer against producer in what is really an unfruitful and ultimately a very destructive course of action for the country.

● (1450)

This question of the sharing of oil and gas revenues is, in my opinion, one of the fundamental problems facing the country. The fact that we do not have an agreement is something which is clearly preventing the kind of investment, the kind of understanding and the kind of growth which would help a great deal in resolving not only our energy problems but also our constitutional and economic problems as well.

The government has decided not to take a course of action which would allow it to show leadership where leadership has to be shown and to take its share of responsibility and say to the oil companies that they do not need to take anymore. As the hon. member for Vancouver-Kingsway (Mr. Waddell) has pointed out on many occasions, the key to the solution, is not cutting back on the public ownership of the largest multinationalists but by increasing the public ownership of the largest multinationals. The contradictory effect of the policies put forward by the government would be to increase the power of the multinationals and not nationalize, and that includes all of them except for one which has just been nationalized. In that way the power of all the others will be increased, the power of the Canadian independents will be decreased and the consumer will continue to regard any price increases as simply going into the coffers of the multinational oil companies. Rather than deal with that fundamental question and also the question of Canadianization, the federal government has chosen to follow certain policies. This is a difficult mix to get right, and I am not condemning the government for having failed to get it right, but in our view they have failed to do so and in failing they have missed an opportunity which may never come again.

As the stakes become higher, as the value of the resource becomes higher, and as the price of the resource gets higher, the cost of finding a solution also increases. In the government's failure to find a solution, just as the Tories' failure to find a solution in their budget, it is costing all Canadians very dearly indeed.

Hon. Ron Huntington (Capilano): Mr. Speaker, I thank my colleagues for giving me the privilege of speaking on Bill C-57 which I consider to be one of the most confusing bills for the small and medium-size enterprise sector in Canada we have seen for a long time. I also appreciated the Minister of Finance (Mr. MacEachen) coming over to advise me that he had to catch a plane for Halifax and therefore could not be present in this House for the few comments I have to offer.

I am very surprised that the Minister of Industry, Trade and Commerce (Mr. Gray) is not here, and even more surprised that the Minister of State for Small Businesses (Mr. Lapointe) is not here in light of the tremendous mail load and communication load which I am sure most members have had from the business community in their constituencies. All the work done by the small business secretariat in paper burden removal and in trying to address the regulatory burden of the small business community has been wiped out in this bill.

This bill has given us a very sloppy and carelessly worded piece of legislation which has left confusion, not only in the business community, but confusion in the minds of the civil servants in Canada seeking clarification as to its intent.

Section 29.3 is an example of bureaucrats, which we need in this type of society, writing regulations and legislation for an area of activity in our communities they know nothing about. Perhaps they are concerned about a Supreme Court decision made sometime in the past which gave us a ruling that allowed advertising to be classed as being part of a newspaper and therefore not taxable. Ever since then they have been trying to find a way to increase the level of taxation as far as sales tax on that factor of advertising.

In presenting Section 29.3 in the amendments which the Minister of Finance has in this legislation, they are not asking themselves the basic question, "What is news"? When considering the answer to that question you are dealing with the heart of the free press. When I was agreeing with my colleague from Edmonton West (Mr. Lambert) I noticed the Minister of Finance shaking his head, saying I was wrong. I hope somebody will explain the apparent lack of understanding of that key issue because that is what they are doing. They are putting in legislation without addressing answers to key fundamental questions like that. What is advertising content? Who in the design phases of this legislation answered that question, so that there could be clarity given to the community at large?

There is the 75 per cent advertising formula, and the bill sets a threshold of 50 per cent of the issues. We have the pre-Christmas season when there is heavy advertising and we have the first quarter of the year when there is low advertising content. We need some kind of an average. This threshold goes along for three months and then an audit is done, all the bookkeeping has to be changed and the lineage count revised. This is an additional burden put on the community. If you do not meet the threshold for the quarter your penalty in terms of tax is retroactive for that quarter. How can anyone responsible for the delivery of payrolls, for solvency at the bank and for looking after the demands of organized labour manage to stay solvent as an economic unit with this type of burden added?

I do not think it is right for the hon. member opposite to stand behind the curtain and laugh at this. He obviously does not know, feel or care a tinker's darn about the concerns of people who are adding to the value of goods, creating meaningful payrolls, and paying income and sales tax. What is so

funny about it? Go out there and earn your living. Be responsible for delivery of payroll and you will not find it a bit funny.

Some hon. Members: Hear, hear!

Mr. Huntington: What this type of legislation does is deliver us more and more of the control to the centre. We do not allow the boardrooms and owners of the nation any decision-making basis at all, so that decisions can be made in respect of the large and diverse activities of the nation. They have to come crawling in for grants. This will bring an avalanche of requests from the newspaper industry, and it will bring an avalanche of requests for specific rulings to clear up all of the problems in the regulations in this one area.

The hon. member for Edmonton West said that his riding was only serviced by two major dailies. We have two major dailies in my riding but we also have a very hard hitting and very talented weekly newspaper with a Sunday issue, so they are bi-weekly.

● (1500)

That organization has some 700 housewives and school students out delivering that community newspaper on Wednesdays and Sundays. In that community newspaper are fliers from building supply houses, chain stores and grocery stores. These are printed by different presses, the operators of which are trying to eke out a living. The presses are trying to meet good payroll standards throughout the community. That total distribution operation and that bi-weekly operation grew from a mimeographing service within the riding. That very fundamental operation has a solid payroll and a good balance sheet, but it is threatened by this type of legislation, which totally discriminates against it. How can such operations compete? How can the different presses in the community compete when the regulations now give the total cost leverage advantage to Pacific Press, which prints both the Vancouver *Sun* and the Vancouver *Province*?

The Liberals, along with their NDP cohorts, continue to label the Progressive Conservative Party of Canada as the party of the multinationals. Let me reply to that by saying that this legislation attacks the small and medium enterprise sector of Canada as nothing I have seen in this House in the last six years attacks it. This delivers unfair advantage to the Thompson and Southam chains. What backroom deal did hon. members opposite make with them to bring in a piece of legislation like this which puts an oppressive cost structure on all weekly and community papers across the land? It is just not fair. There is no equity. There is no fair sharing principle. It does not promote the just society hon. members opposite keep referring to in their rhetoric. Their deeds and their legislation are completely contrary to the principle of fairness.

There is a small business secretariat. There is a Minister of State for Small Businesses, but the small business secretariat is really just a political tool which is totally misused. Sixty-five per cent of the meaningful work created in Canada is created by the small and medium-enterprise sector which, on an individual basis, does less than $20 million a year in sales.

This place just does not represent that community which is not organized and does not have economic clout or economic leverage. I plead with hon. members on the government side to consider these small enterprises which create payrolls. It is true that some of them are marginal payrolls, but if small enterprises could be provided with all the benefits of the big monopolies, they would be monopolies themselves. As it is, some of them grow into very successful enterprises.

This piece of legislation is obviously the result of lobbying by the Thompson and Southam chains. It is obviously the result of the lobby of the Canadian postal service. That service, incidentally, wants to deliver all the mails and wants to change the definition of the word "letter" so that it will include all the electronic media. That service also wants a total monopoly over all communications, and the next thing it will go after will be talk. The government included that in its bill and it took a lot of work in committee to get it to recognize the folly of it. The Post Office is subsidized massively, to the tune of some $500 million or more a year, and now it wants to corral the distribution of advertising and fliers and everything else. At least community newspapers get to the doorsteps at present. There is no guarantee that they will get to the doorsteps through the Post Office, at least on time. Quite often advertised sale is over before the flier arrives through the Post Office. When we get to committee I will plead with hon. members opposite to be prepared to change their minds on that aspect, because the existence of all those independent newspapers is at stake.

With respect to this same issue, it is interesting that a very successful and productive printing enterprise in Vancouver, recently bought out by Southam, now finds itself in the deplorable position of losing all its flier and printing business. It is losing that business even to the Americans. The American multinational accounts in Canada can produce overruns in the United States, pay the sales tax on entry and have a delivered cost less than that of the printing industry in Canada.

When I criticize bureaucrats for creating confused legislation, believe me, there is some justification for it. We have to be out in that rough and tumble world of work to understand the downsides, the triggers and the traps which exist in this type of operation.

I have here a package of regulations with respect to different aspects of this legislation which officials are trying to draft. When I pick up the telephone and talk to departmental officials, they just cringe. They say, "We don't know". That is one aspect about which I feel very strongly, and I hope the government will think seriously about it as we approach discussion at committee stage.

I wish to discuss another inequity. I listened attentively to the Minister of Finance when he was talking about this legislation delivering solutions to anomalies, about different tax levels and about the avoidance which is taking place. Believe me, there is no tax avoidance going on out in the legitimate business world. Businesses do not wildly pay taxes. They hire lawyers and chartered accountants to advise them of the threshold at which they must pay tax. The tax department

knows, encourages and puts that game in place. It is a very expensive exercise today to keep from moving into a retroactive tax position because of the lack of clarity in much of the law. I keep saying, please give us back the decision-making base which the government removed in 1972 in the tax legislation produced by the coalition NDP-Liberal government.

We have been slipping. In question period today the Minister of Finance talked about productivity being the key. I am glad he understands that because productivity is the key. It is the key to maintaining our quality of life; it is the key to licking inflation; it is the key to being able to service the world at large and to service the Third World more effectively. The gross national product can only be increased through productivity. However, what oppresses productivity is the complicated nature of the rules under which the wealth-creating sector must operate.

Listen to the howls on this: why tax profits? Profits are a new national resource. Profit is new working capital. The more profits generated in this country, the less we have to borrow abroad. The more profits we create, the bigger the tax revenue because that is what we have been taxing. Let us not tax profits. Let us create that wealth, that Canadian capital, and move to a tax on net cost of value added. This 9 per cent tax is tinker toy stuff, and as long as we have it in the system, that system will get worse and worse and more and more confused.

I think the Minister of Finance was misleading us when he gave credit to a government member for the reduction in tax from 12 per cent to 9 per cent. That is fantastic, but now what is the government doing with this legislation? It is moving the threshold of the tax up another notch and including all the partial manufacturers. I think this is a good move because if we assume value for duty on imported merchandise, which the minister thinks he is addressing with this tax, at 100 per cent of base and use 100 as the base, under the old tax—let us say the pre-January, 1981 base—when there was a 10 per cent duty factor and a 9 per cent federal tax, there was a multiplier of 155. In other words, if the world price was $1, the landed Canadian price would be $1.55. If there was a 17.5 per cent duty rate, it would be 164.5 or $1.64. Under the new budget by moving the threshold up to include the partial manufacturers, 155 becomes 143, so there is now a factor of 1.43, not 1.55.

● (1510)

I am using figures which come from an average of about 930 imported items. With the 17.5 per cent in the duty column, instead of the factor being 1.645 it is now 1.52. So the multiplier of the partial manufacturer has come down.

Let me also put this on the record. When you have a manufacturer's sales tax at the manufacturing level, there is a tremendous multiplier effect on the cost of consumer goods. An item which has the federal sales tax applied at the manufacturing level and which costs $5.50, to round off $5.49, would cost $5 at the retail level if the federal sales tax were not put on it.

Once again I say that if the aim is to make the country more productive, which the Minister of Finance recognizes as being the key factor in addressing most of the nation's problems, then let him move to the adoption of a net cost value added tax so that the value added at each stage is taxed, and any value added tax which was in any component of the cost can be subtracted in order to get a net value added tax. This would turn the whole matter of production back to the managers. As a result, they would not be buying big cars, putting extra facades on buildings, buying expensive furniture, or travelling first class unnecessarily, and thus building up all these allowable expenses which are charged against profits. The government would be taxing all the waste which exists in the community. Let the government start taxing waste in this land and let it leave profits as an incentive and a new form of wealth, and then let us watch this country grow.

I have another pet theory which should be considered in parallel. We are always looking for answers. I say: let the government get rid of the federal sales tax, which is nothing but inflationary, nothing but a drag and a charge against the payroll package of the work-force in Canada, and let it collect the cost of all social programs from an end-user tax. All of a sudden we will find that the country has turned into one of the most efficient industrialized nations in the world because each and every person will be able to measure what they are demanding of the government in terms of their own wallet or purse.

I do not see any resolution of our problems until we get right back to the basic philosophy of taxation and clean up all these artificial impediments which we have built into our system. I make this appeal once again most sincerely and most constructively.

There is another anomaly in our system which I find very serious. We have just enlarged the threshold and embraced partial manufacturing in the sales tax sector. The words of the Minister of Finance are in *Hansard*. While he thinks he is making the system more equitable, he is really just reacting to a self-centred lobby, and I know something about that because I lobbied before I came into politics. What has the minister done about the inequities in the definition of small manufacturers? Genstar has ready-mix concrete plants, and is doing a couple of billion dollars in business. It is a Canadian company whose president and senior executives operate out of San Francisco and which owns massive horizontally and vertically integrated subdivisions, using their own concrete products, their own building supply yards, and everything else. It is a beautifully run organization which is getting bigger and bigger. However, in terms of its ready-mix concrete operations, it is classified as a small manufacturer.

Next door to Genstar, or in the same vicinity, within a half mile, there is another organization doing $2 million in sales, which had the idea of buying cement, sand, gravel and different compounds, mixing them together and having the dry product packed for sale. If on a Saturday or on a Sunday I wanted to build a little form for something, I could buy a few bags of this ready-mix, add water to it and pour it in, and I

would feel that I was pretty good at doing something with my own hands. Now the second company has to pay sales tax on the selling price of its product. The smaller company gets the sand, gravel and cement on a tax-exempt basis and has to pay the federal sales tax only on the selling price of the finished bag. The large company, which adds water to the same stuff pays the sales tax on the cost of the cement only, and does not pay it on the sand, the gravel, the administration and the profit. The small company is doing its best, is a good employer, employs good engineers and builds a beautiful little business which is doing $2 million in sales. Genstar is doing $2 billion in sales because it is a ready-mix manufacturer operating under the definition of a small manufacturer, and it pays the sales tax only on the cement. I am told that it does not have to collect the federal sales tax on the selling price of their dry products. It sells their product at 5 per cent below the lowest price the other company can ask.

Let me tell the government that when it brings in legislation with definitions such as the definition for small manufacturer or marginal manufacturer when it causes this type of confusion, it pretty well destroys any chance of improving the productivity of the industrial sector in Canada. What we need in Canada is more manufacturing, because if you move from a primary industry like mining or agriculture into secondary manufacturing where you have the value add, you get a far better multiplier factor in the economic community at large. However, somehow or other we do not think of that in terms of our taxation legislation. We work against ourselves, and then wonder why we are slipping from a very enviable situation in comparison to other industrialized nations, slipping down past all of them to end up in the garbage can.

There is not a nation in the world which that has been as blessed as we are with our hydro and mineral potential, with our nuclear potential in terms of peaceful uses, and with our natural resources. Everything the federal bureaucracy does suppresses the magic of adding to the value of goods and adding to the wealth of the country.

These games played with definitions should, I think, be of serious concern to all of us. I plead with the Minister of Finance, who is not present in the House now, to rid himself of the attitude that it is tax avoidance. It is not. There is no tax avoidance going on in the legitimate business sector. It cannot risk it, it cannot afford it, it does not want it, but there are all kinds of grey areas, so let us clean them up.

Now I should like to move to another small problem which I have been made aware of relating to Clause 4.4 of the bill, and that is the matter of marginal manufacturing. A small company started with one store and a couple of partners. They worked very hard, their wives were involved in the business, and they found the right combination. The company started to grow. The next thing you know, they had a second store, a third store and a fourth store. Then they started to buy Canadian-made products, and rather than go to a packager, they decided to instal their own packaging room and some equipment. They assembled and packaged their products and sent them out to their four stores. Under the new regulations they can do that and can buy on a federal tax paid basis, provided the product is only used in the store in which it is packaged. They have four other stores, so they must collect the federal sales tax, if they continue this operation, at the retail price. On one Canadian-made product they were paying about 24.9 cents in the way of tax; now they have to pay 47 cents. I could give chapter and verse on a series of products from both American and Canadian manufacturers which causes them anxiety. It is no longer worth having four or five people at work in a packaging room when they own more than one store.

• (1520)

For example, they used to buy large spools of rope. They used to eye splice, cut them off and sell them to length. Now that is partial manufacturing; it is cheaper to have it done either in the United States or elsewhere and purchase it already cut than retaining the four or five jobs in the organization which, by the way, kept people employed year-round even though it was a seasonal activity. It is all disturbed and distorted within the system.

The waste rag business is also affected, because it has such a high degree of unusable products in its operations. I am talking about successful companies, good tax-paying companies, with good payrolls and with 20 or 30 employees. They now find it is hardly worth the effort to stay in the game. They can buy bailed rags from the United States and bring them into Canada. In that way they can stay in the marketplace, whereas if they continue to run their own operations, they are not competitive.

When we design these things, it is important that the Minister of State for Small Businesses be given some muscle and some power rather than just be a political label. He should be instructed to have conference after conference with the different sectors involved so that the correct answers can be found.

I have already given the House what I think is the answer. The net cost value add tax system would turn the country back to the managers. It would eliminate, almost overnight, all the waste in the industrial sector. Hon. members know how conscious I have been of waste in the government sector. The waste in the government sector is nothing compared to the waste which exists at large in this land and out in the business sector because of the basic taxation system.

I should like to return to the remarks made by the Deputy Prime Minister and Minister of Finance during question period this morning. He said that the issue is our national productivity. We will never resolve that issue, as long as our present taxation system remains in place and as long as the government brings down confusing legislation, such as Bill C-57.

I have dealt with the small business sector. I could go on to the things we do to ourselves in terms of tariffs. For example, another small enterprise in my constituency is concerned about clean air for industrial and grain workers. There are many grain elevators in my constituency. This company has designed a beautiful little pack which goes on one's back. It has an air

hose and a mask, and the person wearing it can have forced, clean, filtered air. It requires a little motor with a peculiar little fan. It is a DC portable motor, and it must be brought in from outside. Through its stupid, idiotic definitions in terms of tariff items, the government forces the company to pay an excise duty and federal sales tax on the motor as it comes in, when they should be paying federal sales tax on the whole thing. They should be able to buy that motor and fan duty and tax free, so that the product can remain of Canadian manufacture. Because of the way that tariff item reads now, they should go down to the United States to have that item manufactured, then bring it into the country on a fully-finished basis. The things we do to ourselves, which affect people who have not had the background experience of the rough and tumble of the work world, are totally negative.

Another tariff item that troubles people is the peculiar light dentists use when they are examining mouths. If it is attached to a dental chair, it comes into the country duty free. If it is unattached, the dentists must pay duty on it. Why? They can buy the light, send it to Italy to be attached to a chair, and then it can be brought in duty free. But, if they want to buy the light and attach it to something made in Canada, they must pay duty on it. I could refer to example after example of negative traps and tricks which interfere with the Canadian value add.

I realize time is precious and one of my colleagues wants to say a few words. In conclusion, I should like to indicate that our very complex tax act is interfering with the productivity we so desperately need in the country. We need to return to a simple tax act. We need to return to an incentive system where the minds and brains of people are sparked and given a vitamin shot. We need to return the decision-making base to the managers and boardrooms of the country instead of leaving it in the halls of the big buildings in Ottawa. We should not tax profits; we should tax net value add, which I will explain in another speech some time. That would allow us to manage and to tax costs and would wring out the waste in the land. We should be given legislation which defines the behaviour expected of the business community. We should not structure the business community because that adds burden upon burden and confusion upon confusion for the creative sector. We should think about bringing in legislation which provides employee ownership plans, the same kind of tax haven which has been given in retirement savings plans. Then we should spread the ownership of the industry in the private, small and medium-enterprise sectors, and the ownership of larger corporations among the employees under some kind of a tax-exempt plan.

For goodness' sake, we should take the power to give research and development grants away from the bureaucracy. We should strengthen research in the universities so that we will have qualified people to send out to fill the positions and the need in our industries. We should include an incremental incentive for the spending of research dollars in the industry; then we could resolve the research and development dilemma in the country.

I have debated this issue for hours in previous Parliaments. For goodness sake, let hon. members hear that debate and share the decision-making base. We talk about sharing. The decision-making base should be shared among the people taking the risk, not in the halls where people say, "That tax point is ours; we can spend it more wisely than you can, dummy." That is not the proper attitude, it is not the way to resolve the problems in the land.

I will sit down now, and I hope the hon. member for Medicine Hat (Mr. Hargrave) might be recognized next.

Hon. Alvin Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, I apologize to the hon. member for Capilano (Mr. Huntington). I think he will realize it was a great tragedy for Canada and the people of the country that he did not have an opportunity, as minister responsible for small business, to bring this type of philosophy into the tax laws of this nation.

• (1530)

My remarks will be brief in order to allow the hon. member for Medicine Hat (Mr. Hargrave) to have the floor. On this particular occasion I will only deal with a part of this bill primarily because it is an example of where the government has changed its mind and has done something as the result of advice from Members of Parliament. I would like to see that attitude continue in committee.

I am talking about a very historic matter in Canadian political history. According to this excise tax legislation, it is now legal to have an alcoholic still. If anyone knows the history of alcohol in this country, what I have just said immediately becomes significant. This question of the over-consumption of alcohol for drinking purposes runs through our political history. Because of the tremendous concern over this problem, we have put the damper on individuals owning their own alcoholic still.

Alcoholic distillation is an ancient process which many people have used to reproduce the waste of the products in the country around them for many purposes in addition to drinking. There is a little section on definitions in this bill. What the government has done to remove the great penalties found in the existing legislation is to call alcohol, "denatured spirits", rather than call it "denatured alcohol".

Canadians will soon realize that they have finally received some freedom. As long as they remember to call the product "denatured spirits" they will not be stepping on the toes of the police. Over the years many hon. members have tried to point out that there is more wealth in the waste in our system than there is in the product. I have mentioned this point in the House so many times that the nickname I was given when I first came here was Johnny Appleseed, because I kept trying to say that there is more money in trees than in grass.

Mr. Huntington: Oh, no, there isn't.

Mr. Hamilton (Qu'Appelle-Moose Mountain): I am not talking about the type of grass to which the hon. member is referring; I am referring to cereal grains. The question of the utilization of waste is very important to the economics of Canada. Half of our fishing production is waste. A large proportion of our agricultural production is waste. Sixty per cent of our forestry production is waste. This is all because we are not using the knowledge which is there, to utilize this for waste in the interests of the people and the country.

Alcoholic stills might seem like a small item, but experts calculate that with the privilege of having stills and using the waste of the farm, fishery and other industries—even the housewife could use it if she wants—we could produce 3 per cent to 5 per cent of the total energy needs of this nation, which run into billions of dollars. I congratulate the Minister of Finance (Mr. MacEachen) whom I accused in one of my earlier speeches of having zigged when he should have zagged. In this case he did zig when he should have zigged!

This change was in the Crosbie budget. It also included a tax deduction for people who paid wages to their spouses; a proposal that the cost of renewable energy hardware could be written-off in two years and a proposal for Small Business Development Bonds which would have cut interest rates just about in half. I could mention a couple of other points, but I am talking about stills. As long as the producer is careful to call the product spirits instead of alcohol, this legislation will get him off the hook and allow him to own a still. I have not seen too many headlines on this matter, but it makes the farmers dance in their yards.

Instead of brewing their alcohol out in the bush or in the bluffs, they can now brew it in their home, pay the wife to watch it—which is tax deductible—and produce $4,000 to $5,000 worth of alcohol. That was the intent of the Crosbie budget. This legislation, however, has a limitation, which is that these spirits can only be used for experimental purposes and only for fuel by the individual.

It will cost between $6,000 and $10,000 to build an efficient still to handle such waste products as frozen grains, certain vegetables and the list of 60 or 70 plants which can be put through a still to make spirits. I suggest to the government that it broaden these regulations and add a clause to allow the farmer or individual who owns the still—in addition to using the spirit for his tractor, car, or truck, keeping the motor clean and preventing wear and tear—to sell his legitimate surplus to a legitimate gasoline station, even Petro-Canada. The oil company which buys this surplus spirit would be able to sell it to customers along the highway. If gasohol is sold with a 10 per cent to 20 per cent mix and the price remains the same, many car operators will use it exclusively because it enables the car to run two to three times longer. Instead of disposing of the car at 75,000 or 100,000 miles, it will now run for 200,000 miles or 300,000 miles.

If an amendment is introduced which will allow that individual who owns this still to sell his surplus, which will be controlled through licence and checked by the RCMP, to a legitimate gasoline filling station, which will keep records of what is received and what is sold, then the operation will be economical for the farmer and will warrant the price of from $6,000 to $10,000 for a still. A still operator must put through a certain amount of volume to make it pay, because the price of alcohol is only $2 to $3 per gallon.

Beside the economic advantages of allowing the individual to sell a surplus up to a certain amount, say 2,500 gallons, which would cover the great majority I am sure, then the farmer will produce 3 per cent to 5 per cent of our total energy requirement from a renewable resource, namely, waste. The product will add to the life of the motors of the cars and, socially, it will stop the bootlegging. The farmer cannot be expected to throw away his surplus spirits. Since we are dealing with denatured alcohol which cannot be consumed, the farmer will give it to his friends, or, in some cases, peddle it, under the table. This will mean the continuation of what has been going on for the past 60 years to 80 years with the Mounted Police patrolling the roads every night, watching for smoke and trying to smell mash.

● (1540)

People live in an atmosphere of expecting that sooner or later they will be going to jail. Since the government has gone so far as to say the producer can use it for his own use, it should now make it legitimate by saying he can sell his surplus to a legitimate filling station operator. This is the case in 36 states of the United States. With our farmers living just across the road from American farmers who have these opportunities, I think it is important that we match them. This would not reduce or increase the revenue to the tax collector at all. It would solve a social problem, produce new wealth, fight inflation and make the cars and engines last longer. I think it is a measure which could easily be put in place.

I would now like to talk about the human aspect of this measure. The place where it would do the most good is in the areas of Canada where it is also most needed. I think of Cape Breton where the minister comes from. If there is any part of the world which needs more money it is Cape Breton. The opportunity is available to them, with their fish and farm combination, to make an extra $5,000 a year very easily, working along with their present jobs, utilizing waste, serving their country and making the engines of the district last longer.

I am also reminded of the vast regions of Quebec which are away from cities, northern Ontario, the prairies, B.C., even the Yukon and Northwest Territories. It would be possible to utilize waste in those areas by making this spirit still available up to economic levels where farmers could use it without abusing it. I think the limit should be set at 2,500 gallons, which I know was the figure to be used in the regulations under the previous administration. By using a simple device like this the worry would be taken off the RCMP, the farmer could sleep at night without worrying and, above all, we could make use of the wealth of this nation in a very constructive way.

I will conclude by congratulating the minister for accepting this proposal from the Crosbie budget. He should go whole hog and take advantage of the work that the Department of Agriculture has done, not only through the speeches of the minister but in the pamphlets which have been prepared to explain the operation of a still, its dangers and its good points. This information should be sent out to several hundred thousand people who live on the land, who work in the bush, who are on the farms and beside the sea. It would take a year or so to put a still of the size I am talking about into operation. More progress could be achieved by broadening the legislation in the way I suggest.

I would like to thank the House, Mr. Speaker, for letting me take this time to talk about such an historic occasion—when stills finally became legal in our country.

Mr. Baker (Nepean-Carleton): Mr. Speaker, I rise on a point of order. There was a House order indicating that this business would end at 3.45 today. I want to tell the government House leader that we do not intend to call a vote with respect to this matter. If that is the case, and if everyone is willing, perhaps we could continue the debate until four o'clock.

Mr. Knowles: We will agree to that, Mr. Speaker. We may call "on division" but we will not force a recorded vote.

Mr. Pinard: We agree with that proposal, Mr. Speaker.

The Acting Speaker (Mr. Blaker): It is understood, then, that the debate will continue until four o'clock, at which time I will put the question but there will not be a recorded division.

Mr. Bert Hargrave (Medicine Hat): Mr. Speaker, I would first of all like to express my thanks to the government House leader and to our own House leader, not only for the 15 minutes which we will gain but for the successful negotiating which was done to permit—

Mr. Knowles: Are you not going to thank me, too?

Mr. Hargrave: Of course. I also thank the hon. member for Winnipeg North Centre (Mr. Knowles). I do so not only for the time allowed me to participate in this debate but for arranging that this subject be referred to the standing committee. To me that is very important.

I would like to begin my remarks by saying that I consider this legislation the most significant of all legislation necessary to implement the National Energy Program launched by the October 28 budget. I say that because it offends and contradicts the very roots and fundamental concepts of Alberta and Saskatchewan's entry into confederation in 1905 and the subsequent transfer of our natural resources in 1930.

My remarks will deal almost entirely with the implications of this bill on our natural gas resources and the total natural gas industry. These remarks will also be appropriate for the companion tax provisions, that is, the petroleum and gas revenue tax or the 8 per cent wellhead tax.

Natural gas in Alberta, especially in southern Alberta, is very much a part of our heritage. It is part of our history from our very beginning. Natural gas is inextricably a part of our survival of the drought and depression of the 1930s and the ten year adjustment period following. That 20-year period of our history was, in reality, a lost generation and the memories and scars are still evident. Our natural gas history began about 100 years ago when the first gas wells were drilled in the communities of Medicine Hat, Alderson and Bow Island. They were drilled by a Mr. J. A. Grant, who came out west from Sarnia, Ontario.

After that early beginning, Medicine Hat quickly developed its own complete utility system for heating, electric power generation and even street lighting. Even in my day, as a schoolboy, I can remember the town's natural gas street lights which were never turned off because gas was so plentiful. In those early days the city regularly flared a gas well at the CPR station to entertain visiting dignitaries, including Rudyard Kipling, who was sufficiently impressed as to observe that surely Medicine Hat had all hell for a basement.

Those early gas wells were drilled with cable tools and walking beam rigs. The drilling derricks were built from 2 x 12 planking and took months to build. The drilling operations took years, very often with shutdown periods while the owners went off to arrange more money to carry on the operation. I can well remember one such well about 15 miles from our ranch which carried on for years and eventually made a big strike. This caused great enjoyment at first and then total disappointment followed because gas had been struck and not oil. Other than heating a caretaker's shack, that particular well was of no use, since there was no market for the gas. The enormous derrick eventually blew down and was used as firewood by neighbouring farmers. The well burned for several years before it was eventually sealed off by a new conservation authority. All of this took place about 50 years ago, but I can remember it vividly.

I have said that natural gas resources are part of our heritage. The modern-day development of the total natural gas industry began in the late 1930s and throughout the 1940s. Today's enormous gas industry, including gas wells, pipelines, petrochemical plants, compression stations and a vast array of natural gas service industries all began when a former Alberta premier, Ernest C. Manning, now Senator Manning, passed the necessary Alberta legislation to allow the export of natural gas and oil in 1949. That provision was applicable across provincial borders as well as the United States border.

The total natural gas development was a significant factor in the long, slow recovery following the lost generation about which I spoke. This was particularly so in the agricultural sector of southern Alberta. I would say it was at least a partial compensation for those drought years.

● (1550)

I am referring to gas development, of course. For the first time in our history as a province we were able to begin catching up to other parts of the prairies, which do not have

our severe semi-arid climate, and this thanks to the newly developed part of our natural gas heritage.

Today, with this proposed legislation, all of this Alberta natural gas heritage, this Alberta way of life, is severely threatened in two ways; first, as to the constitutional legality as a result of this legislation, and second, as to the very obvious and crippling implications to come on the implementation of this act and the related petroleum and gas revenue tax.

The Alberta Court of Appeal has already heard the submission of the governments of Alberta and Canada on this issue. Its decision has not yet been brought down. Alberta is claiming that the federal government has no right to tax our natural gas for two fundamental reasons. First, Section 125 of the British North America Act says it all in just 15 words. It reads: "No lands or property belonging to Canada or any province shall be liable to taxation." Second, natural resources in Alberta, Saskatchewan and Manitoba were formally and legally transferred from the federal government in 1930 to the prairie provinces. I emphasize most emphatically that this 1930 transfer means that in those provinces we own those natural resources. Surely it takes precedence over the sweetheart deal between the Prime Minister (Mr. Trudeau) and the Leader of the New Democratic Party (Mr. Broadbent) which referred to "management and control" subject to a federal override.

Mr. Siddon: That was an NDP sell-out.

Mr. Hargrave: That deal was, of course, made in the constitutional debate.

The Alberta argument was countered by federal lawyers who insisted that this position only applies to resources still in the ground and that all commodities become liable to taxation once they are in transit. Where do we stop with this argument? Our agricultural soils are a natural resource. Should a product of those soils, such as wheat, become taxable in transit? What about the case of our hydro potential from our rivers or from gas-fired electrical energy? Should this energy and end product become taxable in electrical transmission systems? The implications here are staggering, since it should surely include Ontario and Quebec hydro. It must surely be apparent now in the prolonged constitutional debate that Alberta is chiefly concerned about the complete takeover of Alberta's resources, by way of a referendum or by any other means. This is a very real concern in Alberta now.

I would now like to give some indication of the impact this legislation will have dealing with natural gas only. My remarks apply primarily to southern Alberta, but they do cover a much wider area as well. My city of Medicine Hat has developed and owned all of its own utilities beginning about 100 years ago. It includes electrical utilities generated from natural gas. Medicine Hat's population, including nearby Redcliff, is about 40,000. A large greenhouse industry faces staggering cost increases. Nine separate greenhouse operations face increases of 100 per cent, 102 per cent, 106 per cent, 166 per cent and 200 per cent respectively. These costs are for this excise tax only. They do not include the 8 per cent wellhead tax. A typical home owner in Medicine Hat using about 15 Mcf per month is now paying 50 per cent more. A senior citizen's home is paying 40 per cent more. The absolute dollar impact on the total city gas consumption is $6.5 million or about $18,000 a day. This is for the first incremental stage only.

I come now to the commercial uses in the city. A co-op shopping centre has an increase in gas costs of 77 per cent and an increase of 16.5 per cent for electrical costs. The gas costs for our district hospital, which services the whole rural community, have increased 106 per cent. Its electrical bill is up 23 per cent. All residential, commercial and industrial electrical costs have increases ranging from 13 per cent to 26 per cent. Again, these cost increments do not reflect the 8 per cent wellhead tax or the present very high interest rates. Easily the most severe impact of the gas cost increases will be felt by our senior citizens, especially those farmers, mostly from Saskatchewan, who seem to enjoy retirement in Medicine Hat with the comforts of natural gas.

The town of Brooks has already suffered more severely than Medicine Hat. Brooks has a population of 9,000 and has grown very quickly as a result of the oil and gas industry. Some 25 specialized service industries are based at Brooks and have already experienced severe cutbacks. There are another 175 businesses directly related to the oil and gas industries. Brooks expects a 30 per cent to 35 per cent reduction in its business activity, because of the National Energy Program, most of it as a result of the natural gas section within that policy. The number of drilling rigs in the Brooks area has already decreased from 70 to 50. Quite recently, and I find this most interesting, two rigs have left for Australia. The balance of this local reduction in drilling rigs has either moved to the United States or they have shut down. In the Brooks service area, less than 10 per cent of the companies have any affiliation with multinationals. More than 70 per cent of supplies, manufactured goods, fabricated goods and vehicles originate right here in central Canada.

I want to say a word or two about the Federation of Alberta Gas Co-ops Ltd. I am sure members of all parties will remember the 18-member board of directors of this rural, province-wide national gas consumer group which visited members of Parliament and other groups about two weeks ago. This federation is made up of 77 user-member gas co-ops, five county-owned utilities and other private gas utilities throughout Alberta. These 85 user-member-owned utilities provide over 40,000 natural gas services to over 140,000 rural people with a 40,000-mile distribution system. Their brief to all members of Parliament documents in some detail their concerns about this new legislation. They point out that 85 per cent of Alberta's rural population have homes which are heated by natural gas. They have, justifiably, concerns about the impact of fertilizer costs because, of course, natural gas is a major input component of commercial fertilizers. These gas co-ops have advanced a very sensible suggestion, namely, that the 30-day pay period for the tax be extended to 90 days.

All of the various cities, towns, rural associations and many others have grave concerns and misgivings about this legislation and the companion petroleum and gas revenue tax. I can

certainly understand and appreciate these concerns. A very wide selection of both gas producers and consumers should be encouraged to appear before the standing committee when the bill is sent there. That is the very least the Minister of Finance (Mr. MacEachen) and the Minister of Energy, Mines and Resources (Mr. Lalonde) can arrange. It is my understanding that this is the government's intention.

As I indicated earlier, we in southern Alberta consider our natural gas resource as part of our 100-year heritage. It would be difficult to place a monetary value on this aspect of our gas heritage resource. I can only add that Alberta's other financial Heritage Trust fund—and most of you know what I am referring to—pales in insignificance in comparison to our natural gas heritage resource.

● (1600)

The Acting Speaker (Mr. Blaker): It being four o'clock, pursuant to agreement made earlier this day, it is my duty to interrupt the proceedings and put every question related to the second reading stage of Bill C-57. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: On division.

Motion agreed to, bill read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

The Acting Speaker (Mr. Blaker): It being four o'clock, the House will now proceed to the consideration of private member's business as listed on today's Order Paper, namely, notices of motions, public bills and private bills.

PRIVATE MEMBERS' MOTIONS

[*English*]

Item No. 25 allowed to stand by unanimous consent.

* * *

HEALTH, WELFARE AND SOCIAL AFFAIRS

POWERS OF COMMITTEE TO EXAMINE

Hon. J. Robert Howie (York-Sunbury) moved:

That the Standing Committee on Health, Welfare and Social Affairs be empowered to examine, inquire into and report from time to time appropriate measures for the prevention, identification and treatment of abused persons involved in interfamily violence and in particular, without limiting the generality of the foregoing, to address the issue of battered wives and dependants and for such other measures in the same matter as the committee may consider desirable.

He said: Mr. Speaker, a few years ago this House took a giant stride forward in recognizing and coming to grips with the battered child syndrome. The House Standing Committee

on Health, Welfare and Social Affairs conducted an in-depth study involving more than 300 different authorities into the question of child abuse which is a broad continuum stretching from deprivation and child neglect on the one hand to the physical battery of children on the other.

The line of demarcation between federal and provincial jurisdictions was traced, responsibilities of parties identified and sound recommendations for remedial action were made. Today I want to ask the House to consider a similar measure related to the broader spectrum of family violence and inter-family violence.

Inasmuch as we have focused the light of truth on the social and legal problems related to child battery, I think the time has long past when spouse battering should come out of the closet and we should attempt to identify the basic elements and seek remedies.

The excellent report on this subject by the Canadian Advisory Council on the Status of Women, published just one year ago, interprets the statistics, puts to rest some old myths, identifies some causative dynamics, takes a realistic look at what is being done and addresses the question of what remains to be done.

The facts speak for themselves. Battering is rarely a one-time occurrence. The Canadian Advisory Council on the Status of Women reports that one in ten Canadian women are battered and most of them have nowhere to go for help, and those who seek help face high legal and financial barriers.

There is no geographical, financial, educational or class exclusion to the perpetrators of this form of violence. We know that 50 per cent of the husbands of battered women interviewed by transition houses were beaten as children, compared to about one third of the women. We know that 55 per cent of the husbands were working; that the one transition house which asked whether the mate had a criminal record found that 34 per cent did, and that the husband's educational level tended to be, like his wife's, about grade 11.

It bears repeating that these statistics should not be interpreted as statistics on battered wives across Canada. They are statistics on one group of battered wives who went to transition houses for help in 1978.

This does not reduce the impact or the validity of the statistics. Still they must not be used to conclude that middle or upper-class women are rarely battered. Many transition house workers spoke of the web of silence around middle and upper-class wife battering. The information on middle-class wife battering comes primarily from doctors, lawyers, police and social workers who refer women to transition houses, and also for middle-class women who may phone for advice but do not stay in the house. These reports and the statistics confirm the conviction that wife battering is just as common in middle and upper-class homes.

Wife beating has been condoned throughout history. The Canadian advisory council report refers to the first known written laws, thought to date from about 2500 B.C., which proclaimed that the name of any woman who verbally abused

her husband was to be engraved on a brick which was then to be used to bash out her teeth.

Wife beating and wife killing were recognized rights of men in Greek and Roman societies. Throughout the middle ages wife beating was openly encouraged and the Renaissance brought no relief to women. The eighteenth and nineteenth centuries also spawned laws that proclaimed man's right to abuse his wife. British law textbooks in the nineteenth century still stated that the husband had, by law, power and dominion over his wife and could beat her, but—and here we have the emergence of the first delicate sense of justice in the exception, which states—"but not in a cruel or violent manner".

What are the causes of wife battering? Alcohol, mental illness, natural male aggression, violence passed on from one generation to the next, status imbalance, alienation and the inability to communicate, stress—social pathology?

Alcohol is in fact present in a large number of cases of wife abuse and although it may be a facilitator, its role as a causal factor may be more prominent in the social use of alcohol to legitimize violence and to reinforce a certain image of family relationships.

Wife battering is too widespread to be explained primarily by mental illness. There are many theories and there are many commentaries on the theories, but perhaps the time has come for us to look for cause in the wider society rather than in the individual or the particular family. Wife battering is not a modern phenomenon, and there are many facilitators like alienation, alcohol, status imbalance, stress and social pathology.

Any examination of the phenomenon of family violence has got to take a look at the family as an institution and the relationships between not the individuals, but the individual roles within the family that perpetuate this form of violence; indeed the institution of the family has to be explored in the context of legal and medical institutions against the background of wife battering and family violence in the privacy of the marital home.

The Canadian Advisory Council on the Status of Women has made some excellent recommendations for a series of changes to the Canada Assistance Plan, a federal-provincial cost sharing arrangement for social services, that would help battered wives. The council recommended modifications to provide more funds for transition houses for battered women, to base a needs test applied to the women on their own income rather than their husband's income, and to loosen residency roles because the houses do not exist in every community. The council recommended an emphasis in the justice system on wife battering as a serious criminal offence.

I believe that as parliamentarians we should address these recommendations and we should also invite the interdepartmental committee of senior civil servants who have been looking at this problem to share their thoughts with us.

The role of family violence and the law, medical response, the role of social agencies, the inevitable cycle of despondency and frustration, marriages outside the law, all invite study. Transition houses, police crisis intervention, police training programs, United Way initiatives, legal initiatives in Canada, are all indicators of what can be done to help alleviate a serious critical and unjust situation.

In my personal view the question of long-range prevention, and an inventory of emergency services and support services along with legal reforms, are high priorities for early action. What I have been describing for the past few minutes is not one problem, it is many problems; complex problems, interwoven problems and problems that have been with us since the emergence of civilization. The fact that it has existed for centuries is no excuse for one more day's delay. Last year an estimated 50,000 Canadian women were battered, some of them to death. How much longer do we have to wait before we take action?

This is not a political question, it knows no bounds of race, creed, religion or politics. We have before us a human problem and I believe that we have accumulated the intelligence, the desire and the ability to finally do something about it. In the name of humanity, Mr. Speaker, I urge this House to pass my resolution so we can take one giant step forward on the high road to a just and compassionate society.

• (1610)

Mr. Nelson A. Riis (Kamloops-Shuswap): Mr. Speaker, I am very pleased and honoured to have the opportunity to speak to the motion brought to the House by the hon. member for York-Sunbury (Mr. Howie). I think it is an excellent motion.

When one reflects for a moment or two that homes across Canada can be the showcase of the best of human relations, one must also recognize that the worst of human relations can also be present there. As the hon. member has articulated very clearly and thoroughly in his presentation, they can be very dangerous places.

We are discussing a topic which has touched in one way or another the lives of all of us in the House. I would be surprised if everyone here did not know of someone who, at sometime in his or her life, had not been affected by family violence in one form or another, be it child abuse, wife battering, or sexual assaults. It is interesting to note that nearly half of the rape victims in Canada are either married or living common law. We are not talking about a situation involving strangers but rather something close to the family unit.

In the motion put forth by the hon. member he mentioned family violence relating to interfamily squabbles. I think the term would be "intra", within the family, as opposed to violence between families. It is fair to say that wives and children are the two groups we are primarily concerned about this afternoon. They are two groups that do not really have a voice and they are powerless in Canadian society. They do not have a lobby group in Ottawa and consequently more responsibility falls on our shoulders to raise this issue in the public consciousness and to take steps in the direction we are taking today. The hon. member mentioned a number of causes of

family violence I should like to add one more to the very thorough list presented and that is, unemployment.

I think it is recognized now that unemployment results in a whole host of social costs to Canadians, costs such as increased suicides, alcoholism, hospitalization of one kind or another, prison terms, delinquency and, indeed, family violence. During periods of unemployment a person loses the ability to provide for a family, loses self-esteem, becomes frustrated and despondent. This often results in violence against other persons, including children and wives. At the moment, in Canada, family violence is a growing concern as is our concern about unemployment, the two being not causal but certainly related.

I listened with interest when the hon. member for York-Sunbury indicated that family violence cuts across all lines of society. It is not relegated to any particular sector of society. It is not an upper-class or a lower-class phenomenon but is found in all walks of life. One in ten wives is battered. Recently I read that in the United States there is a wife abuse in 60 per cent of all marriages. A recent study estimated that in metropolitan Toronto about 50,000 wives could be considered battered in one way or another.

In Vancouver, over an 18-month period, 800 wives came forward as victims of serious wife battering and physical abuse. The sad thing is that there is very little research on this topic in Canada or elsewhere. The study previously mentioned by the hon. member is one of the major studies, and it is one of the very few which exists on this topic. It is something we often take for granted. I would like to remind members of the House of the phrase "rule of thumb" which is one we have all heard and perhaps used ourselves. When we look at the origin of that term, it goes back to the old English common law when it was appropriate to beat your wife as long as it was for a good reason. You could not beat your wife with a stick thicker than your thumb. In other words, the "rule of thumb". When we consider the origin of that term we realize this problem has been around for some time.

Canadian statistics indicate that somewhere between 200,000 and 225,000 children per million feel the results of child abuse. I think by all accounts that is a very conservative statistic. The frequency and amount of child abuse in our society today is an increasing phenomenon and a very serious one. It is much greater than indicated by statistics. "Spare the rod, spoil the child" is a statement which is still heard very much within Canadian society today.

I read a 1977 task force study carried out in the province of Ontario which found that within the provincial context, very serious staff hampered the ability to deal with family violence. There are very serious shortages of resources and agencies to deal with this. I am certain Ontario is not unique in this respect. To begin to appreciate the seriousness of this problem, we find, looking at the logs of police work, depending on the municipality or the area of Canada involved, that between 10 per cent and 30 per cent of police calls have to deal with family disputes and family violence. One could almost say it has become a national pastime for many Canadians to beat their children or a husband, his wife. It is not a very pleasant thing to have to say. We must consider the pain, embarrassment and shame which result.

Obviously, we must increase community services, increase community resources and support systems. Transition homes of one kind or another are needed. Certainly we need large numbers of counsellors to deal in a professional way with this very serious problem. There is dearth of crisis centres across Canada to deal with family violence, child abuse, wife battering and rape. The latest statistic I have been able to obtain indicates that only 35 rape crisis centres exist across the country. When we consider the large metropolitan areas, that statistic is a poor implication of our concern as a society with these very serious problems.

The hon. member indicated the need for police training. There is a need for a new consciousness and a new awareness of that kind of training in our policy forces. Right now I suspect that a policeman is rather hesitant or reluctant to become involved in family violence and family disputes and will tend to avoid that kind of conflict instead of intervening.

● (1620)

With respect to the whole matter of our legal system, we certainly need to have laws with teeth in them and which show some sensitivity to this problem. I think it would be fair to say, as a generalization at least, that our legal system is rather "macho" in nature, especially when we think of the lawyers and judges within the system. It is a male-dominated system and rather macho in interpretation, which certainly does not result in sensitivity to this very crucial question.

There is also the matter of parenting skills. One assumption we in society make is that anyone is capable of raising a family. Our school system does not particularly reflect a concern regarding the development of parenting skills. I think we are dealing with perhaps one of the most sensitive of human relations, the raising of children. We are also dealing with the liaison between a husband and a wife. Yet no training in parental skills is really introduced in society. It is assumed that we all know inherently or have some innate ability. All of us here would certainly agree that that is not necessarily the case.

Finally, with respect to a public awareness program, there should be more of the kind of thing which is occurring here today. Members of Parliament are speaking out and recognizing the seriousness of this issue in Canadian society. The more the public is aware of the needs these crisis situations create, the more likely it is that solutions will be found.

In my community of Kamloops there is often a hesitation to accept a transition home, a halfway house or a transition home for young children with problems of one kind or another in the community. This public reaction is almost predictable. With public awareness and a more sensitive attitude toward this serious situation, the natural knee-jerk negative response would not be as common as we find it today.

It is with a great deal of pleasure that I say that our party will certainly endorse this motion. I congratulate the hon.

member for bringing it to the floor of the House. We look forward to action and results emanating from this motion.

Mrs. Céline Hervieux-Payette (Parliamentary Secretary to Solicitor General): Mr. Speaker, first I would like to thank the hon. member for York-Sunbury (Mr. Howie) for presenting this motion. I would like to express my full support for the motion.

[*Translation*]

All the hon. members in the House today are certainly aware that this government has committed itself to finding solutions to the problem of family violence, especially the odious issue of wife battering and child abuse, as I believe that one seldom occurs without the other. Recently, the Canadian Advisory Council on the Status of Women published a brochure entitled *The Battered Wife in Canada, an Anonymous and Silent Victim*. I hope that this brochure can be distributed in our institutions throughout the country because I believe that the major problem in this regard is one of ignorance and silence and the fact that the population is kept in the dark or would prefer not to hear about it.

However, I would like to point out some of the initiatives taken by our government. First of all, since the Speech from the Throne, an inter-departmental committee including representatives from the Council on the Status of Women, from the Department of Justice, from the Department of the Solicitor General and from the Department of National Health and Welfare has undertaken a study on family violence and particularly on the problem of battered wives. Each of the three line departments represented has sponsored projects and taken certain initiatives: for instance, the Department of Justice has financed conferences, public assemblies and legal information brochures, as well as experimental projects to help the victims; the Department of the Solicitor General of Canada has offered a training program to the RCMP in the area of family violence and has also financed conferences and workshops, as well as a vast research and experimentation program to improve the response of the legislators to the plague of family violence; third, the Department of National Health and Welfare has now under way 40 research and experimentation projects related to family violence including transition houses. These programs are ongoing and I am convinced that others will be implemented.

Nevertheless, if we agree to a reference of this issue to the Standing Committee on Health, Welfare and Social Affairs, it is because of the existence of a real need which was readily identified by the interdepartmental committee but which to a great extent still remains without an answer. I wish to emphasize the need to bring this issue to the attention of the public and to provoke and sustain the interest of Canadian men and women as well as their desire to solve this problem. Whoever abuses a member of our society is committing a crime against society as a whole.

This is not interfering in family relations, whether we are talking about women or children. Our society already recognizes as its duty to protect children, but not yet unfortunately in the case of battered wives. We must, through all available means, give protection to all abused persons, women being by far the largest in number. And I do not hesitate to add, Mr. Speaker, that this is probably the most odious-most often committed and yet the most rarely reported crime in Canada at this time.

The study of the matter will not be easy because it fills one with horror and the interest it attracts is not only a desire for information. One can stay awake all night fuming with rage just thinking about something like this. Until now, women's organizations alone have been trying to really deal with this. I am grateful that two of my male colleagues have agreed to consider the matter and are prepared to deal with it. Even though women's groups are still at the consciousness-raising level, I think we must go one step further and see how we could deal with the situation and solve the problem.

We must concentrate on identifying and treating the battered wives who are a product of family violence. For the time being we would only be wasting time in searching for causes without really helping the half million battered women in Canada, and that I think is a conservative estimate. We must help these women now, Mr. Speaker, without regard for the number of their injuries, the level of socially accepted violence or the frequency of the incidents, because from the victims' point of view, these situations are unacceptable. Mr. Speaker, it is with great sincerity that I support this motion and recommend that it be implemented as soon as possible by the interdepartmental committee.

[*English*]

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, as much as we all would like to think of Canada as one of the more enlightened countries in the world, a country where law and order is well established and a country where the human rights of each and every individual is respected by all others, I am sad to say that such is not always the case.

The resolution introduced by my colleague, the hon. member for York-Sunbury (Mr. Howie), this afternoon focuses on one of the ongoing tragedies in Canadian society, and that is violence within the family. It is a problem which cries out for government action but, more than that, it demands of each and every Member of Parliament that we have a better awareness and a much greater willingness to tackle the problem than we have shown in the past.

Violence is always tragic, but violence within the family is even more so, for the victims are so vulnerable and so defenceless. They are preyed upon by the very people to whom they give their trust and on whom they depend. Family violence is far more widespread than reported cases indicate. According to a study done by the University of Windsor, there are ten unreported cases for every case reported. There are ten unreported cases of battered wives to every reported case.

• (1630)

This is why family violence is so difficult to combat. It goes on in the privacy of the home and is very often hidden by the victim in order to protect the very thing that has turned against him or her—the family.

Now I want to focus very briefly, as others have, on one aspect of family violence, that is, wife battering. That is the subject we have been discussing this afternoon. All forms of violence are horrifying, as the hon. member for Montreal-Mercier (Mrs. Hervieux-Payette) said, but wife battering has not received the attention or concern that its seriousness merits. For example, the laws concerning child abuse in Canada are far ahead of those regarding wife battering. It is now mandatory for citizens outside the family to report known cases of child abuse, but this is not the case in the abuse of wives. Indeed, most provinces, sir, a woman still cannot sue her husband for damages because those damages have been caused by an assault committed during marriage.

The rape of a woman by her husband is not yet a criminal offence. I know that legislation is about to come before us, but I would like to see it brought forward much more quickly for second reading. It was only in 1968, 12 years ago, Mr. Speaker, that severe physical abuse became valid grounds even for divorce in Canada.

The problem of wife beating is real and it is very serious. Most Canadians have no idea just how widespread it is. Of all the forms of family violence, and there are many, three quarters of the hundreds of thousands of cases which take place involve wife beating.

In 1978, just two years ago, it was estimated that some 500,000 or half a million, Canadian women were beaten by their husbands or their live-in companions. That is one in every ten women who are married or living common law were physically abused.

The figures are staggering. The Vancouver police, when they formed their estimates in that city, said they receive, on average, 44 domestic calls about violence on Fridays, Saturdays and Sundays, and that on other days in the week the average number of these calls is 38 a day. We know that more than twice as many women as men are murdered by members of their own families.

This incidence of violence is an issue which we simply cannot ignore, and that is why I am pleased to see that my colleague has brought it to the floor of the House this afternoon. It is an issue to which we must begin to give much more priority. We can begin that by asking the Standing Committee on Health, Welfare and Social Affairs to look into this matter and recommend measures for the prevention, identification and treatment of victims of family violence.

Not enough is being done at the moment. For example, the transition houses, about which my hon. friend spoke, which give shelter to battered wives, are too few and are underfunded. About half the female population does not have ready access to transition houses, and those who do must qualify for welfare before they can get into a transitional house. I know that from my own experience as a member of the board of directors of one such interval house in Kingston.

Women who are forced to flee to transition houses often have to do so in the middle of the night with scarcely more than the clothes on their backs. They are forced out into the cold, into the dark, as a result of severe physical abuse. According to statistics—and statistics can never tell the whole story—one out of every three such women has been beaten not just once or twice, but daily or weekly. They leave their homes in sheer desperation, and therefore the financial situation of the family of which they were once part, should not be a criterion for receiving financial assistance. For these women who are driven out, no matter what social background they come from, are truly destitute.

If this resolution is referred to committee, then the possibilities of preventive action could be investigated. Better educational and counselling programs could be recommended. Not just the general public, but police forces throughout the country, as the hon. member for Kamloops-Shuswap (Mr. Riis) said, should become more sensitive to the problem.

It has been found that half the callers pleading for a police presence during husband and wife disputes were only given advice over the phone, but no physical protection. Couples should have better access to counselling, and the public should be made aware of the severity of the problem. Women should be encouraged to speak up and speak out if they are being abused. So many battered wives live in a world of private terror; they are afraid to stay and yet they are afraid to leave. These women must be provided with more financial and moral support than they have at present.

If this resolution is referred to the committee, it could also look into the legal aspects of wife battering to determine whether or not the laws on our books are adequate to protect wives who have been beaten and who are physically abused. For example, it could ask how effective restraining orders are. In a case study published last year by the Advisory Council on the Status of Women we were told of a woman, who, after she and her daughter had both been severely beaten by the husband, got the court to pass a restraining order on him. Not only did the restraining order not dissuade him from beating his wife again, nearly to the point of death, but when he was brought up on charges of attempted murder, he was given a suspended sentence for assault. He paid no fine, he spent no time in jail, but his wife still has the scars she received while he was under a restraining order.

Wife battering is, as has been said, a multidimensional problem, which calls for changes in the fields of law, education, medicine, social services, the economy and in the attitude of the public.

We must listen to what women have to say and we must be prepared to help. Indeed, sir, women are beginning to speak out more and more about this issue, in conferences, and in seminars across the country where they are meeting to discuss problems which women have in society. One such conference will be held here tomorrow, right on Parliament Hill, and I refer of course to the constitutional conference on women.

Hundreds of women from all across the country will be gathering together to discuss women's rights, family law, the role of the social services, women in employment and women in education. We in this chamber can do our part this afternoon by taking the resolution of my colleague seriously and referring it to committee instead of allowing it to be talked out.

● (1640)

[*Translation*]

Mr. Normand Lapointe (Beauce): Mr. Speaker, I am very pleased to have the opportunity to speak to this motion. The Department of National Health and Welfare has been concerned for some time now with the prevention of family violence and countermeasures have been taken in that area. Several projects have been developed to help people take sound and positive life habits and thus avoid that kind of situation. For instance, a number of activities within the Health Protection Branch are aimed at fostering women's interest in their condition and keeping them well informed on their health and that of their family. An information kit on women and drug addiction has been developed, including a report on alcohol and violence. The Social Service Programs Branch is deeply concerned with family violence.

In the last three years the marriage counselling service has sponsored and financed 20 symposia throughout Canada. These meetings of specialists in various branches reviewed the common aspects of family law and social services, particularly reform of family law, custody and visiting privileges, alimony payments, arbitration, counselling standards, legal procedures and the responsibility of the public and the specialists.

The report on abused and neglected children drafted by the Standing Committee on National Health and Welfare led to the establishment of a plan of action at the ministerial level and to the creation of a position of co-ordinator for the information program on child abuse within the social services division which has begun to play an important role in the field of public teaching by co-ordinating and circulating information through films and printed matter.

Consultations have been undertaken with provincial authorities and private organizations to determine early detection methods, interdisciplinary measures and appropriate treatment so as to help the abused children and the people responsible for the abuse. In addition, the national welfare grants program has sponsored 14 projects on mistreated children since January 1977 and we have begun the last stage of a two-year study on basic legislative questions related to child abuse. The Department of National Health and Welfare and the Department of Justice have funded an exhaustive study on sexual offences against children and young people.

While continuing our efforts and supporting programs to fight child abuse we now consider that the most urgent aspect of family violence is the case of battered wives. Under the department's two major grants programs, namely, the national welfare grants program and the national health research and development program, funds have been earmarked for over 40 pilot projects and research concerning family violence and sexual violence.

Through the Canada Assistance Plan we have paid for 50 per cent of services offered to neglected and mistreated children. Through that same plan we also share with the provinces half the cost of a great many financial and support services for victims of family violence. These funds help administer transition homes for battered wives.

We are also endeavouring, in concert with the Canadian Nurses' Association and the Canadian Association of Social Workers, to make the members of those two more aware of the problem of battered wives and inform them of the steps they can take. In fact, the social workers' association has set up a group of experts chaired by a department representative.

The problem is serious and far more widespread than anyone of us would dare admit. The efforts of the department are no more than a start and we are aware of it. The problem has now been identified but much remains to be done in determining the causes of wife battering and developing preventive measures, interdisciplinary services and appropriate care to help not only its victims but also those responsible for such ill treatment. We support whatever steps can contribute to educate the public and develop means to fight against the physical abuse of women; we therefore support the motion to refer the matter to the Standing Committee on Health, Welfare and Social Affairs, Mr. Speaker.

[*English*]

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, it is refreshing this afternoon to sense the unanimity in this House. The hon. member for Kamloops-Shuswap (Mr. Riis) has spoken for us, and we hope that before the hour finishes the motion will have been passed.

Some hon. Members: Hear, hear!

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, I am delighted to rise in support of the motion of my good friend and colleague from New Brunswick, the hon. member for York-Sunbury (Mr. Howie). Indeed it is high time that this issue was brought out of the closet into the cold and harsh light of day, that it was discussed and acted upon.

The hon. member for Kamloops-Shuswap (Mr. Riis) has spoken of the need for public awareness. In that connection I am sure my colleagues in the House would want to congratulate the Canadian Broadcasting Corporation for its presentation on Sunday, February 1, in the drama series "For The Record: A Far Cry From Home". For those of us who saw it, it was a compelling and frightening drama on the issue of wife battering. It made a lasting impression upon me, and I am sure all of us who saw it came away with the feeling that this

cannot go on in a country such as ours. I congratulate the corporation which from time to time receives barbs from this august assembly; but in this case it deserves our heartiest congratulations for doing a tremendous job in bringing this issue to public awareness.

Mr. Knowles: Hear, hear!

Mr. McCauley: I also want to congratulate the various women's groups throughout the country which are working so hard to do something for battered wives in particular. In that connection I want to pay particular tribute to two groups in my own constituency of Moncton. There are two associations. One is called "Crossroads for Women". Its objective is to provide a shelter service for women who have been battered and abused, and to set up a referral service to aid women who are in crisis situations. The shelter or transition house which the association is trying to establish will accommodate women and their children. Also there is another project called "Project Aware". It is sponsored by the YWCA in Moncton. It provides access for women to assistance and resources to enable them to become self-sufficient. Both of these groups were to be funded under the Canada community services project. Unfortunately the money for that province ran out.

I have implored the Minister of Employment and Immigration (Mr. Axworthy) to see if more money cannot be found somewhere for these worthy groups and their worthy projects. I am pleased to report that the minister is very sympathetic to my pleas and to these women in my riding. I trust the money will be forthcoming in the near future.

The hon. member for Kingston and the Island (Miss MacDonald) quite correctly said that statistics do not tell the whole story, but we need to hammer the facts of this story home by statistics. In 1978 an estimated 500,000 Canadian women or one in ten of those married or living common law were battered by the men with whom they lived.

• (1650)

Two thirds of all divorce applications are filed by women. More than one quarter of these divorces are requested on grounds that include physical cruelty. Eight out of ten of the women seeking shelter in a Canadian transition house have been beaten while they were pregnant. One of three residents in homes for battered women have been beaten weekly or daily. Those are frightening and shocking statistics.

The ramifications go beyond the beating of women and the beating of children. Fifteen per cent of Canadian police killed between 1961 and 1973 died while investigating domestic disputes. My colleague, the hon. member for York-Sunbury will recall a very tragic incident in the province of New Brunswick a few years ago in which two RCMP officers were killed in circumstances such as this. So the ramifications go beyond even the serious situation which we know exists in the homes of this country.

The government is most concerned about the reported increase in these statistics. On January 12, 1981, the Minister of Justice (Mr. Chrétien) tabled Bill C-53 which contains measures which would impose strict penalties for several of the problems associated with domestic or family violence. Such provisions resulted from careful study of the present legal sanctions within the federal sphere of responsibility and of the current use of these sanctions.

Pursuant to passage of clause 18, of Bill C-53, what is now called common assault, a summary conviction offence, will become what is referred to as a "hybrid" offence of assault. Under this hybrid offence, the Crown will elect whether to proceed by way of summary conviction where the maximum penalty is six months and/or a $500 fine, or by indictment where the maximum penalty would be two years' imprisonment. Because the offence is hybrid, the police will be able to arrest an assailant without actually finding that person committing an assault. This is terribly important, as the hon. member for Kingston and the Islands has pointed out. The police will operate on the belief that it is in the best interest of the public to take the assailant into custody in cases were they have reasonable and probable grounds to believe the offence is likely to be repeated.

This will be especially helpful in cases of wife battering where the police may be called by a neighbour. Their arrival on the scene usually stops the beating. At the present, unless the wife has sustained injuries sufficient to constitute the offence of assault causing bodily harm, the police are unable to arrest unless they actually see the assault occurring. This, of course, is rarely the case. As a result, where the wife does not seek shelter away from the house and the husband is not arrested, frequently when the police leave the scene, notwithstanding that they believe the tension has been defused, the wife is again beaten by the husband.

This amendment to the assault section of the Criminal Code will provide a tool to the police to arrest without actually seeing the assault. Their judgment in assessing each situation becomes all important, and we can only hope that individual police departments will ensure that officers answering domestic calls will receive specialized training. To this end, federal and provincial police forces are working together to develop such police training.

Of course, once an arrest is made, the prosecution of a case falls within the responsibility of a provincial Crown attorney. There is some dispute about whether such matters ought to be dealt with in family court or in criminal court. The legal forum in which a case is presented often depends on the local situation regarding such things as the availability of court time, the availability of a prosecutor, and the procedures established by the local judges and so on.

However, the federal Department of Justice has awarded research and demonstration grants to obtain further information on the legal process in such cases and to assist complainants in the court process. For example, the Women's Research Centre in Vancouver is preparing a report on the legal process, and a demonstration project for a complainant consultant is under consideration for Windsor, Ontario. Under this project information would be provided to those assaulted in domestic situations about their legal rights and this would

further assist those victims who proceed with assault charges as they move through the court process, whether in family court or in criminal court. It is anticipated this project will assist the Crown attorneys in processing these cases brought before the courts.

In relation to the abuse of children, the Minister of Justice announced, in co-operation with the Minister of National Health and Welfare (Miss Bégin), that a national study would be established under the chairmanship of Dr. Robin Badgely on the sexual abuse of children. The study is expected to last two years. In addition, the federal government, in conjunction with the province of Nova Scotia, is funding a study on child abuse. Also, in Clause 6 of Bill C-53, serious responsibilities and sanctions are imposed on parents, guardians and others in authority not to molest their charges or permit them to engage in sexual misconduct.

As it has been demonstrated that the rules of evidence need to be amended to permit one spouse to be compellable and compellent to give evidence against the other spouse in child abuse cases, the necessary amendment to the Evidence Act is proposed in Bill C-53. These legislative measures are the one area within the federal sphere of responsibility involving domestic violence where the federal government can take immediate action.

Notwithstanding these current initiatives the government supports further study and action and would welcome the assistance of the Standing Committe on Health, Welfare and Social Affairs. Therefore, in concluding this debate, I am pleased to indicate that the Government of Canada supports the motion of the hon. member for York-Sunbury.

The Acting Speaker (Mr. Blaker): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Blaker): Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mr. Blaker): It being 5 p.m., this House stands adjourned until Monday next at 2 p.m.

At 4.57 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, February 16, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

LITHUANIAN INDEPENDENCE DAY

SIXTY-SECOND ANNIVERSARY—MOTION UNDER S.O. 43

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Lithuania became an independent democratic nation on February 16, 1918. It lost that status in 1940 when the country was occupied by the U.S.S.R. Today Lithuanians who live in the free world celebrate their independence day. Therefore, I move, seconded by the hon. member for Edmonton South (Mr. Roche):

That this House recognize the sixty-second anniversary of the declaration of the independence of Lithuania, and join with those Lithuanians who seek an end to Soviet aggression and a return of Lithuania to a free and democratic society.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

STATUS OF WOMEN

CONGRATULATIONS TO ORGANIZERS OF INDEPENDENT CONFERENCE—MOTION UNDER S.O. 43

Miss Pat Carney (Vancouver Centre): Madam Speaker, I rise under the provisions of Standing Order 43, to seek the unanimous consent of the House on a matter of urgent and pressing necessity. Whereas 1,200 women met this weekend on Parliament Hill to discuss the proposed charter of rights and to ensure that equality for women is enshrined in the constitution, and since these women represented all the provinces and regions of Canada, I move, seconded by the hon. member for Waterloo (Mr. McLean):

That this House congratulate the organizers of the Conference on Women and the Constitution who mobilized, in less than two weeks, this forceful and effective demonstration of women's determination to achieve full equality in our Canadian society.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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HEALTH

PROFESSIONAL STAFF FOR INUVIK GENERAL HOSPITAL—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I rise under the provisions of Standing Order 43 to introduce the following motion. In spite of the fact that the Minister of National Health and Welfare (Miss Bégin) has been notified for some time that there has been no anaesthetist and no back-up surgeon at the federally run Inuvik General Hospital since Christmas, thereby not only forcing general surgery patients but also maternity cases to be evacuated to Edmonton some 1,300 miles away, and because the situation remains unchanged and critical, I move, seconded by the hon. member for Provencher (Mr. Epp):

That a full complement of professional staff be provided for the Inuvik, Northwest Territories, General Hospital, the only hospital within 600 miles, before patients die as a result of the minister's inaction.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HOLIDAYS ACT

RECOGNITION OF HERITAGE DAY AS NATIONAL HOLIDAY—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Broadview-Greenwood (Mr. Rae), I move:

That this House recognizes that this is Heritage Day, and that congratulations are in order to all those who are celebrating it, including schools, local and national groups and the Governor General, and this House expresses its earnest hope that the government will soon call its own Bill C-37, an act to amend the Holidays Act, for second reading, and that it will agree to an amendment thereto so that starting in 1982 Heritage Day will be a national holiday for all the people of Canada.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE ECONOMY

SUGGESTED APPOINTMENT OF NEW MINISTER OF CONSUMER AFFAIRS—MOTION UNDER S.O. 43

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. Given the double whammy dealt to Canadian consumers last Friday with news of the highest monthly increase in the cost of living in six years, coupled with the outrageous proposed hike by Bell Canada on residential telephones, I move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That the Prime Minister show some concern for inflation's devastating impact on those Canadians who are least able to protect themselves, and appoint a new minister of consumer affairs who will devote full time to the welfare of consumers in this country.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PRIVATE MEMBERS' BUSINESS

SUSPENSION DURING CONSTITUTIONAL DEBATE—MOTION UNDER S.O. 43

Mr. Hal Herbert (Vaudreuil): Madam Speaker, in conformity with Standing Order 43, on a matter of urgent and pressing necessity I rise to move a motion which affects the individual members, not the government or the parties, and accordingly I am seeking the unanimous consent of all members irrespective of party affiliation.

In view of a temporary lessening in interest in private members' business, as illustrated by the difficulty in finding members willing to proceed with their public bills or motions, I move, seconded by the hon. member for Laval (Mr. Roy):

That commencing next Monday, February 23, 1981, and continuing on those days on which the constitutional debate is the order of business and for the duration of the debate, the private members' hour be suspended.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1410)

AIR SAFETY

CONDITIONS IN ARCTIC QUEBEC—MOTION UNDER S.O. 43

Mr. Peter Ittinuar (Nunatsiaq): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Over five years have lapsed since the signing of the James Bay and northern Quebec agreement. Subsection 29.0.30 of that agreement states that Canada and Quebec shall, together with the Inuit communities, undertake studies respecting air services, as soon as possible. The conditions of airstrips in northern Quebec are below standard. The Akulivik airstrip is 366 metres by 30 metres, Bellin 350 metres by 20 metres, and in Port-Nouveau-Quebec the airstrip has been classified by the Quebec government as dangerous. Therefore I move, seconded by the hon. member for Skeena (Mr. Fulton):

That the Minister of Transport initiate studies on air services in Arctic Quebec immediately, and that he take responsibility for rectifying the deplorable conditions that exist there.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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TRADE

EXPORTS OF BABY FOOD TO THIRD WORLD COUNTRIES—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. On December 15, 1980, I wrote to the Secretary of State for External Affairs (Mr. MacGuigan) expressing my concern about Canadian companies marketing baby formulas to Third World countries in spite of the social and economic consequences thereof. In his reply to me the minister stated that the Canadian government has worked to "achieve international agreement recommendations that will bring about voluntary compliance by international companies". I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That the minister state in the House what evidence there is to support his belief that these companies will voluntarily comply with regulations that would reduce their share of the export market.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

FISHERIES

REFERENCE OF WEST COAST REGULATIONS TO STANDING COMMITTEE—MOTION UNDER S.O. 43

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I rise under the provisions of Standing Order 43. I have some reason to hope that I can get unanimous consent for the following motion. In light of the publication of new regulations governing the fisheries on the west coast, I move, seconded by the hon. member for Victoria (Mr. McKinnon):

That the Standing Committee on Fisheries and Forestry be provided immediately with an order of reference that will allow it to examine the new fisheries regulations for the sports fishery and herring roe fishery on the west coast and report back to the House.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Madam Speaker: There is unanimous consent for this motion?

Some hon. Members: Agreed.

An hon. Member: No.

Madam Speaker: I just heard a no.

* * *

THE CONSTITUTION

STATEMENT MADE BY LEADER OF NEW DEMOCRATIC PARTY—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise under the provisions of Standing Order 43. The Leader of the New Democratic Party is alleged to have told a Montreal audience on the weekend that a vast majority of his NDP caucus would vote with the government on the Constitution proposals but that a few would follow their conscience and oppose the government. I move, seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That the leader of the socialists be asked to clarify the innuendo that those who do vote with the government may be doing so at variance with their consciences, that their illegitimate relationship with the Grits may have fuddle-duddled their thinking.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

CANADIAN PACIFIC RAILWAY

CALL FOR NATIONALIZATION ON OCCASION OF CENTENNIAL—MOTION UNDER S.O. 43

Mr. Les Benjamin (Regina West): Madam Speaker, I rise under the provisions of Standing Order 43 to remind the House that this is the one hundredth birthday of Canadian Pacific. In view of the fact that CP Limited made $582 million profit last year resulting from assets given to it by the Canadian people, and since the CPR claims that its side of the bargain, including the Crowsnest Pass agreement, is a burden too onerous, I move, seconded by the hon. member for Winnipeg North (Mr. Orlikow):

That this House wishes CP Limited unhappy birthday and calls upon the government to bring Canadian Pacific Limited under public ownership, return its assets to the people of Canada, and retire its board of directors, including old blue eyes.

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

CHANGES PROPOSED BY WOMEN'S CONFERENCE

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question would have been to the Minister of Justice had he been here. In his absence I will direct my question to the Prime Minister.

The Minister of Justice, on several occasions this weekend, was reported as saying that he will not be considering new amendments of substance to the charter of rights. The Prime Minister will be aware that at a conference this weekend hundreds of women from across the country put forward proposals for major changes to the charter. What I would like to ask the Prime Minister is a very simple question. Was the minister ruling out in advance, on behalf of his government, all the changes that have been proposed to the charter by the women who met in Ottawa this weekend?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I have not seen the statement by the Minister of Justice, but it seems, from the quote given by the hon. lady, that he is saying the same thing as I said, that we are not considering any amendments. However, we know that some amendments may be moved in this House. Of course we will see if they are an improvement to the resolution or not, and we

will make our judgment in consequence. For instance, I have not seen the particular resolutions from the meeting held over the weekend, but I am prepared to tell the hon. lady that if she supports the resolution, I would probably be ready to support the amendments.

An hon. Member: He's for sale.

Miss MacDonald: Madam Speaker, knowing that the government derailed the conference that would have taken place in the first place, I really am surprised at this point to find that the government is not sensitive enough to have found out what took place at that conference during the weekend.

Some hon. Members: Hear, hear!

Miss MacDonald: I would like to put my supplementary question either to the Prime Minister or to the Minister of Justice, now that he is here. The minister or the Prime Minister will know that the weekend conference urged that if the government was not prepared to consider in total the resolutions put forward by the women's conference, then the total package should be separated and the bill of rights dealt with separately here in Canada by a constituent assembly. I would like to ask the Prime Minister or the Minister of Justice if they are willing to consider that proposal.

Mr. Trudeau: Well, Madam Speaker, I just answered that. I have not seen the resolutions adopted over the weekend in any detail, but I am prepared to gamble that they are probably very sensitive and worth-while additions. I tell the hon. lady and her party that if they will support the resolution as it is before the House, provided we accept these amendments, then I think we have a good bargain. Would she do it?

Some hon. Members: Hear, hear!

QUERY RESPECTING GOVERNMENT SUPPORT FOR AMENDMENTS

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my further supplementary question is to the Minister of Justice, now that the Prime Minister has given that reply. As I understand it, these resolutions that have been put forward—

An hon. Member: Weaseling in.

Miss MacDonald: —by the women's conference will now be considered by the Government of Canada. I would like to ask the Minister of Justice if, when he rises in his place tomorrow afternoon in 24 hours' time, he will say to the House which of those resolutions the government will be prepared to support.

An hon. Member: Take them one by one.

• (1420)

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I think the Prime Minister put it very well. If the hon. member thinks these amendments are important for women, she should be ready to say she wants them to be incorporated in the Constitution, and not vote against them in the House of Commons.

Some hon. Members: Hear, hear!

Mr. Chrétien: I am not very impressed with that kind of argument because we have had the same problems with respect to aboriginal rights. Hon. members opposite were all in favour of enshrining aboriginal rights in the Constitution, but after the Indians had gone they said there should be no entrenchment unless all the premiers agree. Some of the premiers have already said that they do not want to have any charter incorporated in the Constitution.

If the opposition want to have those rights entrenched in the new Canadian Constitution, they should make up their minds and say they will support our activities.

Some hon. Members: Hear, hear!

REQUEST FOR RESIGNATION OF MINISTER

Mr. Walter McLean (Waterloo): Madam Speaker, quite obviously there is a division of opinion. At one moment members of the government vote against a motion under Standing Order 43, and then the next moment we are told that rights are negotiable.

My question arises from the conference at the weekend, and it is directed to the Prime Minister. The Prime Minister will know that this conference was representative of every province, the regions, the territories, and all political persuasions. In light of the fact that the meeting was virtually unanimous in demanding that the minister responsible for the status of women be relieved of his duties and, second, that the advisory council report directly to Parliament, will the Prime Minister now act on the wishes of the women of Canada?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I understand that the wishes of the women of Canada have been expressed in the resolution to which the hon. member for Kingston and the Islands referred.

Miss MacDonald: The resignation of your minister.

Mr. Trudeau: If hon. members opposite are serious, they should support the position of the meeting at the weekend. That position was that this group of women would support patriation with an amending charter if we put certain amendments in. So I tell the Tory party, come on, listen to the women, help us get the charter as they want it and help us put these amendments in.

Some hon. Members: Hear, hear!

Mr. McLean: Madam Speaker, the Prime Minister will know, once he is briefed, that the conference dealt not only with the provisions of the charter and the constitutional proposals but that it also addressed itself to the credibility of the instrument which advises the government on matters relating

to women. My question was not answered. Will the Prime Minister act to request a change of ministerial responsibility, and will he respond with respect to whether the council will report to this chamber? Will the Prime Minister agree to the provision of a review group to report to Parliament by July 1, telling how the credibility of the council can be restored?

Mr. Trudeau: Madam Speaker, I say let us get the charter first. Let us entrench the rights of women, and let us have the support of the Tory party.

Miss MacDonald: Chicken.

Mr. Clark: Nothing is important but your own obsession.

* * *

STATUS OF WOMEN

RESTRUCTURING OF ADVISORY COUNCIL

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I wish to preface my question by saying that I was delighted to hear the Prime Minister say that he would accept these amendments. All the amendments but one were proposed by the New Democratic Party in the constitutional committee. All but two of the amendments suggested at the weekend, the Tories voted against.

Some hon. Members: Shame!

Miss Jewett: I would like, therefore, to pursue another matter with the minister responsible for the status of women. Has the minister now seriously considered a matter which was discussed broadly over the weekend, that is, the restructuring of the advisory council? Has he considered asking for the resignations of the three vice-presidents? Has he considered restructuring the council and having it report directly to Parliament?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, as the hon. member knows, I plan to meet with a number of representatives of women's organizations this afternoon.

Mr. Nielsen: Lots of luck.

An hon. Member: Keep your back to the wall.

Mr. Axworthy: I thank the hon. member for his good wishes. We plan to meet with representatives of these groups to talk about different recommendations and points of view concerning the advisory council, and I am looking forward to their constructive recommendations in that regard.

Miss Jewett: Would the minister also look into the question of giving us the assurance that the council, as restructured, will be a permanently funded body and will be created by statute rather than order in council?

Mr. Axworthy: Madam Speaker, there has never been any question in the mind of this government about the continuation of the council. Some question has been posed by certain former members of the council concerning that, but it has never been a question so far as we are concerned. We think that the council plays a very important role in this country. It represents women's points of view and it puts out some very good research to which this government has responded over the last several months in bringing about practical accomplishments rather than a lot of rhetoric. So we have a very high regard for the council, we think it could be improved, and we are meeting with women's groups to see that it will be improved.

• (1425)

Some hon. Members: Hear, hear!

Miss Jewett: The minister responded to the wish of the Canadian women by getting the council to cancel or postpone a conference. That is how he responded. I should like to ask the minister a final question. Since the council was not representative of all Canadian women, will he ensure that all groups of women in Canada—and I am, in particular, looking at women in the labour movement, immigrant women and native women—are going to be represented on the restructured council?

Mr. Axworthy: It would certainly be my interest to see that the broadest range of points of view is represented on the council but, as the hon. member recognizes, in many cases there are hundreds of points of view. There is no monolithic point of view so far as women are concerned, as we have seen. There is a wide variety of points of views concerning all kinds of matters. What we are trying to get is those individuals who can apply the best judgment possible. But the council has been reflective of a pretty broad range. We will see if it can be improved, and if there are ways in which we can do that, then we will respond to the recommendations we hear this afternoon. But I would say, Madam Speaker, that I would like to listen to those points of view before I make any definite commitments, because the point of holding these consultations is to hear the points of view before making up our minds.

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NATIONAL ENERGY PROGRAM

REACTION OF UNITED STATES GOVERNMENT

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is for the Secretary of State for External Affairs. The minister, in a press conference following his recent visit to Washington, stated that the U.S. administration was being kept closely informed of the progress of the National Energy Program and was quite satisfied with the way things are going. Subsequent to that, a U.S. official is quoted as saying that the United States administration is not satisfied with the National Energy Program and has made representations to that effect. Would the minister clarify for the House today who was

speaking the correct words on this, was it himself at his press conference, or was it the U.S. official?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, in my comments I was referring to the process of consultation which had been established—

Some hon. Members: Oh, oh!

Mr. MacGuigan: —and the fact that the U.S. government seemed to find it very satisfactory. In fact, my understanding up to the present is that, so far as the substance of the legislation is concerned, there are no offsetting difficulties. Their concern, as I understand it, is about what may happen in the future as a result of the regulations. When we are dealing with the imponderables in the future, there cannot be much dialogue about it at present.

PROCUREMENT POLICIES—POSSIBLE CONFLICT WITH GATT

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, I do not think it was at all clear at the minister's press conference that what he has said just now is, in fact, the accurate way of stating it.

I should like to direct my supplementary question to the Minister of Energy, Mines and Resources. U.S. officials are quoted as saying that they were told by Ottawa that the National Energy Program proposal in relation to procurement was expressed in language which was directed for domestic consumption only, and that the government intended to abide by its treaty commitments under GATT. I should like to ask the minister if this is another means of saying one thing to people in Canada and another thing to people in other governments. What is the basis on which the government is going to implement the procurement policies under the National Energy Program in a way that will not be contrary to the agreements which Canada has under GATT?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I am surprised that the hon. member is raising this question since he is a member of the parliamentary Standing Committee on National Resources and Public Works which is currently considering the bill on the Canada lands. In that bill there is a very, very specific reference to the fact that in the future, in order to get leases on Canada lands, the applicants will have to give very firm commitments that they will undertake certain work commitments and, in addition, that they will take into account Canadian suppliers and people who can provide Canadian services. This is right in the act itself. There is nothing wishy-washy about it. It is quite clear; it is on the record. As a matter of fact it is in legislation which has been before the House and is now before the parliamentary committee. So, it is all there for everybody to see. Once more, I am surprised that my friend has not seen it yet.

• (1430)

Mr. Wilson: Madam Speaker, I am fully aware that this is provided for under the bill, but the point of the matter is that the United States is concerned it will be implemented contrary to our obligations under GATT, as stated in this press conference. How will this be implemented in a way which will not contravene our treaty requirements under GATT?

[*Translation*]

Mr. Lalonde: Madam Speaker, we have already had discussions about this with American officials. We stated very clearly that we believe our policy in this regard to be in accordance with our GATT commitments, and that, as concerns this particular question, the then minister of finance had tabled in the House agreements which clearly indicated that Canada was reserving the right to implement special policies for natural resources in view of the particular situation of Canada in this regard. Indeed, this was also stated at the international conference on this matter.

* * *

[*English*]

ENERGY

PROGRESS OF COLD LAKE PROJECT

Mr. Jack Shields (Athabasca): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Recently in Calgary the minister indicated that the Cold Lake project in northeastern Alberta would go ahead in probably one, two or even three years. Later in northeastern Alberta the minister indicated that there would be an energy agreement within months, thereby allowing the Cold Lake project to proceed within months. Which statement may we accept as the truth?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, if it depended only on the Government of Canada, the Cold Lake project would go on tomorrow, but unfortunately it does not depend only on the Government of Canada.

Mr. Wilson: That is not true.

Mr. Lalonde: I have indicated our position in this regard. Our view is that the Cold Lake project and the tar sands project at the present time are being unnecessarily suspended, delayed, or even threatened. It will not be helpful to the people of Alberta, it will not be helpful to self-sufficiency in this country, and it is not needed by Alberta to reach an agreement on energy with the Government of Canada. We feel this particular decision by the government of Alberta is not one which is necessary in the circumstances, and we regret it—

Mr. Andre: Nor is the National Energy Program.

Mr. Lalonde: —but there is not much we can do about it. I indicated that as far as we are concerned we certainly hope to have an agreement very soon.

Mr. Shields: Madam Speaker, obviously the minister did not answer my question. He made two separate statements, and I just wanted to know which one we could accept as the truth. I should like to ask him a supplementary question. Is the federal government now willing to sit down with the producing provinces and truly negotiate? In other words, is it prepared to negotiate the export tax on natural gas? Is it prepared to negotiate the wellhead tax on the production of petroleum? Is the federal government prepared to show a real willingness to negotiate by indicating that these two items in the national energy policy are indeed negotiable?

Mr. Lalonde: Madam Speaker, the federal government indicated soon after the budget that we were ready to negotiate in good faith with the governments of the producing provinces, particularly the government of Alberta, and that we were not setting out any ultimatum or any pre-conditions. There seems to be an attitude on the other side to set pre-conditions. We are not setting any pre-conditions, we are not eliminating anything. But I must say that the negotiations up to now have been proceeding at an extremely slow pace. There have been only two meetings of deputy ministers, and I think a couple of meetings of middle management officials. I read in the press a statement by senior Alberta officials saying that they would not be in a position to make any report to their provincial government before mid-March and that, therefore, it would be unlikely there would be any serious negotiations before then. We indicated that we were ready to start sitting down at any time the government of Alberta was willing to start negotiations seriously. Up to now the government of Alberta has indicated that it wanted those discussions only at the official level. We respect that wish, although we feel it is indeed proceeding very slowly.

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THE ECONOMY

POSITION OF GOVERNMENT RESPECTING INTEREST RATES

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, my question is for the Deputy Prime Minister and Minister of Finance. In December Mr. Bouey, the Governor of the Bank of Canada, said:

> We do know that we don't want interest rates as high as those in the United States.

Just ten days ago the deputy chief economist for the bank indicated that the Bank of Canada rate was staying high, above 17 per cent, and that the bank was keeping it there in order to return rates to what he described as the traditional levels above the United States rate. Is this the new policy of the government, to maintain interest rates for an indefinite period of time above those in the United States? I remind the minister that they have been at 17 per cent for over ten weeks and that there is no sign of them coming down. If that is the policy of the government, would he please tell us whether the government is reconsidering the possibility of carrying out tax policies and tax concessions which would lessen the impact of high interest rates on the average consumer and on those people who are so hard hit by the rates which apparently have become a permanent policy of the government?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, in reply to the first part of the hon. member's question, to my knowledge it is certainly not the policy of the governor of the Bank of Canada to proceed in the way described by the hon. member, namely, to keep the rates higher than those prevailing in the United States. As the hon. member knows, for considerable periods of time rates in Canada have been considerably lower than those prevailing in the United States. Certainly that trend was not bucked or opposed by the governor of the bank, let alone the government.

Mr. Rae: Madam Speaker, the fact remains that American rates have started to come down, Canadian rates have stayed exactly where they have been for a very long period of time and, as the minister knows, the American tax system is different than our own; they provide concessions which our system does not provide.

Some hon. Members: Oh, oh!

Mr. Rae: On Friday the bank announced that it would turn the screws even tighter on the money supply. This policy has been continued since 1975, and I remind the minister that since that time inflation and unemployment have gone up. So, clearly something is not working the way it is supposed to work. In light of those facts, my supplementary question to the minister is: would he not agree that the effect of these tighter monetary policies in other countries—and indeed in our experience in Canada in the last five years—has been that we have been able to squeeze real growth and jobs out of the economy but we have not managed to squeeze inflation out of the economy? Would the minister agree that this has been the experience not only in Canada, but also in Britain, France, and other countries which have attempted this policy as well?

Mr. MacEachen: Madam Speaker, that is quite a large question on the orders of the day. I will attempt to answer it by saying that if the hon. member wants a simple one word answer, it would be no. His conclusions are not right.

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THE ENVIRONMENT

NIAGARA RIVER SOURCE OF GREAT LAKES POLLUTION

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, in the absence of the Minister of State for Science and Technology and Minister of the Environment, I should like to direct my question to his parliamentary secretary. It is based upon an article which appeared in a Toronto paper yesterday

under the heading "Act On Niagara Pollution". In view of the fact that the International Joint Commission which oversees the Canada-United States Great Lakes Water Quality Agreement has pinpointed the Niagara River as a dangerous contributor to the levels of organic, chemical and metal wastes in the Great Lakes, would the parliamentary secretary share with the House the attempts of this government and of the government of the United States to clean up known sources of contaimination and to prevent new ones?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, the IJC released its report last Wednesday, February 11. It is interesting to note that the report follows rather closely the position which the minister and I have taken in so far as the Niagara Peninsula pollution is concerned.

Some hon. Members: Oh, oh!

● (1440)

Mr. Simmons: I invite hon. members to read the report and the minister's statements.

To respond to the member's question, as far as action is concerned we have made our views known to the United States, especially in regard to the proposed discharge of effluents from SCA of New York. We have taken the position that effluents should not be discharged until certain problems upstream have been remedied.

With respect to the subject of studies, which the commission also addresses, we have already put in place a federal-state-provincial committee which met last week in Burlington on this very subject.

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NORTH-SOUTH RELATIONS

STATEMENT BY NON-ALIGNED NATIONS—DEVELOPMENT OF CANADIAN POSITION

Mr. Douglas Roche (Edmonton South): Madam Speaker, my question is for the Prime Minister. It is now one month since the Prime Minister returned from his world trip in which he examined North-South questions. In that time he has made no statement to the House, nor has he said in this crucial year of summits on the North-South question what the Canadian policy will be. Will the Prime Minister respond, in his capacity as host of the economic Summit in Ottawa next July, to the charge made by the non-aligned conference of 94 nations in Delhi, as reported in the *New York Times* yesterday, in which they denounced the industrialized countries for a "negative and intransigent attitude" on the North-South question?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, obviously that is a blanket charge made by a block of nations. It certainly cannot apply in any detail to different members of the North-South countries. They all have different performances, and some are better than others. I do not think the blanket charge is one which can be accepted.

Mr. Roche: Madam Speaker, the Prime Minister neglected to indicate to the House whether he intends to make a full statement on the North-South question so that Members of Parliament can understand where Canada is going with regard to this question.

With respect to the North-South task force report, which was tabled in this House exactly two months ago today, is it the intention of the Prime Minister to take that report, which has 38 recommendations, and make it the basis of a Canadian policy which can be pronounced and acted upon in this year of summits on the North-South question?

Mr. Trudeau: Madam Speaker, I stated before that this was an excellent report and that its recommendations were being considered very seriously by the officials, the minister and myself. Certainly many elements of that report will influence this side of the House toward the kind of action we would like to see come to a head at the time of the Ottawa Summit, or perhaps before the North-South Summit. I only hope that the hon. member's party will be as supportive of it as we on this side of the House will be.

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THE CONSTITUTION

REQUEST FOR REFERENDUM ON COMPONENTS OF CONSTITUTIONAL RESOLUTION

Mr. John Gamble (York North): Madam Speaker, my question is for the Prime Minister. It arises as a consequence of some of the apparently conciliatory statements which were made earlier. The Prime Minister will know that the constitutional resolution now before this House again contains a provision with respect to a referendum. Will the Prime Minister divide the various items of his constitutional package, namely, the patriation, the amending formula, and his alleged charter of rights and freedoms—

Some hon. Members: Oh!

Mr. Gamble: —and submit the same to the people in a referendum so that, indeed, the people of Canada can have an input in determining this very principal and fundamental law of the country?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I apologize, since there was some noise, but if I understand the hon. member correctly he is suggesting that we hold a referendum in order to justify the government's action. Is this his suggestion?

Mr. Gamble: Madam Speaker, it is regrettable that I must repeat my question for the purpose of receiving an initial answer to it.

My question to the Prime Minister is simply this: Is he prepared to take his constitutional resolution, divide it into the

three component elements of which it currently consists—those three elements which now create such animosity and acrimony across our country—and submit them to the same test that he would ask of future governments when employing a referendum procedure to any constitutional amendment which might come forward, so that the people of Canada can vote directly in a democratic fashion on each one of these three packages before his resolution is dispatched to the United Kingdom for imposition on the people of Canada?

Mr. Trudeau: Madam Speaker, the hon. member is changing the terms of reference as he states his question. He points out correctly that there is a provision for a referendum to make a choice between various amending formulas, if there is not agreement. If he would suggest that there be a referendum of that nature to accept or reject a charter once we had the Constitution back home, I might consider it.

Mr. Siddon: That is not what he said.

Mr. Trudeau: Exactly, that is not what he said. But that is in the resolution now. He should not argue that I should do with the referendum on the amending formula the same thing as I would do with the resolution on the charter.

Madam Speaker: I must allow the hon. member for North York a very brief supplementary since he had to repeat his first question.

Mr. Gamble: It is curious that in 1979 the Prime Minister made these very statements after allegedly failing to reach some agreement with provincial premiers. He said that "failing that we will bring it back and consult the Canadian people in a referendum, and that is the way we will do it". He said that we will at least be able to have a Canadian Constitution made in Canada for Canadians.

It is very clear that in making those statements the Prime Minister was talking about national unity in 1979. Has he now changed his mind and is he now pursuing a course of national destruction? Is that why he will not follow a policy of employing this referendum program before the charter, inclusive of all its provisions, is sent to the United Kingdom for imposition on the people of Canada?

Mr. Trudeau: Madam Speaker, it seems to me the hon. member talks a bit lightly of national destruction. The picture we have now is of six provinces opposing this parliamentary resolution in the courts. They, too, fear national destruction. The six of them have obviously not been able to agree even among themselves. I was not present to sort of direct those debates. There are six provinces opposing this resolution before Parliament in the courts. These six had several months to come to some kind of consensus. They even failed in reaching a decision as to whether or not to go to London. It seems to me that demonstrates the righteousness of the case before Parliament now.

Some hon. Members: Oh!

Mr. Trudeau: What could destroy the country is the fact that we would fail once again, after 53 years of effort, to bring back the Constitution to Canada.

Some hon. Members: Hear, hear!

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INDIAN AFFAIRS

MERCURY POLLUTION—COMPENSATION FOR GRASSY NARROWS AND WHITE DOG INDIAN BANDS

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. For the past two years the Grassy Narrows and White Dog Indian bands have been negotiating with the Ontario government to receive compensation for mercury pollution from the operations of Reed Paper Company. Now, with the help of $5.2 million from DREE, the Ontario government wants to push a road through the area. This road would undercut these negotiations, it would open the area to exploitation by outside interests, and it would completely bypass the interests of the Indian people. Has the minister received representation from within his department urging that he contact the minister responsible for DREE to make certain that DREE funds will not be used until negotiations have been successfully completed with the Indian people? Has the Minister of Indian Affairs met with the minister responsible for DREE to make this request?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, the matter has been studied as a result of representations made by officials in my department. I would be prepared to talk first with Ontario, if necessary, and then talk with my colleague.

Mr. Manly: Madam Speaker, will the minister make clear to this House that he is prepared to do his duty to protect the interests of the Indian people and make certain that federal funds will not be used to undermine the Grassy Narrows and White Dog Indian people in their attempt to obtain compensation for the negligence of the Ontario government?

Mr. Munro (Hamilton East): Madam Speaker, I am certainly prepared to do my duty as far as the Indian people are concerned. Before agreeing with allegations of the kind the hon. member is making I really ought to talk to those concerned in the province of Ontario. I will do that first and respond to the hon. member in greater detail later.

● (1450)

THE CONSTITUTION

INCLUSION OF METIS UNDER DEFINITION OF ABORIGINAL RIGHTS

Mr. S. J. Korchinski (Mackenzie): Madam Speaker, my question is directed to the Minister of Indian Affairs and Northern Development. The resolution on the Constitution includes a provision which indicates a dramatic shift in government policy to include Metis under the definition of aboriginal rights. Has the minister or his department initiated any discussions with provincial governments which have had to take responsibility for the Metis in the absence of any federal involvement, so that there may be an immediate transition of responsibility regardless of what happens to the Constitution resolution, and that there will be no reduction of services to the Metis in this country?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, I think that the Metis, as members of the native organizations and as native peoples of this country, are very happy with developments with respect to the Constitution. I certainly do not see how that affects the obligation of the provinces and the work the provinces are doing in terms of providing adequate services to the Metis people, and I hope that will continue.

Mr. Korchinski: Madam Speaker, I put it to the minister that the inclusion of Metis is window dressing and there is going to be no assumption of responsibility for providing housing, welfare, health care and so on. This is something that the Indians of this country assumed and expected to get from the government under the terms of the treaties.

Mr. Munro (Hamilton East): The provision in the Constitution refers to rights. If the provinces do not believe the Metis have rights they can say so. In the meantime, what I am saying is that they have an obligation to provide services to citizens within the provinces and they should continue to provide them to the Metis people. This should not affect that situation.

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CORPORATE AFFAIRS

PROTECTION FOR FILM INDUSTRY INVESTORS

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I have a question for the Minister of Consumer and Corporate Affairs. The minister will know that many Canadian investors have lost money on the Canadian movie industry pursuant to the tax policy which encourages participation. Questions are now being raised about the prospectus, the marketing and other factors affecting films made in Canada. Is the government aware of these concerns? Has anyone contacted Jarnac or the film consortium of Canada or Mr. David Roffey to see if everything is in order? There are films which have cost millions of dollars and which apparently have not yet been marketed, with very serious results for the Canadian investors who are becoming restless.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I shall take this question as notice.

[*English*]

Mr. MacKay: Madam Speaker, I thank the minister for his interest. Will he check to see the extent to which financial institutions are now going after Canadian investors to repay contingent liabilities that apparently were not made sufficiently clear when these people were encouraged to invest in Canadian firms? Would he see to what extent this is going on and if the prospectus and contracts and inducements were all in order?

[*Translation*]

Mr. Ouellet: Yes, Madam Speaker, I will check and report back to the hon. member as soon as possible.

* * *

[*English*]

THE CONSTITUTION

INVESTIGATION OF ACTIVITIES OF BRITISH HIGH COMMISSIONER

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, my question is directed to the Secretary of State for External Affairs. He will recall that on February 5, when he was prompted by the Leader of the New Democratic Party about reports that the British High Commissioner had attempted to influence Members of Parliament and other Canadians with respect to the Constitution, he replied that if these reports were true it would be completely unacceptable to the government and, in addition, he indicated that he was investigating these reports. He has declined to make a statement on two occasions in the House. Today, would he inform the House whether there were any subversive activities found by the government? If so, what they were, and what else has his investigation uncovered?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, following questions by the hon. member for Oshawa, inquiries were made into certain activities of the British High Commissioner. These inquiries, conducted with the aid of officials, concerned contacts that Sir John Ford had with elected representatives at the federal and provincial levels. The information obtained has been shared with the British authorities in London, through diplomatic channels. The Canadian government has made and will make no recommendations to the British government. It has been known for some time that Sir John Ford was scheduled to retire soon. His successor has now been named, and the Canadian government welcomed the appointment on January 27.

The Canadian government has absolutely no objection to anything the High Commissioner may have done to represent the position of the British government in relation to its interests, or to communicate his understanding of the situation in the British parliament. This is an entirely appropriate type of diplomatic activity.

Miss MacDonald: Swallow yourself.

Mr. MacGuigan: In another context, the Prime Minister stated the government's position on such matters to the House on December 16, 1977. Part of the High Commissioner's activity, of course, was of this type.

However, there are indications that the High Commissioner went beyond these normal functions into internal political matters. I am assured that the High Commissioner has noted the views expressed in this House. I have also been informed that there is no intention on the part of the British government to intervene in affairs which are properly matters for Canadians. I now consider the matter closed.

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FISHERIES

REFERENCE OF WEST COAST REGULATIONS TO STANDING COMMITTEE

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, my question is directed to the Minister of Fisheries and Oceans. Would the minister be prepared, in light of developments in the last week, to have a reference made so that the Standing Committee on Fisheries and Forestry could meet and consider the new regulations on the west coast?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I certainly have no objection to this issue being part of our discussions. I understand that the estimates will be brought before the House very soon. If there is an opportunity to discuss these matters, or to have briefings about them, I am perfectly open. I might say to the hon. member, on the other hand, that I would not want to mislead the House and allow the idea to spread that the decisions that were made, as difficult as they were, would be rescinded. What I have offered the sports fishing community is to suggest alternatives which would meet the same end as that hoped for, which is the conservation of chinook stocks.

Mr. Munro (Esquimalt-Saanich): Madam Speaker, if the minister has no objection to the convening of that committee, I wonder if he would take steps now, before the estimates come forward, to make sure that the committee has an opportunity to meet and consider these two matters. Although he says he would not like to put the regulations that have been drawn up on hold, I wonder if he would reconsider that for a two-week period, that is, put them on hold or in abeyance until there is an opportunity for the committee to consider the matter and report back to the House.

Mr. LeBlanc: Madam Speaker, some of the regulations have to go into effect within a few days or a very short time. It may be difficult to hold them in abeyance. I might say to the hon. member that I am perfectly open to have a discussion with all interested members on this issue. I think this is a case where all participants in the industry want to make sure that we are fair. I am certainly interested in that. I might say to him that the best way to achieve this is not through Standing Order 43. I hope we can have conversations that will allow us to move quickly on this.

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TRADE

CONDITIONS OF GOVERNMENT'S AID TO COAL EXPORTS FROM BRITISH COLUMBIA TO JAPAN

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, my question is directed to the Minister of Transport who answers in the House with respect to negotiations between the federal government and the province of British Columbia regarding the coal deal which involves the national railway and the Department of Regional Economic Expansion. In reply to a question in the House last week the minister said that the federal government would assure that it would exercise all its jurisdictions in terms of socioeconomic conditions and the environment with respect to this monumental and important project. Could the minister tell the House today just what jurisdiction has been reserved to be exercised by the federal government and whether any strings are attached as a result of federal financial involvement?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I really do not see the purpose of the question. The interest of the Department of Transport is in the operation of the port itself. In that respect the National Harbours Board and the Department of Transport are exercising their full jurisdiction. There are other matters involved such as, for example, the environment. This is a divided jurisdiction where the province does most of the work but where the federal government has some jurisdiction regarding environment in the Port of Prince Rupert. I fail to see other points. The railway is a federal responsibility and we are attending to it. Are there any particular jurisdictions that my hon. friend would like to point out to me?

● (1500)

Mr. Oberle: Madam Speaker, I am more concerned with the activity around the mine. It is unfortunate that we do not have a minister in the House who can answer, and that the comments of the minister in the other place have to be interpreted by the Minister of Transport. He said in a statement that the federal government would exercise a number of jurisdictions to assure that certain socioeconomic conditions are met with respect to the mine, apart from the port which has to be developed at the same time. The minister knows the federal government will be significantly involved not only in the port

but in other infrastructure procurements. Those are the jurisdictions on which I would like the minister to comment.

Mr. Pepin: Madam Speaker, I will have a discussion with my confrère who is responsible for those jurisdictions. I just thought of another one, namely, the protection of Indians. This is a federal responsibility and there will be particular orientation toward that in the final agreement. However, I will get the full list and communicate with my hon. friend.

* * *

PETITIONS

MR. SIDDON—1981 HERRING ROE MANAGEMENT PLAN—LICENSING RESTRICTIONS

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid on the Table the thirty-ninth report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Richmond-South Delta (Mr. Siddon) and finds that it meets the requirements of the Standing Orders as to form.

* * *

POINTS OF ORDER

MR. NIELSEN—S.O. 43 MOTION OF MISS CARNEY

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise on a point of order. There might be a disposition in the House, by unanimous consent, to revert to motions moved under the provisions of Standing Order 43 to deal with the motion raised by the hon. member for Vancouver Centre (Miss Carney). The only nay I heard the first time was from the hon. member for Gatineau (Mr. Cousineau), which was not voiced the second time around. I am sure the House would now give unanimous consent with respect to that Standing Order 43 motion concerning women and the Constitution.

Madam Speaker: I am sorry but I did hear noes, and that closes the matter.

MR. MUNRO (ESQUIMALT-SAANICH)—S.O. 43 MOTION

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I rise on a point of order which is much the same as the previous one. I did not hear any noes from the opposite side to my particular motion under Standing Order 43; if there were any they must have come from the far end of the room. I would suggest that if the motion were put again, we might have unanimous consent.

Madam Speaker: I am sorry but here again I did hear noes, so that finalizes the matter.

PRIVILEGE

MR. STEVENS—STATEMENT BY MR. GRAY

Hon. Sinclair Stevens (York-Peel): Madam Speaker, we can all see that the Minister of Industry, Trade and Commerce (Mr. Gray) is not in his place today. Could I continue my notice of wanting to raise a question of privilege on another day?

Madam Speaker: The hon. member's question of privilege may be deferred.

ROUTINE PROCEEDINGS

[*English*]

DISABLED AND THE HANDICAPPED

Third report of Special Committee on the Disabled and the Handicapped—Mr. Smith.

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

* * *

PETITIONS

MR. DOMM—PATRIATION OF THE CONSTITUTION

Mr. Bill Domm (Peterborough): Madam Speaker, as the troops become restless across Canada and as added thousands of petitions are coming in to offices of various members of Parliament, it gives me a great deal of pleasure today to present to this House of Commons a petition containing 2,689 signatures. These are to be added to the many thousands of signatures which have been collected from across Canada opposing this government's unilateral action of patriating the Constitution against the will of the majority of the people of Canada, along with a wish that this government consider patriating the Constitution with an acceptable amending formula to the various provinces of Canada. I respectfully submit this petition to this House.

* * *

YOUNG OFFENDERS ACT

MEASURE TO ESTABLISH

Hon. Bob Kaplan (Solicitor General) moved for leave to introduce Bill C-61, respecting young offenders and to repeal the Juvenile Delinquents Act.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

[*Translation*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

On the order: Government notices of motions.

THAT, WHEREAS in the past certain amendments to the Constitution of Canada have been made by the Parliament of the United Kingdom at the request and with the consent of Canada;

AND WHEREAS it is in accord with the status of Canada as an independent state that Canadians be able to amend their Constitution in Canada in all respects;

AND WHEREAS it is also desirable to provide in the Constitution of Canada for the recognition of certain fundamental rights and freedoms and to make other amendments to that Constitution;

A respectful address be presented to Her Majesty the Queen in the following words:

To the Queen's Most Excellent Majesty:
Most Gracious Sovereign:

We, Your Majesty's loyal subjects, the House of Commons of Canada in Parliament assembled, respectfully approach Your Majesty, requesting that you may graciously be pleased to cause to be laid before the Parliament of the United Kingdom a measure containing the recitals and clauses hereinafter set forth:

CONSIDÉRANT:

que le Parlement du Royaume-Uni a modifié à plusieurs reprises la Constitution du Canada à la demande et avec le consentement de celui-ci;

que, de par le statut d'État indépendant du Canada, il est légitime que les Canadiens aient tout pouvoir pour modifier leur Constitution au Canada;

qu'il est souhaitable d'inscrire dans la Constitution du Canada la reconnaissance de certains droits et libertés fondamentaux et d'y apporter d'autres modifications,

il est proposé que soit présentée respectueusement à Sa Majesté la Reine l'adresse dont la teneur suit:

A Sa Très Excellente Majesté la Reine,
Très Gracieuse Souveraine :

Nous, membres de la Chambre des communes du Canada réunis en Parlement, fidèles sujets de Votre Majesté, demandons respectueusement à Votre Très Gracieuse Majesté de bien vouloir faire déposer devant le Parlement du Royaume-Uni un projet de loi ainsi conçu :

S.O. 21(2)

An Act to give effect to a request by the Senate and House of Commons of Canada

Whereas Canada has requested and consented to the enactment of an Act of the Parliament of the United Kingdom to give effect to the provisions hereinafter set forth and the Senate and the House of Commons of Canada in Parliament assembled have submitted an address to Her Majesty requesting that Her Majesty may graciously be pleased to cause a Bill to be laid before the Parliament of the United Kingdom for that purpose.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution Act, 1981 enacted

1. The *Constitution Act, 1981* set out in Schedule B to this Act is hereby enacted for and shall have the force of law in Canada and shall come into force as provided in that Act.

Termination of power to legislate for Canada

2. No Act of the Parliament of the United Kingdom passed after the *Constitution Act, 1981* comes into force shall extend to Canada as part of its law.

French version

3. So far as it is not contained in Schedule B, the French version of this Act is set out in Schedule A to this Act and has the same authority in Canada as the English version thereof.

Short title

4. This Act may be cited as the *Canada Act*.

ANNEXE A—SCHEDULE A

Loi donnant suite à une demande du Sénat et de la Chambre des communes du Canada

Sa Très Excellente Majesté la Reine, considérant :

qu'à la demande et avec le consentement du Canada, le Parlement du Royaume-Uni est invité à adopter une loi visant à donner effet aux dispositions énoncées ci-après et que le Sénat et la Chambre des communes du Canada réunis en Parlement ont présenté une adresse demandant à Sa Très Gracieuse Majesté de bien vouloir faire déposer devant le Parlement du Royaume-Uni un projet de loi à cette fin,

sur l'avis et du consentement des Lords spirituels et temporels et des Communes réunis en Parlement, et par l'autorité de celui-ci, édicte :

Adoption de la *Loi constitutionnelle de 1981*

1. La *Loi constitutionnelle de 1981*, énoncée à l'annexe B, est édictée pour le Canada et y a force de loi. Elle entre en vigueur conformément à ses dispositions.

Cessation du pouvoir de légiférer pour le Canada

2. Les lois adoptées par le Parlement du Royaume-Uni après l'entrée en vigueur de la *Loi constitutionnelle de 1981* ne font pas partie du droit du Canada.

Version française

3. La partie de la version française de la présente loi qui figure à l'annexe A a force de loi au Canada au même titre que la version anglaise correspondante.

Titre abrégé

4. Titre abrégé de la présente loi : *Loi sur le Canada*.

S.O. 21(2)

SCHEDULE B

CONSTITUTION ACT, 1981

PART I

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Guarantee of Rights and Freedoms

Rights and freedoms in Canada

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

Fundamental Freedoms

Fundamental freedoms

2. Everyone has the following fundamental freedoms:

(*a*) freedom of conscience and religion;

(*b*) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

(*c*) freedom of peaceful assembly; and

(*d*) freedom of association.

Democratic Rights

Democratic rights of citizens

3. Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

Maximum duration of legislative bodies

4. (1) No House of Commons and no legislative assembly shall continue for longer than five years from the date fixed for the return of the writs at a general election of its members.

Continuation in special circumstances

(2) In time of real or apprehended war, invasion or insurrection, a House of Commons may be continued by Parliament and a legislative assembly may be continued by the legislature beyond five years if such continuation is not opposed by the votes of more than one-third of the members of the House of Commons or the legislative assembly, as the case may be.

ANNEXE B

LOI CONSTITUTIONNELLE DE 1981

PARTIE I

CHARTE CANADIENNE DES DROITS ET LIBERTÉS

Garantie des droits et libertés

Droits et libertés au Canada

1. La *Charte canadienne des droits et libertés* garantit les droits et libertés qui y sont énoncés. Ils ne peuvent être restreints que par une règle de droit, dans des limites qui soient raisonnables et dont la justification puisse se démontrer dans le cadre d'une société libre et démocratique.

Libertés fondamentales

Libertés fondamentales

2. Chacun a les libertés fondamentales suivantes :

a) liberté de conscience et de religion;

b) liberté de pensée, de croyance, d'opinion et d'expression, y compris la liberté de la presse et des autres moyens de communication;

c) liberté de réunion pacifique;

d) liberté d'association.

Droits démocratiques

Droits démocratiques des citoyens

3. Tout citoyen canadien a le droit de vote et est éligible aux élections législatives fédérales ou provinciales.

Mandat maximal des assemblées

4. (1) Le mandat maximal de la Chambre des communes et des assemblées législatives est de cinq ans à compter de la date fixée pour le retour des brefs relatifs aux élections générales correspondantes.

Prolongations spéciales

(2) Le mandat de la Chambre des communes ou celui d'une assemblée législative peut être prolongé respectivement par le Parlement ou par la législature en question au-delà de cinq ans en cas de guerre, d'invasion ou d'insurrection, réelles ou appréhendées, pourvu que cette prolongation ne fasse pas l'objet d'une opposition exprimée par les voix de plus du tiers des députés de la Chambre des communes ou de l'assemblée législative.

S.O. 21(2)

Annual sitting of legislative bodies

5. There shall be a sitting of Parliament and of each legislature at least once every twelve months.

5. Le Parlement et les législatures tiennent une séance au moins une fois tous les douze mois. — Séance annuelle

Mobility Rights

Liberté de circulation et d'établissement

Mobility of citizens

6. (1) Every citizen of Canada has the right to enter, remain in and leave Canada.

6. (1) Tout citoyen canadien a le droit de demeurer au Canada, d'y entrer ou d'en sortir. — Liberté de circulation

Rights to move and gain livelihood

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

(*a*) to move to and take up residence in any province; and

(*b*) to pursue the gaining of a livelihood in any province.

(2) Tout citoyen canadien et toute personne ayant le statut de résident permanent au Canada ont le droit :

a) de se déplacer dans tout le pays et d'établir leur résidence dans toute province;

b) de gagner leur vie dans toute province. — Liberté d'établissement

Limitation

(3) The rights specified in subsection (2) are subject to

(*a*) any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of province of present or previous residence; and

(*b*) any laws providing for reasonable residency requirements as a qualification for the receipt of publicly provided social services.

(3) Les droits mentionnés au paragraphe (2) sont subordonnés :

a) aux lois et usages d'application générale en vigueur dans une province donnée, s'ils n'établissent entre les personnes aucune distinction fondée principalement sur la province de résidence antérieure ou actuelle;

b) aux lois prévoyant de justes conditions de résidence en vue de l'obtention des services sociaux publics. — Restriction

Legal Rights

Garanties juridiques

Life, liberty and security of person

7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

7. Chacun a droit à la vie, à la liberté et à la sécurité de sa personne; il ne peut être porté atteinte à ce droit qu'en conformité avec les principes de justice fondamentale. — Vie, liberté et sécurité

Search or seizure

8. Everyone has the right to be secure against unreasonable search or seizure.

8. Chacun a droit à la protection contre les fouilles, les perquisitions ou les saisies abusives. — Fouilles, perquisitions ou saisies

Detention or imprisonment

9. Everyone has the right not to be arbitrarily detained or imprisoned.

9. Chacun a droit à la protection contre la détention ou l'emprisonnement arbitraires. — Détention ou emprisonnement

Arrest or detention

10. Everyone has the right on arrest or detention

(*a*) to be informed promptly of the reasons therefor;

(*b*) to retain and instruct counsel without delay and to be informed of that right; and

(*c*) to have the validity of the detention determined by way of *habeas corpus* and to be released if the detention is not lawful.

10. Chacun a le droit, en cas d'arrestation ou de détention :

a) d'être informé dans les plus brefs délais des motifs de son arrestation ou de sa détention;

b) d'avoir recours sans délai à l'assistance d'un avocat et d'être informé de ce droit;

c) de faire contrôler, par *habeas corpus*, la légalité de sa détention et d'obtenir, le cas échéant, sa libération. — Arrestation ou détention

Proceedings in criminal and penal matters

11. Any person charged with an offence has the right

(*a*) to be informed without unreasonable delay of the specific offence;

(*b*) to be tried within a reasonable time;

(*c*) not to be compelled to be a witness in proceedings against that person in respect of the offence;

(*d*) to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal;

(*e*) not to be denied reasonable bail without just cause;

(*f*) except in the case of an offence under military law tried before a military tribunal, to the benefit of trial by jury where the maximum punishment for the offence is imprisonment for five years or a more severe punishment;

(*g*) not to be found guilty on account of any act or omission unless, at the time of the act or omission, it constituted an offence under Canadian or international law or was criminal according to the general principles of law recognized by the community of nations;

(*h*) if finally acquitted of the offence, not to be tried for it again and, if finally found guilty and punished for the offence, not to be tried or punished for it again; and

(*i*) if found guilty of the offence and if the punishment for the offence has been varied between the time of commission and the time of sentencing, to the benefit of the lesser punishment.

Affaires criminelles et pénales

11. Tout inculpé a le droit :

a) d'être informé sans délai anormal de l'infraction précise qu'on lui reproche;

b) d'être jugé dans un délai raisonnable;

c) de ne pas être contraint de témoigner contre lui-même dans toute poursuite intentée contre lui pour l'infraction qu'on lui reproche;

d) d'être présumé innocent tant qu'il n'est pas déclaré coupable, conformément à la loi, par un tribunal indépendant et impartial à l'issue d'un procès public et équitable;

e) de ne pas être privé sans juste cause d'une mise en liberté assortie d'un cautionnement raisonnable;

f) sauf s'il s'agit d'une infraction relevant de la justice militaire, de bénéficier d'un procès avec jury lorsque la peine maximale prévue pour l'infraction dont il est accusé est un emprisonnement de cinq ans ou une peine plus grave;

g) de ne pas être déclaré coupable en raison d'une action ou d'une omission qui, au moment où elle est survenue, ne constituait pas une infraction d'après le droit interne du Canada ou le droit international et n'avait pas de caractère criminel d'après les principes généraux de droit reconnus par l'ensemble des nations;

h) d'une part de ne pas être jugé de nouveau pour une infraction dont il a été définitivement acquitté, d'autre part de ne pas être jugé ni puni de nouveau pour une infraction dont il a été définitivement trouvé coupable et puni;

i) de bénéficier de la peine la moins sévère, lorsque la peine qui sanctionne l'infraction dont il est déclaré coupable est modifiée entre le moment de la perpétration de l'infraction et celui de la sentence.

Treatment or punishment

12. Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

Cruauté

12. Chacun a droit à la protection contre tous traitements ou peines cruels et inusités.

Self-crimination

13. A witness who testifies in any proceedings has the right not to have any incriminating evidence so given used to incriminate that witness in any other proceedings, except

Témoignage incriminant

13. Chacun a droit à ce qu'aucun témoignage incriminant qu'il donne ne soit utilisé pour l'incriminer dans d'autres procédures, sauf lors de poursuites pour parjure ou pour témoignages contradictoires.

in a prosecution for perjury or for the giving of contradictory evidence.

Interpreter

14. A party or witness in any proceedings who does not understand or speak the language in which the proceedings are conducted or who is deaf has the right to the assistance of an interpreter.

Interprète

14. La partie ou le témoin qui ne peuvent suivre les procédures, soit parce qu'ils ne comprennent pas ou ne parlent pas la langue employée, soit parce qu'ils sont atteints de surdité, ont droit à l'assistance d'un interprète.

Equality Rights

Droits à l'égalité

Equality before and under law and equal protection and benefit of law

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Égalité devant la loi, égalité de bénéfice et protection égale de la loi

15. (1) La loi ne fait acception de personne et s'applique également à tous, et tous ont droit à la même protection et au même bénéfice de la loi, indépendamment de toute discrimination, notamment des discriminations fondées sur la race, l'origine nationale ou ethnique, la couleur, la religion, le sexe, l'âge ou les déficiences mentales ou physiques.

Affirmative action programs

(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Programmes de promotion sociale

(2) Le paragraphe (1) n'a pas pour effet d'interdire les lois, programmes ou activités destinés à améliorer la situation d'individus ou de groupes défavorisés, notamment du fait de leur race, de leur origine nationale ou ethnique, de leur couleur, de leur religion, de leur sexe, de leur âge ou de leurs déficiences mentales ou physiques.

Official Languages of Canada

Langues officielles du Canada

Official languages of Canada

16. (1) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.

Langues officielles du Canada

16. (1) Le français et l'anglais sont les langues officielles du Canada; ils ont un statut et des droits et privilèges égaux quant à leur usage dans les institutions du Parlement et du gouvernement du Canada.

Official languages of New Brunswick

(2) English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick.

Langues officielles du Nouveau-Brunswick

(2) Le français et l'anglais sont les langues officielles du Nouveau-Brunswick; ils ont un statut et des droits et privilèges égaux quant à leur usage dans les institutions de la Législature et du gouvernement du Nouveau-Brunswick.

Advancement of status and use

(3) Nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French.

Progression vers l'égalité

(3) La présente charte ne limite pas le pouvoir du Parlement et des législatures de favoriser la progression vers l'égalité de statut ou d'usage du français et de l'anglais.

Proceedings of Parliament

17. (1) Everyone has the right to use English or French in any debates and other proceedings of Parliament.

Travaux du Parlement

17. (1) Chacun a le droit d'employer le français ou l'anglais dans les débats et travaux du Parlement.

Proceedings of New Brunswick legislature

(2) Everyone has the right to use English or French in any debates and other proceedings of the legislature of New Brunswick.

(2) Chacun a le droit d'employer le français ou l'anglais dans les débats et travaux de la Législature du Nouveau-Brunswick.

Travaux de la Législature du Nouveau-Brunswick

Parliamentary statutes and records

18. (1) The statutes, records and journals of Parliament shall be printed and published in English and French and both language versions are equally authoritative.

18. (1) Les lois, les archives, les comptes rendus et les procès-verbaux du Parlement sont imprimés et publiés en français et en anglais, les deux versions des lois ayant également force de loi et celles des autres documents ayant même valeur.

Documents parlementaires

New Brunswick statutes and records

(2) The statutes, records and journals of the legislature of New Brunswick shall be printed and published in English and French and both language versions are equally authoritative.

(2) Les lois, les archives, les comptes rendus et les procès-verbaux de la Législature du Nouveau-Brunswick sont imprimés et publiés en français et en anglais, les deux versions des lois ayant également force de loi et celles des autres documents ayant même valeur.

Documents de la Législature du Nouveau-Brunswick

Proceedings in courts established by Parliament

19. (1) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament.

19. (1) Chacun a le droit d'employer le français ou l'anglais dans toutes les affaires dont sont saisis les tribunaux établis par le Parlement et dans tous les actes de procédure qui en découlent.

Procédures devant les tribunaux établis par le Parlement

Proceedings in New Brunswick courts

(2) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court of New Brunswick.

(2) Chacun a le droit d'employer le français ou l'anglais dans toutes les affaires dont sont saisis les tribunaux du Nouveau-Brunswick et dans tous les actes de procédure qui en découlent.

Procédures devant les tribunaux du Nouveau-Brunswick

Communications by public with federal institutions

20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where

(*a*) there is a significant demand for communications with and services from that office in such language; or

(*b*) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.

20. (1) Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où, selon le cas :

a) l'emploi du français ou de l'anglais fait l'objet d'une demande importante;

b) l'emploi du français et de l'anglais se justifie par la vocation du bureau.

Communications entre les administrés et les institutions fédérales

Communications by public with New Brunswick institutions

(2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French.

(2) Le public a, au Nouveau-Brunswick, droit à l'emploi du français ou de l'anglais pour communiquer avec tout bureau des institutions de la législature ou du gouvernement ou pour en recevoir les services.

Communications entre les administrés et les institutions du Nouveau-Brunswick

S.O. 21(2)

Continuation of existing constitutional provisions

21. Nothing in sections 16 to 20 abrogates or derogates from any right, privilege or obligation with respect to the English and French languages, or either of them, that exists or is continued by virtue of any other provision of the Constitution of Canada.

Maintien en vigueur de certaines dispositions

21. Les articles 16 à 20 n'ont pas pour effet, en ce qui a trait à la langue française ou anglaise ou à ces deux langues, de porter atteinte aux droits, privilèges ou obligations qui existent ou sont maintenus aux termes d'une autre disposition de la Constitution du Canada.

Rights and privileges preserved

22. Nothing in sections 16 to 20 abrogates or derogates from any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this Charter with respect to any language that is not English or French.

Droits préservés

22. Les articles 16 à 20 n'ont pas pour effet de porter atteinte aux droits et privilèges, antérieurs ou postérieurs à l'entrée en vigueur de la présente charte et découlant de la loi ou de la coutume, des langues autres que le français ou l'anglais.

Minority Language Educational Rights

Droits à l'instruction dans la langue de la minorité

Language of instruction

23. (1) Citizens of Canada

(*a*) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or

(*b*) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,

have the right to have their children receive primary and secondary school instruction in that language in that province.

Langue d'instruction

23. (1) Les citoyens canadiens :

a) dont la première langue apprise et encore comprise est celle de la minorité francophone ou anglophone de la province où ils résident,

b) qui ont reçu leur instruction, au niveau primaire, en français ou en anglais au Canada et qui résident dans une province où la langue dans laquelle ils ont reçu cette instruction est celle de la minorité francophone ou anglophone de la province,

ont, dans l'un ou l'autre cas, le droit d'y faire instruire leurs enfants, aux niveaux primaire et secondaire, dans cette langue.

Continuity of language instruction

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

Continuité d'emploi de la langue d'instruction

(2) Les citoyens canadiens dont un enfant a reçu ou reçoit son instruction, au niveau primaire ou secondaire, en français ou en anglais au Canada ont le droit de faire instruire tous leurs enfants, aux niveaux primaire et secondaire, dans la langue de cette instruction.

Application where numbers warrant

(3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province

(*a*) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and

Justification par le nombre

(3) Le droit reconnu aux citoyens canadiens par les paragraphes (1) et (2) de faire instruire leurs enfants, aux niveaux primaire et secondaire, dans la langue de la minorité francophone ou anglophone d'une province :

a) s'exerce partout dans la province où le nombre des enfants des citoyens qui ont ce droit est suffisant pour justifier à leur endroit la prestation, sur les fonds publics, de l'instruction dans la langue de la minorité;

(*b*) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

b) comprend, lorsque le nombre de ces enfants le justifie, le droit de les faire instruire dans des établissements d'enseignement de la minorité linguistique financés sur les fonds publics.

Enforcement

Recours

Enforcement of guaranteed rights and freedoms

24. (1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.

24. (1) Toute personne, victime de violation ou de négation des droits et libertés qui lui sont garantis par la présente charte, peut s'adresser à un tribunal compétent pour obtenir la réparation que le tribunal estime convenable et juste eu égard aux circonstances.

Recours en cas d'atteinte aux droits et libertés

Exclusion of evidence bringing administration of justice into disrepute

(2) Where, in proceedings under subsection (1), a court concludes that evidence was obtained in a manner that infringed or denied any rights or freedoms guaranteed by this Charter, the evidence shall be excluded if it is established that, having regard to all the circumstances, the admission of it in the proceedings would bring the administration of justice into disrepute.

(2) Lorsque, dans une instance visée au paragraphe (1), le tribunal a conclu que des éléments de preuve ont été obtenus dans des conditions qui portent atteinte aux droits ou libertés garantis par la présente charte, ces éléments de preuve sont écartés s'il est établi, eu égard aux circonstances, que leur utilisation est susceptible de déconsidérer l'administration de la justice.

Irrecevabilité d'éléments de preuve qui risqueraient de déconsidérer l'administration de la justice

General

Dispositions générales

Aboriginal rights and freedoms not affected by Charter

25. The guarantee in this Charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada including

(*a*) any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763; and

(*b*) any rights or freedoms that may be acquired by the aboriginal peoples of Canada by way of land claims settlement.

25. Le fait que la présente charte garantit certains droits et libertés ne porte pas atteinte aux droits ou libertés — ancestraux, issus de traités ou autres — des peuples autochtones du Canada, notamment :

a) aux droits ou libertés reconnus par la Proclamation royale du 7 octobre 1763;

b) aux droits ou libertés acquis par règlement de revendications territoriales.

Maintien des droits et libertés des autochtones

Other rights and freedoms not affected by Charter

26. The guarantee in this Charter of certain rights and freedoms shall not be construed as denying the existence of any other rights or freedoms that exist in Canada.

26. Le fait que la présente charte garantit certains droits et libertés ne constitue pas une négation des autres droits ou libertés qui existent au Canada.

Maintien des autres droits et libertés

Multicultural heritage

27. This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

27. Toute interprétation de la présente charte doit concorder avec l'objectif de promouvoir le maintien et la valorisation du patrimoine multiculturel des Canadiens.

Maintien du patrimoine culturel

Rights respecting certain schools preserved

28. Nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of

28. Les dispositions de la présente charte ne portent pas atteinte aux droits ou privilèges garantis en vertu de la Constitution du

Maintien des droits relatifs à certaines écoles

Canada, in respect of denominational, separate or dissentient schools.

Application to territories and territorial authorities

29. A reference in this Charter to a province or to the legislative assembly or legislature of a province shall be deemed to include a reference to the Yukon Territory and the Northwest Territories, or to the appropriate legislative authority thereof, as the case may be.

Legislative powers not extended

30. Nothing in this Charter extends the legislative powers of any body or authority.

Application of Charter

Application of Charter

31. (1) This Charter applies

(*a*) to the Parliament and government of Canada and to all matters within the authority of Parliament including all matters relating to the Yukon Territory and Northwest Territories; and

(*b*) to the legislature and government of each province and to all matters within the authority of the legislature of each province.

Exception

(2) Notwithstanding subsection (1), section 15 shall not have effect until three years after this Act, except Part VI, comes into force.

Citation

Citation

32. This Part may be cited as the *Canadian Charter of Rights and Freedoms.*

PART II

RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA

Recognition of aboriginal and treaty rights

33. (1) The aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

Definition of "aboriginal peoples of Canada"

(2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

PART III

EQUALIZATION AND REGIONAL DISPARITIES

Commitment to promote equal opportunities

34. (1) Without altering the legislative authority of Parliament or of the provincial

Canada concernant les écoles séparées et autres écoles confessionnelles.

Applications aux territoires

29. Dans la présente charte, les dispositions qui visent les provinces, leur législature ou leur assemblée législative visent également le territoire du Yukon, les territoires du Nord-Ouest ou leurs autorités législatives compétentes.

Non-élargissement des compétences législatives

30. La présente charte n'élargit pas les compétences législatives de quelque organisme ou autorité que ce soit.

Application de la charte

Application de la charte

31. (1) La présente charte s'applique :

a) au Parlement et au gouvernement du Canada, ainsi qu'à tous les domaines relevant du Parlement, y compris ceux qui concernent le territoire du Yukon et les territoires du Nord-Ouest;

b) à la législature et au gouvernement de chaque province, ainsi qu'à tous les domaines relevant de cette législature.

Restriction

(2) Par dérogation au paragraphe (1), l'article 15 n'a d'effet que trois ans après l'entrée en vigueur, exception faite de la partie VI, de la présente loi.

Titre

Titre

32. Titre de la présente partie : *Charte canadienne des droits et libertés.*

PARTIE II

DROITS DES PEUPLES AUTOCHTONES DU CANADA

Confirmation des droits des peuples autochtones

33. (1) La présente charte confirme les droits, ancestraux ou issus de traités, des peuples autochtones du Canada.

Définition de «peuples autochtones du Canada»

(2) Dans la présente loi, «peuples autochtones du Canada» s'entend notamment des Indiens, des Inuit et des Métis du Canada.

PARTIE III

PÉRÉQUATION ET INÉGALITÉS RÉGIONALES

Engagements relatifs à l'égalité des chances

34. (1) Sous réserve des compétences législatives du Parlement et des législatures

legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Parliament and the legislatures, together with the government of Canada and the provincial governments, are committed to

(*a*) promoting equal opportunities for the well-being of Canadians;

(*b*) furthering economic development to reduce disparity in opportunities; and

(*c*) providing essential public services of reasonable quality to all Canadians.

et de leur droit de les exercer, le Parlement et les législatures, ainsi que les gouvernements fédéral et provinciaux, s'engagent à :

a) promouvoir l'égalité des chances de tous les Canadiens dans la recherche de leur bien-être;

b) favoriser le développement économique pour réduire l'inégalité des chances;

c) fournir à tous les Canadiens, à un niveau de qualité acceptable, les services publics essentiels.

Commitment respecting public services

(2) Parliament and the government of Canada are committed to the principle of making equalization payments to ensure that provincial governments have sufficient revenues to provide reasonably comparable levels of public services at reasonably comparable levels of taxation.

(2) Le Parlement et le gouvernement du Canada prennent l'engagement de principe de faire des paiements de péréquation propres à donner aux gouvernements provinciaux des revenus suffisants pour les mettre en mesure d'assurer les services publics à un niveau de qualité et de fiscalité sensiblement comparables.

Engagement relatif aux services publics

PART IV

CONSTITUTIONAL CONFERENCES

PARTIE IV

CONFÉRENCES CONSTITUTIONNELLES

Constitutional conferences

35. (1) Until Part VI comes into force, a constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once in every year.

35. (1) Avant l'entrée en vigueur de la partie VI, le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même.

Conférences constitutionnelles

Participation of aboriginal peoples

(2) A conference convened under subsection (1) shall have included in its agenda an item respecting constitutional matters that directly affect the aboriginal peoples of Canada, including the identification and definition of the rights of those peoples to be included in the Constitution of Canada, and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on that item.

(2) Sont placées à l'ordre du jour de la conférence visée au paragraphe (1) les question constitutionnelles qui intéressent directement les peuples autochtones du Canada, notamment la détermination et la définition des droits de ces peuples à inscrire dans la Constitution du Canada. Le premier ministre du Canada invite leurs représentants à participer aux travaux relatifs à ces questions.

Participation des peuples autochtones

Participation of territories

(3) The Prime Minister of Canada shall invite elected representatives of the governments of the Yukon Territory and the Northwest Territories to participate in the discussions on any item on the agenda of a conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.

(3) Le premier ministre du Canada invite des représentants élus des gouvernements du Yukon et des territoires du Nord-Ouest à participer aux travaux relatifs à toute question placée à l'ordre du jour de la conférence visée au paragraphe (1) et qui, selon lui, intéresse directement le territoire du Yukon et les territoires du Nord-Ouest.

Participation des territoires

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PART V

INTERIM AMENDMENT PROCEDURE AND RULES FOR ITS REPLACEMENT

Interim procedure for amending Constitution of Canada

36. Until Part VI comes into force, an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and by the legislative assembly or government of each province.

Amendment of provisions relating to some but not all provinces

37. Until Part VI comes into force, an amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and by the legislative assembly or government of each province to which the amendment applies.

Amendments respecting certain language rights

38. (1) Notwithstanding section 40, an amendment to the Constitution of Canada

(*a*) adding a province as a province named in subsection 16(2), 17(2), 18(2), 19(2) or 20(2), or

(*b*) otherwise providing for any or all of the rights guaranteed or obligations imposed by any of those subsections to have application in a province to the extent and under the conditions stated in the amendment,

may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and the legislative assembly of the province to which the amendment applies.

Initiation of amendment procedure

(2) The procedure for amendment prescribed by subsection (1) may be initiated only by the legislative assembly of the province to which the amendment applies.

Initiation of amendment procedures

39. (1) The procedures for amendment prescribed by sections 36 and 37 may be initiated either by the Senate or House of Commons or by the legislative assembly or government of a province.

PARTIE V

PROCÉDURE PROVISOIRE DE MODIFICATION ET RÈGLES DE REMPLACEMENT

Procédure provisoire de modification

36. Avant l'entrée en vigueur de la partie VI, la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat et de la Chambre des communes et par l'assemblée législative ou le gouvernement de toutes les provinces.

Modification à l'égard de certaines provinces

37. Avant l'entrée en vigueur de la partie VI, les dispositions de la Constitution du Canada applicables à certaines provinces seulement peuvent être modifiées par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat et de la Chambre des communes et par l'assemblée législative ou le gouvernement de chaque province à laquelle la modification s'applique.

Modification concernant certains droits linguistiques

38. (1) Par dérogation à l'article 40, toute modification de la Constitution du Canada :

a) soit portant insertion du nom d'une province aux paragraphes 16(2), 17(2), 18(2), 19(2) ou 20(2),

b) soit prévoyant l'application à une province, aux conditions précisées dans la modification, de tout ou partie des droits ou obligations visés à ces paragraphes,

peut être prise par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province concernée.

Initiative de la procédure

(2) L'initiative de la procédure de modification visée au paragraphe (1) appartient à l'assemblée législative de la province concernée.

Initiative des procédures

39. (1) L'initiative des procédures de modification visées aux articles 36 et 37 appartient au Sénat, à la Chambre des communes, à l'assemblée législative d'une province ou au gouvernement de celle-ci.

Revocation of authorization

(2) A resolution made or other authorization given for the purposes of this Part may be revoked at any time before the issue of a proclamation authorized by it.

Possibilité de révocation

(2) La résolution adoptée ou l'autorisation donnée dans le cadre de la présente partie peut être révoquée à tout moment avant la date de la proclamation qu'elle autorise.

Limitation on use of interim amendment procedure

40. Sections 36 and 37 do not apply to an amendment to the Constitution of Canada where there is another provision in the Constitution for making the amendment, but the procedure prescribed by section 36 shall be used to amend the *Canadian Charter of Rights and Freedoms* and any provision for amending the Constitution, including this section.

Restriction du recours à la procédure provisoire

40. Les articles 36 et 37 ne s'appliquent pas aux cas de modification constitutionnelle pour lesquels une procédure différente est prévue par une autre disposition de la Constitution du Canada. La procédure visée à l'article 36 s'impose toutefois pour modifier la *Charte canadienne des droits et libertés*, ainsi que les dispositions relatives à la modification de la Constitution, y compris le présent article.

Coming into force of Part VI

41. Part VI shall come into force

(*a*) with or without amendment, on such day as may be fixed by proclamation issued pursuant to the procedure prescribed by section 36, or

(*b*) on the day that is two years after the day this Act, except Part VI, comes into force,

whichever is the earlier day but, if a referendum is required to be held under subsection 42(3), Part VI shall come into force as provided in section 43.

Entrée en vigueur de la partie VI

41. La partie VI entre en vigueur à la première des dates suivantes :

a) avec ou sans modification, à la date fixée par proclamation prise conformément à la procédure visée à l'article 36;

b) deux ans après l'entrée en vigueur, exception faite de la partie VI, de la présente loi.

Il demeure entendu que, si la tenue d'un référendum s'impose conformément au paragraphe 42(3), la partie VI entre en vigueur conformément à l'article 43.

Provincial alternative procedure

42. (1) The legislative assemblies of seven or more provinces that have, according to the then latest general census, combined populations of at least eighty per cent of the population of all the provinces may make a single proposal to substitute for paragraph 45(1)(*b*) such alternative as they consider appropriate.

Proposition de remplacement

42. (1) Les assemblées législatives d'au moins sept provinces dont la population confondue représente, selon le recensement général le plus récent à l'époque, au moins quatre-vingts pour cent de la population de toutes les provinces peuvent présenter une proposition commune en vue de remplacer la procédure prévue à l'alinéa 45(1)*b*).

Procedure for perfecting alternative

(2) One copy of an alternative proposed under subsection (1) may be deposited with the Chief Electoral Officer of Canada by each proposing province within two years after this Act, except Part VI, comes into force but, prior to the expiration of that period, any province that has deposited a copy may withdraw that copy.

Possibilité de mise au point

(2) Chaque province concernée peut déposer le texte de la proposition visée au paragraphe (1) auprès du directeur général des élections du Canada dans les deux ans suivant l'entrée en vigueur, exception faite de la partie VI, de la présente loi, étant entendu qu'elle peut retirer le texte au cours de cette période.

Referendum

(3) Where copies of an alternative have been deposited as provided by subsection (2) and, on the day that is two years after this Act, except Part VI, comes into force, at least seven copies remain deposited by provinces that have, according to the then latest

Référendum

(3) Dans les cas où, deux ans après l'entrée en vigueur, exception faite de la partie VI, de la présente loi, au moins sept provinces remplissant les conditions démographiques visées au paragraphe (1) n'ont pas retiré leur texte, le gouvernement du Canada

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general census, combined populations of at least eighty per cent of the population of all the provinces, the government of Canada shall cause a referendum to be held within two years after that day to determine whether

(*a*) paragraph 45(1)(*b*) or any alternative thereto approved by resolutions of the Senate and House of Commons and deposited with the Chief Electoral Officer at least ninety days prior to the day on which the referendum is held, or

(*b*) the alternative proposed by the provinces,

shall be adopted.

fait tenir, dans les deux années suivant l'échéance des deux ans, un référendum pour déterminer laquelle des procédures suivantes sera adoptée :

a) celle qui est prévue à l'alinéa 45(1)*b*) ou l'éventuelle procédure de remplacement adoptée par des résolutions du Sénat et de la Chambre des communes et dont le texte est déposé auprès du directeur général des élections au moins quatre-vingt-dix jours avant la date du référendum;

b) celle qui fait l'objet de la proposition des provinces.

Coming into force of Part VI where referendum held

43. Where a referendum is held under subsection 42(3), a proclamation under the Great Seal of Canada shall be issued within six months after the date of the referendum bringing Part VI into force with such modifications, if any, as are necessary to incorporate the proposal approved by a majority of the persons voting at the referendum and with such other changes as are reasonably consequential on the incorporation of that proposal.

43. Dans les six mois suivant la date du référendum visé au paragraphe 42(3), une proclamation sous le grand sceau du Canada est prise en vue de faire entrer en vigueur la partie VI, éventuellement modifiée dans la mesure nécessaire pour incorporer la proposition approuvée par la majorité des votants et pour intégrer les autres aménagements justifiés qui en découlent.

Entrée en vigueur de la partie VI après référendum

Right to vote

44. (1) Every citizen of Canada has, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, the right to vote in a referendum held under subsection 42(3).

44. (1) Tout citoyen canadien a le droit de vote au référendum visé au paragraphe 42(3); ce droit ne peut être restreint que par une règle de droit, dans des limites qui soient raisonnables et dont la justification puisse se démontrer dans le cadre d'une société libre et démocratique.

Droit de vote

Establishment of Referendum Rules Commission

(2) If a referendum is required to be held under subsection 42(3), a Referendum Rules Commission shall forthwith be established by commission issued under the Great Seal of Canada consisting of

(*a*) the Chief Electoral Officer of Canada, who shall be chairman of the Commission;

(*b*) a person appointed by the Governor General in Council; and

(*c*) a person appointed by the Governor General in Council

(i) on the recommendation of the governments of a majority of the provinces, or

(2) Dès que s'impose la tenue du référendum visé au paragraphe 42(3), il est constitué, par proclamation du gouverneur général sous le grand sceau du Canada, une commission référendaire composée :

a) du directeur général des élections du Canada, président;

b) d'une personne nommée par le gouverneur général en conseil;

c) d'une personne nommée par le gouverneur général en conseil :

(i) soit sur la recommandation des gouvernements de la majorité des provinces,

(ii) soit, si les gouvernements de la majorité des provinces ne présentent pas

Constitution de la commission référendaire

(ii) if the governments of a majority of the provinces do not recommend a candidate within thirty days after the Chief Electoral Officer of Canada requests such a recommendation, on the recommendation of the Chief Justice of Canada from among persons recommended by the governments of the provinces within thirty days after the expiration of the first mentioned thirty day period or, if none are so recommended, from among such persons as the Chief Justice considers qualified.

de candidat dans les trente jours suivant la demande que leur en fait le directeur général des élections du Canada, sur la recommandation du juge en chef du Canada, le candidat ainsi présenté étant choisi parmi les personnes recommandées par les gouvernements des provinces dans les trente jours suivant l'expiration du premier délai de trente jours ou, faute de recommandation, parmi les personnes que le juge en chef estime qualifiées.

Duty of Commission

(3) A Referendum Rules Commission shall cause rules for the holding of a referendum under subsection 42(3) approved by a majority of the Commission to be laid before Parliament within sixty days after the Commission is established or, if Parliament is not then sitting, on any of the first ten days next thereafter that Parliament is sitting.

Mandat de la commission

(3) Dans les soixante jours suivant sa constitution, la commission référendaire fait déposer devant le Parlement les règles applicables à la tenue du référendum visé au paragraphe 42(3), qu'elle aura approuvées par décision majoritaire. Si le Parlement ne siège pas, ce dépôt s'effectue dans les dix premier jours de séance ultérieurs.

Rules for referendum

(4) Subject to subsection (1) and taking into consideration any rules approved by a Referendum Rules Commission in accordance with subsection (3), Parliament may enact laws respecting the rules applicable to the holding of a referendum under subsection 42(3).

Réglementation du référendum

(4) Sous réserve du paragraphe (1) et compte tenu des règles déposées conformément au paragraphe (3), le Parlement peut légiférer pour réglementer la tenue du référendum visé au paragraphe 42(3).

Proclamation

(5) If Parliament does not enact laws under subsection (4) respecting the rules applicable to the holding of a referendum within sixty days after receipt of a recommendation from a Referendum Rules Commission, the rules recommended by the Commission shall forthwith be brought into force by proclamation issued by the Governor General under the Great Seal of Canada.

Proclamation

(5) Faute par le Parlement d'avoir légiféré, conformément au paragraphe (4), dans le délai de soixante jours suivant le dépôt des règles visées au paragraphe (3), celles-ci sont mises immédiatement en vigueur par proclamation du gouverneur général sous le grand sceau du Canada.

Computation of period

(6) Any period when Parliament is prorogued or dissolved shall not be counted in computing the sixty day period referred to in subsection (5).

Computation du délai

(6) Dans la computation du délai visé au paragraphe (5), ne sont pas comptés les jours pendant lesquels le Parlement est prorogé ou dissous.

Rules to have force of law

(7) Subject to subsection (1), rules made under this section have the force of law and prevail over other laws made under the Constitution of Canada to the extent of any inconsistency.

Valeur de force de loi des règles

(7) Sous réserve du paragraphe (1), les règles arrêtées en vertu du présent article ont force de loi et l'emportent sur les dispositions incompatibles de toute autre règle de droit fondée sur la Constitution du Canada.

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PART VI

PROCEDURE FOR AMENDING CONSTITUTION OF CANADA

General procedure for amending Constitution of Canada

45. (1) An amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by

(*a*) resolutions of the Senate and House of Commons; and

(*b*) resolutions of the legislative assemblies of at least a majority of the provinces that includes

(i) every province that at any time before the issue of the proclamation had, according to any previous general census, a population of at least twenty-five per cent of the population of Canada,

(ii) two or more of the Atlantic provinces, and

(iii) two or more of the Western provinces that have in the aggregate, according to the then latest general census, a population of at least fifty per cent of the population of all of the Western provinces.

Definitions

(2) In this section,

"Atlantic provinces"

"Atlantic provinces" means the provinces of Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland;

"Western provinces"

"Western provinces" means the provinces of Manitoba, British Columbia, Saskatchewan and Alberta.

Amendment authorized by referendum

46. (1) An amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by a referendum held throughout Canada under subsection (2) at which

(*a*) a majority of persons voting thereat, and

(*b*) a majority of persons voting thereat in each of the provinces, resolutions of the legislative assemblies of which would be

PARTIE VI

PROCÉDURE DE MODIFICATION DE LA CONSTITUTION DU CANADA

Procédure normale de modification

45. (1) La Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée à la fois :

a) par des résolutions du Sénat et de la Chambre des communes;

b) par des résolutions des assemblées législatives d'une majorité des provinces; cette majorité doit comprendre :

(i) chaque province dont la population, avant la date de cette proclamation, représentait, selon un recensement général antérieur quelconque, au moins vingt-cinq pour cent de la population du Canada,

(ii) au moins deux des provinces de l'Atlantique,

(iii) au moins deux des provinces de l'Ouest, à condition que la population confondue des provinces consentantes représente, selon le recensement général le plus récent à l'époque, au moins cinquante pour cent de la population de l'ensemble des provinces de l'Ouest.

Définitions

(2) Les définitions qui suivent s'appliquent au présent article.

«provinces de l'Atlantique»

«provinces de l'Atlantique» Les provinces de la Nouvelle-Écosse, du Nouveau-Brunswick, de l'Île-du-Prince-Édouard et de Terre-Neuve.

«provinces de l'Ouest»

«provinces de l'Ouest» Les provinces du Manitoba, de la Colombie-Britannique, de la Saskatchewan et de l'Alberta.

Modification autorisée par référendum

46. (1) La Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par un référendum tenu dans tout le pays conformément au paragraphe (2) et lors duquel la modification a été approuvée :

a) d'une part, à la majorité des votants;

b) d'autre part, à la majorité des votants de chacune des provinces dont les résolutions de leurs assemblées législatives suffiraient, avec les résolutions du Sénat et de

sufficient, together with resolutions of the Senate and House of Commons, to authorize the issue of a proclamation under subsection 45(1),

have approved the making of the amendment.

la Chambre des communes, à autoriser la proclamation mentionnée au paragraphe 45(1).

Authorization of referendum

(2) A referendum referred to in subsection (1) shall be held where directed by proclamation issued by the Governor General under the Great Seal of Canada, which proclamation may be issued where

(*a*) an amendment to the Constitution of Canada has been authorized under paragraph 45(1)(*a*) by resolutions of the Senate and House of Commons;

(*b*) the requirements of paragraph 45(1)(*b*) in respect of the proposed amendment have not been satisfied within twelve months after the passage of the resolutions of the Senate and House of Commons; and

(*c*) the issue of the proclamation has been authorized by the Governor General in Council.

Autorisation de référendum

(2) L'ordre de tenue du référendum mentionné au paragraphe (1) est donné par proclamation du gouverneur général sous le grand sceau du Canada. Cette proclamation est assujettie aux conditions suivantes :

a) le Sénat et la Chambre des communes ont, conformément à l'alinéa 45(1)*a*), adopté des résolutions autorisant la modification de la Constitution du Canada;

b) les dispositions de l'alinéa 45(1)*b*) applicables au projet de modification n'ont pas été observées dans les douze mois suivant l'adoption des résolutions du Sénat et de la Chambre des communes;

c) le gouverneur général en conseil a autorisé la proclamation.

Time limit for referendum

(3) A proclamation issued under subsection (2) in respect of a referendum shall provide for the referendum to be held within two years after the expiration of the twelve month period referred to in paragraph (*b*) of that subsection.

Délai de tenue du référendum

(3) La proclamation visée au paragraphe (2) fixe la tenue du référendum pour une date comprise dans les deux ans qui suivent l'expiration du délai de douze mois mentionné à l'alinéa *b*) de ce paragraphe.

Amendment of provisions relating to some but not all provinces

47. An amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies.

Modification à l'égard de certaines provinces

47. Les dispositions de la Constitution du Canada applicables à certaines provinces seulement peuvent être modifiées par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province à laquelle la modification s'applique.

Amendments respecting certain language rights

48. (1) Notwithstanding section 54, an amendment to the Constitution of Canada

(*a*) adding a province as a province named in subsection 16(2), 17(2), 18(2), 19(2) or 20(2), or

(*b*) otherwise providing for any or all of the rights guaranteed or obligations imposed by any of those subsections to have application in a province to the extent and under the conditions stated in the amendment,

Modification concernant certains droits linguistiques

48. (1) Par dérogation à l'article 54, toute modification de la Constitution du Canada :

a) soit portant insertion du nom d'une province aux paragraphes 16(2), 17(2), 18(2), 19(2) ou 20(2),

b) soit prévoyant l'application à une province, aux conditions précisées dans la modification, de tout ou partie des droits ou obligations visés à ces paragraphes,

may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and the legislative assembly of the province to which the amendment applies.

peut être prise par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province concernée.

Initiation of amendment procedure

(2) The procedure for amendment prescribed by subsection (1) may be initiated only by the legislative assembly of the province to which the amendment applies.

(2) L'initiative de la procédure de modification visée au paragraphe (1) appartient à l'assemblée législative de la province concernée.

Initiation de la procédure

Initiation of amendment procedures

49. (1) The procedures for amendment prescribed by subsection 45(1) and section 47 may be initiated either by the Senate or House of Commons or by the legislative assembly of a province.

49. (1) L'initiative des procédures de modification visées au paragraphe 45(1) et à l'article 47 appartient au Sénat, à la Chambre des communes ou à l'assemblée législative d'une province.

Initiative des procédures

Revocation of authorization

(2) A resolution made for the purposes of this Part may be revoked at any time before the issue of a proclamation authorized by it.

(2) La résolution adoptée dans le cadre de la présente partie peut être révoquée à tout moment avant la date de la proclamation qu'elle autorise.

Possibilité de révocation

Right to vote

50. (1) Every citizen of Canada has, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, the right to vote in a referendum held under section 46.

50. (1) Tout citoyen canadien a le droit de vote au référendum visé à l'article 46; ce droit ne peut être restreint que par une règle de droit, dans des limites qui soient raisonnables et dont la justification puisse se démontrer dans le cadre d'une société libre et démocratique.

Droit de vote

Establishment of Referendum Rules Commission

(2) Where a referendum is to be held under section 46, a Referendum Rules Commission shall forthwith be established by commission issued under the Great Seal of Canada consisting of

(*a*) the Chief Electoral Officer of Canada, who shall be chairman of the Commission;

(*b*) a person appointed by the Governor General in Council; and

(*c*) a person appointed by the Governor General in Council

(i) on the recommendation of the governments of a majority of the provinces, or

(ii) if the governments of a majority of the provinces do not recommend a candidate within thirty days after the Chief Electoral Officer of Canada requests such a recommendation, on the recommendation of the Chief Justice of Canada from among persons recommended by the governments of the prov-

(2) Dès que s'impose la tenue du référendum visé à l'article 46, il est constitué, par proclamation du gouverneur général sous le grand sceau du Canada, une commission référendaire composée :

a) du directeur général des élections du Canada, président;

b) d'une personne nommée par le gouverneur général en conseil;

c) d'une personne nommée par le gouverneur général en conseil :

(i) soit sur la recommandation des gouvernements de la majorité des provinces,

(ii) soit, si les gouvernements de la majorité des provinces ne présentent pas de candidat dans les trente jours suivant la demande que leur en fait le directeur général des élections du Canada, sur la recommandation du juge en chef du Canada, le candidat ainsi présenté étant choisi parmi les personnes recommandées par les gouvernements des provin-

Constitution de la commission référendaire

inces within thirty days after the expiration of the first mentioned thirty day period or, if none are so recommended, from among such persons as the Chief Justice considers qualified.

ces dans les trente jours suivant l'expiration du premier délai de trente jours ou, faute de recommandation, parmi les personnes que le juge en chef estime qualifiées.

Duty of Commission

(3) A Referendum Rules Commission shall cause rules for the holding of a referendum under section 46 approved by a majority of the Commission to be laid before Parliament within sixty days after the Commission is established or, if Parliament is not then sitting, on any of the first ten days next thereafter that Parliament is sitting.

Mandat de la commission

(3) Dans les soixante jours suivant sa constitution, la commission référendaire fait déposer devant le Parlement les règles applicables à la tenue du référendum visé à l'article 46, qu'elle aura approuvées par décision majoritaire. Si le Parlement ne siège pas, ce dépôt s'effectue dans les dix premier jours de séance ultérieurs.

Rules for referendum

(4) Subject to subsection (1) and taking into consideration any rules approved by a Referendum Rules Commission in accordance with subsection (3), Parliament may enact laws respecting the rules applicable to the holding of a referendum under section 46.

Réglementation du référendum

(4) Sous réserve du paragraphe (1) et compte tenu des règles déposées conformément au paragraphe (3), le Parlement peut légiférer pour réglementer la tenue du référendum visé à l'article 46.

Proclamation

(5) If Parliament does not enact laws under subsection (4) respecting the rules applicable to the holding of a referendum within sixty days after receipt of a recommendation from a Referendum Rules Commission, the rules recommended by the Commission shall forthwith be brought into force by proclamation issued by the Governor General under the Great Seal of Canada.

Proclamation

(5) Faute par le Parlement d'avoir légiféré, conformément au paragraphe (4), dans le délai de soixante jours suivant le dépôt des règles visées au paragraphe (3), celles-ci sont mises immédiatement en vigueur par proclamation du gouverneur général sous le grand sceau du Canada.

Computation of period

(6) Any period when Parliament is prorogued or dissolved shall not be counted in computing the sixty day period referred to in subsection (5).

Computation du délai

(6) Dans la computation du délai visé au paragraphe (5), ne sont pas comptés les jours pendant lesquels le Parlement est prorogé ou dissous.

Rules to have force of law

(7) Subject to subsection (1), rules made under this section have the force of law and prevail over other laws made under the Constitution of Canada to the extent of any inconsistency.

Valeur de force de loi des règles

(7) Sous réserve du paragraphe (1), les règles arrêtées en vertu du présent article ont force de loi et l'emportent sur les dispositions incompatibles de toute autre règle de droit fondée sur la Constitution du Canada.

Limitation on use of general amendment procedure

51. (1) The procedures prescribed by section 45, 46 or 47 do not apply to an amendment to the Constitution of Canada where there is another provision in the Constitution for making the amendment, but the procedures prescribed by section 45 or 46 shall, nevertheless, be used to amend any provision for amending the Constitution, including this section.

Restriction du recours à la procédure normale de modification

51. (1) Les articles 45, 46 ou 47 ne s'appliquent pas aux cas de modification constitutionnelle pour lesquels une procédure différente est prévue par une autre disposition de la Constitution du Canada. La procédure visée aux articles 45 ou 46 s'impose toutefois pour modifier les dispositions relatives à la modification de la Constitution, y compris le présent article.

S.O. 21(2)

Idem

(2) The procedures prescribed by section 45 or 46 do not apply in respect of an amendment referred to in section 47.

(2) Les procédures prévues aux articles 45 ou 46 ne s'appliquent pas à la modification visée à l'article 47. Idem

Amendments by Parliament

52. Subject to section 54, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate or House of Commons.

52. Sous réserve de l'article 54, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat et à la Chambre des communes. Modification par le Parlement

Amendments by provincial legislatures

53. Subject to section 54, the legislature of each province may exclusively make laws amending the constitution of the province.

53. Sous réserve de l'article 54, la législature de chaque province a compétence exclusive pour modifier la constitution de celle-ci. Modification par les législatures provinciales

Matters requiring amendment under general amendment procedure

54. An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with a procedure prescribed by section 45 or 46:

(*a*) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(*b*) the *Canadian Charter of Rights and Freedoms;*

(*c*) the commitments relating to equalization and regional disparities set out in section 34;

(*d*) the powers of the Senate;

(*e*) the number of members by which a province is entitled to be represented in the Senate;

(*f*) the method of selecting Senators and the residence qualifications of Senators;

(*g*) the right of a province to a number of members in the House of Commons not less than the number of Senators representing the province; and

(*h*) the principles of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada.

54. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait selon la procédure visée aux articles 45 ou 46 : Recours obligatoire à la procédure normale de modification

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) la *Charte canadienne des droits et libertés*;

c) les engagements énoncés, en matière de péréquation et d'inégalités régionales, à l'article 34;

d) les pouvoirs du Sénat;

e) le nombre de sénateurs représentant chaque province au Sénat;

f) le mode de sélection des sénateurs et les conditions de résidence qu'ils doivent remplir;

g) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui de ses sénateurs;

h) les principes de la représentation proportionnelle des provinces à la Chambre des communes prévus par la Constitution du Canada.

Consequential amendments

55. (1) Class 1 of section 91 and class 1 of section 92 of the *Constitution Act, 1867* (formerly named the *British North America Act, 1867*), the *British North America (No. 2) Act, 1949*, referred to in item 22 of Schedule I to this Act and Parts IV and V of this Act are repealed.

55. (1) La rubrique 1 de l'article 91 et la rubrique 1 de l'article 92 de la *Loi constitutionnelle de 1867* (antérieurement désignée sous le titre : *Acte de l'Amérique du Nord britannique, 1867*), l'*Acte de l'Amérique du Nord britannique (nº 2), 1949*, mentionné au nº 22 de l'annexe I de la présente loi, et les parties IV et V de la présente loi sont abrogés. Modifications corrélatives

Idem

(2) When Parts IV and V of this Act are repealed, this section may be repealed and this Act may be renumbered, consequential upon the repeal of those Parts and this section, by proclamation issued by the Governor General under the Great Seal of Canada.

Idem

(2) Dès l'abrogation des parties IV et V de la présente loi, le gouverneur général peut, par proclamation sous le grand sceau du Canada, abroger le présent article et changer en conséquence de cette double abrogation la numérotation de la présente loi.

PART VII

AMENDMENT TO THE CONSTITUTION ACT, 1867

PARTIE VII

MODIFICATION DE LA LOI CONSTITUTIONNELLE DE 1867

Amendment to *Constitution Act, 1867*

56. (1) The *Constitution Act, 1867* (formerly named the *British North America Act, 1867*) is amended by adding thereto, immediately after section 92 thereof, the following heading and section:

Modification de la *Loi constitutionnelle de 1867*

56. (1) La *Loi constitutionnelle de 1867* (antérieurement désignée sous le titre : *Acte de l'Amérique du Nord britannique, 1867*) est modifiée par l'insertion, après l'article 92, de la rubrique et de l'article suivants :

"*Non-Renewable Natural Resources, Forestry Resources and Electrical Energy*

«*Ressources naturelles non renouvelables, ressources forestières et énergie électrique*

Laws respecting non-renewable natural resources, forestry resources and electrical energy

92A. (1) In each province, the legislature may exclusively make laws in relation to

(*a*) exploration for non-renewable natural resources in the province;

(*b*) development, conservation and management of non-renewable natural resources and forestry resources in the province, including laws in relation to the rate of primary production therefrom; and

(*c*) development, conservation and management of sites and facilities in the province for the generation and production of electrical energy.

Compétence provinciale

92A. (1) La législature de chaque province a compétence exclusive pour légiférer dans les domaines suivants :

a) prospection des ressources naturelles non renouvelables de la province;

b) exploitation, conservation et gestion des ressources naturelles non renouvelables et des ressources forestières de la province, y compris leur rythme de production primaire;

c) aménagement, conservation et gestion des emplacements et des installations de la province destinés à la production d'énergie électrique.

Export from provinces of resources

(2) In each province, the legislature may make laws in relation to the export from the province to another part of Canada of the primary production from non-renewable natural resources and forestry resources in the province and the production from facilities in the province for the generation of electrical energy, but such laws may not authorize or provide for discrimination in prices or in supplies exported to another part of Canada.

Exportation hors des provinces

(2) La législature de chaque province a compétence pour légiférer en ce qui concerne l'exportation, hors de la province, à destination d'une autre partie du Canada, de la production primaire tirée des ressources naturelles non renouvelables et des ressources forestières de la province, ainsi que de la production d'énergie électrique de la province, sous réserve de ne pas adopter de lois autorisant ou prévoyant des disparités de prix ou des disparités dans les exportations destinées à une autre partie du Canada.

Authority of Parliament

(3) Nothing in subsection (2) derogates from the authority of Parliament to enact laws in relation to the matters referred to

Pouvoir du Parlement

(3) Le paragraphe (2) ne porte pas atteinte au pouvoir du Parlement de légiférer dans les domaines visés à ce paragra-

in that subsection and, where such a law of Parliament and a law of a province conflict, the law of Parliament prevails to the extent of the conflict.

phe, les dispositions d'une loi du Parlement adoptée dans ces domaines l'emportant sur les dispositions incompatibles d'une loi provinciale.

Taxation of resources

(4) In each province, the legislature may make laws in relation to the raising of money by any mode or system of taxation in respect of

(*a*) non-renewable natural resources and forestry resources in the province and the primary production therefrom, and

(*b*) sites and facilities in the province for the generation of electrical energy and the production therefrom,

whether or not such production is exported in whole or in part from the province, but such laws may not authorize or provide for taxation that differentiates between production exported to another part of Canada and production not exported from the province.

(4) La législature de chaque province a compétence pour prélever des sommes d'argent par tout mode ou système de taxation : Taxation des ressources

a) des ressources naturelles non renouvelables et des ressources forestières de la province, ainsi que de la production primaire qui en est tirée;

b) des emplacements et des installations de la province destinés à la production d'énergie électrique, ainsi que cette production même.

Cette compétence peut s'exercer indépendamment du fait que la production en cause soit ou non, en totalité ou en partie, exportée hors de la province, mais les lois adoptées dans ces domaines ne peuvent autoriser ou prévoir une taxation qui établisse une distinction entre la production exportée à destination d'une autre partie du Canada et la production non exportée hors de la province.

"Primary production"

(5) The expression "primary production" has the meaning assigned by the Sixth Schedule.

(5) L'expression «production primaire» a le sens qui lui est donné dans la sixième annexe. «Production primaire»

Existing powers or rights

(6) Nothing in subsections (1) to (5) derogates from any powers or rights that a legislature or government of a province had immediately before the coming into force of this section."

(6) Les paragraphes (1) à (5) ne portent pas atteinte aux pouvoirs ou droits détenus par la législature ou le gouvernement d'une province lors de l'entrée en vigueur du présent article.» Pouvoirs ou droits existants

Idem

57. The said Act is further amended by adding thereto the following Schedule:

57. La présente loi est en outre modifiée par l'adjonction de l'annexe suivante : Idem

"THE SIXTH SCHEDULE

Primary Production from Non-Renewable Natural Resources and Forestry Resources

1. For the purposes of section 92A of this Act,

(*a*) production from a non-renewable natural resource is primary production therefrom if

«SIXIÈME ANNEXE

Production primaire tirée des ressources naturelles non renouvelables et des ressources forestières

1. Pour l'application de l'article 92A :

a) on entend par production primaire tirée d'une ressource naturelle non renouvelable :

(i) it is in the form in which it exists upon its recovery or severance from its natural state, or

(ii) it is a product resulting from processing or refining the resource, and is not a manufactured product or a product resulting from refining crude oil, refining upgraded heavy crude oil, refining gases or liquids derived from coal or refining a synthetic equivalent of crude oil; and

(*b*) production from a forestry resource is primary production therefrom if it consists of sawlogs, poles, lumber, wood chips, sawdust or any other primary wood product, or wood pulp, and is not a product manufactured from wood."

(i) soit le produit qui se présente sous la même forme que lors de son extraction du milieu naturel,

(ii) soit le produit non manufacturé de la transformation, du raffinage ou de l'affinage d'une ressource, à l'exception du produit du raffinage du pétrole brut, du raffinage du pétrole brut lourd amélioré, du raffinage des gaz ou des liquides dérivés du charbon ou du raffinage d'un équivalent synthétique du pétrole brut;

b) on entend par production primaire tirée d'une ressource forestière la production constituée de billots, de poteaux, de bois d'œuvre, de copeaux, de sciure ou d'autre produit primaire du bois, ou de pâte de bois, à l'exception d'un produit manufacturé en bois.»

PART VIII

GENERAL

PARTIE VIII

DISPOSITIONS GÉNÉRALES

Primacy of Constitution of Canada

58. (1) The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

Primauté de la Constitution du Canada

58. (1) La Constitution du Canada est la loi suprême du Canada; elle rend inopérantes les dispositions incompatibles de toute autre règle de droit.

Constitution of Canada

(2) The Constitution of Canada includes

(*a*) the *Canada Act*;

(*b*) the Acts and orders referred to in Schedule I; and

(*c*) any amendment to any Act or order referred to in paragraph (*a*) or (*b*).

Constitution du Canada

(2) La Constitution du Canada comprend :

a) la *Loi sur le Canada*;

b) les textes législatifs et les décrets figurant à l'annexe I;

c) les modifications aux textes législatifs et aux décrets mentionnés aux alinéas *a*) ou *b*).

Amendments to Constitution of Canada

(3) Amendments to the Constitution of Canada shall be made only in accordance with the authority contained in the Constitution of Canada.

Modification

(3) La Constitution du Canada ne peut être modifiée que conformément aux pouvoirs conférés par elle.

Repeals and new names

59. (1) The enactments referred to in Column I of Schedule I are hereby repealed or amended to the extent indicated in Column II thereof and, unless repealed, shall continue as law in Canada under the names set out in Column III thereof.

Abrogation et nouveaux titres

59. (1) Les textes législatifs énumérés à la colonne I de l'annexe I sont abrogés ou modifiés dans la mesure indiquée à la colonne II. Sauf abrogation, ils restent en vigueur en tant que lois du Canada sous les titres mentionnés à la colonne III.

Consequential amendments

(2) Every enactment, except the *Canada Act*, that refers to an enactment referred to in Schedule I by the name in Column I thereof is hereby amended by substituting

Modifications corrélatives

(2) Toute loi, sauf la *Loi sur le Canada*, qui fait mention d'une loi figurant à l'annexe I par le titre indiqué à la colonne I est modifiée par substitution à ce titre du titre

for that name the corresponding name in Column III thereof, and any British North America Act not referred to in Schedule I may be cited as the *Constitution Act* followed by the year and number, if any, of its enactment.

correspondant mentionné à la colonne III; tout Acte de l'Amérique du Nord Britannique non mentionné à l'annexe I peut être cité sous le titre de *Loi constitutionnelle* suivi de l'indication de l'année de son adoption et éventuellement de son numéro.

French version of Constitution of Canada

60. A French version of the portions of the Constitution of Canada referred to in Schedule I shall be prepared by the Minister of Justice of Canada as expeditiously as possible and, when any portion thereof sufficient to warrant action being taken has been so prepared, it shall be put forward for enactment by proclamation issued by the Governor General under the Great Seal of Canada pursuant to the procedure then applicable to an amendment of the same provisions of the Constitution of Canada.

60. Le ministre de la Justice du Canada est chargé de rédiger, dans les meilleurs délais, la version française des parties de la Constitution du Canada qui figurent à l'annexe I; toute partie suffisamment importante est, dès qu'elle est prête, déposée pour adoption par proclamation du gouverneur général sous le grand sceau du Canada, conformément à la procédure applicable à l'époque à la modification des dispositions constitutionnelles qu'elle contient.

Version française de certains textes constitutionnels

English and French versions of certain constitutional texts

61. Where any portion of the Constitution of Canada has been or is enacted in English and French or where a French version of any portion of the Constitution is enacted pursuant to section 60, the English and French versions of that portion of the Constitution are equally authoritative.

61. Les versions française et anglaise des parties de la Constitution du Canada adoptées dans ces deux langues ont également force de loi. En outre, ont également force de loi, dès l'adoption, dans le cadre de l'article 60, d'une partie de la version française de la Constitution, cette partie et la version anglaise correspondante.

Versions française et anglaise de certains textes constitutionnels

English and French versions of this Act

62. The English and French versions of this Act are equally authoritative.

62. Les versions française et anglaise de la présente loi ont également force de loi.

Versions française et anglaise de la présente loi

Commencement

63. Subject to section 64, this Act shall come into force on a day to be fixed by proclamation issued by the Governor General under the Great Seal of Canada.

63. Sous réserve de l'article 64, la présente loi entre en vigueur au jour fixé par proclamation du gouverneur général sous le grand sceau du Canada.

Entrée en vigueur

Exception

64. Part VI shall come into force as provided in Part V.

64. La partie VI entre en vigueur dans les conditions prévues à la partie V.

Exception

Short title and citations

65. This Schedule may be cited as the *Constitution Act, 1981*, and the Constitution Acts 1867 to 1975 (No. 2) and this Act may be cited together as the *Constitution Acts, 1867 to 1981.*

65. Titre abrégé de la présente annexe : *Loi constitutionnelle de 1981*; titre commun des lois constitutionnelles de 1867 à 1975 (nº 2) et de la présente loi : *Lois constitutionnelles de 1867 à 1981.*

Titres

S.O. 21(2)

SCHEDULE I

to the

CONSTITUTION ACT, 1981

MODERNIZATION OF THE CONSTITUTION

Item	Column I Act Affected	Column II Amendment	Column III New Name
1.	British North America Act, 1867, 30-31 Vict., c. 3 (U.K.)	(1) Section 1 is repealed and the following substituted therefor: "1. This Act may be cited as the *Constitution Act, 1867*." (2) Section 20 is repealed.	Constitution Act, 1867
2.	An Act to amend and continue the Act 32-33 Victoria chapter 3; and to establish and provide for the Government of the Province of Manitoba, 1870, 33 Vict., c. 3 (Can.)	(1) The long title is repealed and the following substituted therefor: "*Manitoba Act, 1870.*" (2) Section 20 is repealed.	Manitoba Act, 1870
3.	Order of Her Majesty in Council admitting Rupert's Land and the North-Western Territory into the union, dated the 23rd day of June, 1870		Rupert's Land and North-Western Territory Order
4.	Order of Her Majesty in Council admitting British Columbia into the Union, dated the 16th day of May, 1871.		British Columbia Terms of Union
5.	British North America Act, 1871, 34-35 Vict., c. 28 (U.K.)	Section 1 is repealed and the following substituted therefor: "1. This Act may be cited as the *Constitution Act, 1871*."	Constitution Act, 1871
6.	Order of Her Majesty in Council admitting Prince Edward Island into the Union, dated the 26th day of June, 1873.		Prince Edward Island Terms of Union
7.	Parliament of Canada Act, 1875, 38-39 Vict., c. 38 (U.K.)		Parliament of Canada Act, 1875
8.	Order of Her Majesty in Council admitting all British possessions and Territories in North America and islands adjacent thereto into the Union, dated the 31st day of July, 1880.		Adjacent Territories Order

S.O. 21(2)

ANNEXE I

LOI CONSTITUTIONNELLE DE 1981

ACTUALISATION DE LA CONSTITUTION

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
1.	Acte de l'Amérique du Nord britannique, 1867, 30-31 Vict., c. 3 (R.-U.)	(1) L'article 1 est abrogé et remplacé par ce qui suit : «1. Titre abrégé : *Loi constitutionnelle de 1867*.» (2) L'article 20 est abrogé.	Loi constitutionnelle de 1867
2.	Acte pour amender et continuer l'acte trente-deux et trente-trois Victoria, chapitre trois, et pour établir et constituer le gouvernement de la province de Manitoba, 1870, 33 Vict., c. 3 (Canada)	(1) Le titre complet est abrogé et remplacé par ce qui suit : «*Loi de 1870 sur le Manitoba*.» (2) L'article 20 est abrogé.	Loi de 1870 sur le Manitoba
3.	Arrêté en conseil de Sa Majesté admettant la Terre de Rupert et le Territoire du Nord-Ouest, en date du 23 juin 1870		Décret en conseil sur la terre de Rupert et le territoire du Nord-Ouest
4.	Arrêté en conseil de Sa Majesté admettant la Colombie-Britannique, en date du 16 mai 1871		Conditions de l'adhésion de la Colombie-Britannique
5.	Acte de l'Amérique du Nord britannique, 1871, 34-35 Vict., c. 28 (R.-U.)	L'article 1 est abrogé et remplacé par ce qui suit : «1. Titre abrégé : *Loi constitutionnelle de 1871*.»	Loi constitutionnelle de 1871
6.	Arrêté en conseil de Sa Majesté admettant l'Île-du-Prince-Édouard, en date du 26 juin 1873		Conditions de l'adhésion de l'Île-du-Prince-Édouard
7.	Acte du Parlement du Canada, 1875, 38-39 Vict., c. 38 (R.-U.)		Loi de 1875 sur le Parlement du Canada
8.	Arrêté en conseil de Sa Majesté admettant dans l'Union tous les territoires et possessions britanniques dans l'Amérique du Nord, et les îles adjacentes à ces territoires et possessions, en date du 31 juillet 1880		Décret en conseil sur les territoires adjacents

S.O. 21(2)

SCHEDULE I

to the

CONSTITUTION ACT, 1981—*Continued*

Item	Column I Act Affected	Column II Amendment	Column III New Name
9.	British North America Act, 1886, 49-50 Vict., c. 35 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act, 1886*."	Constitution Act, 1886
10.	Canada (Ontario Boundary) Act, 1889, 52-53 Vict., c. 28 (U.K.)		Canada (Ontario Boundary) Act, 1889
11.	Canadian Speaker (Appointment of Deputy) Act, 1895, 2nd Sess., 59 Vict., c. 3 (U.K.)	The Act is repealed.	
12.	The Alberta Act, 1905 4-5 Edw. VII, c. 3 (Can.)		Alberta Act
13.	The Saskatchewan Act, 1905, 4-5 Edw. VII, c. 42 (Can.)		Saskatchewan Act
14.	British North America Act, 1907, 7 Edw. VII, c. 11 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1907*."	Constitution Act, 1907
15.	British North America Act, 1915, 5-6 Geo. V, c. 45 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act, 1915*."	Constitution Act, 1915
16.	British North America Act, 1930, 20-21 Geo. V, c. 26 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act, 1930*."	Constitution Act, 1930
17.	Statute of Westminster, 1931, 22 Geo. V, c. 4 (U.K.)	In so far as they apply to Canada, (*a*) section 4 is repealed; and (*b*) subsection 7(1) is repealed.	Statute of Westminster, 1931
18.	British North America Act, 1940, 3-4 Geo. VI, c. 36 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1940*."	Constitution Act, 1940

S.O. 21(2)

ANNEXE I (*suite*)

LOI CONSTITUTIONNELLE DE 1981

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
9.	Acte de l'Amérique du Nord britannique, 1886, 49-50 Vict., c. 35 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle de 1886.*»	Loi constitutionnelle de 1886
10.	Acte du Canada (limites d'Ontario) 1889, 52-53 Vict., c. 28 (R.-U.)		Loi de 1889 sur le Canada (frontières de l'Ontario)
11.	Acte concernant l'Orateur canadien (nomination d'un suppléant) 1895, 2e session, 59 Vict., c. 3 (R.-U.)	La loi est abrogée.	
12.	Acte de l'Alberta, 1905, 4-5 Ed. VII, c. 3 (Canada)		Loi sur l'Alberta
13.	Acte de la Saskatchewan, 1905, 4-5 Ed. VII, c. 42 (Canada)		Loi sur la Saskatchewan
14.	Acte de l'Amérique du Nord britannique, 1907, 7 Ed. VII, c. 11 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1907.*»	Loi constitutionnelle de 1907
15.	Acte de l'Amérique du Nord britannique, 1915, 5-6 Geo. V, c. 45 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle de 1915.*»	Loi constitutionnelle de 1915
16.	Acte de l'Amérique du Nord britannique, 1930, 20-21 Geo. V, c. 26 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle de 1930.*»	Loi constitutionnelle de 1930
17.	Statut de Westminster, 1931, 22 Geo. V, c. 4 (R.-U.)	Dans la mesure où ils s'appliquent au Canada : *a*) l'article 4 est abrogé; *b*) le paragraphe 7(1) est abrogé.	Statut de Westminster de 1931
18.	Acte de l'Amérique du Nord britannique, 1940, 3-4 Geo. VI, c. 36 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1940.*»	Loi constitutionnelle de 1940

S.O. 21(2)

SCHEDULE I

to the

CONSTITUTION ACT, 1981—*Continued*

Item	Column I Act Affected	Column II Amendment	Column III New Name
19.	British North America Act, 1943, 6-7 Geo. VI, c. 30 (U.K.)	The Act is repealed.	
20.	British North America Act, 1946, 9-10 Geo. VI, c. 63 (U.K.)	The Act is repealed.	
21.	British North America Act, 1949, 12-13 Geo. VI, c. 22 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Newfoundland Act*."	Newfoundland Act
22.	British North America (No. 2) Act, 1949, 13 Geo. VI, c. 81 (U.K.)	The Act is repealed. (effective when section 55 of the *Constitution Act, 1981* comes into force)	
23.	British North America Act, 1951, 14-15 Geo. VI, c. 32 (U.K.)	The Act is repealed.	
24.	British North America Act, 1952, 1 Eliz. II, c. 15 (Can.)	The Act is repealed.	
25.	British North America Act, 1960, 9 Eliz. II, c. 2 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1960*."	Constitution Act, 1960
26.	British North America Act, 1964, 12-13 Eliz. II, c. 73 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1964*."	Constitution Act, 1964
27.	British North America Act, 1965, 14 Eliz. II, c. 4, Part I (Can.)	Section 2 is repealed and the following substituted therefor: "2. This Part may be cited as the *Constitution Act, 1965*."	Constitution Act, 1965

S.O. 21(2)

ANNEXE I (*suite*)

LOI CONSTITUTIONNELLE DE 1981

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
19.	Acte de l'Amérique du Nord britannique, 1943, 6-7 Geo. VI, c. 30 (R.-U.)	La loi est abrogée.	
20.	Acte de l'Amérique du Nord britannique, 1946, 9-10 Geo. VI, c. 63 (R.-U.)	La loi est abrogée.	
21.	Acte de l'Amérique du Nord britannique, 1949, 12-13 Geo. VI, c. 22 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi sur Terre-Neuve.*»	Loi sur Terre-Neuve
22.	Acte de l'Amérique du Nord britannique (N° 2), 1949, 13 Geo. VI, c. 81 (R.-U.)	La loi est abrogée lors de l'entrée en vigueur de l'article 55 de la *Loi constitutionnelle de 1981.*	
23.	Acte de l'Amérique du Nord britannique, 1951, 14-15 Geo. VI, c. 32 (R.-U.)	La loi est abrogée.	
24.	Acte de l'Amérique du Nord britannique, 1952, 1 Eliz. II, c. 15 (Canada)	La loi est abrogée.	
25.	Acte de l'Amérique du Nord britannique, 1960, 9 Eliz. II, c. 2 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1960.*»	Loi constitutionnelle de 1960
26.	Acte de l'Amérique du Nord britannique, 1964, 12-13 Eliz. II, c. 73 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1964.*»	Loi constitutionnelle de 1964
27.	Acte de l'Amérique du Nord britannique, 1965, 14 Eliz. II, c. 4, Partie I (Canada)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé de la présente partie : *Loi constitutionnelle de 1965.*»	Loi constitutionnelle de 1965

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SCHEDULE I

to the

CONSTITUTION ACT, 1981—*Concluded*

Item	Column I Act Affected	Column II Amendment	Column III New Name
28.	British North America Act, 1974, 23 Eliz. II, c. 13, Part I (Can.)	Section 3, as amended by 25-26 Eliz. II, c. 28, s. 38(1) (Can.) is repealed and the following substituted therefor: "3. This Part may be cited as the *Constitution Act, 1974*."	Constitution Act, 1974
29.	British North America Act, 1975, 23-24 Eliz. II, c. 28, Part I (Can.)	Section 3, as amended by 25-26 Eliz. II, c. 28, s. 31 (Can.) is repealed and the following substituted therefor: "3. This Part may be cited as the *Constitution Act (No. 1), 1975*."	Constitution Act (No. 1), 1975
30.	British North America Act (No. 2), 1975, 23-24 Eliz. II, c. 53 (Can.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act (No. 2), 1975*."	Constitution Act (No. 2), 1975

—*The Minister of Justice*

S.O. 21(2)

ANNEXE I (*fin*)

LOI CONSTITUTIONNELLE DE 1981

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
28.	Acte de l'Amérique du Nord britannique, 1974, 23 Eliz. II, c. 13, I (Canada)	L'article 3, modifié par le paragraphe 38(1) de la loi 25-26 Elizabeth II, c. 28 (Canada), est abrogé et remplacé par ce qui suit : «3. Titre abrégé de la présente partie : *Loi constitutionnelle de 1974*.»	Loi constitutionnelle de 1974
29.	Acte de l'Amérique du Nord britannique, 1975, 23-24 Eliz. II, c. 28, Partie I (Canada)	L'article 3, modifié par l'article 31 de la loi 25-26 Elizabeth II, c. 28 (Canada), est abrogé et remplacé par ce qui suit : «3. Titre abrégé de la présente partie : *Loi constitutionnelle n° 1 de 1975*.»	Loi constitutionnelle n° 1 de 1975
30.	Acte de l'Amérique du Nord britannique n° 2, 1975, 23-24 Eliz. II, c. 53 (Canada)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle n° 2 de 1975*.»	Loi constitutionnelle n° 2 de 1975

—*Le ministre de la Justice*

Order Paper Questions

Madam Speaker: Pursuant to Standing Order 21(2), this motion is transferred to and ordered for consideration under government orders later today or at the next sitting of the House.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Madam Speaker, the following questions will be answered today: Nos. 1,508, 1,553, 1,560, 1,834, 1,854, 1,899 and 2,032.

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

[*Text*]

CHIP

Question No. 1,508—**Mr. Caccia:**

1. How many houses have been insulated each year since the Canadian Home Insulation Program was introduced?

2. What (a) is the percentage (b) are the totals, by province, of eligible homes insulated every year since the program was introduced?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows: 1. See list below.

2. (a) See list below; (b) See list below.

CHIP grants—Number of cheques issued since the program was introduced:

Province	1977	1978	1979	1980	Total
Newfoundland	37	635	7,218	26,614	34,504
New Brunswick	435	3,876	7,963	14,445	26,719
Quebec	6	7,064	22,233	79,883	109,186
Ontario	3,689	32,662	136,486	301,717	474,554
Manitoba	418	3,146	9,765	26,301	39,630
Saskatchewan	182	1,478	5,706	20,892	28,258
Alberta	—	2,126	12,256	39,751	54,133
British Columbia	942	4,872	14,061	44,140	64,015
Northwest Territories	—	21	51	66	138
Yukon	—	44	144	214	402
Canada	5,709	55,924	215,883	554,023	831,539

NOTE: Only one grant is available per house.

Percentage of eligible houses insulated since the program was introduced:

Province	1977	1978	1979	1980	Total
Newfoundland	.04	.81	9.31	34.3	44.5
New Brunswick	.36	3.23	6.63	12.0	22.3
Quebec	—	.62	1.97	7.1	9.7
Ontario	.23	2.07	8.66	19.1	30.1
Manitoba	.19	1.50	4.66	12.6	18.9
Saskatchewan	.09	.75	2.91	10.7	14.4
Alberta	—	.71	4.12	13.4	18.2
British Columbia	.22	1.16	3.34	10.5	15.2
Northwest Territories and Yukon	—	1.25	3.75	5.4	10.4
Canada	0.1	1.4	5.4	13.8	20.6

Eligible Houses Built Prior to 1961

Newfoundland	77,500
New Brunswick	120,000
Quebec	1,126,600
Ontario	1,575,600
Manitoba	209,500
Saskatchewan	195,600
Alberta	297,200
British Columbia	420,000
Northwest Territories and Yukon	5,200
Canada	4,027,200

APARTMENT VACANCY RATE—NEW BRUNSWICK

Question No. 1,553—**Mr. Howie:**

Did Canada Mortgage and Housing Corporation conduct surveys to determine the apartment rental vacancy rate in the city of Fredericton, Saint John or Moncton, New Brunswick, and, if so, on what date was the last survey conducted and what rate was disclosed in each case?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows: the most recent apartment vacancy survey carried out by CMHC was conducted in October, 1980. The rates were as follows:

	Vacancy Rate
Fredericton	3.2 per cent
Saint John	3.6 per cent
Moncton	5.2 per cent

COMMUNITY SERVICES CONTRIBUTION PROGRAM

Question No. 1,560—**Mr. Howie:**

For the fiscal year ended March 31, 1980, what amount was expended under the provisions of the Community Services Contribution Program for the operation of the program in (a) New Brunswick (b) Fredericton, New Brunswick?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows:

(a) For the first program year (1979) $4.2 million has been allocated to Community Services Contribution Program (CSCP) projects in New Brunswick. Payments on eligible projects for a given program year are made in the following fiscal year. The first payment on 1979 projects, under the terms of the operating agreement on CSCP signed with New Brunswick, could not occur until May 1, 1980, and further payments would be made quarterly thereafter until March 31, 1981, which is the closing date for the first program year.

(b) For the first program year (1979) $200,000 has been allocated to CSCP projects in the city of Fredericton.

EXTERNAL RESEARCH PROGRAM, CMHC

Question No. 1,834—**Mr. Herbert:**

In each of the past five years, what percentage of (a) applications (b) grants under the External Research Program of the Canada Mortgage and Housing Corporation were from or to residents in Quebec?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows: the CMHC External Research Program commenced in June, 1980, and consequently was not in effect in the four preceding years.

(a) The percentage of applications from residents of Quebec in 1980 was 22 per cent.

(b) The percentage of awards to residents of Quebec in 1980 was 14 per cent.

DREE EXPENDITURES

Question No. 1,854—**Mr. Cossitt:**

Since 1969, by year, what was the total amount or financial commitment made by the Department of Regional Economic Expansion to each province and what was the over-all total for each province?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): The reply for the Department of Regional Economic Expansion is as follows: please refer to the following annual reports:

1969-70 Tabled January 29, 1971,	Sessional Paper No. 283-1/28
1970-71 Tabled February 16, 1972,	Sessional Paper No. 283-1/28A
1971-72 Tabled February 9, 1973,	Sessional Paper No. 291-1/28
1972-73 Tabled March 15, 1974,	Sessional Paper No. 292-1/28
1973-74 Tabled March 10, 1975,	Sessional Paper No. 301-1/28
1974-75 Tabled December 8, 1975,	Sessional Paper No. 301-1/28A
1975-76 Tabled May 6, 1977,	Sessional Paper No. 302-1/28A
1976-77 Tabled March 7, 1978,	Sessional Paper No. 303-1/28
1977-78 Tabled February 7, 1979,	Sessional Paper No. 304-1/28
1978-79 Tabled April 22, 1980,	Sessional Paper No. 321-1/28

Order Paper Questions

STRATHCONA TRUST FUND

Question No. 1,899—**Mr. Stewart:**

1. On what date was the Strathcona Trust Fund established and what are its aims and purposes?

2. What was the initial funding in the account and what is the present amount?

3. (a) How are funds disbursed from the account (b) to whom have funds been disbursed and for what reason?

4. Who are the trustees of the fund and what remuneration, if any, is paid to each?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. The Strathcona Trust Fund was established on August 13, 1908. Its aims and purposes are to improve physical and intellectual capabilities of children by inculcating habits of alertness, orderliness, and obedience, as well as to foster a spirit of patriotism to a realization that the first duty of a free citizen is to be prepared to defend his country.

2. The initial funding was $500,000. The present amount is $500,000.

3. (a) The trust operates a savings account and disburses the interest by cheque.

(b) The funds have been and are being disbursed to the provincial committees of the fund to meet the aim of the trust.

4. Minister of National Defence, deputy minister of national defence, chief of the defence staff, vice-chief of the defence staff, deputy chief of the defence staff, chairman of each provincial committee, (a senior military officer appointed by the respective regional commanders), and 12 civilian members named by the respective provincial education minister (two from Ontario and Quebec, one each from the remaining provinces). No remuneration is paid.

CROWN ASSETS DISPOSAL CORPORATION

Question No. 2,032—**Mr. Herbert:**

Must (a) departments (b) Crown corporations and agencies, compete in open public tender with the private sector if they wish to purchase material or equipment from the Crown Assets Disposal Corporation?

Hon. J.-J. Blais (Minister of Supply and Services): I am informed by Crown Assets Disposal Corporation as follows: as per corporation procedure (G-24), federal government departments and/or agencies are given first priority in obtaining surplus material and equipment in which they have expressed an interest, without the formality of competitive bidding.

[*Translation*]

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

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed from Thursday, February 12, consideration of the motion of Mr. Bussières (for the Minister of Finance) that Bill C-59, to provide supplementary borrowing authority, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, today I want to try to respond to some of the allegations made earlier in the debate by members of the official opposition and of the New Democratic Party with respect to Bill C-59. For example, that the government is asking for a blank cheque in this bill; that the government is requesting more borrowing authority than it needs; that the government has not put forward a plan for restraint of expenditures, as the minister indicated earlier, and that deficits will not be reduced under the plan forward which has, in turn, led to the borrowing authority bill.

In addition, during a number of days of debate allegations have been put forward by the hon. member for St. John's West (Mr. Crosbie) and other members of the opposition comparing the December, 1979, budget introduced by the hon. member for St. John's West in the previous government and the budget put forward by the Minister of Finance (Mr. MacEachen) on October 28.

I want to show through analysis that the kinds of assertions made—namely, that the 1979 budget would have led to a lower deficit, a greater reduction in financial requirement and generally a more responsible fiscal pattern—are fallacious. As well, I want to look at the commitment which the government has put forward regarding a change of priorities in the budget toward greater emphasis on economic and energy development. Finally, I want to respond to some specific criticisms put forward by the opposition of the government's program during the debate on Bill C-59.

First let me deal with the question put forward by the hon. member for Bow River (Mr. Taylor), a question repeated subsequently. Opposition members say the government is asking for a blank cheque, that it is asking for $14 billion with no plan and with no knowledge by members opposite as to what use the $14 billion will be put. That assertion by members opposite is total nonsense. In his budget of October 28 the Minister of Finance put forward the most comprehensive description of a government's expenditure plans of any government in the history of this House. The budget clearly showed the expenditure plans by category or envelope for this year and the next two years. It is clear from the budget document presented by the minister on October 28 that this $14 billion is needed for the government's expenditure plan. It is clearly laid out in that document. The idea that it is a blank cheque and that the opposition is given no indication where the expenditures will occur is pure rhetoric.

• (1510)

In addition, we will soon be considering the estimates for 1981-82. At that time we will have very detailed descriptions of what each department within the over-all envelope structure will be using the moneys sought in the borrowing authority for under the expenditure plan.

I commend the President of the Treasury Board (Mr. Johnston) for what has been brought forward just recently. I refer to the beginnings of what will be a complete revision of the public accounts of Canada and a much more detailed description than we have had in the past with regard to government expenditure programs, even more detailed than what is now available.

Therefore, the argument that the government is asking for a blank cheque, that it simply does not want the public to know how it is going to spend the moneys asked for in the bill before us today, is pure rhetoric. It has no basis in fact. That argument simply cannot stand the test of fact.

An assertion was put forward by the hon. member for Mississauga South (Mr. Blenkarn) with respect to his belief that in this bill we were asking for some $5.9 billion more than was needed by the government under the proposed expenditure plan. That simply is not true. As of March 31, 1981, as I explained to the hon. member opposite, all existing borrowing authority will have expired. In other words, no borrowing authority will be carried forward into fiscal year 1981-82 from previous fiscal years.

There was unused borrowing authority in the budget presented by the hon. member for St. John's West which was carried over from the budget in 1978. At the time borrowing authority was requested, $2.9 billion of non-lapsing borrowing authority was carried forward into 1979. When the hon. member for St. John's West presented his budget in 1979, he had this unused borrowing authority.

It was carried forward after the election into the 1980-81 election year because the government's borrowing authority bill was not passed until July, 1980. The government ran between March 31, 1980, and that point in July on that unlapsed $2.9 billion borrowing authority. At that time it was completely exhausted. When the borrowing authority bill of last summer passed, there was $100 million of unlapsed borrowing authority. Therefore, to all intents and purposes there was no borrowing authority left.

The borrowing authority that was requested and granted by the House last summer will lapse in its entirety, if not used, as of March 31, 1981. Therefore, there is no existing borrowing authority that will be carried on to the next year. That being the case, and given the fact that from the budget our fiscal year 1981-82 financial requirements are $11 billion, the borrowing authority of $14 billion, subtracting the $11 billion—

Mr. Blenkarn: Mr. Speaker, I rise on a point of order. In order to keep the parliamentary secretary's argument straight, can he advise us how much of the $12 billion will lapse this year? He has been saying he has none left. How much of that $12 billion will in fact lapse this year?

Mr. Deputy Speaker: The parliamentary secretary, if he wishes to answer the question.

Mr. Evans: Mr. Speaker, rather than try to recall off the top of my head the answer to that question, we will commit that when the Minister of State for Finance (Mr. Bussières) speaks tonight to close the debate, he will have that information for the hon. member.

As I was saying with regard to the $11 billion of financial requirements for 1981-82—page 41 of the budget speech, if the hon. member is interested in looking at it—we are now asking for $14 billion of which $3 billion will be non-lapsing. In other words, the government is asking for $3 billion of the $14 billion to be non-lapsing to the extent that on March 31, 1982, that sum would not expire. It will be carried over into fiscal year 1982-83 after March 31.

The reason is to allow flexibility from the rigid 12-month borrowing authority rules. If the government could not get borrowing authority for 1982-83 passed by March 31, 1982, the government would have borrowing authority to operate on until such time as that bill could be passed. That is an extremely valuable flexibility.

In fiscal year 1980-81, at which time we had an election, we found that with the $2.9 billion of unused borrowing authority that was non-lapsing from the budget of the previous minister of finance in 1979 the government could keep going until it could introduce legislation to get borrowing authority for the new fiscal year. That is why we are asking for the non-lapsing portion.

That $3 billion of extra borrowing authority over and above our projected financial requirements is required for two purposes. First, it is to provide some degree of flexibility to ensure that we have enough borrowing authority to cover contingencies that may arise should the projections not be exactly as we have forecast. Second, that borrowing authority would be available to be used for foreign currency transactions which could be required in the event of a need to support the value of the currency, for example. For all these reasons, it is typical for governments to request somewhat more borrowing authority than they have the intention of borrowing for their financial projections in the budget.

That has been the case in the past. It is the case with this borrowing authority. I think the hon. member for Mississauga South now understands that the excessive $5.9 billion request that he was discussing earlier was under the assumption that we still had the $2.9 billion of unused borrowing authority from the 1978 budget that was non-lapsing. I think he understands that is not the case.

I think I have been able to show in this short period that we are not asking for a blank cheque or for an unnecessarily large amount, given the financial requirements that are projected. That is not to say we would not like to see the financial requirements be much less; but using realistic estimates, we are in the position where that is going to be the likely amount of financing that will have to be done by the government to finance governmental operations in fiscal year 1981-82. It is clear from the budgetary documents precisely what those funds will be used for.

There has been an accusation that the deficits of this government will continue to grow, that in effect there is no commitment on the part of the government to reduce the deficit or to restrain expenditures. That accusation has been made by a great many members on the other side of the House. I wish to state in the strongest possible terms that this is in fact false. The government has every intention, every commitment, to bring the deficit down in the future, starting this year—

• (1520)

An hon. Member: You have been saying that for ten years.

Mr. Evans: —and to keep the growth of expenditures over the next three years within the average growth rate of the gross national product. That commitment has been made by the Minister of Finance and the Minister of State for Finance on a number of occasions. I can assure the House that this commitment is solid, that it is firm; it is a commitment which the government and the Minister of Finance are completely and totally committed to keeping to the people of Canada.

If we look at the situation, I think all governments have to operate on the basis of financial projection. The hon. member for St. John's West, when he was minister of finance, put forward his projections. All governments put forward their best estimate of how they are going to be able to finance in the forthcoming period. That does not mean that that is an absolute certainty and that that is the way the world is going to unfold; it means that at this point in time it is the best possible estimate of how we will do in the next financial period. In the set of projections that we have put forward in the budget, we find that the financial requirements will decline from a level of $12.2 billion in 1980-81, which is the present fiscal year, to a level of $7.2 billion in fiscal year 1983-84. That is a $5 billion reduction, and I note, in passing, that that is precisely the same magnitude of reduction as was promised by the hon. member for St. John's West in his budget of December, 1979.

In addition, we look at the figures for the budgetary deficit. The budgetary deficit will decline from $14.2 billion in 1980-81 to $11.8 billion in 1983-84. Finally, as a percentage of gross national product, the deficit declines from being 5 per cent of gross national product in this fiscal year to being 2.9 per cent of of gross national product in 1983-84; nearly a 50 per cent reduction in the percentage share of gross national product that is represented by the deficit of the federal government. That is an achievement that we are projecting and we will be proud to see occur.

In discussions on borrowing authority, the budget, the income tax bill, and on other pieces of financial legislation that have come before this House in recent months, including the emergency debate just before the Christmas recess, the recurring theme was that the December, 1979, budget would have done much better than the budget put forward by the Minister

of Finance. I would suggest that is total fallacy as well. The reason it is a fallacy is that hon. members opposite revert back to the figures that are shown in the budget speech of the hon. member for St. John's West, and which were presented on December 11, 1979. Sometimes the world does not unfold as we predict and, in fact, the world unfolded much differently than the hon. member for St. John's West predicted in his budget. So much so, Mr. Speaker, that his projections are off between $2.5 and $3 billion with regard to deficit, with regard to expenditures and other figures—

An hon. Member: Nonsense.

Mr. Evans: —and I will document precisely where those differences are. The hon. member for St. John's West has admitted many of these to me in our discussions over the last several months. First of all, there is the oil import compensation payments. We all know that in the early months of 1980 there was another large burst of oil price increases at the world level. The forecasts put forward in the December, 1979, budget were based upon a presumed increase in oil prices, prices that did not take into account this large burst of oil prices. Nothing could have been done or was proposed to have been done in the budget of December, 1979, that would have offset a major increase in the oil import compensation payments that resulted from this large increase in world prices of oil.

As a result, the budget of December, 1979, put forward by the hon. member opposite would have been out by approximately $2.3 billion from the point of view of expenditures. In other words, the oil import compensation payments would have been $2.3 billion higher than were anticipated in the December, 1979, budget. In addition, and the hon. member for St. John's West admitted this on page 4226 of *Hansard*, due to the recession which, in the first half of 1980, was worse than the hon. member had forecast in his budget, he admitted, that his deficit would have been "a few hundred million dollars higher". That is as a result of the recession, not as a result of the higher oil import compensation payments. Nor is it taking into consideration the higher interest costs, which again the hon. member for St. John's West did not forecast in his budget and which have had a major impact upon the interest cost of the federal debt.

That cost would have been $125 million higher than was estimated in the December, 1979, budget. When we add the cost of just these three factors together, we find that the budget deficit and the financial requirements of the previous Conservative government, had they continued under the budget of 1979 put forward by the hon. member for St. John's West, would have been $2.7 billion higher than those projected in that budget document.

In other words, the financial requirements under the hon. member's budget would have been, in 1980-81, $12.6 billion. I refer back to the figures I have given for our financial requirements this year, namely $12.2 billion. That is $400 million less than the financial requirements under the previous budget.

With regard to the 1983-84 figures, the $7.5 billion financial requirement under the Conservative budget and the $7.2 billion under the budget put forward by the Minister of Finance today, the deficit has precisely the same type of relationship. If we look at the 1983-84 deficit, it would have been $11.8 billion under the Conservative budget, and it will be according to our forecast, $11.8 billion under our budget. That implies to me that there is no basis whatsoever to contend that the financial picture of the Conservative government would have been any better.

• (1530)

With regard to financial requirements, from an honest analysis the projections are that they would have been slightly worse than they are under the budget of the Minister of Finance today. I know hon. members opposite have difficulty with figures which relate to economics, but I hope that once and for all this will lay to rest the hue and cry we have heard from the other side time and again. They say that had they been allowed to stay in office, financial requirements would have been much lower and the deficit would have been reduced much faster. In fact, an objective analysis of the facts indicates that that is utter nonsense.

Mr. Blenkarn: What about the Economic Council's analysis and comparison? Tell us about that.

Mr. Evans: I would like to discuss a couple of other things with regard to that budget in order to make a comparison of how the people would have fared under that budget as opposed to how they will fare under the budget we put forward in October. We must first look at the fact that now, given a realistic assessment of the economic situation, the financial requirements and the deficits of the two budgets are roughly equivalent. We were able to achieve that without an 18 cents a gallon excise tax on gasoline. That 18-cent a gallon excise tax would have raised $2.5 billion out of the pockets of Canadians. That fact cannot be argued, and we are saying that the deficit and the financial requirements will be the same as they would have been under the Tory budget without an additional $2.5 billion being taken out of the pockets of Canadians.

We have heard much about the refundable energy tax credit. That was supposed to be a great boon to Canadians. It was supposed to save Canadians from the higher cost of energy. If we look at the budget papers of the hon. member for St. John's West of 1979, we find that not one penny of that refundable energy tax credit would have reached the pockets of Canadian taxpayers until after March, 1982. They would not receive it in 1980 or in 1981 but in 1982. then it would have been only half what hon. members opposite have been claiming, $220 per family. In fact, in March, 1982, it would have been $110. Only in March, 1983, would it have been $220. Those figures come from that budget. That budget admitted those figures, yet we often hear about the great energy tax credit which was supposed to save Canadians from higher energy costs. The case has been grossly overstated by hon. members opposite.

There was to be a mortgage interest and property tax credit amounting to $575 million in 1980-81, and it was to climb to $2.5 billion only in 1982-83. It was to be in between in 1981-82. In 1980-81, $575 million would have been returned through the mortgage interest and property tax credit to those who, quite frankly, are not by any means in greatest need. Instead, we chose to increase the guaranteed income supplement by some $200 million. With respect to tax credits or money returned to Canadians in the form of expenditure programs, I think the priorities of this government are where they should be and not where they should not be. I suggest that the Conservatives' deficit would have been no lower than ours and that the financial requirements would have been higher than they will be under the budget put forward by the Minister of Finance. I hope we can lay to rest once and for all the argument that the great and glorious December, 1979, budget would do so much with respect to fiscal responsibility and so much for Canadians through tax transfers, because the facts simply do not bear that out in any way, shape or form.

We heard discussion from the other side during this debate with respect to what the priorities of this Liberal government are. Where are the incentives for growth, development and investment? Let us go back again and look at the two budgets. We find that the amounts to be spent by this government on economic development and energy research and development are substantially more than proposed by the government of hon. ladies and gentlemen opposite. The fact is that in 1981-82 economic development expenditures by this government will increase by 21.6 per cent. That is a substantial increase by anyone's standard.

This government will increase energy development expenditures by $3 billion to $4 billion per year through the years 1983 and 1984. Net of the oil import compensation payments, and not taking into consideration expenditures to help Canadians maintain their standard of living by compensating them for higher world oil prices, energy and economic development expenditures rise from $6.9 billion in this fiscal year to $13 billion in 1983-84. That is a substantial increase. It is almost a doubling of the expenditures for economic development and energy by this government over a period of three years. I say—and the budget documents show—that there has been a substantial shift in priorities toward economic development and energy development on the part of this government in the last year.

I ask hon. members opposite and those on my own side to assess the discussions and commentary we have been hearing for the last three or four months and try to establish the priorities of the opposition with respect to government expenditure reductions. On Friday the Minister of Finance stood in his place and asked the Right Hon. Leader of the Opposition (Mr. Clark) to stop his colleagues from proposing additional expenditure programs, if in fact he was serious about seeing the government reduce the rate of inflation. There is no way the government will be able to reduce the rate of inflation if we accept all of the proposals, or even some of the proposals, put forward by hon. members opposite for additional expenditure programs.

An hon. Member: What about Petrofina?

Mr. Evans: Hon. members opposite talk about Petrofina. If I have time, I will get to that and settle that issue once and for all.

The Minister of Finance has committed himself to a reduction in the deficit and in financial requirements, and I think by what I have said to this point I have shown that without any doubt.

I should like to refer to the emergency debate. In that debate the Right Hon. Leader of the Opposition stood in his place and spoke eloquently about the economic situation, hon. members of the New Democratic Party spoke and we on our side spoke. The debate lasted some 26 hours or so. In any event, the debate set a record for length. During that debate the New Democratic Party called for additional expenditure programs in the form of a cost of living tax credit and a tax cut for low and middle-income Canadians. Those would be substantial expenditure programs which would place very severe strains on the fiscal position of the government. They would detract from the government's ability to reduce the deficit and detract seriously from the fight against inflation.

• (1540)

But far above and beyond the request for additional expenditure programs which were put forward by the NDP during the emergency debate, the Right Hon. Leader of the Opposition stood in his place and demanded the introduction of the energy tax credit, a shelter allowance, mortgage interest deductibility, and an exemption for home heating fuels from the energy tax. Using the figures in the December, 1979, budget of his own ex-minister of finance, and also using the October, 1980, budget figures for calculating these costs, I have calculated that these four policies which were recommended at that time by the Right Hon. Leader of the Opposition would increase the deficit by $2.5 billion in 1981-82, and that increase in the deficit would climb to over $5 billion in 1983-84.

In other words, Mr. Speaker, if you took the projected figures in the October 28 budget for the financial requirements and for the deficit and added $2.5 billion in fiscal year 1981-82 and $5 billion in fiscal year 1983-84, you would find out what the results would be if the government were to adopt today the recommendations for additional expenditure programs put forward by the Right Hon. Leader of the Opposition. Add $5 billion to the $11.8 billion budget deficit in 1983-84, and we would have under a Tory government a budget deficit of $16.8 billion. In my view, and in the view of hon. members opposite, the implications of the kind of expenditure demands which we are facing from hon. members opposite may finally sink in. There is no way that that is consistent with fiscal responsibility; there is no way that that is consistent with fighting inflation; and there is no way that that is in the interest of Canadian taxpayers and citizens.

Hon. members opposite have been speaking about buying service stations instead of buying Petrofina. Hon. members have been misleading the Canadian public—I do not thnik intentionally but rather through their inability to do any kind of accurate analysis—with regard to the implications of the purchase of Petrofina by Petro-Canada.

An hon. Member: Two dollars for every $1 worth of stocks. That is what the implications are.

Mr. Evans: For example, I have heard the hon. member for Etobicoke Centre (Mr. Wilson), who is now the energy critic for his party, say that the purchase of Petrofina is not in the national interest because the government has paid far too much for it. The weekend before last on the CTV television network there was an interview with a senior member of Dominion Securities, the firm which previously employed the hon. member for Etobicoke Centre, in which he indicated two things: first, that the price paid by Petro-Canada for Petrofina was a fair price to both parties and, second, that if you were to start from scratch, if you replaced the refinery, purchased the land and replaced the 1,100 service stations, that alone, in the estimation of the gentleman from Dominion Securities, would cost more than $1.46 billion. And that does not include the leases, the land which Petrofina has, the oil rights and the gas rights which they have. All of that would be over and above the $1.46 billion.

We are seeing this happen more and more. The objective financial analysts in the press, who know what they are talking about, are coming forward and saying that it was a fair price for both parties. If another private sector company, such as Imperial Oil, had bought out Petrofina, it would have paid a price that was similar to what Petro-Canada paid. The rhetoric which flows around here, which is without logical analysis, is bloody well incredible!

Miss MacDonald: You have convinced us about your rhetoric!

Mr. Evans: We have heard that this $1.46 billion is going to cost the taxpayers 8 cents or 12 cents a gallon. The minister has given the data and hon. members can do the calculations. All it takes is adding, subtracting and a little bit of dividing. The contract calls for 25 months of payment; that is, there will be payments over a period of three years. Let us assume that you were to pay for the whole thing with the tax. The minister has not indicated that such is the intention, but let us assume this for the purposes of showing up the nonsense which we have been hearing from the opposition recently. By how much would you have to increase the pump price of gas to get enough money over three years to pay for Petrofina fully with the equity? It would be about half a cent to a three quarters of a cent per litre.

Some hon. Members: Oh, oh!

Mr. Evans: That is how much, Mr. Speaker. I am glad that hon. members are goading me into giving them the figures; I have them right here. Hon. members opposite have said that it applies to home heating oil. Let us assume that it applied only to gasoline, not to anything else. I think all hon. members would agree that that would cut down the revenue base. What does 18 cents a gallon raise? I am referring here to the excise tax from the budget of the hon. member opposite amounting to $2.5 billion a year, 18 cents a gallon. If you can divide, you will find that we would need, if we were going to pay for Petrofina entirely with equity from that tax, $1.46 billion over three years; that is half a billion dollars per year. Four decimal one cents a litre is what 18 cents a gallon excise tax would have raised. If you needed half a billion dollars a year, it would turn out to be 0.8 cents a litre per year for three years. It is not 12 cents a gallon, it is not some outrageous figure, if the minister decided, in his wisdom, to pay for Petrofina from the tax, and he has simply not committed himself to doing that.

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member but the time allotted to him has expired.

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, I listened with some amusement to the comments of the hon. member for Ottawa Centre (Mr. Evans). What I had to ask myself, as I listened, is what it is that these people on the opposite side of the House feed on that fills them with that degree of arrogance. I listened to the hon. member saying that no matter what has been discussed here "my speech will put an end to all the questions that have ever been raised; once you listen to me, you will have all the answers and there will be no doubt about anything any more".

What he does not understand about Parliament is that we come here, all of us, to make our contribution to the furtherance of the debate, trying to make suggestions, trying to put forward proposals; and not one of us has made the claim that we have the total answer or all the answers, until I heard the hon. member for Ottawa Centre rise in his seat this afternoon and say, "Once I have spoken, you will know the truth and you won't have to ask about anything else."

• (1550)

Mr. Evans: About the two budgets.

Miss MacDonald: While we all admit that the hon. member for Ottawa Centre may have some contribution to make, surely he does not have the last word in this House, even in a debate where the government has imposed closure as it has this afternoon. I know what the hon. member's speech really was. It was trying to make a silk purse out of a sow's ear. It was even more difficult for him than the first person who ever tried to do that. He did not get very far with it.

In one statement he said—and he asked us to believe it—that the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) has made a solemn commitment to bring down the deficit. He said that it was his solid commitment. We have had 12 years of Liberal rule and every year the deficit has gone up. Why should we suddenly believe that this one should be so solid that it will turn around the situation?

We have heard the other solid commitments of the Liberal government over the years. The Minister of Finance, speaking in his own constituency to the people of Cape Breton, said, "I make you a solid commitment to keep down the prices of oil and gas". That is what he said, and since then he has allowed

the prices of oil and gas to go up eight times. This hits hardest some people in the country, those with the lowest incomes. Neither he nor the hon. member for Ottawa Centre offered them any comfort by providing any kind of tax credit for oil and gas purchases; neither the member nor the minister cared about that. All the minister wanted to do was to make a blatant election promise that the price of oil and gas would go down and stay down.

Mr. Evans: Mr. Speaker, I rise on a point of order. This is the kind of rhetoric we have been hearing. The minister never made any commitment that the price of oil was going to go down. That is the kind of rhetoric about which I was talking during my contribution.

Mr. Deputy Speaker: That is a point of debate. The hon. member for Kingston and the Islands (Miss MacDonald) has the floor.

Miss MacDonald: Mr. Speaker, I will correct that. He said "stay down".

Mr. Evans: That is not what you said.

Miss MacDonald: And it has gone up eight times since he said that it would stay down. If the hon. member does not believe it, we can send him the proof. If he does not like to hear it, I am sure he will leave, as he is doing.

Nevertheless, there have been other commitments of the "great" Liberal government over the years about which Canadians are very well informed. They have heard about them over and over again. They said that the price of gas and oil would be down below 18 cents, and a gallon of gasoline has gone up 37 cents. That is what happened in the last year.

Under the minister's budget the rate of inflation for this year would stay at 10.2 per cent. We all know that on Friday of last week the rate of inflation was reported to be 12 per cent. It was not 10.2 per cent, not what the minister gave his word the inflation rate would be, but way above that. Again it hits hardest the people on low incomes. He said that the dollar would be trading throughout this year at 87 cents. As of noon today it was trading at 82.8 cents. Where is the minister's commitment on that? Also he said that interest rates this year would run between 10 per cent and 11 per cent. For the last ten weeks they have been running at some 17 per cent, plus or minus a little, which is the highest rate ever in this country; yet it is another of the minister's solid commitments.

I should like to go back to a well-known and historic commitment of the Liberal Party. It made the commitment that it would never introduce wage and price controls; it made the commitment that it would wrestle inflation to the ground. Why should we be expected even to entertain the word of the Parliamentary Secretary to the Deputy Prime Minister and Minister of Finance? Why should we believe the commitment he gave this afternoon that the deficit will be brought down this year and that it was a solemn commitment of the minister? When any one of the 12 or 14 I have recited have not been kept, why should we suddenly believe this one? I have to say to the hon. member for Ottawa Centre that I do not believe it and I think it is unfortunate for the country that we cannot believe anything the government is saying any more.

The government is asking us to approve $14 billion in borrowing authority, which is a very large sum of money. But when that $14 billion is added to our already unmanageable national debt, it becomes a burden which jeopardizes the Canadian economy; it could be the straw which breaks the camel's back. As I am sure the parliamentary secretary knows, by March our gross national debt will be $120 billion, our net debt will be over $80 billion, and the interest alone will be $12 billion annually. When one thinks of those figures, they are mind-boggling—$120 billion in the gross national debt, $80 billion in net debt, $14 billion in new borrowing this year, and $12 billion in interest on borrowing.

We are forced by the government to toss around these figures, but as we grapple with them we can never forget that borrowed money has to be repaid. That is something the parliamentary secretary should take to heart when he is tossing out these figures. These debts must be paid. We know who eventually will bear the burden of paying off our mounting national debt. The Canadian taxpayer will bear the burden.

No one likes paying taxes; Mr. Speaker does not like paying them, nor do I. I am glad to see Mr. Speaker agrees with me. But at least we should be able to take some solace from the fact that supposedly our taxes are spent on improving Canadian society. One tries to comfort oneself with the thought that tax dollars from the hard-won salaries of Canadian citizens go toward funding hospitals and education, toward helping our poor and elderly, toward providing health care and supporting our arts and culture. Canadians think they are paying for those items, and those are the items for which Canadians should be paying. Those are the returns Canadians expect from their tax dollars. But as I have said, one quarter of the taxes taken out of taxpayers' dollars, some $12 billion, or, to put it another way, one tax dollar in every four, goes immediately into interest payments on the ever-increasing national debt.

The $14 billion we are being asked to authorize today will drive up our national debt and automatically drive up the interest charges we are required to pay on it. With $12 billion being creamed off the top for interest payments alone, Canadian people are not really getting their return; they are not getting their money's worth out of their tax dollars. It is as if the government is saying to them, "You give me $100 and I will give you $75 worth of services because I have to use the first $25 to get myself out of hock". That is what it is saying to the Canadian taxpayer. In the real world a consumer would not stand for that kind of business attitude. But in the make-believe world that the government has created for itself by spending money it does not have, it allows the taxpayer no choice. The Liberal government is playing fast and loose with the taxpayers' hard-earned money. If it is not sending the money abroad to service the debt, then it is sending it abroad to pay for Petro-Canada's acquisitions.

● (1600)

I have always been a strong supporter of Canadianization, Mr. Speaker, but I take great exception to what the Parliamentary Secretary to the Minister of Finance said and to the attitude of the Minister of Energy, Mines and Resources (Mr. Lalonde)—that money for acquisitions is no object as long as it is being coughed up by somebody else, that is, by the Canadian taxpayer. That is what the president of Petro-Canada said when he was asked where he would get the money from. He said that the Canadian taxpayer would shell out. What other attitude could explain authorizing Petro-Canada to buy out Petrofina at $120 a share—$59 above its trading value when this takeover was first rumoured? Nobody can make any sense—regardless of what the parliamentary secretary says—of a government which comes along and says that it will make an acquisition but will give a monetary gift of an additional $59 over and above what the shares were being traded for when it first began to think of acquiring Petrofina.

What really disturbs me about this is the priority accorded by this government to the manner in which it spends the Canadian taxpayers' money. It is willing to shell out a lot more money than it should to buy up an oil company. It is willing to send the money off to the vaults of some happy Belgians but it is not willing to do the things which should be done here at home.

It really disturbed me to learn that while the government was throwing money away on inflated shares and in other cases buying for Canadians what they already own, it is turning its back on the spending priorities which could bring about an equitable distribution of services for Canadians all across this country. The government is turning its back on the real needs of this country. That is what really concerns me. Its priorities are screwed up—there is no other way to put it.

Canadians have been really shaken in recent weeks to learn what little priority the government is giving to the development of trained research staff and innovative research programs in this country. Of course, it does pay lip service to research and development, but when it comes to supplying an adequate amount of government funds to the research granting councils of this country it falls woefully short of even the most basic requirements.

When the government goes abroad to borrow an additional $14 billion in foreign markets for heaven knows what—it does not explain that—it is backing away from the commitment which was made last year to carry out the five-year plan of adequate funding to the research granting councils. There are two important factors which we should bear in mind when we look at these councils in their role of furthering research and development in Canada. First, you must consider that a five-year plan is vitally necessary if scientists, engineers and medical researchers are to be properly trained and if the innovative research programs they undertake are to be carried through to conclusion. This cannot be a stop and go proposition. You cannot say to a researcher that funding will be available this year but next year it will be someone else's turn. People must be trained on an ongoing basis. You cannot say about a research project, whatever the field of science, that the particular project can be developed for the next 12 months but then must be abandoned for the next couple of years in order to start up something else. That is not the way to carry research programs to conclusion. Scientific research just does not work in that way. There must be continuity and consistency. There must be an environment created which allows those involved to look beyond next month and next year to well into the future. That is the first point about the granting councils.

The second point is that it cannot be an on-again, off-again proposition, as I have said. We must also bear in mind that the research granting councils are the very engine which motivates the spark, the impetus for much of this scientific and technological research in Canada today. The research councils are really the granting agencies through which funding is channelled to train and produce the human plant, the human resources without which there can be no progress.

The Minister of State for Science and Technology and Minister of the Environment (Mr. Roberts) can talk in grandiose terms about providing incentives to carry out more research and development. But industry knows full well that even if you have incentives coming out of your ears you cannot put them to good effect unless you have the highly trained scientific manpower and womanpower to take advantage of those incentives. You simply cannot do without the highly skilled human plant.

There is a lack of trained scientific and engineering personnel in Canada today, which is already beginning to have a serious impact on the Canadian economy. Thus, we have two options. We can import personnel from abroad, as we have done in the past, although I suggest that option is less open to us now than it was 15 or 20 years ago. That is one option. The second option is to train the personnel here in Canada. The latter course is obviously the course of wisdom. But in order to do this the government must comprehend and come to grips with the need for funding research granting councils on a long term basis.

These two points which I have mentioned interact. More than that, if properly implemented they will provide an essential ingredient to Canada's future prosperity. They will provide a highly trained force of scientists, engineers and medical researchers who will be the backbone of Canadian industry and, hence, Canadian employment in general.

The history of the struggle to achieve this laudable and obviously sensible goal has not been an easy one. I remind the Parliamentary Secretary to the Minister of Finance just how difficult it was with the Liberal government throughout the 1970s. At that time it failed to realize the potential of the research granting councils. One might use the analogy that it kept them at starvation wages on a month to month basis. There was no comprehension as to how the granting councils could be the engine to generate greater industrial output or how they could initiate preventive medical programs which would reduce the vast sums of money which we must now spend on health and medical care. In fact, the councils were treated as just another suppliant coming to the Treasury Board

each year to be given their crumbs from the table. Their very existence throughout the decade of the 1970s was precarious. I have no doubt that there were Liberal cabinet ministers as, indeed, there were Liberal backbenchers who argued the case and the cause of the research granting councils. But their voices were weak and their political clout lacking. As a result, our talented personnel, our indigenous research projects and our industrial and medical development suffered through the 1970s.

I want to say, sir, that that changed when the Clark government came to office; a new approach was taken to the research granting councils. It says something about the differences in priority that we accorded to spending.

• (1610)

Adding to interest payments on borrowed moneys was not one of our priorities. Generating greater industrial development through improved research and technology was. And we knew where to start: with the research granting councils. I am sure I do not breach cabinet confidentiality when I say there were arguments in cabinet about the funding of the councils, but there were far more voices raised in favour of putting them on a proper financial footing than against, which is so different from the situation today.

The result of what was done under the Clark government was something in which I took pride. That result brought about a long-sought Conservative Party objective. It put the granting councils on a long-term, five-year basis so that they had adequate lead time for planning, and it dramatically increased their funding during the first year of that five-year plan.

Let us look at the record in comparison with what had gone before. The Natural Sciences and Engineering Research Council had its budget increased by $41 million, or 35 per cent. The Social Sciences and Humanities Research Council had its budget increased by $5.8 million, or 16.7 per cent. The Medical Research Council had its budget increased by $12.8 million, or 17.4 per cent. A 35 per cent increase for the Natural Sciences and Engineering Research Council was brought in by the Clark government. Compare that to the 12 per cent and 8 per cent increases that the former Liberal government had allocated to that council in 1978 and 1979. It was just enough to meet inflation but not enough to initiate innovative research programs.

What we have seen recently gives pause to what the present government's intention is and how different it is to the reaction accorded the former government's moves in this direction. The reaction of the scientific community to the Conservative government's recognition of the importance of the granting councils was immediate, and, needless to say, positive. It had been given an infusion, a new lease on life. Plans were developed which would be ongoing; projects were undertaken which would be assured of a more than one year lifespan; and, most important, the numbers of young people engaged in scientific and medical research training were greatly expanded. The engine was rolling and the end result for Canada would be highly beneficial.

That was the situation a year ago. What do we find one year later with another Liberal government back in office? We find a minister struggling valiantly, I have no doubt, to maintain the program the Conservative Party initiated, but a minister with little clout and little support in cabinet. And as he battles away in a cabinet that is devoting most of its time and energy to borrowing moneys for less worth-while objectives, word is spreading throughout Canada's scientific community that it has been sold out.

I quote from an article on page 15 of the Ottawa *Citizen*, February 6, 1981, as follows:

> In what scientists consider the ultimate doublecross, the federal government has scuttled a major program for revitalization of university research and scientific training programs.

The article goes on to state:

> Designed to get Canadian researchers back to work and offset severe shortages of young engineers and scientists, the plan called for significant budget increases for the council until 1985. Despite reassurances the five-year plan would continue this year, however, it has been quietly sabotaged.

I should like to put on record what one member of the scientific community wrote to me from Kingston when he learned about the plans of the Liberal government to scuttle the five-year plan and lower funding to the research councils. As he contemplated the government's reneging on the five-year plan of assistance and the effect on the Natural Sciences and Engineering Research Council, he wrote:

> We simply cannot start and stop five-year plans in this stupid way. In the case of NSERC this means that various new programs started in 1980-81 will either have to be closed down or seriously curtailed after but one year of operation. Specifically:
>
> 1. The University Research Fellowship Program has already been curtailed from 100 positions per year to only 75 for 1981-82;
>
> 2. The budget for replacement of worn out and obsolete equipment has been slashed by many millions of dollars;
>
> 3. The new program of undergraduate summer research awards (to encourage undergraduate students to prepare for careers in research and development) must be in some jeopardy;
>
> 4. The project research applicable in industry (PRAI) grant scheme, a very effective way of bringing industries and universities together will be seriously diminished in impact.

He is analysing the effect on the research community of what this government has done in cutting back, year after year, worth-while programs which had been initiated and worth-while programs and long-term research funding which would involve newly trained people in Canada—good doctors, geophysicists, chemists, electronic engineers, mechanical scientists, all of whom are involved in this new program and who take time to train. If the money is not available to finance that training period, then it is we in Canada who will not have enough men and women to staff our hospitals, search for our oil, test our drugs, modernize our computers, design our engines or improve our nuclear power.

This is what the government's program is doing at the present time. As the Parliamentary Secretary to the Minister of Finance so proudly pointed out, the government has decided to take a great amount of money and send it abroad to pay for

inflated shares of the newly-acquired Petrofina. It will take that out of Canadian taxpayers' money and be willing to spend it abroad on something that will not benefit Canadians, but it will not continue the funding to the granting councils at the same level as last year, funding that is so necessary if we are to have the kind of industrial development that this country is crying out for.

That is why I say the government has its priorities all screwed up. That is why I say the kind of gibberish we heard from the parliamentary secretary earlier today does not make any sense when worth-while programs are being slashed in order to feed the ego of some particular minister, be it the Minister of Finance or the Minister of Energy, Mines and Resources. It is a very sad commentary on what the government is trying to do with its borrowing programs and its budgetary programs today.

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I listened with interest to the comments of the hon. member for Kingston and the Islands (Miss MacDonald) and her impassioned plea for innovative research. It is too bad that she was not around in 1959 to make an equally impassioned plea to the then Conservative government that did away with the Avro Arrow—

● (1620)

Miss MacDonald: Come into the present.

Mrs. Appolloni: —as a result of which Canada has been deprived, perhaps forever, of the tremendous expertise we had in the scientific world.

I would like to say a few words regarding the government's request for supplementary borrowing authority. It represents this government's desire to operate the machinery of government responsibly and effectively, even though some members of this House may be determined to delay virtually all measures put forward by the government.

Many members opposite waxed indignant about what they called closure being applied in the House of Commons. Though many Canadians may not understand this idea, what they do understand is what they see in their House of Commons, and what they have seen recently are various attempts from time to time to delay the work of this government. However, this House of Commons should be more than just a place for people to speak; it should also be a way in which the people of Canada manage to govern. Once the various ranges of viewpoints have been expressed, it is time to get down to the business of managing and governing.

In our National Energy Program the government has shown its determination to use Canadian tax dollars wisely and responsibly. We are investing to Canadianize more of the petroleum industry in order to ensure that our energy policy is carried out in the best interest of the people of Canada and not of the multinationals. Moreover, we are providing a framework within which companies can plan and work and within which Canada can achieve oil self-sufficiency. We are also encouraging conservation of our finite resources in that regard and providing a revenue-sharing arrangement which will best benefit Canadians in the producing and the consuming provinces. And all of this at reasonable prices. That is what is known as responsible management.

We see in the budget real and vigorous attempts to restrain government spending while still providing Canadians with the services which are essential to their well-being. The Minister of Finance (Mr. MacEachen) has emphasized the necessity for the government to work as a partner with other sectors of the economy to create jobs, reduce unemployment, develop Canadian industry, manage our resources, and above all to combat inflation. That too, Mr. Speaker, is responsible management.

I am not one to overreact to highly political comments and I have a great deal of respect for members on both sides of this House of Commons. However, I was appalled by the remarks of the hon. member for Victoria (Mr. McKinnon) during this debate. I have often admired and respected that member's talent and knowledge: however, I am now forced to reconsider.

On two occasion in this House, the member from Victoria seems to have forgotten his responsibility as a privy councillor. As a former minister of national defence—

An hon. Member: The best one we have seen in years.

Mrs. Appolloni: —he knows full well that successive governments in this country have agreed that, while our Voodoo aircraft are capable of carrying defensive nuclear weapons and we have the capability to store them safely on Canadian soil, we cannot acknowledge whether they are *in situ* at any given time or where they may be located. The hon. member knows the reasons behind this undertaking of Canadian governments, and I consider it unfortunate and irresponsible that he would choose to raise the matter in the House not once but on two occasions. The threat of terrorism and the threat to national and international security—

Mr. McKinnon: Mr. Speaker, I hesitate to interrupt the flow of garbage which the parliamentary secretary is spreading, but the Hon. James Richardson first raised that matter in the House of Commons as a Liberal minister of national defence. It has been the subject of press releases by the Liberal government. I see nothing sacred about it. It has nothing whatever to do with security.

Mr. Deputy Speaker: Order, please. This has become a point of debate. The Parliamentary Secretary to the Minister of National Defence (Mrs. Appolloni) has the floor.

An hon. Member: Tell us about the Liberal government.

Mr. McDermid: Did he hurt your feelings?

An hon. Member: Listen and learn, McDermid.

Mrs. Appolloni: Mr. Speaker, it is interesting for the Canadian forces now to see what they have lost with this change in government.

An hon. Member: All 70,000.

Mrs. Appolloni: As I was saying when I was very rudely interrupted, the hon. member knows the reasons behind this undertaking of Canadian governments.

The threat of terrorism and the threat to national and international security always exists, and the hon. member opposite should recognize that threat. The Prime Minister (Mr. Trudeau) has stated, and it has been clearly demonstrated by government representatives, that Canada's policy has been to choose not to deploy nuclear weapons on Canadian soil and with Canada's armed forces. I suggest that if anything is "cheap and sleazy and gives this place a bad name", to use the hon. member's own words, it may well be his attitude in this matter, because he cannot, as a former minister of national defence, claim ignorance of the facts.

I am also dismayed at the hon. member's attack on the Minister of Supply and Services (Mr. Blais) over the CF-18 contract. Admittedly it is a very complex contract but it is also an excellent one. The hon. member from Victoria has a copy of it. This question of progress payments and enforcement of industrial benefit commitments is very well covered in the contract. The Minister of Supply and Services has now provided the hon. member for Victoria with the answer to his question. The answer can be found right in the contract. Can it be, then, that the hon. member did not read the contract or simply that he did not bother to check the facts?

In the same speech the hon. member from Victoria referred to his desire to see a white paper on defence. The Minister of National Defence (Mr. Lamontagne) and the government are aware of his views on this subject. I would like to point out at least one misconception the member has about the current white paper. He called peacekeeping the last priority in that white paper. Where did he get that notion? Certainly not from the white paper itself. I quote from the 1971 white paper as follows:

> The policy announced by the Prime Minister on April 3, 1969, initiated the process of adjusting the balance between Canadian defence activities to ensure that priorities for defence were responsive to national interests and international developments.

A process of adjusting which is responsive to national interests and international developments is found in the white paper. To me this portrays an evolution which has taken place and continues to take place so that the basis of the white paper remains as valid today as it was ten years ago. Reading on in the white paper we find:

> Four major areas of ativity for the Canadian forces were identified in summary form as follows:
>
> (a) the surveillance of our own territory and coastlines, i.e. the protection of our sovereignty;
>
> (b) the defence of North America in co-operation with U.S. forces;
>
> (c) the fulfilment of such NATO commitments as may be agreed upon; and
>
> (d) the performance of such international peacekeeping roles as we may from time to time assume.
>
> This paper will next examine these four areas of defence policy in detail.

Nowhere, so far, have these four areas of defence policy been called priorities in either descending or ascending order. Perhaps the member from Victoria would like to examine the white paper again.

Borrowing Authority

At this point in the white paper we find that activity in each area must be assessed in terms of the priorities which have been, and if I may add, continue to be established.

The four areas of defence policy remain as eminently viable today as they were ten years ago, but the priority assigned to each is the subject of an evolutionary process which continues to take place. By delivering an annual statement on the subject, taking into full account the domestic and the international situation, the Minister of National Defence can do more to place emphasis and priorities in proper context and perspective than if he tried to rewrite a still perfectly valid white paper.

• (1630)

Instead of encouraging further efforts for the defence of Canada, the hon. member opposite has preferred to take cheap shots at the Prime Minister and the Minister of National Defence. For some reason, perhaps because he was frustrated by his own inability to persuade his cabinet colleagues in the previous Conservative government to achieve greater defence aims, he has chosen in his speech to denigrate government efforts to upgrade our defence capabilities.

The hon. member may prefer to speak of the past rather than the present or the future, but since this government took office we have achieved a great deal in national defence of which we are justifiably proud. We have chosen a new fighter aircraft which will enable our air force to carry out our commitments at home and abroad, and in so doing we have negotiated an excellent contract which is bringing considerable industrial benefits to this country. We are forging ahead with our plans to provide the navy with six new frigates while at the same time enhancing our Canadian naval shipbuilding capability. We have taken the means to extend the life of 16 of our existing 19 destroyers to maintain our naval capability until new frigates enter service.

After receiving new Leopard tanks, the army is taking delivery of 441 new armoured vehicles and a variety of wheeled vehicles of all types. We will soon be letting a contract for 2,800 new 2½-ton trucks. Plans also call for the purchase of 2,500 new jeeps in the near future.

We have initiated a search and rescue capability update program and we have earmarked more resources to be provided to reserves as equipment for their training, including helicopters and armoured vehicles.

Delivery of all 18 Aurora long-range patrol aircraft will soon be completed, on time and on budget. I need not remind the hon. member of the highly unfounded criticism of the opposition when we launched that program, one which has proven very successful despite the political play he and his colleagues made at the time.

In that same speech the hon. member for Victoria expressed doubt about the government's commitment to increase defence spending by at least 3 per cent in real terms in accordance with our agreement with our NATO allies. He used several statistics which I found interesting. Many things can be done with statistics, and they can be interpreted in many ways. For

example, the hon. member pointed out that for 1979-80 the defence budget decreased by .23 per cent. I would merely like to point out to the hon. member that much of the responsibility for the budget for that year rests with him since he was minister during that period. I would like to point out to the hon. member that in the budget presented by the Minister of Finance a commitment to increase the defence budget was presented and the government intends to stand by that commitment. Therefore this government's excellent work in the area of national defence will continue. This is the pledge we have made to our NATO allies and we intend to keep it.

Our urgent and important equipment requirements have largely been provided for and the Department of National Defence is now undertaking a series of measures to meet new challenges in the field of manpower and, more particularly, the reserves. I believe that any impartial observer would have to admit that we have made and continue to make very significant progress in our defence posture despite very destructive criticism from both ends of the opposition benches. We on this side of the House have to be realistic in determining how much is enough when dealing with defence and national security, always keeping in mind that without national security there can be no social security.

I know the hon. member opposite cherishes such values as honour, integrity and responsibility. I would encourage him to demonstrate that. This government has made commitments to Canada's defence and to the Canadian Armed Forces. Our Canadian forces are among the most dedicated and capable people in the country, even in the world, and they deserve more support from the former minister than they are receiving. We on the government side will continue to take our responsibility seriously.

Mr. McKinnon: I rise on a point of order, Mr. Speaker. I wonder whether the parliamentary secretary would allow me to ask a question.

Mr. Deputy Speaker: Will the Parliamentary Secretary to the Minister of National Defence (Mrs. Appolloni) accept a question?

Mrs. Appolloni: Certainly, Mr. Speaker.

Mr. McKinnon: A moment ago the parliamentary secretary mentioned that in the year 1979-80 there was a smaller amount spent in real terms. I believe the figure was .38 per cent less. It is not important. It was a small fraction of 1 per cent. She blamed that on me because I was minister of national defence that year.

I simply want to ask whether she recognizes that our government came into office in June of that year when the estimates for 1979-80 had already been passed by this House of Commons. The only thing we did so far as changing the estimates in any way was concerned was to increase them by some $60 million in order to fulfil a commitment which had been made by the previous government with NATO. The money that is being spent this year by the lucky Minister of National Defence (Mr. Lamontagne), who is spending it, is money we put into our estimates which were passed last spring.

Mr. Deputy Speaker: I have heard the hon. member. This appears to be a debate between two hon. members. With the consent of the House, I would prefer to recognize now the hon. member for Vancouver Quadra (Mr. Clarke).

Mr. Bill Clarke (Vancouver Quadra): Mr. Speaker, I rise to speak on Bill C-59, the borrowing authority bill, once again; that is to say, in another year and not another time on the same bill. I am impressed with the simplicity of the bill. It is smaller than most which we get a chance to debate here. There is only one clause other than the title. One wonders why we are spending so much time of the House on such a small bill, one that must be fairly straightforward. In fact, one might wonder why we are spending so much time on this bill regarding which the government has once again seen fit to invoke closure. This is the third time in five months that we have had closure invoked to stop the voices of the opposition from speaking out on matters of importance to Canadian taxpayers. After having taken an absolutely irresponsible attitude and invoked closure, the government then starts putting up speakers one for one, matching the speakers on the opposition side.

The hon. member for Ottawa Centre (Mr. Evans) used his full allotted time. Your Honour interrupted him at the end of his time. The hon. member for York South-Weston (Mrs. Appolloni) just gave a speech which I suggest belonged to some other debate. I do not recall her mentioning much, if anything, to do with this bill. It is bad enough that the government uses this further muzzle on the opposition by putting up speaker for speaker, but the last two government speakers have been parliamentary secretaries. For the executive on the other side to be chewing up opposition time in a way like that is unpalatable and disgusting.

Mr. Munro (Esquimalt-Saanich): Offensive.

Mr. Clarke: Yes, offensive. There are two main reasons why this bill is so important, deserves a long debate and should not be cut off by this closure move. The first is the size of the authority sought by this bill, $14 billion. The second is the underlying ills that have produced the deficits which have made this amount of borrowing necessary.

There used to be an infamous saying attributed to the Grits—"What's a million?" Now we can ask ourselves in the same tone whether they have adjusted that to "What's a billion?"

When I go around my constituency, I give explanations to various school classes. From time to time I explain what is a billion. I am beginning to wonder if I have been explaining to the wrong people. Maybe I should make some of those explanations here. It is the government opposite which has a greater need to know what is a billion.

I could give an example here. Probably many members buy lottery tickets. I will take the case of a Canadian who wins $1 million dollars in the lottery. He invests that $1 million dollars

at 10 per cent. I just use that percentage for ease of figuring, because with the inflationary rates of interest that this government has given us, he would get a lot more than that; but 10 per cent is an easy figure to get, and it is an easy figure to use. He would have an income of $100,000 a year, and that is, roughly speaking, $2,000 a week. Well, I suppose we all know somebody in the neighbourhood that earns $2,000 a week or $100,000 a year. But if we gave that same lottery winner $1 billion and he invested it in the same way, he would have an income of $100 million a year, or $2 million a week, and I do not think any of us could say we know anybody that had an income of that magnitude. It is about time that the government started thinking in billions instead of in millions.

● (1640)

Another example is a stack of bills. If we take a stack of $1,000 bills and we have a thousand of them, that will give us a stack of paper eight inches high. It does not take too much arithmetic to realize that if you multiply that stack of $1,000 bills by a thousand to get to $1 billion, you would have a stack of bills that was 667 feet tall. I am sorry I do not have the metric measurement. But if you stop and think of that size of stack of bills, that is a stack of bills higher than the length of two football fields. There is quite a difference between an eight-inch stack to make $1 million and a 667-foot stack to make $1 billion.

The final example that I often use is if we go back to the first year of our Lord and an individual had obtained $1 billion at that time, in A.D. 0, in other words, or A.D. 1, however you want to count it, and had started spending that money just straight off the top, no interest at all, in the year 1981, after spending $1,000 a day, for nearly 2,000 years that individual would still have $277 million left. He would be good for a lot more time spending $1,000 a day, and this is without receiving any interest, which I think is an important thing to remember.

Maybe this government is now finding out what a billion is worth, because their policy agent, Mr. Hopper, the president of Petro-Canada, has come crying back to the trough. He says, "But fellas, you know, I've bought that company you wanted me to buy, but now I need $1.5 billion, because my treasury is empty and I have not got the money in my coffers. So I want you guys to get the money somewhere. Maybe you will tax the consumers of gasoline or petroleum products, or maybe just go back to the printing press and print some more money." I do not think Mr. Hopper is telling us where to get it, but he needs $1.46 billion to complete the purchase of Petrofina. I would have thought that this outfit across there would have thought about it before asking Mr. Hopper, with his bankrupt or, at least, insolvent company, to buy that other company for them.

How is the government going to raise this $1.46 billion, and what is it going to cost? If, as Mr. Hopper suggests, the government just taxes Canadians to raise it, it will cost $65 per capita. Each and every person will have to pay $65. Well, that does not sound too bad; but if you take an average family of five, which is having a tough enough time as it is, then that family has to raise $325 in order to pay for the new toy, Petrofina, of the government. Well, maybe $325 is not so bad either; but we have to relate this $1.46 billion to the total debt of this government that they have run up over the years. It is hard to figure out exactly what the national debt is these days, but the public accounts, which I brought along today, indicate that the liabilities of the Government of Canada are $106 billion as at the end of the last fiscal period.

If we apply some simple arithmetic to that, it develops that that debt will apply to every Canadian, at the rate of $4,425. That is in addition to the other and ordinary personal borrowings that individuals make in Canada to acquire automobiles or homes or whatever they borrow money for. Again, if I apply that $4,425 per capita to the average family of five, it comes out to well over $20,000 for that family in addition to anything else it may have borrowed.

What exactly is $14 billion, and how much is that in relation to whatever else we have? It is about 14 per cent of the total liabilities that we have already. I consulted the taxation statistics, the 1980 edition, which is the latest one out, which analyses returns of individuals for the 1978 taxation year. Summary table two in that book shows that in 1978 $14 billion was the amount of federal tax collected from 14 million individuals who filed income tax returns that year. What this government is asking us to do by Bill C-59 is to take an amount equal to the total amount of tax paid by all individual taxpayers in this country two years ago, and just add it on, because they need some more money, to the total debt that these poor taxpayers are already saddled with.

The long-term policies which have resulted in this kind of situation developing where we need this borrowing bill are just that: long-term policies. They are not something that has popped up to surprise the government, and I have already referred to having had these borrowing bills before. Again, I refer to the 1980 public accounts. In the last five fiscal years, that is, from 1976 to 1980, the deficits incurred by the government have totalled $49 billion. Of course, not all of that is cash, but the cash requirements over that same five-year period were $40 billion. During that same five-year period, the unmatured debt, which I will have something to say about a little further on, increased by $34 billion. The total debt of the government is unknown. It is not known, probably, by anyone. Again referring to public accounts, page 2.9 in the current volume, the statement of assets and liabilities of the government shows liabilities, other than those for annuities, insurance and pensions, of $83 billion. Now, that is not quite the $106 billion of the total liabilities. In that same report, we can find liabilities of Crown corporations which are not consolidated, but are debts guaranteed by the government and have to be added, and that is another $8 billion. Those all bear interest. The contingent liabilities, which do not bear interest yet, are shown there as $4 billion. We also have unrecorded liabilities. These are arising mostly from pension indexing for those civil servants who are already retired, and also from termination benefits for those who are about to retire.

• (1650)

As hon. members well know, the public accounts are full of gems of information for those who are willing to dig for them and study them. I found a write-off in fiscal year 1979 of $546 million because of adjustments of assets for values. Then in 1980, the last fiscal year, $1.5 billion was written off, again to adjust the accounts to their proper values.

Earlier this month the public accounts committee was told by Atomic Energy of Canada Limited to expect a write-off of about $700 million. Atomic Energy of Canada Limited was not quite sure of the amount which had resulted from La Prade and two other heavy water plants built by Atomic Energy of Canada Limited having to be closed down because there was no market for their products. What I am saying is that there is much debt shown in the public accounts, and the $100 billion figure I used can be well established.

Having established the size of the debt to some measure, we then have to determine the cost of borrowing all this money. Again I refer to the public accounts, which show a total unmatured debt of $72 billion at an average interest rate in 1980 of 10.13 per cent. It might be worth noting at this point that the government too is suffering from its inflationary policies in that only five years ago, in 1976, the government was borrowing at a rate below 8 per cent. The present rate of 10.13 per cent is up 29 per cent over 1976.

Mr. Blenkarn: They are not borrowing at 10 per cent any more.

Mr. Clarke: Goodness knows what the government will be paying. That will be disclosed in the next public accounts. The rate will probably be closer to 12 per cent. I want to remind hon. members, and particularly members of the Grit government, that the government used to have the ability to borrow at 3 per cent because that was about what the real value of renting money or borrowing money was. However, with inflationary policies—most notably put into effect over the past six to eight years—interest rates have risen to such a level because they must reflect the rate of inflation plus the natural worth of the money, which would be about 3 per cent.

What does the total direct borrowing cost us? It is easy to see that if we applied the 10.13 per cent to the $72 billion reported as unmatured direct debt, that comes to an interest cost of well over $7 billion. That is each and every year. We have heard that it will continue to rise, but using the $7.3 billion, how does that compare as an interest cost with other costs and transactions of the government? The total 1980 expenditures, again in the public accounts, were $51 billion, so we can see that $7.3 billion works out to 14 cents out of every dollar the government spends being used to pay interest on debt.

That is serious enough, but if we compare that cost with revenues, we find that of the total tax revenues in 1980 of $35 billion, the $7 billion means that 21 cents out of every dollar the government takes in in tax revenues goes out right away to pay interest on this debt.

If we want to shock taxpayers in a real way, we can go back to those taxpayers I spoke of earlier who, in 1978, paid $14 billion in tax. We can see that over half of all the individual income tax paid in 1978 went toward covering the interest costs of this government. Comparing that figure with 1980 when personal tax revenues increased, as most taxpayers know from looking in their pocketbooks, we find that the rate was 43 cents. That means that 43 cents out of every dollar every individual Canadian taxpayer paid to this government went to cover interest on debt.

Perhaps that is enough of looking back. I have established what the costs are and where the borrowings of the government are at this point. Perhaps we should look ahead a little and see what will happen and what we can look forward to with this government. After all, it was not many months ago—April 14, 1980—when the throne speech produced by the government opposite announced the following:

> It is the intention of my government to continue the policies of expenditure restraint—

We can all have a laugh at that.

> —and improved government administration . . . Improving the efficiency of the federal government is as important an objective of these reforms as reducing the deficit.

Following the example of the Progressive Conservative government in the Thirty-first Parliament, I see that the Minister of Finance (Mr. MacEachen), in presenting his budget last year did a five-year forward projection. It is interesting that that was the first time any Liberal government had ever seen fit to do that. He was following the example of the former minister of finance, the hon. member for St. John's West (Mr. Crosbie), who became the first finance minister ever to make a five-year forward projection.

What do this government's projections show? First of all, in addition to the $51 billion I spoke of which we are spending in the 1980 fiscal year, the increases are shown at 15 per cent, then the next year at 12 per cent, the following year at 11 per cent and finally, for 1984, another 11 per cent increase. These are cumulative increases which will result in expenditures by the 1984 fiscal period of $81 billion. We have to find another $30 billion to spend and, knowing the government opposite, it will probably want to borrow again when that time comes.

In addition to the increases in expenditures the same table shows increases in deficits. There will be another $63 billion added on to the total deficits of this government since confederation and an increase in borrowings will be necessary. Further borrowings of $39 billion will be needed during the next four years.

With more borrowing and the higher interest rates about which my friend, the hon. member for Mississauga South (Mr. Blenkarn), was just telling us, it is not hard to imagine what kind of difficulty we will have in relation to the portions of budgets which will be taken up by the interest load this government has put upon us.

Do the Grits opposite know what is happening? I rather suspect they do not. Again I refer to comments offered by the Auditor General in his 1979 annual report wherein he made a

number of recommendations which were the culmination of many years of work on his part. One of those comments was the following:

If the current government disregards the recommendations of the government-wide studies undertaken by the AG's office (and detailed in this report), inadequate control of the public purse will continue.

We know about the Auditor General's comment concerning control over the public purse. The government has the benefit of the Auditor General's studies, recommendations of the Lambert royal commission on financial management and accountability and the D'Avignon committee study on personnel management and the merit principle.

I have not finished my remarks yet, Mr. Speaker, but I note that it is five o'clock.

[*Translation*]

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

PRIVATE MEMBERS' MOTIONS

[*English*]

ENERGY

SUGGESTED ESTABLISHMENT OF NATIONAL POWER GRID

Mr. Robert C. Coates (Cumberland-Colchester) moved:

That, in the opinion of this House, the government should consider the advisability of convening a federal-provincial meeting at the earliest date possible for the establishment of a national power grid that would connect all power systems in Canada and also, where possible, effect connections with grid systems in the United States, thus fully utilizing the power potential that exists in Canada.

● (1700)

He said: Mr. Speaker, this is not a new topic. It has been discussed in this House on many occasions but it is one that is most appropriate at this particular stage in our country's history. It is appropriate because, while we spend a great deal of time talking about oil and gas, there are many other forms of power which are of significance to the future development of our nation.

While these days we hear a great deal about the possibility of a major power shift from central Canada to the west, there is, in my opinion, as great a potential, if not greater, for the same type of power shift occurring in eastern Canada or in the Atlantic provinces, depending on where you come from. In the west they think that eastern Canada is Ontario and Quebec; in the maritimes or in the Atlantic provinces we think eastern Canada is the Atlantic provinces. But it is one of the sad facts of life and of history that as far back as 1959 we were very close to achieving a federal-provincial agreement—on which the hon. member for Qu'Appelle-Moose Mountain (Mr. Hamilton) will elaborate in the very near future—which could

have put in place a national power grid and eliminated, to a very significant degree, the insecurity of resource supplies in the fields of energy which exist at present and have put the Atlantic provinces and all of eastern Canada in the position of having to rely far too often upon the whims of the oil barons of the world.

To outline in a little detail some of the benefits which would come to the whole nation from the development of a national power grid, let me state some of the potentials which exist in Atlantic Canada and which are ours for development if a national power grid is put in place. We know about the problems between Newfoundland and Labrador and the province of Quebec so far as Churchill Falls is concerned. We know of the tremendous power potential which is associated with Churchill Falls and the development which has occurred there since the harnessing of Churchill Falls by Brinco. But we also hear a great deal in this House and other places about the possibilities of the Lower Churchill and the frustrations faced by the people in Newfoundland and Labrador over the fact that they cannot develop this tremendous power resource which they see there, both because of the transmission system which at this time will only move that power through the province of Quebec and because of a long-term agreement which was worked out between the then premier of Newfoundland, Joey Smallwood, and the government of Quebec many, many years ago, which, unfortunately for Newfoundland and Labrador, is to apply for many years in the future.

Let us stop to think what would happen if we had a national power grid and the opportunity to lay a cable which would move that power in Newfoundland and Labrador through Newfoundland to Cape Breton Island and on to Nova Scotia, and which would pick up the resources which are ours in the coal fields of Cape Breton, not to mention the coal fields on the mainland of Nova Scotia. Certainly the coal fields of Cape Breton are harnessed to a significant degree by the Buchanan government. This would offset the tremendous dependence which we have at present on bunker C oil which comes from off our shores and, unfortunately, in many instances from Arab nations, upon which we cannot depend because they themselves cannot depend on their capability to produce and deliver the oil which is theirs to sell.

However, let us go a little farther, past Cape Breton and the oil there to the Bay of Fundy and the tremendous possibilities which are associated with power generation there. Only last week I attended meetings in New York City with Premier John Buchanan and other experts associated with tidal power in Nova Scotia at which we talked with the New York State Power Authority and other people in the state about Fundy tidal power and its development.

As you are aware, Mr. Speaker, we in Nova Scotia have under way at this time a pilot project on the development of tidal power at the Annapolis River. That project will be completed in 1983 when, for the first time, a new type of generator called a straight-flow generator will be used for the harnessing of the waters in the Bay of Fundy which are at the Annapolis River to see if that particular generator will work as

effectively as its creators believe it will. If it does, then it will be used onwards to the Minas Basin where the hydro power which could be produced is almost beyond man's comprehension. It would certainly be of the magnitude of Niagara Falls, if certain sites were chosen in the Minas Basin to develop that power. It would be comparable to James Bay in Quebec as a potential source of power.

What we require, even if we are going to harness the tides of the Bay of Fundy, are transmission lines which would deliver the power in question to users who require it at this time. There is no doubt about the fact that a national power grid, if it were developed, would guarantee that the power would be made available first to Canadians, that they would have the first opportunity to take advantage of the tremendous power potential available in those Fundy tides. But even if that could not happen overnight with the construction of transmission lines, either through New Brunswick to the New England grid or under water through the Bay of Fundy to Maine, we could still put that power into an area which could immediately use it. It would assist in the payment for the actual barrages which would have to be constructed and the generation systems which would have to be put in place, as well as the cost of transmission lines which would be required to deliver power to the area where it is needed at present. With payment, you could have a system whereby there would be a diminishing supply of that power going outside our nation if it were required in our nation, and if we had a national power grid in place we would be able to deliver that power to whichever part of this nation required it. That is what is so important about a national power grid. That is the difference between what we have now and what we should have had yesterday.

The tremendous advantage is that hydro, whether it be from tidal power or from rivers, gives two guarantees to the people of this nation. First, it gives pollution-free power. It does not run the risk of acid rain, nor the risk of destroying the environment, as does open strip mining and things of that nature. None of those problems is involved. Second, it provides inflation-free power. Once the dams are built, for instance the ones associated with Churchill Falls, the Lower Churchill or Fundy tidal power, they are in place for 50 to 75 years. Over that period of time the cost of the power would be a known fact, with very little escalation of any kind.

● (1710)

With regard to Fundy tidal power, the tides come in and the tides go out. Price does not make any difference because the tides still come in and go out. Once the dams are built they are in place, and it has been suggested that they would be in place for 75 years. This indicates that we will know the cost of that power today and, really, 75 years from now. The experts say that there is less than a 1 per cent inflation factor associated with the development of that kind of power. It is a substantial difference, especially when one looks at oil which was $2 per barrel in 1973 and today is something like $36 U.S. per barrel, with many experts saying that the price of oil will soon be something like $100 U.S. per barrel.

When one looks at those figures and the possible development in eastern Canada, one has some appreciation of what could be done if we could only develop a national power grid as soon as possible. As the hon. member for Qu'Appelle-Moose Mountain will point out in detail, much of it is in place now, It is simply a matter of developing the connectors and upgrading the transmission lines across the country so that we can move power back and forth where it is needed.

These days we talk a great deal about security of supply for oil and gas. We in eastern Canada know of our potential to participate in making a two-way pipeline for either oil or gas tremendously valuable to the whole nation from a security of supply point of view. We can look at a national power grid in exactly the same manner. With such a power grid we could give a guaranteed security of supply not only to eastern Canada but to the entire nation from the point of view of being able to move electrical energy from Labrador to British Columbia. That is what the country requires; that is the foresight our leaders must have. It is the reason I suggest that there should be a federal-provincial conference committed to the development of an agreement which will ensure that this moves forward.

I suggest that agreement does not have to be at the first minister's level in the beginning. I believe we have resource ministers across the country with the foresight to want the required interconnections to ensure that we have a national power grid. It saddens me that although since 1973 we have been told the facts of life as far as oil supplies in the world and in this country are concerned, we have not moved or we have moved like turtles when we should have run like deer. Even at this late stage we must see to it that a mechanism is put in place which can produce a national power grid to move electricity, not only back and forth across the nation but north and south when it is required, and in many instances it is.

With power in the maritimes, with Fundy tidal power in Nova Scotia, certainly we will need to connect with American power systems to move our power north and south, to pay for the required facilities, to retain the long-term benefits for Canadians, and in the short term meet the problems faced by our American friends who are also in the same box as far as security of supply for energy needs are concerned, especially oil. They are most anxious to get out of oil usage and turn to alternate sources of energy, so that they will have a security of supply the same as we in eastern Canada desire.

As this debate goes on, I hope a determination will be expressed by the House to ensure that some initiatives are taken at the federal level to put in place, as quickly as possible, a national power grid for the benefit of all Canadians.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, the motion this afternoon by the hon. member opposite was introduced against the background of the recent National Energy Program announced by the government. It is within that context that I want to say a word about the motion and then turn to the more specific questions of the hon. member concerning the

possibilities of a national energy grid, and also his concluding point with regard to electricity exports to the United States.

The House may recall that it was noted in the National Energy Program that Canada's capacity in electricity has more than kept pace with our demand for electricity, and that that margin of capacity gives us an opportunity to analyse further the choices we shall have to make regarding the generation of electricity in the future.

In referring to that element of the National Energy Program, the hon. member understandably concentrated on the requirements, as he sees them, of the region from which he comes. Indeed, electricity is a source of energy which holds great promise in the maritime provinces of Canada.

The National Energy Program draws attention to the opportunities represented by a number of major projects in the Atlantic provinces to which the hon. member referred. I am speaking of the Lower Churchill project which is under active consideration at the moment. Certainly it is the government's view, as indicated in the National Energy Program, that the technical, financial and political barriers to the rapid development of Lower Churchill power must be overcome without delay. In addition to that commitment, the National Energy Program and, indeed, existing initiatives of the federal government are also directed toward the generation of electricity in the Atlantic provinces in such novel ways as the tidal power to which the hon. member opposite referred. He will be aware of the federal financing of a development project in that regard, a project which I am sure all members in the House hope will indicate a viable and prosperous future for that particular potential source of electrical power.

• (1720)

Beyond that, of course, the member is conscious, as I am sure we all are, of the need to ensure alternative energy sources to that of oil-fired electricity generation in the Atlantic provinces. Therefore, the emphasis in the program is also on environmentally acceptable conversions to coal of oil-fired capacity in electricity generating stations, where that opportunity exists.

Against that background of electricity generation potential in the maritime provinces—and I have touched upon only one or two examples—I want to say a word about a national power grid to which the hon. member opposite has drawn the attention of the House. That question is not a new one by any means. As the hon. member pointed out, it is not a new idea. It has been discussed over the past decades, and there has been a continuing interest in that time in the possibilities offered by a national power grid.

There have been two major studies undertaken on an interprovincial basis to explore the opportunities for strengthening the electrical connections between provinces. The first of those studies began in 1962, almost 20 years ago. It was completed in two stages under the direction of a federal-provincial working group on long distance electricity transmission. At that time the committee had to indicate the nature and extension of the potential benefits of a trans-Canada interconnection as its objective, which might be expected to bring significant benefits to the whole Canadian economy. A further major expectation was that the grid would reduce the need for investment in generating capacity and, additionally, would reduce operating costs. The first stage of that study was completed in 1963. It was followed by a more detailed investigation.

The result of the study stated that there would be savings. But they were seen as minor savings—less than 1 per cent of the total electricity system investment. At that time the committee findings indicated that to obtain the maximum benefit of a national development plant would require the full co-ordination, planning, development and operation of the interconnected utilities. Of course, in turn, that implied a requirement for some form of central planning and operating authority. The members of the committee concluded that the estimated net benefits of the national network were too limited to justify the further immediate development of the idea. However, the committee did recommend that the subject be re-examined at a later date.

Some years later, in 1977, the possibility of a type of interprovincial grid was, indeed, examined by an interprovincial advisory committee on energy. A study group was established which undertook an assessment in a somewhat similar manner to the earlier study to which I have referred. In October, 1978, a report was issued which concluded that there was a very modest, but positive, indication that the value of strengthened east-west interconnections in the electricity system of Canada would increase over time.

From that very brief and somewhat simplified view of the studies, it can be seen that there were some indications of benefit from a major expansion of regional interconnections. Those benefits were seen as small, in terms of the total investment which would be required in the electricity industry in the years ahead. It was also seen that in order to achieve such modest benefits some form of central planning would be required. There were indications that the provinces would see this as an unacceptable limitation of their flexibility in their own planning of electricity capacity.

On the other hand, it is evident that there has been progress among electrical utilities in Canada in co-operating among themselves. Certainly, on occasion the national government has acted to encourage them to do so. For example, from the two studies to which I have referred, the provinces became more active in expanding their regional connections.

When the federal-provincial committee began its work in 1963, the major north-south transmission system between the Peace River hydro development in northern British Columbia, to take an example, and the load centres in the southern part of the province had not been completed. The Nelson River system in Manitoba had not been committed. The eastern-western portions of the Ontario system were isolated, as were the eastern-western parts of the Quebec hydro system. At that time no transmission interconnections existed between Quebec and Labrador or between Quebec and New Brunswick. Prince Edward Island was isolated from the mainland. The results of the studies encouraged an increased growth of transmission

lines in many of the provinces. The federal government played an important role in assisting the provinces in the development of their electrical generation capacity and transmission facilities.

I would like to give one or two examples of such federal involvement. They include the extensive support of provincial electrical research and development, such as the $25 million contribution to the demonstration of low head hydro power at Annapolis, Nova Scotia, to which the hon. member made reference. This was a commitment to provide a loan of up to almost $200 million at Crown corporation rates. To date, over $100 million has been spent for transmission facilities from the Nelson River development in Manitoba. Other participation by the federal government was demonstrated in the joint involvement with the Newfoundland government to study the hydro potential of the Lower Churchill Falls in Labrador from which there are high expectations of real benefit. The federal government has also assisted in the construction of the cable between the mainland and Prince Edward Island, which substantially reduced the cost of electricity generation in that province.

It is obvious from these and other elements that in the past the federal government has been active in assisting the provinces to develop efficient and effective hydroelectric and other electrical capacity. Not only has the federal government demonstrated its interest and concern in the past but it is committed to playing an important role in the future.

To sustain Canada's energy security in the long run we need to substitute more plentiful forms of energy for those forms which are now less plentiful and more expensive, particularly oil. Within that program, as I have already noted, electricity remains a major element.

• (1730)

To that end the government has embarked upon a program to encourage Canadians to convert their domestic heating from oil to natural gas in some areas and to electricity in others. The incentive program, Canadians will want to recognize, does include electricity just as much as it does oil.

If our goal of substitution were achieved tomorrow, that is, the goal of reducing our use of oil in residential, commercial and industrial sectors to 10 per cent of the total energy used in those sectors, the daily saving would be almost 400,000 barrels of oil, the equivalent of what we import today.

The National Energy Program looks toward the ecouragement in the Atlantic provinces in particular of the substitution of electricity, where practical, for the high cost and limited oil that is available. That program will begin to be implemented vigorously in the months immediately ahead.

In addition to discussing some of the domestic benefits of electricity co-operation among provinces which in the hon. member's view would best take the form of a national electricity grid, I want to touch on the international aspect the hon. member raised, and that is a power grid which would maximize connections with the United States. In that regard hon. members may recall that international trade in electricity has grown dramatically in recent years; since 1975 there has been nearly a fivefold increase in our net exports. Net revenues from the export of electricity have risen from approximately $1 million in 1975 to almost $7.5 million in 1979. In fact, in 1979 our net export of electricity represented 9 per cent of net Canadian electricity generation.

Such a growing level of electricity exports understandably raises the question of whether the interconnections between the Canadian and the United States facilities are interfering with the development of greater regional interconnection within Canada.

I think it is worth taking a moment to explore some of the reasons for the growth in international links to determine whether there is any negative effect to the national interest or whether such exports represent a clear benefit to Canada and an activity which should be promoted and developed further.

During the early years of this century several hydroelectric developments were constructed in Canada, primarily to meet the needs of the neighbouring states of the United States. Some of those developments were undertaken under contract which continued up to as much as 60 years. That, in turn, led to some concern that the more attractive hydro sites were somehow being directed away from supplying the needs of the Canadian consumer. The isolated nature of electricity systems in the first decade of this century made it very difficult to replace energy from United States sources in the event that Canada wished to recapture its hydroelectric output. The export of electricity was actively discouraged by a number of measures and exports were regulated as early as 1907. From the period 1925 through 1963 a tax was levied on electricity exports, a fact that was not always recalled during the recent debate about taxes on the export of petroleum.

The establishment of the National Energy Board in 1959 provided an opportunity to review export applications in a much more comprehensive manner and to distinguish between export opportunities that could provide substantial benefit to Canadian customers from those that might endanger the cost of security of supply to Canadians.

More recently, the National Energy Board has put tests in place to ensure that exports will be permitted only after the Canadian people are assured of their own electricity requirements while at the same time taking the opportunities for foreign exchange earnings which such exports represent.

I do not doubt that in the time ahead we will hear more about the possibilities of electricity generation partly, perhaps, from the stations in the maritime provinces. It is an area to which the government is sensitive. We will work to assure the Canadian people that while their needs for electricity are fully met, equally the possibilities for co-operation with the United States in this area are also actively supported.

I touched upon some of the questions raised by the hon. member in his interesting statement. I think he will see that a number of initiatives have been taken in the past to encourage co-operation among the provinces in their electrical generation

activities. He will see there are aspects of the National Energy Program which are designed to encourage the further development of electricity capacity in the maritime provinces.

Finally, Mr. Speaker, I am sure he will recognize that as a result of initiatives taken both by provincial governments and the federal government, the potential for electricity exports will be seriously examined and further developed as the capacity and needs of Canadians are met.

Hon. Alvin Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, when we talk of a national policy for Canada, I do not think there is any debate or argument about the fact that the key component of any national energy program has to be an energy power grid which will carry power from all types of sources.

The parliamentary secretary has just finished outlining the sad story of inactivity on this proposal for 20 years. Let me refresh the memory of the House about things done a generation ago when we finished 22 years of inactivity on the part of the federal Parliament in regard to the development of Canada.

In 1957 a fresh new government came in with the national power grid in its policy resolutions from the 1956 convention. It went to work on the proposal with vigour, spoke to every provincial government, got the support of every provincial government, spoke to all the hydro commissions, power authorities private and public, got their support and in 1959, after the preliminary technical study, the prime minister of the day announced in Kitimat a national power grid for Canada.

This grid would not just carry the power from the hydro resources of Canada which were and are abundant, energy would come from many sources—the tar sands of Athabasca, the heavy oils of eastern Alberta the geothermal energy below the surface of all Saskatchewan and the resources of the prairies. It would take in coal, although we did not know the full amount there was in B.C., Alberta and Saskatchewan. In just those three provinces alone we now know there is over 200 billion tons of coal. We were looking to the coal of the offshore area because that figure of 250 billion tons I quoted does not apply to the northern parts of Canada, the Arctic Islands or the coal of the offshore area. That has a tremendous potential along the eastern part of the country. The Fundy Tidal Power was certainly part of that concept.

● (1740)

We visualize the power grid which runs from the Yukon in the north, with all the unused power each year going into the sea, together with all the power from the rivers in northeastern B.C., including the Peace River, the power from the Columbia system, the Saskatchewan Nelson system and the power from the Churchill. Then there is a big gap in northern Ontario. We thought of harnessing what is now called the James Bay power, the great power of the Churchill River and the tremendous offshore energy potential of the Atlantic provinces and bringing all of that and all of the LPP fuels for the fixed power part of the package. It was a great concept, but we had to assure ourselves that not only was it a hypothetical dream, it was an economically viable project. Even using the distressed prices of oil and gas referred to by the hon. member for Cumberland-Colchester (Mr. Coates) that you could get offshore as dumped products, even referring to the very cheap power rates in Manitoba, what you will get in B.C., what you had in Ontario and what you were going to get in Quebec—with that, even as the parliamentary secretary stated, when that study was completed on the economic aspects as well as the physical and technical aspects the report in 1963 showed a marginal advantage. That was the case even at the low prices of that day.

What the parliamentary secretary forgot to tell you, Mr. Speaker, and Canadians, was that we went to that power grid as a basic fundamental in our national development policy because we knew from the Paley report in 1952 and the Netschert in 1959, and so on in that the world would be short of oil, the most popular form of energy in 1950. We knew that 1980 was the critical period and we had to get ready for that critical period. Prices would obviously have to rise from those rock bottom prices of $2 per barrel. If you were to add in the present costs of all the energy sources I have mentioned and put into that 1963 study what the benefit-cost ratio would be, as the hon. member for Cumberland-Colchester said, it would be hard to grasp. Things are 30 times higher. Think what it would mean today to the Atlantic provinces if they were part of a national power grid, both contributing to and taking from that power grid. Think what it would mean to the hard-pressed industries of Ontario to get access to sure energy supplies, maybe coming from Alberta's coal or from Saskatchewan; maybe coming from as far away as the Yukon? The trick was bumping it back and forth.

As the parliamentary secretary mentioned, that report was never published. That report came into the hands of the minister in September, 1963. However, some of the information in it was obtained by talking to power corporations and commissions across the country. Some were private power corporations and did not want their figures known. When I asked the minister for a summary of the report, just to state what the parliamentary secretary stated here today, that the benefit cost was plus, we could not get it. From 1963 the provinces were forced, one by one, to develop their connections. They had already done it in Nova Scotia and New Brunswick in 1957 through the Atlantic Provinces Power Development Act, which was passed in this House to help those provinces build connections. Manitoba, Ontario, Saskatchewan, Alberta and B.C. are all being forced into the connection. Over the years they have developed the capacity to carry a higher voltage and reduce the cost.

Another factor is the research which has gone on. Take a look at what Quebec Hydro has done in research of high voltage transmission. What about the work done by the National Research Council, and what about the wind tunnel at the airport? What about that 1963 report and the losses that would not have to occur with our modern technology. That technology by Quebec Hydro and the National Research

Council was available publicly 12 years ago, and nothing was done about it. The whole history of this subject, over the past 20 years has been sad. I cannot honestly blame anyone. There is this lethargy in Ottawa about doing anything. All this enthusiasm at the provincial power authorities level was squelched by politicians. I ask hon. members why? I can tell you that no one knows the answer.

I talked to Mr. Lévesque, now the Premier of Quebec, but was minister of resources in the Lesage government and he was enthusiastic. He was the first president of the Canadian Council of Resource Ministers. He said this was the only way the federal system would work, if we all sat down as equals and discussed what was best, and then do whatever came under our jurisdiction. What an opportunity Canada missed.

I have another fact. You have heard me talk about wind power and you have heard me talk about heat pumps in this House, but I have not yet talked about one of our greatest resources in energy, namely, geothermal energy.

Geothermal energy is found in the Cumberland Basin. It runs right across to Gaspe. Geothermal energy is under south-western Ontario, under the prairies and in isolated spots in British Columbia. We have no information about it in the north. But let me quote what scientists said two years ago. They said that on the prairies alone the energy content of this hot water beneath the prairies is 360 times the energy content of all the natural gas we will ever discover in Canada, and we have discovered a lot of natural gas in Canada. We still have 400 trillion cubic feet to come that we know about. But geothermal energy is 360 times greater. Geothermal energy can be turned on site into electrical power and sent anywhere, north, south, east or west. Think what security we could bring to the manufacturing province of Ontario. We could send that power east, west, north or south because we know we could get it back under this concept of moving power around to meet time zones east and west and to meet the peak loads north and south. I will not go through all the technical data about that.

I have not put a figure of energy content on the 250 billion tons of coal. I could do it, but I am simply saying that Canada has energy of a non-renewable sort running out of our ears. We sit in this House and fight and quarrel like a group of children over a silly little bit of oil, which is only going to last five years anyway. I would not like to see this Parliament continue dealing, as it is now with oil prices, because of this pride of confrontation which exists between politicians. One of the ways to settle this darned thing is to quit fooling around. Everyone knows that a power grid, which would have cost $300 million in 1963, with the knowledge we have today would only cost about $1 billion, would move power in tremendous volumes back and forth, way below the cost of what we have to pay for energy from local sources today.

We are no longer talking about $2-per-barrel oil in determining whether the project has a benefit cost ratio plus. We are talking about $30 and $50 for a barrel of oil. If we want to face this $30 and $50 per barrel of oil, we should just sit and wonder about these things.

Let us talk about all the things we have looked at. I have not seen the 1977 report.

If we had wanted to use this great energy of Canada 25 years ago to build up the Atlantic region to the highest level of any industrial complex in the world, it could have been done. It has all the markets of the world at its service, access to the Arctic resources by sea from the north, access to all of this energy in their own area and, with a labour force as good as any in the world, it should be one of the richest complexes in the world. Had we started that 20 years ago, what regrets would those of us have today who knew what the hopes were then? We have to face up to this and get it done.

• (1750)

I want to see an east-west power grid so that British Columbia, Manitoba and Quebec are not forced to sell south. That is the only way to finance their operations today with the high cost of energy. I would like to see these great unused power resources built in.

There is no use talking about Fundy tides if you are talking about a market in the Atlantic area. It needs a market 1,000 miles in diameter, and when those great surges come four times a day let the high voltage lines be built that will pump it out and bring it back so the whole area becomes secure. If we happen to help 100 million Americans in the process, so be it. We will get it cheaper; it is ours. This is what sharing means; this is what co-operation means.

I appeal to members on the government side to go after the department and ask for a copy of the 1963 report. No member of Parliament has seen it. Let us look at it. Let us apply the new cost figures to it. Take the report and study of 1977 and let those who know something about it look at it. Do not let these reports be taken as an excuse to avoid action. Do not bury them, bring them out into the daylight. It is amazing how many people across this country cry in their beer at night, thinking of all the work they did some 20 years ago. I have had them come into my office and show me the different parts of the report which they did. Why not let it be known, that is all we ask. Get the information out. Once you see there is a market for this great power of Fundy, the tidal power from other areas and all the other forms of energy across the country, there is no question about what the decision will be. If you want to fight inflation and energy costs, the key to it over the next 30 to 50 years will be this power grid. Let's look at it; let's get it moving.

The suggestion of calling a meeting is fine. Restore the old Canadian council of resource ministers or any group that will meet together. The various provincial ministers are not dolts. They would like to work together. However, they need the leadership of the federal government which seems reluctant to think big. That is the job of this House. If the members of this Parliament do nothing but get them back together again and start talking, if we make that contribution in the next three or four years, we will have served our country well.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I want to say a few words on the motion before us. I wish to clearly indicate that the members of the New Democratic Party have no hesitation in supporting the principles enunciated in the resolution. We believe the study and the eventual establishment of a national power grid would be just part of what we conceive as a major need in this country, the establishment of an industrial strategy to use the material and human resources to the benefit of all people, to meet their needs and provide the required jobs. In order to have an industrial strategy, we need planning on a major scale by the federal government in co-operation with the provincial governments.

One of the major resources in this country is hydroelectric power. Although we probably use more hydroelectric power per capita than any other country in the world, we have tremendous unused and untapped sources in northern Quebec, northern Manitoba, northern British Columbia and other places.

As the hon. member who introduced the resolution is from Atlantic Canada, he talked about the resources of Labrador and the Bay of Fundy. There are tremendous resources in western Canada. The Conservative Premier of Manitoba is talking about a power grid among the three prairie provinces.

These potential resources should be studied in detail, catalogued and used to the utmost. Hydroelectric power should be used as much as possible in place of our non-renewable resources such as oil, natural gas and coal. That cannot be done without a study and a national grid which would connect the sources of power we now have.

It makes no sense for Labrador power to be sold to Quebec and then to the United States rather than to New Brunswick, Nova Scotia or Ontario. It makes no sense for Manitoba to sell power to the United States when it could and should be selling to Saskatchewan or Alberta thereby obviating the need for the coal they now use. We support this bill in principle and hope it receives the support of the House.

Mr. Maurice Foster (Algoma): Mr. Speaker, I am glad to have this opportunity to speak on the motion of the hon. member for Cumberland-Colchester (Mr. Coates). It fits in very well with the objectives of the National Energy Program to move away from expensive and insecure oil to electricity, natural gas, biomass and other renewable energy sources.

During the past 20 years we have seen a number of interconnections between northern and southern British Columbia, the Nelson River transmission system between northern Manitoba and the south, an interconnection into the United States between the eastern and western parts of Ontario, the eastern and western parts of Quebec, an interconnection between Quebec and New Brunswick and the cable system to Prince Edward Island, as well as the interconnection between New Brunswick and Nova Scotia. There were a number of interconnections established through co-operation between the provincial utilities and the federal government. In some cases funding was provided for interconnections between the various systems.

In respect of exporting to the United States, it is very important to use utilities such as Ontario Hydro because of the tremendous power needs in New York City and New York state. This power is required for air conditioning during the summer months when our needs in Ontario are not as great. The load can be maintained and the exports take place. Very substantial financial rewards return to the utility in Ontario and there is a cost advantage for Ontario consumers.

There is a need for an interconnection between Saskatchewan and Alberta. With the very rapidly expanding economy of Alberta, there will be a need for an interconnection for the possible use of power from Manitoba. I understand an interconnection is being constructed between British Columbia and Alberta which will provide for the sharing of electrical resources between those provinces. It will make use of the hydro resources of British Columbia which are very extensive. Much is already being exported to the United States. There is a need for many interconnections.

We talked about the Fundy tidal power, the need for an interconnection between Labrador and Newfoundland because of the great potential of the Lower Churchill Falls system, and the ultimate possibility of exporting that power from the Lower Churchill Falls to the maritime provinces of New Brunswick, Nova Scotia and Prince Edward Island.

The Acting Speaker (Mr. Blaker): I would indicate to the hon. member it is six o'clock. The hour provided for the consideration of private members' business having expired, I do now leave the chair until eight o'clock this evening.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed consideration of the motion of Mr. Bussières (for the Minister of Finance) that Bill C-59, to provide supplementary borrowing authority, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Mr. Deputy Speaker: When the debate was interrupted at five o'clock, the hon. member for Vancouver Quadra (Mr. Clarke) had the floor.

Mr. Bill Clarke (Vancouver Quadra): Mr. Speaker, I was saying at five o'clock that the Auditor General had pointed out

to the government many of the improvements that were necessary in order to return to fiscal sanity. We are now being presented with Treasury Board's recommendations of a review of information necessary for parliamentarians so they can have a rational review of expenditures. Appointments of departmental comptrollers have been too slow to assure that Parliament has the necessary departmental expenditure information.

The point of all these recommendations, and there are critics of them, is that these expenditures do not cost the government money. They save the government money. The faster this kind of thing can be put into effect, the better for all the taxpayers.

I want to refer to a conference I attended in Toronto, *The Financial Post* conference last year. It was called "Hands On, Hands Off". A few words from Milton Friedman would probably be in order for my friends opposite. There were 300 delegates there, including two former ministers of finance from the government opposite. Mr. Turner, one of the former finance ministers, made a comment, as he was introducing Mr. Friedman, about completely free markets. I think he said they exist nowhere and that Canada was built with a judicious mix of private and public capital and initiative.

Mr. Friedman was quick to take Mr. Turner to task on that remark, pointing out that there is no such thing as public capital. There is only private capital. Government and public expenditures come only from wealth produced by individual taxpayers. He also had an answer for governments generally, about inflation, reminding us that it was caused by governments, governments that were too fastidious to finance expanding social programs by raising taxes or borrowing at going interest rates, and so they had been creating money at a rate that outstrips the economy's growth. Of course, there is a solution: restrain monetary growth.

There are other solutions that have been tried. One has been tried, by the government opposite, namely, wage and price controls. History proved that both here and in the United States that was not the solution. It gave temporary relief to problems of inflation.

It is easy to blame people for inflation. The government blames the world, the weather, foreign markets, anybody else. They blame labour. Some people blame labour, which is certainly not responsible by simply making attempts to keep up with inflation. Business cannot be blamed for trying to raise their prices to cover higher cost. Even the banks have been blamed for inflation; but because of inflation caused by these bad fiscal policies, they have to pay higher and higher rates to people who are willing to save in order that the money can be loaned out to people who want to borrow. Of course, they have to pay higher rates for that money.

We need less government. That is the problem. That would go a long way to providing a solution. The government we have must stop smothering business with regulations and by controlling prices; for example, prices of oil. We have other examples of the government getting into matters like Petro-Canada and buying Petrofina. Just a month or so ago, the government purchased a whole string of service stations in the city of Vancouver. I do not think the taxpayers really wanted all that money to come out of their pockets to buy a string of service stations from which they were already getting good service.

• (2010)

We also need an overhaul in the tax system. We need an overhaul which would encourage savings and investment in Canada. The present policy of taxing illusory gains created by inflation discourages saving by taxpayers and encourages spending. That, of course, fuels inflation. The present system is unfair and inadequate.

I will give just a couple of examples. In 1978, according to the taxation book to which I referred earlier, 2,300 taxpayers making over $50,000 a year paid no income tax at all, and that number includes 96 who earned over $200,000 and paid no income tax. Can a system which allows that be fair?

Let us look at the rules which affect tenants versus owners of homes. The owner of a home pays no tax on his gain when he sells his home, and a tenant who invests his capital and pays rent is taxed at very high rates because he chooses to be a tenant and invest his capital.

There are no roll-over provisions which would allow one to sell a personal asset and buy another comparable personal asset. In case hon. members think only business people are concerned about roll-overs, let me remind them that some people probably have cottages, certain collections or other items they value which they may wish to sell in exchange for another, but there is no roll-over provision, and they will have to pay the full capital gains tax and then find that they are not in a position to replace those particular assets.

I have given some examples of why we have this bill before us now, and there are others. Perhaps before I finish I could just mention the Mirabel airport, which has been in the news recently. The original cost of Mirabel was about $600 million, which included $150 million to expropriate farm lands nearby. Now the Grits have decided they no longer need all that land around that airport, and they want to sell it back to some of the 2,200 families whose lands were expropriated. But now how do they decide to whom they are going to sell? Many of the home owners are gone. Some of the properties are leased to unsuspecting tenants, and some buildings are in disrepair, in spite of the fact that the government had a $10 million annual program to keep order in the general area. If we add all that to the $1 million a week being lost on the operation of Mirabel airport, we have an idea of why we have a bill like this before us.

It is clear that Liberal policies are leading us down the road to financial ruin, and there is no sign of needed changes, no sign of restraint from the other side, no sign of fiscal responsibility, no sign of fair taxation, no sign of reduced government interference, no sign of concern for individual taxpayers and no sign of concern for corporate taxpayers who, after all, get all of their ability to pay taxes from individual taxpayers.

With the policies of this government it is clear we will be back here next year, and maybe I will be taking part in a debate on another, bigger borrowing bill.

Mr. Jim Manly (Cowichan-Malahat-The Islands): Mr. Speaker, I appreciate the opportunity to speak about the supplementary borrowing authority bill. Like other members of my party, I regret the imposition of closure, which denies to other members the right to speak on this issue.

This evening I would like to look at the supplementary borrowing authority from the perspective of my concern for the Indian people of Canada. We all know that the question of borrowing raises fundamental issues about the way in which this government is managing, or mismanaging, the economy, and we all know that the social fabric of our nation depends upon a healthy economy.

If ever we want evidence that the government has mismanaged the economy, we can find it by considering the plight of the Indian people. In many respects the Indian people are something like the miners' canary. When miners had to enter shafts where there was a possibility of dangerous gas or bad air, they used to take canaries with them. The miners knew that if the canaries survived, they could survive. They knew that if the canaries succumbed to bad gas, they had better get out of there very quickly.

When we look at the situation of the Indian people, we see that in many ways it forecasts and highlights the situation all Canadians are facing. Indian people suffer the highest unemployment in Canada. For example, Norway House in Manitoba has a population of 2,500, and of that population of 2,500 there are over 700 people listed as unemployed employables. We will not find these people listed in the regular statistics on unemployment which come out from Statistics Canada every month. They are not part of the 945,000 people about whom this government does not seem to be concerned. They are an additional number. There are no records kept of them.

The ratio of employed people to dependants in the Indian community is one to ten. Whereas in the rest of society it is approximately one employed person to two dependants. This gives some idea of the serious situation, and to maintain this pace or even keep up with this deplorable situation of one person in ten employed, the government will have to create some 13,000 new jobs in the next ten years. But the government is not even doing that, it is falling behind and this deplorable rate is getting worse. Instead of creating an average of 1,300 jobs a year to maintain this ten to one ratio, the government is creating about 1,000 jobs. Next year the situation will be worse unless something drastic is done.

Because of their remote locations most Indian communities suffer even more than others from the high cost of living, and Indian people are the ones who suffer most from cutbacks in government spending. Government policies over the last 100 years have destroyed the economic basis for self-sufficiency. The people have had to depend upon government grants, public works projects and welfare. In some Indian communities the social assistance rate is over 95 per cent. Migration of Indian people to cities over the last 14-year period increased from 15 per cent to 30 per cent. People try to escape from one kind of poverty only to end up in another. They turn from unemployment in one area only to find themselves unemployed in another.

When the government cuts back, the Indian people feel it most. I believe it is time, as we look at this borrowing authority, that we looked at what is happening to the Indian people because, like the miners' canary, the welfare of the Indian people has a message for all of us, if we can only understand it.

I was talking today to someone from the Union of New Brunswick Indians who was concerned about the cutbacks in that area. On only two reserves were there minimal increases. On some reserves there were cutbacks in their administration funds which equalled 62 per cent. This means they have to cut back on basic essential services like street lighting. At the same time they are concerned about advertisements in newspapers for senior management consultants at salaries of between $31,000 and $36,000 a year. They will have the job of helping Indian bands manage their programs more effectively. The government is cutting back with one hand, and with the other it is offering to pay consultants $31,000 to $36,000 a year to help these Indian bands manage. They can be experts on how people can survive on nothing, but they themselves will be getting very nice salaries. The Indian people asked where the money for this new consultant program will come from, and they suspect very much that it will come from some of the cutbacks they experience.

The total budget for 60 Manitoba bands is up this coming year by only $10 million, from $122 million to $132 million. That represents an increase of only 8 per cent at a time when the cost of living is increasing by 12 per cent. We expect that the Indian people will be able to get along with 4 per cent less than last year. The director general for the region has asked for a barebones grant of $159 million, instead of which only $132 million was made available. The department is putting a penalty on those Alberta bands which have resources of natural gas by pressuring them to use the revenue from these resources. Instead of using the revenue for development, they want them to use it to supply services which normally the department has supplied.

• (2020)

I was speaking to someone from a smaller reserve in Manitoba who told me that a year and a half ago these people took over the management of their own school. At present, they are providing services from grade one to grade nine, and they hope to expand. Now they face cutbacks. They presented full cost estimates, with which the department agreed, for $737,000. Instead, the department says that $610,000 will be available for the next year. They are $127,000 short for the operation of that school. The department agreed with their needs, it agreed with their estimates, but it said it was sorry, it had no money.

What I am saying is that the government has not managed its finances properly. I submit to you, Mr. Speaker, that these cutbacks are as wasteful as any of the wasteful expenditures

which some other hon. members like to draw to your attention. When we cut back on basic items such as education, we are being wasteful of our human potential. This reserve is having to cut back on its social development programs, social assistance and minor home repairs. In every way we expect the Indian people to do with less. These are the conditions which result from cutbacks. We have created a dependence for these people, and then we cut back. I submit that if the government were borrowing money to invest in the future of Canada and if it were borrowing money to invest in the future of Indian people, we would agree. But this is not happening. In real terms, federal expenditures for Indian people have increased by 15 per cent over the past decade, while federal expenditures for non-Indian programs have grown by 128 per cent per capita in the same time; a 15 per cent increase for the Indian people, 128 per cent for other programs.

The Indian economic development fund has been described by department officials as a fund of last resort, and truly people need to be desperate to apply for it. In the current quarter, the interest rate for loans under $75,000 is a modest 19.75 per cent, but for loans and portions of loans over $75,000, the interest rate is 21.75 per cent. This is the fund which we expect Indian people to use to get development capital so they can develop their communities, so they will not be dependent on welfare, and so they will not always have to be coming to the government for a handout.

Last fall, when this was brought to the minister's attention, he agreed it was a deplorable situation. I understand he was hoping very much there could be some kind of a true development fund established which would make money available for the Indian people. But the minister was not successful in convincing Treasury Board there was such a need, so the present pitiful conditions are continuing. In 1979 and 1980, less than half of the money which has been allocated to development was actually used for that purpose. Much of the rest was used to cover over-target expenditures in education and social services because the government is always cutting back and giving less than the barebones estimates. When there are cost overruns, the government dips into the Economic Development Fund and uses that money to cover these cost overruns.

This is the way we continue to perpetuate a dependence rather than helping the Indian people to establish a true system of development. While less than 4 per cent of the total budget of the Department of Indian Affairs and Northern Development is available for development purposes, over 20 per cent is used for social assistance programs. It seems we want these people to continue on welfare, we want them to continue to be dependants rather than to give them the resources they need to develop their communities and develop economic self-sufficiency. I suggest that instead of the government using its borrowing power to allow the Indians to reach self-sufficiency and economic independence, it uses it to create a system of welfare dependence.

We have all seen the report of the Auditor General for the past year in which he indicates very clearly that the Department of Indian Affairs and Northern Development is out of control and does not know what it is doing.The report states:

> An example of the effect of these planning and control weaknesses can be found in the implementation of the policy for transferring program delivery responsibilities to Indian bands. We found that the department had not forecast the rate of transfer, nor were conditions for transfer specified.

When they found that costs had increased, they decided to implement cutbacks, and the Indian people are in the unhappy position of having to administer their own misery.

With regard to the Economic Development Fund, the report points out that:

> —the department has approved loans totalling $81 million.

It does not know where they are going. It has had to write-off $17 million. The report goes on to state:

> In our view, a significant portion of these proposed write-offs is due to the department's inadequate management of the approval of loans, monitoring of projects and collection of loans,—

There is a confusion of roles in the Department of Indian Affairs and Northern Development. It does not know whether its job is to keep the Indians in line or whether its task is to help them with development. In October of 1980, officials of the department estimated that some $10 million was needed to help bands prepare for some of the massive development projects which would affect them in the near future. Last week they were offered $1 million. If the government is serious about the needs of the Indian people it will begin to shift its priorities from bureaucratic red-tape management and welfare dependence and begin to give priorities to economic and community development. This will cost money, and I urge that the government use its borrowing authority for this kind of a developmental purpose.

As a beginning it should adopt a clear policy for settling Indian band land claims in a manner which would give these people a base for their own economic development, and then it should institute a development fund which will give Indian bands access to capital. In this way they can use their resource base and their natural ability and have the capital to develop both.

We in our party very definitely oppose wasteful expenditures. We also oppose wasteful cutbacks, we oppose the waste of human resources and human potential about which this government does not seem to care, the waste that is represented by the more than one million people who are unemployed, and the waste that is represented by allowing our Indian people to exist in the backwater where no one pays any attention to them.

• (2030)

I want other speakers to have an opportunity to participate this evening, so in conclusion I urge the government to use its borrowing authority for positive purposes, not for a continuing patchwork of programs.

Some hon. Members: Hear, hear!

Mr. Paul E. McRae (Thunder Bay-Atikokan): Mr. Speaker, I am pleased to participate in this particular debate. I guess all

hon. members in the House do not like the notion of shortening the debate but, on the other hand, when one is on this side—and I think the Tories would have experienced this had they been in power much longer—there is a very great need to move these things along. If we did not shorten debate at one time or another, I do not think we could possibly get done what must be done. I think this particular subject fits very well into committee. I will welcome it there, and I hope many members will participate at that level.

Part of what I have to say concerns what I would call neo-conservative mathematics. Those of us who have been involved in education, as I have been over 22 of the last 30 years, must feel that we are reaping the whirlwind of our own inadequacies when we must deal with this kind of mathematics. There always seems to be some kind of notion that one can just pull out an absolute figure, and that gives total meaning. For example, when we use an inflation rate of 12 per cent versus the inflation rate of 6 per cent or 7 per cent in West Germany—and I am not sure what it is at this particular point—we are dealing in figures which are relative, but we are not dealing with the base. I do not have any later figures but in 1978, dealing with an index on what can be bought, taking an index of 100 in the United States or 102 in Canada, and using the same currency in West Germany, one would get $150. It would be similar to a railway worker who may be new on the job. if he received a 10 per cent raise on his $10,000 income, his 10 per cent would amount to $1,000, but someone at the top end of the scale, such as an engineer, will go home with $3,000 as a result of the same 10 per cent raise. We have to be able to determine these bases.

The hon. member for Kingston and the Islands (Miss MacDonald) used a figure of $80 billion as the net national debt. She said that was very, very high. I have heard other members talking about the net national debt being $8 billion or $9 billion in 1960, comparing these two figures and saying, "Look at what terrible thing has happened." Of course, one must deal with the net national debt in terms of some figures to which one can have reference. For example, if I owe $10,000 it is very important, if I want another line of credit, whether my income is $5,000 or $100,000. It is very, very relative. There is no point talking about my debt of $10,000 without some base. I must have a base, and if I do not have a base of reference, then the figures are meaningless.

Similarly when we talk about the net national debt we must have a base. I always have a great deal of trouble when they talk about the gross national debt being $120 billion, the net national debt being $80 billion and the difference being $40 billion. Surely that is arrived at in a very, very devious way. The combined assets of the federal government must be worth more than $40 billion, certainly in terms of land, in terms of the north, and so on. However, that is not the argument at this particular point.

Mr. Stevens: Mr. Speaker, I rise on a point of order. Would the hon. member permit a question?

Mr. McRae: I would be glad to permit a question, but I made an agreement with some members on the other side that I would be finished my remarks by 8.50 p.m. I will take a quick question, but I do not want to lose that time.

Mr. Stevens: Mr. Speaker, my question will be very brief. For the benefit of the House, would the hon. member indicate what is the main thrust of his remarks? In effect, is he saying that we should be relatively happy with a 12 per cent inflation rate and a net debt position of $80 billion?

Mr. McRae: The thrust of my remarks is not to say that we are happy. If the hon. member listens to my entire speech, I think he will get the thrust of my remarks. In fact, very shortly I will refer to an article which will provide the thrust of my remarks. Basically, it is that the doom and gloom which comes from the other side really does not make much sense. Nobody likes a gross national debt of $80 billion, but the point of the matter is that $80 billion represents 26 per cent or 27 per cent of the gross national product, and if we go back to 1962, it was about 30 per cent of the gross national product. It is the relative thing about which I am talking. That is what is left out of a lot of the neo-conservative comments, which I will illustrate in a minute.

I should like to look at the purchases of Petro-Canada. I hear people talk about some large oil company, such as Mobil or Gulf, buying and investing in the holdings of some other company; it may very well be the Thomson chain investing in Hudson's Bay. This is an investment. Thomson did not go out and spend $400 million or whatever; he invested it. When we went out and bought Atlantic Richfield in 1976, I believe we paid $340 million. I am told it is now worth about $1 billion. Is that a good investment? Certainly there must be a reason for it being worth a good deal more. Of course, I think one of the reasons is that all corporations in the oil industry are worth a great deal more. But in late 1978 or early 1979 I remember Morty Shulman saying to me on his show, "You threw away a lot of money; it was a waste of money", and today we are told that it is worth 2.5 times what it was then. If that is the case, how can one call it a bad investment? I would say that the people who sold it might very well have been skinned at that rate; if a company can appreciate 250 per cent in the course of two or three years.

It seems when the federal government purchases a company it is spending money. No one ever talks about the investment or what will be the return to Canadian people. They do not talk about those things. It is all right for the Alberta government to buy PWA; it seems fair enough. But when the federal government does it it is some kind of crime. Those mathematics always bother me.

Over the weekend when I was preparing for this particular speech, I noticed an article which appeared in *The Globe and*

Mail. In fact I was surprised to find it in *The Globe*. I always suspect that Rupert Murdoch has secretly bought *The Globe* and it is now a new paper. At any rate, I should like to refer to the article by Lawrence Martin in Washington. He said:

> Ronald Reagan tells the country it is in its worst economic mess since the Great Depression. He lofts a 1960 dollar on the television screen and, illustrating the nation's misery, demonstrates that it is only worth 36 cents today. He says that big government is at the root of most of the country's economic problems. He vows to take a meat axe to the budget.

● (2040)

Let us take a look at that in terms of American funds at this particular point in time.

> In 1960 when a dollar was worth a dollar, the median family income in the United States was roughly $5,000 a year. In 1979, the median income was $19,000 a year. Nineteen thousand dollars worth 36 cents each comes out to $6,840 real 1960 dollars. In those terms, the standard of living, despite what the president tells the people, has risen sharply—by almost a third.

So, the American people are better off by a third. In 1960, in terms of 1971 fixed dollars, our gross national product was $53 billion. In 1975, in terms of 1971 fixed dollars, our gross national product was $110 billion. In that period of time we see a doubling. We can certainly say that Canadians are far better off than we were in 1960, in spite of the kind of thinking put forward by the Conservatives.

Mr. Martin in his article says:

> Myth No. 2 that the new administration is trying to pass off is that big government and its deficits are the prime cause of inflation. The new-right Reaganites have such deep faith in this theory that it is the one prong of their one-pronged anti-inflation program.

Basically, that is what I have heard from the opposite side of the House since 1974-75. Mr. Martin in his article goes on to ask about oil prices and food prices.

At this point let us take Vancouver as an example. What about the land which is being bought by people from Hong Kong, and Alberta, which is pushing prices up tremendously? There you have a situation of tremendous tension brought on by super-inflation. It is not caused by government. These are real inflationary effects which are structural in nature. They can be defined very easily. The increase in oil by seven or eight times has a tremendous effect on inflation. To say that there is really only one inflationary factor does not make sense.

Mr. Martin's article goes on:

> Myth No. 3 is that government has grown so big that it is out of control. In fact, government hasn't grown so much.

Mr. Kilgour: Why do you not talk about Canada?

Mr. McRae: Let us go to Canada. I would really like to compare what is happening in the United States with what is happening in Canada.

The article goes on:

> Two decades ago, the government purchased 11 per cent of the country's total output. By last year, it was below 8 per cent.

Mr. Kilgour: What do you suppose it is in Canada?

Mr. McRae: Everyone seems to be calling for Canada. Let us take a look at it. I can do it in terms of inflated dollars or in terms of constant dollars. It can be done either way.

Mr. Kilgour: Do both!

Mr. McRae: There are two kinds of government expenditures; one is on goods and services, the other is on transfers. No one can say that transfers can be inflationary since they are transfers from one Canadian to another. You may not like it if it happens to be coming out of your pocket.

Mr. Kilgour: What about on the part of Canada?

Mr. Deputy Speaker: The hon. member for Thunder Bay-Atikokan (Mr. McRae) has the floor. It is very disruptive if other hon. members insist on interrupting. I suggest the hon. member be allowed to conclude his speech.

Mr. McRae: In 1954, 10 per cent of the gross national product went for goods and services. By 1978 that was down to 6 per cent. That is a decline in terms of inflated dollars. In terms of constant dollars it went from about 8 per cent to about 3 per cent.

Mr. Stevens: What about total spending? Tell us about that.

Mr. McRae: We are talking about the federal government's expenditures which tend to create spending.

Looking at another set of figures, let us see what has happened to government spending. President Reagan says that the great offender is the federal government. It has been shown that it is not the great offender. But let us take a look at what is happening in Canada, since members opposite seem to want to talk about that. Using 1960 as an example, federal government spending amounted to 17.0 per cent of the gross national product.

Mr. Kilgour: What is it now?

Mr. McRae: In 1979 it was 16 per cent. I am glad the hon. member opposite is asking these questions, since I have the answers right here. I talked before about having a reference point, which I think is very important. As I said, in 1960 it was 17 per cent of the gross national product and in 1979 it was 16 per cent.

Another interesting example can be found in the provinces. In 1960 provincial expenditures represented 6.1 per cent of the gross national product. In 1979 it rose to 15 per cent. What happened is that there was a growth in government spending by the provinces and the municipalities. Municipality spending has increased, but not by a great deal, as I see it. It has probably increased by about 5 per cent or 6 per cent over the particular period of time about which I am speaking.

What has really happened is that there has been a massive transfer from the federal government to the provinces and the municipalities. This bears particular importance when you consider the subject we will be debating tomorrow. The party opposite talks constantly about the power of the federal gov-

ernment and how we must maintain the power of the provinces. That is the basis of the difference between the constitutional views on this side of the House and what has been said opposite—certainly by the Tory party.

It is extremely important to realize that the growth of provincial government in terms of the gross national product has been at least infinitely faster than that of the federal government.

The only way power can be defined is by looking at who spends what. For instance, if we went back to 1943, which was a time of war and rather a poor period to look at, we would see that federal spending in terms of the gross national product was 22.3 per cent whereas the provinces spent 3.3 per cent.

Looking at 1955, the figure for federal spending was 17.6 per cent compared with 4.8 per cent for the provinces. I think this means there has been a relative shift in power from the federal government to the provinces. I think the new Constitution and the thinking on this side of the House reflects the need to reverse this.

The Economic Council of Canada spent a great deal of time looking at the relationship between the federal and provincial governments with respect to surpluses. In its seventieth annual review, page 60, it deals with the kinds of surpluses that exist between the federal and provincial governments. It shows that with the resource revenue being transferred to governments such as Alberta, Saskatchewan and British Columbia, and with the surpluses that these provinces will have, basically the total of all government deficits will disappear in three or four years. By that time there will be a zero deficit at all levels of government in this country. Even today, deficits are being reduced in this way. What do we do with a $14 billion federal government deficit?

● (2050)

An hon. Member: Sixteen.

Mr. McRae: A $14 billion or $15 billion federal government deficit which, when put alongside the provincial surpluses, gives us a net surplus in terms of all the governments of Canada. That is the only way these things can be compared. It is the reference point that we must have.

As the future unfolds and as we deal with the Constitution and with a second phase, we will have to deal very seriously with the kind of distortion that has been created of a large federal deficit side by side with very large provincial surpluses. I think there will be a lot of debate on this situation over the next year or two.

I want to conclude by saying that this is not just simplistic mathematics; it is not a matter of picking a number and saying, "that is it". We have to deal with these references, with these trends and the things that really count. A figure of 10 per cent or 12 per cent inflation has to be associated with the base and with the relative base of other countries and so on. The net national debt has to be associated with gross national product. If we do not do that kind of thing, then I believe we are failing as legislators.

Borrowing Authority

Mr. Bill Yurko (Edmonton East): Mr. Speaker, in rising to speak to the principle of Bill C-59, an act to provide supplementary borrowing authority, I am reminded that this is my first opportunity to speak since the change of government in the United States of America, our great neighbour. Therefore, I should like to take a few moments to remember the six years I spent working in New York and Arizona, to congratulate President Reagan and his cabinet and to wish them well in the difficult years ahead. His conservative philosophy held for me a fascination and won my admiration during my U.S.A. political experience.

In recognition, also, I should like to pay tribute to retiring President Carter, irrespective of perhaps a somewhat different ideology. I do so, perhaps, because of our early common experience in nuclear engineering.

All members in this House recognize recently retired President Carter as a man who worked for peace among nations and know that during his term, America was not at war. During his term, the fundamental principles for world arms limitation were established and he laid a foundation for the evolution of a lasting peace settlement in the Middle East.

Furthermore, I am certain that all in this House, indeed all Canadians, recognize President Carter as a man of faith and belief in the fundamental human rights of all peoples and of the liberation of the human spirit of all economically and politically repressed peoples throughout the world.

More pointedly, let me deal with the borrowing Bill C-59 which is before this House. It is always unfortunate when we have to deal with legislation that has come under the sword of closure. This bill is an indictment of Canadian governments. The bill reminds us that our national government debt has exceeded $100 billion and that we are generating additional debt at between $14 and $15 billion per year. This is a national disgrace; indeed, it is a national tragedy. It is a shame, indeed almost treasonable, as the Government of Canada presides, in my estimation, over the richest nation in all the world. Only 23 million people share the ownership of this vast wealth of arable land, immense freshwater systems, vast untapped storehouses of minerals and hydrocarbon resources, forests, hydro potential, fish, wildlife and literally every kind of resource one can imagine. What a vast potential for wealth generation and yet we borrow and borrow. We are living off the backs and the sweat of coming generations. I would ask, why? It is because the government's management systems and the political guidance of this House over the last decade have failed economically. We have imposed a management system where wealth redistribution has throttled wealth production in a nation with unlimited economic potential. Repeatedly, Canadians today are worried about the future, about the changes to the Canada of the future brought about by the government's inadequate management policies, worried about inflation and the lack of an over-all effective industrial and social policy.

Let us look into the past a bit to see if we can gain some insight into where we are going. What have we done in Canada during the last 35 years since the war?

In summary and in over-all perspective, I perceive the following to represent what we have done in building the Canadian society during the last three and a half decades.

First, we have educated ourselves, as a people, to one of the highest standards in the world. Our education has been broadly based with a wide and non-constricting and non-dogmatic perspective. It was moderately permissive and generally directive toward material rather than spiritual ascension. It predominantly, though not totally, followed the American mould.

Second, we applied technology extensively, most of it imported from the United States of America through the media of the multinational corporations, though we have excelled in a few areas like nuclear energy, on our own. Because we used extensively the multinational corporations and their access to American-developed technology, these corporations became dominant in owning our resources and industrial wealth. We became an intermediate manufacturing and exporting nation with declining competitiveness.

Third, economically, on an over-all basis, we have had phenomenal growth in our national economy, primarily based on harvesting and selling our vast resources. Our economy grew from a GNP of $31 billion by approximately four times in constant dollars during three and a half decades. Our population grew only by 75 per cent. We became rich as a nation though other nations surpassed our growth because of much greater productivity. We built in Canada a physical plant system of unprecedented inefficiency and only now are we realizing it as world energy costs are skyrocketing. We almost forgot that fundamental, applied and innovative research must be an integral part of a highly complex industrial society like ours.

Fourth, economically and socially, the nation experienced an intense preoccupation with security; security against almost every eventuality: sickness, unemployment, old age, catastrophe, business bankruptcy, and so on. Most of this security was backed or sponsored by government action. We built a humane society based on government redistribution of wealth. Our system adopted tenure as a right rather than a privilege tempered with responsibility. We provided undisputed tenure to our civil servants, professors, teachers, professions, and thereby generated an increasing demand for tenure without productivity requirements in all organized labour. With increasing tenure, productivity waned. We became lazy, and the pride of doing was replaced with the enjoyment of loafing. Elaborate procedure and refined specialization became a substitute for performance. We demanded more and more from our governments.

● (2100)

Fifth, we became preoccupied with enjoying all the material goods of life at an increasingly younger and younger age. Homes, suites, cars, goods of all sorts were demanded and promoted for the young. In providing all these goods, we established a vast credit system to give us what we wanted now, and increasingly mortgaged our future. Mass advertising created the appetite, credit provided the means, mass production and technology and imports provided the goods and lowered prices. We spoiled ourselves with obsolescence; redundancy, style, throwaway and fraud prevailed and is prevailing. Our appetite increased, our frugalness decreased, we damned the future and lived for the present. Governments evolved a taxation system of unprecedented complexity and unfairness. The poor are paying hidden taxes at every turn. The hidden tax load in Canada is excessive on such necessities as housing.

A few years ago when the Hon. Barney Danson was the minister of housing, I pressed very strongly at a conference of housing ministers for an analysis on the tax structure on housing in Canada. An intermediate analysis was done which found the tax load excessive. It was tax on tax on tax. The federal government did not conduct such a study. It shied away from it. Instead it laid out the terms of reference for the Greenspan study.

Sixth, we demanded more and more from our governments, and governments grew dramatically and involved themselves in every facet of our lives. Governments at the three levels grew without attention to political ideology, rationality or prudence. Politically, we have dashed madly toward de facto socialism with the three levels of government this year expected to tax 43 per cent of the gross national product of Canada. Governments have engaged themselves massively in wealth redistribution at rates which exceed the nation's ability for wealth production. Our appetite as governments is so voracious that massive debt formation has almost overwhelmed us.

The federal government deficit this year is expected to reach $15 billion alone. As debt rises, we print more paper money and so institutionalize inflation rates in double-digit figures. What is inflation? It is a reminder of the reality that we are living beyond our means, that we are getting poorer and must increase our productivity and competitiveness as a nation. We borrow more, we print more and delay the final reconciliation with fiscal prudence, but we shall not escape. The poor, the needy, the weak, the old, suffer the most during these terrible readjustment periods. The time for readjustment is upon us whether we know it or not. This borrowing bill is nothing more than an escape from fiscal prudence that is so vitally necessary.

Seventh, politically our nation has evolved peacefully. Partisan politics has become ideologically blurred with all parties moving significantly for greater socialization and greater government involvement in the economy, regardless of political direction.

One party in Canada had its vision of splitting the country fail. In my opinion, it will try again if given the chance. Out west we have an embryonic separatist movement but the durability of the nation shall prevail.

Provincial governments have grown and gained significantly in relative posture and prominence over the national government in some cases. The national presence and dominance has receded in economic terms but has ascended in emotional and communicative fervour. Some constitutional redefinition, reemphasis and redistribution are timely. Patriation of the Con-

stitution is a vital necessity. It has been delayed too long and permitted too many national and regional problems to accumulate.

Eighth, the world around us for a while grew in stability and then began to come apart at the joints. Political, social and economic instability is increasing. World-wide inflation is causing a severe form of economic dislocation. Economic issues resulting primarily from nationalistic protectiveness and resource-pricing policies are now foremost in the minds of world leaders. The risk that the operation of the international economy may spin out of control presents a graver threat to world order today than the nuclear arms race or the struggle between differing political ideologies. Democracy as a form of government is severely threatened by world-wide inflationary pressures.

As I see it, over the last 35 years, that in a nutshell was the situation both internally and externally and it is the situation facing Canada in the 1980s. One might ask, have we built our national economic house upon a rock or upon the sand? I think our living room is anchored on rock but our economic kitchen is on pretty slippery sand. We have many adjustments to make during the 1980s.

First, can we revise our economy and re-establish private enterprise as our motivating force for accelerated wealth production, or, at the least, can we find a workable and productive partnership between the private and the public sectors? I think we can. We are intelligent enough in Canada to do this irrespective of governments.

Second, can we contain the voracious appetites of governments and restrain their growth rates by re-establishing the community, the home and the family unit as the prime motivator, caretaker and babysitter of the social dislocations of our society? The Crosbie budget was the beginning of the movement in that direction.

Third, can we in the organized workplace rediscipline ourselves to increase productivity, innovativeness and deploy new technology to improve our competitiveness in the international marketplace? That was the intent and policy of the Progressive Conservative government a few months ago.

Fourth, can we control inflation and its ravaging effects upon the less fortunate? The Crosbie budget set a new direction in this regard, but some policies across the way may help in this regard in the future.

Fifth, can we meet the challenge of energy self-sufficiency in all forms of energy use? In particular, will we be able to meet the world food crisis resulting from environmental, climatic and population growth patterns?

Sixth, will we be able to cope with the inherent economic and social restratification needed to cope with an increasingly aging population? We must examine seriously our pension systems and anchor them to a more solid financial foundation than those to which they are now anchored.

Seventh, will we be reaching for greater brotherhood rather than increasing isolation in our urban conglomerates as we move toward a new century of civilization?

Eighth, can we meet the challenge of constitutional patriation, redefinition and renewal in the 1980s? I think we can.

• (2110)

In conclusion, may I again say that this borrowing bill before the House is a reflection of the inadequacy of the Canadian government's management system. As governments, we do not manage the national economy well. We try to administer it through bureaucracy, a guaranteed process for moving toward bankruptcy. What we need is a national government with the vision, understanding and determination to right the national wrong in our country, a faltering economic system in the richest country in the world.

Mr. Thomas Siddon (Richmond-South Delta): Mr. Speaker, I thank my colleague from Edmonton East (Mr. Yurko) who just spoke. He covered many of the introductory remarks I would have made in addressing myself to this disgusting example of a government which has to stoop to borrow large amounts of money and to mortgage the future of our children. It borrows against the equity of the national resources of some regions of Canada in order to finance a style of government extravagance which is far beyond the ability of this country to pay in the short term. What we have from this government is another very poor example to the private sector and to the children whom we hope will grow up in this country knowing something about economic responsibility.

The statistics of borrowing and deficits of this government over the past decade have grown to horrendous proportions indeed. As a member from western Canada, I say that these statistics are depressing to all Canadians who know something about frugality, saving a penny for a rainy day. They do not believe in living beyond their means at the expense of their children in years to come.

The mood in this country is ugly. It is ugly because of the government's constitutional initiatives taken without regard for the sensitivities of the people in the regions, their premiers and Members of Parliament from those parts of the country not represented on the government benches.

The mood is ugly as well because people have had it up to their teeth with a government which fails to recognize the importance of restraint. It pretends, adopting the Keynesian philosophy of economics, that it does not matter if we incur these massive deficits because we will pay for them in the future with smaller dollars. In other words, it pretends it is incurring ever-increasing deficits on the notion that it is always easier to pay in the future than it is today. It is a sad commentary that the government assumes inflation as a given input for the justification of its deficits.

Much of what we are having to contend with is reflective of a tremendous misunderstanding of the concept of equality of opportunity on which this great country and our friend to the south, the United States of America, was based. The concept of equality of opportunity is quite distinct from the concept of equality of outcome. I wish to read some familiar words by a well known current author, one of the so-called neo-conserva-

tives that my friend was referring to a moment ago. Milton Friedman writes, and I quote:

A society that puts equality—in the sense of equality of outcome—ahead of freedom will end up with neither equality nor freedom. The use of force to achieve equality will destroy freedom, and the force, introduced for good purposes, will end up in the hands of people who use it to promote their own interests.

That is what we are seeing in this country today, a system of patronage designed to benefit those who happen to be on the good side of the government in Ottawa, and disrespect and disregard for regions and political philosophies that may disagree with them.

How large is our deficit? The hon. member for Vancouver Quadra (Mr. Clarke) often uses an example. He points out that if any of us had the privilege of having a million dollars in the form of $10,000 bills, they would form a stack six or eight inches high. If you squash them down, your million dollars will be a stack of $1,000 bills only four inches high.

By comparison, if you stack those $1,000 bills to accumulate a total of $14 billion, which this government is asking to borrow, you would have a stack over a mile high some 7,000 or 8,000 feet high. If the net public debt in this country were changed into $1 bills and stacked up, they would reach to the top of the stratosphere, some 50,000 feet into the atmosphere, or 16,000 metres. That illustrates the dimension of the problem which faces Canadians and our children in the future.

I am alarmed that this government in its budget has shown no evidence of restraint, in total contrast to the sanctimonious-sounding promises in the throne speech of a few months ago. The government has shown no willingness to put into action the words expressed in the throne speech, and I quote:

My government will reduce the federal deficit in a planned and orderly manner . . . Improving the efficiency of the federal government is as important an objective of these reforms as reducing the deficit.

Balderdash! Where is the evidence shown to this House of improving the efficiency of the federal government? I will deal further with that in a few moments.

The government is spending 10 per cent more in the 1981 fiscal year than it spent last year, at a time when our gross national product is not likely to grow at all. If it does, it will grow by something less than 1 per cent. We keep hearing the myth in this House that things are bad all over, that times are tough in the United States and elsewhere. It is ludicrous for the Liberal members to blame the rest of the world, especially the Americans, for the serious plight of our economy.

All we have to do is compare the level of the U.S. deficit as a fraction of its government budget with our own to see the stark reality of the situation. The United States budget for 1980 was projected a year ago to amount to $600 billion, roughly ten times larger than our own. The projected U.S. deficit for that period was 3 per cent of that budget or about $16 billion, incidentally at the same level as our own.

It is now a year later and the Carter administration has left office. At the end of that year, Carter was projecting expenditures of some $663 billion, with revenue of $607 billion for a deficit of $56 billion. That deficit was only 8.3 per cent of government spending in that very bad year as far as the U.S. administration is concerned. By contrast, this government is advocating a deficit in the order of 20 per cent of our government budget, a deficit of at least $14 billion in the present fiscal year. Our budgeted deficit of $14 billion out of $67 billion is three times as large as the U.S. deficit per capita and Ronald Reagan says he has a crisis on his hands.

There is indeed a crisis in the United States and they recognized it much earlier than we did. Our crisis is compounded all that much more, not merely because our deficit per capita is much larger, but because our economy is so intricately tied to that of the United States.

It is alarming to realize that this government and its finance minister have reverted to the old habits of the former minister of finance in his budget, the present Minister of Justice (Mr. Chrétien). In the budget presented in November, 1978, the government projected a deficit of $10 billion on a budget of $50 billion for a 20 per cent deficit.

• (2120)

When the hon. member for St. John's West (Mr. Crosbie) came into this House and presented his budget in December, 1979, he put forward a budget for the 1980-81 fiscal year which reduced that deficit to only 14 per cent of his budget. By 1983 to 1984, the Conservative deficit would have been reduced to 6 per cent of budgetary spending. If we compare that with the projections of the present Minister of Finance (Mr. MacEachen) we will find that for the same fiscal year, 1980-81, the Liberal budget shows we have gone back to a deficit in the order of one-fifth of our government budget, some $12 billion. For 1983-84, we have a deficit of some 9 per cent of projected government expenditures of $81 million. In other words, even by 1983-84, this government opposite is projecting a deficit one and a half times as large as that which the Crosbie budget projected. This is just totally unacceptable.

If one looks at that well-read report by the Economic Council of Canada called "A Climate of Uncertainty", and looks at figure Chart 1-1 on page 8 of that report, he will find that of all of the governments in the western industrialized world, the Canadian government is the only one that reports an economy where the annual percentage of output is on the decline and has been continually since 1967. The other industrialized countries have, since 1973, shown a resurgence, a recovery in their economic output as measured by their gross national product. But this government and this country is contending with an ever-diminishing output as a percentage of gross national product and it just shows the extent to which our economy is in serious, serious financial shape.

In addition to the some $14 billion the government is asking to borrow tonight to add to the $80 billion gross net public debt, it is important government members realize what they are doing to public servants in this country, because they have now accumulated a $20 billion liability to all of the public service employees in Canada, and the armed forces, Department of National Defence, and the public service, generally. There is a $21 billion book liability to those government

employees and that liability is growing at the tune of $2 billion each year.

If you look at the budget introduced by the Minister of Finance in October, you will find, in table 1, on page 21 of that budget, there is an item "Annuity Insurance and Pension Accounts". This item amounts to some $2 billion, and this item amounts for the discrepancy between the financial requirements of the government and its deficit. This government deficit is some $2 billion greater than its financial requirements because it has the benefit of a low-interest loan at the rate of four percentage points, compliments of the employees of the Government of Canada. I think that is shameful. I think the employees of the Government of Canada have been sold a bill of goods. They have been promised indexed pensions, but in fact their pension funds are growing at a rate three times the rate of outlay by way of payments to retirees. This government opposite, in a very scandalous move, is borrowing now to the tune of some additional $20 billion which adds to our present level of an $80 billion net public debt, and borrowing it out of the hides of the public servants of Canada. I think it is high time that question was addressed. Those employees are entitled to a properly accredited accounting as the Auditor General has demanded, and they are entitled to sit on a board of trustees to see those contributions secured in a form of equity so that they know, if faced with any possible range of economic circumstances, that the government has the ability to honour its commitments to those employees of the Government of Canada.

Some hon. Members: Hear, hear!

Mr. Siddon: I could go on much longer, but I know that my capable colleague, the hon. member for Calgary North (Mr. Wright) would like to speak. I just want to say of this approach taken by the government opposite, there is a very lopsided sense of priorities. If we look at the breakdown of the tax dollar paid by every citizen of this country to finance the extravagance and the essential programs of the government, we will see a breakdown somewhat as follows: out of that tax dollar, 39 cents go to health and welfare; 10 cents go to debt charges to cover the ever-growing cost of debt, including that portion of our debt to which we are beholden to foreign interests in order to borrow money because we cannot find enough within our own country. Communications and transport, and I presume that includes the CRTC, the CBC and the Post Office, that accounts for 7 per cent. In total, we have some 56 per cent of the tax dollar, 56 cents on every dollar in the area of health, welfare, debt charges and communications, including the CBC, the CRTC and Post Office.

By contrast, only 4 per cent of the federal tax dollar goes to education, only 2½ per cent to manpower and immigration, only .7 per cent to research and only 2 per cent to industry, trade and commerce and another 5½ per cent to general government.

What we have in this country is a lopsided set of priorities where the productive areas of our economy and the potential for future development of opportunity and expanding industry, that portion of our economy, is very seriously underfinanced and undersupported. The non-productive sector of our economy, including health and welfare, debt charges, and the CBC, is eating up more than 50 per cent of the federal tax dollar. That is at the heart of our dilemma in Canada today. We have only to look at the foolish extravagance in a concept like CBC 2, which is absolutely unnecessary at this point in time. We have only to look at the implementation of metric conversion which has imposed upon small manufacturers in my riding tremendous financial burdens in terms of additional inventory accounting, in terms of mismatching of parts and components, all tremendous economic burden to them, and let us not forget the whole question of bilingual printing.

Why do I have to receive in my office every day mounds and mounds of glossy Canadian newsprinted paper, printed on both sides, when the government could well print French and English in two separate volumes; print them in the required numbers. I would not be throwing nearly as much paper waste into my waste basket. This is paper produced by the pulp and paper industry of Canada which could well have been exported, instead of having me toss it aside and burn it because I do not happen to read the other language. It is utterly foolish. In conclusion, I would just like to recite what I consider the old prairie ethic, and I am a prairie kid.

An hon. Member: I don't even know what language you speak.

An hon. Member: Some of us like to speak two languages, Tom.

Mr. Siddon: That's fine. You do not have to read both of them at once. Policies are being made in this country by a group of people including our silver spoon socialists to the left, who were born with silver spoons in their mouths. The key examples are the Minister of Finance (Mr. MacEachen), the finance critic for the NDP, the hon. member for Broadview-Greenwood (Mr. Rae), the Minister of Energy, Mines and Resources (Mr. Lalonde) and the Prime Minister (Mr. Trudeau).

Mr. Speaker, they are like spoiled children born into a millionaire's family, and the result is invariably the bankruptcy of the family business. These individuals have never had to build their own homes or businesses.

An hon. Member: Yes, I have.

Mr. Siddon: They have not had to work an honest day with their hands. They have never had to sweep a floor or stook bundles on the prairies. They have never worked on a production line, or a drilling rig or in a mine. They have never had to hold down two jobs, and with two wives working—or one wife—

Some hon. Members: Hear, hear!

Mr. Siddon: Two if you can get the extra one. They have never had to seek out a second job in order to pay the family grocery bills. They have never gone to bed hungry, these

silver-spoon socialists in the federal offices. They never learn about the rainy day frugality which people of western Canada understand so well, particularly after the experience of the depression years. These experiences made western Canadians, prairie dwellers in particular, strong and independent. These members opposite do not believe in laying up storehouses for tomorrow. They do not understand the old adage: "You don't get something for nothing". There is no such thing as a free lunch. They do not believe that. They believe we can just use inflation to offset the growing burden of interest charges. They believe in devaluing Canadian dollars for capital borrowed from foreign interests. They are busy spending this country into oblivion with money borrowed against the future security of our children and their children and against the resources of the resource-rich regions which they are so intent on grabbing.

• (2130)

Mr. Bill Wright (Calgary North): Mr. Speaker, I thank my colleague, the hon. member for Richmond-South Delta (Mr. Siddon), for allowing me a few minutes to talk about this bill. I am sure he will now be departing and calling his one and only wife.

I want to speak briefly against this bill. I spoke seven months ago against another bill, Bill C-30. It seems a little ridiculous to rise seven months later to talk about an even bigger bill involving not $12 billion but $14 billion. In addition, I rise on a night when a debate, lasting 12 hours prior to today, is being reduced. It seems to me that it is an abuse of Parliament to be pressing this upon us, not allowing us as representatives of our constituencies to speak on behalf of those constituencies with respect to this bill.

If this government had not gone into debt as much as it has, it is obvious we would not have to rise as frequently to debate these bills. We do not like to talk about bills such as this. If there were no Liberal handouts in this bill, we would not be debating it tonight.

In 1979-80 the deficit was almost $12 billion, and now it is over $14 billion. The government admitted last fall it was spending $1 billion a month more than it took in, and now it is admitting it is spending $1.18 billion more than it is taking in. It is spending $180 million a month more than it is taking in. This is more than it was spending last year.

The Minister of Finance (Mr. MacEachen) tells us the deficit is going down, but why in heaven's name do we have to approve a bill, not for $11 billion, but for $14 billion? Hon. members opposite want $3 billion as a cushion. What will hon. members opposite do with the $3 billion?

Mr. Kilgour: It goes to deserving Liberals.

Mr. Wright: One of my colleagues says it goes to deserving Liberals, and so it must. We do not know where it is going because they will not tell us. At meetings we ask the Minister of Finance how he will spend the money, and he will not tell us. He says it will be spent on something. We ask him why he wants to borrow in foreign currencies, and he says he does not really want to borrow in foreign currencies, yet the government borrowed $1.1 billion last fall and has only repaid $300 million of that. However, he will not tell us what he wants to spend that money on.

Mr. Evans: Read the budget.

Mr. Wright: One year ago the Bank of Canada said there was little doubt that the key reason for the slide toward more inflation was the public policy of this government. In 1968 the Prime Minister (Mr. Trudeau) promised in Moncton, New Brunswick, he would control spending. He said that to large audiences. At that time the deficit was $500 million. Now it is over $14 billion. Where is the restraint? When we ask this of the Minister of Finance he says he will restrain spending. Does he not know how to restrain spending?

Mr. Kilgour: He prints the money he spends.

Mr. Wright: It is quite obvious that we have to do something to control spending, and perhaps there is a way by which all of us can control the spending of government agencies. Perhaps we as Members of Parliament should look toward controlling our spending to a percentage of gross national product. Let us say spending was 30 per cent and the gross national product was $130 billion; we could control government spending in any one year to, say, $40 billion. That means all government departments would be committed to efficiency because they would only have so many dollars. We do not have that now, we have unlimited spending. The government comes to us for authority to borrow money and, if that is not enough, it comes back and keeps coming back. This government does not know how to put a limit on spending. Therefore, it cannot build up any efficiencies within any government agencies.

I would like to conclude with a couple of remarks about the energy policy because it is part of the spending package. The government says it wants to have oil self-sufficiency. In 1974 the Prime Minister said there would be self-sufficiency by 1980. We do not have it. Now hon. members opposite say we will have it by 1990, yet the Alberta government says by 1990 we will be importing three times the amount of oil we are importing at the present time.

I could go on, but hopefully we will get another chance to debate this bill at third reading. There are aspects of this bill which are alarming. It is unbelievable that this government does not know how to control spending. Unless all of us as Members of Parliament take a stand, sooner or later the public will rebel.

• (2140)

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Mr. Speaker, we have now spent seven days debating this bill to authorize the government to borrow $14 billion. I should like to recall briefly that in addition to this authority to borrow $14 billion for the financial year 1981-82 the bill contains one provision under which any borrowing authority in excess of $3 billion left at the end of the financial year 1981-82 will be

automatically cancelled. However, there is also another provision under which we are asking that any borrowing authority under $3 billion left at the end of the financial year be transferred to the following financial year.

Hon. members will recall that this bill stems directly from the budget tabled last October. The borrowing authority we are now seeking will cover the $11 billion financial requirements forecast in the budget, the exchange operations provision as well as contingencies. As hon. members know, the budget strategy of the Minister of Finance (Mr. MacEachen) is to reduce the deficit by limiting the growth of government expenditures. The budget deficit should drop from $14.2 billion this year to $13.7 billion next year and to $11.8 billion in 1983-84.

An hon. Member: Oh, oh!

Mr. Bussières: The hon. member may laugh, but he should remember that the Canadian population put their trust in this government and that, in the few months where his government was in power, it showed so much irresponsibility that it was thrown out by the Canadian voters.

During this period, increasing sources of funds from non-budgetary accounts will help to finance the budget deficit of the government. During the second reading debate, the hon. members talked, of course, about the general direction of the economic policy of this government. However, they also referred to the national energy program. They talked about the authority to borrow in foreign currencies which is provided in this bill and which was also provided in the previous borrowing authority bill. They also talked about the direction of the monetary policy of the government, about the support given by the government to the Bank of Canada to reduce the money supply, about the impact of government deficit financing on private investment financing, and also about the debt structure in Canada.

During this debate, some members had the opportunity to explain why they disagree with this bill, and others to say why they support it. I would like to reply to some of the comments made during the debate, and I want first of all to refer to some of the points made by the hon. member for St. John's West (Mr. Crosbie). For instance, the hon. member said that the government has lost $1.1 billion by redeeming Canada Savings Bonds and attributed this redemption to a loss of confidence on the part of the citizens in their government. Mr. Speaker, the redemption of Canada Savings Bonds has a very different explanation from that given by the hon. member for St. John's West. In fact, the government is trying to reduce the part these bonds play in the total financing of the government borrowing operations or in the over-all management of the national debt. Moreover, if the hon. member for St. John's West would think back, he will remember that this was explained in detail in the Standing Committee on Finance, Trade and Economic Affairs when it studied the borrowing authority bill only a few months ago.

Indeed, Mr. Speaker, Canada Savings Bonds can become a costly means of financing for the government. The interest rates on the bonds follow any upward adjustment of the interest rates payable in the marketplace. However, the downward movements of those rates are not reflected in the rate of return of the bonds. Furthermore, I would like to add that savings bonds are as good as cash since they can be redeemed any time at their face value.

Mr. Speaker, I see time is running short and I would like to deal with an aspect raised by the hon. member for Calgary North (Mr. Wright) a few moments ago, namely, that hon. members do not have the opportunity to discuss what use the government will make of this money. I would like to remind him that hon. members not only have the opportunity to discuss what the government will do with this particular amount of money, that is the $14 billion in borrowings, but that they have many opportunities to discuss all government expenditures during consideration in committee of the estimates and also during the numerous sittings of the Committee of the Whole House on supply issues.

Mr. Speaker, I am satisfied that in the seven days of debate on this bill we have had ample opportunity to hear and consider the pros and cons with regard to this piece of legislation. We now know the position of the different parties on this borrowing authority. We will also have the opportunity in the standing committee, starting this week, to discuss further this borrowing authority and the management of the government debt.

The Acting Speaker (Mr. Blaker): Order, please. It being 9.45 p.m., it is my duty to interrupt the proceedings and to put forthwith every question necessary to dispose of the motion now before the House.

[*English*]

Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Blaker): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Blaker): All those opposed to the motion will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Blaker): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Blaker): Call in the members.

The House divided on the motion of Mr. Bussières (for the Minister of Finance) which was agreed to on the following division:

● (2205)

(*Division No. 45*)

YEAS

Messrs.

Allmand
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Berger
Blais
Bloomfield
Bockstael
Bossy
Breau
Bujold
Bussières
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Chénier
Comtois
Corbin
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Daudlin
Dawson
de Corneille
Demers
Deniger
Desmarais
Dingwall
Dion
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Dupont
Erola (Mrs.)
Evans
Ferguson
Fisher
Fleming
Flis
Foster
Fox
Gauthier
Gendron
Gourd
Guilbault
Harquail
Henderson
Herbert
Hopkins
Hudecki
Isabelle
Johnston
Joyal
Kaplan
Kelly
Lachance
Lajoie
Lalonde
Landers
Lapointe (Charlevoix)
Lapointe (Beauce)
Lefebvre
Loiselle
MacBain
MacEachen
MacGuigan
MacLaren
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McCauley
McRae
Nicholson (Miss)
Olivier
Ouellet
Parent
Pelletier
Pepin
Peterson
Pinard
Portelance
Prud'homme
Reid (Kenora-Rainy River)
Roberts
Robinson (Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Savard
Simmons
Smith
Stollery
Tardif
Tessier
Tousignant
Trudeau
Turner
Veillette
Watson
Yanakis—107.

NAYS

Messrs.

Althouse
Andre
Baker (Nepean-Carleton)
Benjamin
Blenkarn
Cardiff
Carney (Miss)
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Coates
Cooper
Corbett
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
de Jong
Dick
Domm
Ellis
Elzinga
Epp
Fennell
Friesen
Fulton
Gamble
Gass
Greenaway
Gurbin
Gustafson
Hamilton (Qu'Appelle-Moose Mountain)
Hawkes
Hovdebo
Howie
Huntington
Ittinuar
Jewett (Miss)
Keeper
Kempling
Kilgour
King
Knowles
Korchinski
Kushner
Lambert
Lawrence
Lewycky
MacDonald (Miss)
Malone
Manly
Mayer
Mazankowski
McCain
McCuish
McDermid
McKenzie
McKinnon
McLean
Miller
Mitges
Munro (Esquimalt-Saanich)
Murta
Neil
Nickerson
Nielsen
Oberle
Orlikow
Paproski
Parker
Rae
Reid (St. Catharines)
Robinson (Burnaby)
Roche
Sargeant
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Skelly
Stevens
Stewart
Taylor
Towers
Vankoughnet
Waddell
Wenman
Wilson
Wright
Yurko—88.

[*Translation*]

Motion agreed to, bill read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

Madam Speaker: It being past ten o'clock, the House stands adjourned until tomorrow at 2 p.m., pursuant to the provisions of Standing Order 2(1).

At 10.16 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, February 17, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

METRIC CONVERSION

ADVERTISING BY COMMISSION—MOTION UNDER S.O. 43

Mr. Doug Neil (Moose Jaw): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent necessity. In view of the fact that government expenditures continue to accelerate at an unbelievable rate, notwithstanding promises by the government to curb spending, and having viewed some of the advertising being carried out by the Metric Commission recently on the CBC with respect to temperature readings in Celsius, I move, seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That the Metric Commission be advised that those few people in Canada who have accepted the metric system understand Celsius and that further juvenile advertising by the Metric Commission is nothing but a fraudulent waste of the taxpayers' money and should be discontinued immediately.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SHIPBUILDING

ASSISTANCE FOR INDUSTRY—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, the shipbuilding and ship repairing assistance program, known as SIAP, has been cut back steadily since 1976 so that it now stands at a paltry 8 per cent from a previous subsidy level of 20 per cent. The Minister of Industry, Trade and Commerce (Mr. Gray) is on record as saying that he intends to "develop, in consultation with the industry, a new form of assistance which will be cost effective and bring long lasting benefits." As Alfa-Laval Ltd. of Peterborough, to name just one company, is ready and willing to be consulted, I move, seconded by the hon. member for Esquimalt-Saanich (Mr. Munro):

That the Minister of Industry, Trade and Commerce take immediate action and meet with the member companies of the Canadian Shipbuilding and Ship Repairing Association and begin to develop his so-called "new form of assistance".

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ROYAL CANADIAN MOUNTED POLICE

INCREASE IN COSTS SHARED BY MUNICIPALITIES—MOTION UNDER S.O. 43

Mr. Peter Elzinga (Pembina): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the federal government is proposing a formula that is going to result in drastic increases to municipalities in Canada as far as policing costs are concerned, in some cases as high as 100 per cent, and whereas many Canadian municipalities utilize the services of the Royal Canadian Mounted Police to provide municipal policing, by way of contract with the federal government, I move, seconded by the hon. member for Red Deer (Mr. Towers):

That the proposed increase in cost sharing of RCMP policing be deferred until all Canadian municipalities complete a financial impact study of these proposals, and in the event that the proposal of increased costs be implemented, that it be staged over several years in order to lessen the tax impact on municipalities in Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RESOLUTIONS ADOPTED BY WOMEN'S CONFERENCE—MOTION UNDER S.O. 43

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, under the provisions of Standing Order 43, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House unanimously endorse the statement made yesterday by the Prime Minister at page 7250 of *Hansard*, that the resolutions adopted by the Conference on Women and the Constitution over the weekend relating to the proposed Canadian Charter of Rights and Freedoms are "probably very sensitive and worth-while additions" to the charter.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1410)

THE LATE JOHN W. FISHER

EXPRESSION OF SYMPATHY—MOTION UNDER S.O. 43

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. On Saturday, February 14, this year, Mr. John Wiggins Fisher, centennial commissioner for Canada's 100th birthday, affectionately known as "Mr. Canada", died at the age of 68 at his winter home in Florida. I move, seconded by the hon. member for Northumberland-Miramichi (Mr. Dionne):

That this House pay tribute to the outstanding contribution to Canada of Mr. John Wiggins Fisher, and that this House express its deepest sympathy to his family and friends.

Madam Speaker: Does the House agree to this motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

CANADA SAVINGS BONDS

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

Mr. Don Blenkarn (Mississauga South): Madam Speaker, I rise under the provisions of Standing Order 43. Interest rates paid on Canada Savings Bonds are 11.5 per cent, but the government pays 14 per cent on its market bonds and nearly 17 per cent on its treasury bills. Banks and trust companies are paying depositors 13.5 per cent on relatively small deposits and notes. Since January 1 of this year nearly $1 billion of Canada Savings Bonds have been placed for redemption. This debt has to be replaced by significantly higher interest rate costs to Canada. I therefore move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That this House does direct the Minister of Finance to increase forthwith the interest rate paid on Canada Savings Bonds to at least 12.5 per cent in an effort to stem the redemption of Canada Savings Bonds and as an indication that the minister will for once be fair to the ordinary people of Canada who have lent their savings to Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

AGRICULTURE

SHORTAGE OF VETERINARY INSPECTORS—MOTION UNDER S.O. 43

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I rise under the provisions of Standing Order 43. Since the Department of Agriculture has failed to fill job vacancies for veterinary inspectors, thus placing in jeopardy Canadian consumers, farmers, meat exporters, as well as our long-term animal disease research capabilities, I move, seconded by the hon. member for Prince Albert (Mr. Hovdebo):

That this House instructs the Minister of Agriculture to take action immediately to reverse the cutback policy which has allowed at 32.4 per cent vacancy rate amongst veterinary inspectors, in order that this country's ability to be assured of a safe and healthy food supply can once again be enforced.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA SHIPPING ACT

REVIEW OF MARITIME POLLUTION CLAIMS FUND—MOTION UNDER S.O. 43

Mr. Howard Crosby (Halifax West): Madam Speaker, I rise under the provisions of Standing Order 43. The maritime pollution claims fund has accumulated over $60 million in contributions, but the Canadian Labour Congress and the fishermen report that less than $1,000 has been paid in compensation for damages from oil spills. Accordingly I move, seconded by the hon. member for Annapolis Valley-Hants (Mr. Nowlan):

That this House direct the Minister of Transport to review the provisions of the Canada Shipping Act governing the maritime pollution claims fund to provide easier access for fishermen's claims and to ensure that adequate contributions to the fund are made by ship owners.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

PRIVATE MEMBERS' BUSINESS

SUSPENSION DURING CONSTITUTIONAL DEBATE—MOTION UNDER S.O. 43

Mr. Irénée Pelletier (Sherbrooke): Madam Speaker, I rise under the provisions of Standing Order 43 to ask for the unanimous consent of this House in order to put a motion concerning an urgent and pressing matter.

Since the constitutional debate which is starting today is one of the most important debates to be held in this chamber in many decades and since a considerable number of members of this House have voiced their intention to take part in this debate, I move, seconded by the hon. member for Vaudreuil (Mr. Herbert):

That, as of tomorrow and for the duration of the constitutional debate, private members' hour be suspended.

● (1415)

[*English*]

Madam Speaker: Does the House give its unanimous consent to this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of economic importance. It has been suggested that monuments of the minister responsible for the new National Energy Program be erected by Americans in Houston and Denver in honour of his overwhelming contribution to the U.S. economy.

I therefore move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the Minister of Energy, Mines and Resources either withdraw the NEP, thereby inducing Canadian companies to stay in Canada, or else make himself available to American sculptors so that he may be enshrined in concrete for stimulating the U.S. economy instead of the Canadian economy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

VALUE OF CANADIAN DOLLAR VIS-À-VIS U.S. CURRENCY—DECLINE IN REAL WAGES

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Minister of Finance. Yesterday the Canadian dollar closed at 82.75 cents in U.S. terms, down 5 cents from 12 months ago when the minister assumed office. For every one cent devaluation the minister knows the cost of living in Canada goes up .4 per cent. We now have inflation of 12 per cent. In the budget document of October 28 the minister forecast the Canadian dollar would be worth slightly more than 87.5 cents in 1981. This is 1981.

My question to the minister is this: what are the minister's plans to boost the value of the Canadian dollar by 5 cents, or to keep the Canadian dollar from declining further? What are his plans in that direction? Is he going to encourage higher interest rates in Canada, or is he going to encourage changes in the new energy policy that is so damaging the dollar? What are his plans to help the Canadian dollar, and does he plan to bolster it by 5 cents to meet his forecast?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): No, Madam Speaker, I have no intention of accepting the suggestion of the hon. member for taking steps to bolster the value of the Canadian dollar by 5 cents. I think that is an absolutely absurd suggestion to make.

Mr. Clark: It was your own.

Mr. Crosbie: Madam Speaker, this minister is truly comical. The minister's forecast is that the dollar will be in the range of 87.5 cents. That is 5 cents more than it is today. There is serious concern that it will go below its historic low of 80 cents if the minister does not take some steps.

Let me ask the minister, then, in another direction about this fact. For the fourth year in a row, the Conference Board of Canada says we are going to have a decline in real wages this year in Canada. The working people of Canada are going to fall behind for the fourth year in a row because of the cost of living increases, helped by the lower Canadian dollar and other reasons. The minister said on September 9 last year that he became minister to improve living standards. Does he believe that the lowering of the real wages of Canadian workers helps improve living standards and, if he does not, what steps does he propose to overcome this lowering of living standards and the fall in real wages this year? What steps is he taking?

Mr. MacEachen: First of all, the hon. member will be pleased to know that the Canadian dollar did firm today and exceeded the value at which it closed yesterday. As he knows, the Canadian dollar does fluctuate within a range, and I do not think he ought to become traumatized by the events of yesterday because they have been reversed to some extent by the events today.

The hon. member has talked about the decline in real wages in the country, and that decline has been evident for several years now. He knows as well as I do that the cause of the decline in real wages is due to two factors, the necessity of absorbing real increases in energy and the declining productivity in the country. These are the two factors that account for the decline in real income in Canada. There is in the budget which I presented a medium-term strategy which, in my view, over time will provide the basis for growing productivity and declining inflation, and it is on that medium-term strategy that

I am pinning my hopes for a reversal of these unsatisfactory trends.

However, no action taken by any government anywhere in the world can overcome the impact on the economy of the kinds of increases in real energy prices we have experienced in Canada.

Mr. Crosbie: Madam Speaker, we have to take the minister seriously; he is the Minister of Finance. I just checked on the Canadian dollar, and it is trading at 82.95 cents today, still under 83 cents. It is just as firm as is the minister and his policy, which is like jelly.

● (1420)

Some hon. Members: Oh, oh!

Mr. Crosbie: That is the minister's definition of "True Dough", when the Canadian dollar is at less than 83 cents U.S. Let me ask the minister again. The "True Dough" Canadian dollar is now at 82.95 cents U.S. What steps does the minister plan to take to prevent it from sinking any further and to allow it to reach his own forecast of just three months ago that it would be trading at around 87.5 cents U.S.? He is the Minister of Finance, he is responsible, and the Canadian people would like to hear from him, as would the working people in Canada who, this year, will be more militant than ever in labour negotiations. What steps does he plan to take?

Mr. MacEachen: Madam Speaker, it is not my intention to respond to the hon. member's suggestion that some action be announced today to deal with the currency which has perceptively improved in value since yesterday—

Some hon. Members: Oh, oh!

Mr. MacEachen: Madam Speaker, I want to tell my hon. friend that the Canadian dollar with respect to the value of the U.S. dollar is performing reasonably well in comparison with other currencies which have been declining in value relative to the U.S. currency, today and yesterday. The hon. member should observe some of these facts before making some of the more outlandish suggestions which he has been putting together on orders of the day.

GOVERNMENT POLICY RESPECTING LEVEL OF CANADIAN DOLLAR

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my question is also to the Minister of Finance. Speaking about the falling dollar, which is now below 83 cents U.S., would the Minister of Finance indicate whether, as might be surmised from his earlier responses to my colleague, it is government policy to ensure that the dollar not fall below the 82.75 cent level? The government has lost $200 million in further reserves so far this month. Would the minister clarify to the House whether he believes that the dollar should not drop lower than 82.75 cents U.S.?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member is playing one of the oldest and most discredited games ever played by a politician, namely, to ask the Minister of Finance to place a fixed value on the Canadian currency. It was done one time by a former Conservative minister, much to the regret of all of his colleagues during an election campaign.

Some hon. Members: Hear, hear!

Mr. Stevens: Madam Speaker, again I direct my question to the Minister of Finance whose comments are well justified, judging by where they came from. May I ask him this question. Essentially, he has two options with respect to the dollar. With the rising interest rates in the United States he can allow Canadian interest rates to rise still further and thus defend the dollar, or he can choose the second option, that is, to allow interest rates to remain where they are or to go lower and see the dollar fall, which will result in more inflation in the country. Which option, would he tell the House, does he intend to pursue?

Mr. MacEachen: Madam Speaker, I have no difficulty in accepting the hon. member's definition of the options which have been before the Bank of Canada and the government for some months, indeed for a year. The pressure which has been exerted on the Canadian dollar, for example, through higher interest rates in the United States for most of this year, has been reflected in a balanced approach of taking some of that pressure on interest rates and on the value of the currency. There has not been at any time an exclusive reliance on either one or the other of these options. In most cases it has been a balanced approach, taking into account both economic variables.

An hon. Member: Bafflegab.

* * *

● (1425)

DISABLED AND THE HANDICAPPED

GOVERNMENT'S JOB-CREATION PLANS

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is directed to the Minister of Employment and Immigration. Yesterday the Special Committee on the Handicapped and Disabled produced its report which showed that the disabled in Canada are confronted with widespread discrimination and have considerable obstacles in the way of pursuing lives which provide any satisfaction. High among these obstacles is their level of unemployment which ranges between 60 per cent and 80 per cent. Considering the devastating facts revealed in this report, is the minister now prepared to admit that his own program, which will provide only 2,300 jobs, is sheer tokenism? Therefore, is the government willing to commit itself to a substantial increase in job opportunities made available to the disabled people of Canada?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I had the opportunity to meet with members of that committee, both before Christmas and just prior to the release of its report. As I understand the findings in the report, they deal not only with direct job-creation measures but propose a number of initiatives, including affirmative action programs, which would open up a wide variety of opportunities in the private sector.

As the hon. member knows, we initiated affirmative action programs in the Public Service of Canada as a first step in dealing with discrimination in the work place. At the same time we introduced a trial program to provide incentives for private sector employment. If that program succeeds and is taken up by the private sector—and we are evaluating it closely—we will certainly be prepared to look at it further to see if it can be expanded. I think it is wise first to see if it does work and to test it out over the first year. That was certainly the response we received from a number of spokespersons for the disabled community when the program was announced; they welcomed it. We are certainly prepared to look at it as our future model for other programs.

NECESSITY FOR AFFIRMATIVE ACTION PROGRAMS IN PRIVATE SECTOR OF ECONOMY

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a supplementary question which is precisely on the topic the minister suggested, for the Minister of Supply and Services. The experience in the United States and other countries where they have compulsory affirmative action programs has shown that the disabled unemployment level averages around 15 per cent, compared to our unemployment levels for the disabled which average between 60 per cent and 80 per cent. Considering that on the average the federal government conducts $11 billion a year worth of business with the private sector, is the government prepared to make it a condition for a private company to obtain a government contract that it have an affirmative action program in place? That would put teeth into it.

[*Translation*]

Hon. J.-J. Blais (Minister of Supply and Services): Indeed, Madam Speaker, I would simply like to make a minor correction. Our purchases from the private sector amount roughly to $3 billion and not $11 billion as the hon. member has just suggested. I might also indicate, Madam Speaker, that I am having discussions with the Minister of Employment and Immigration about this very interesting topic in which I have great interest. I noted as well that the committee report which was tabled yesterday makes certain recommendations in that area. Although I did not have time to review all the issues analysed by that committee I can assure the House and the hon. member that I will do so at the earliest opportunity and listen carefully to the representations made to me by my colleague, the Minister of Employment and Immigration.

[*English*]

ACTION BY DEPARTMENT OF INDUSTRY, TRADE AND COMMERCE

Mr. Edward Broadbent (Oshawa): Madam Speaker, after the representations are listened to, we hope we can expect some action within a matter of weeks on a rather straightforward proposal which has been very effective elsewhere in the world.

I should like to turn to the Minister of Industry, Trade and Commerce. I understand that all departments were requested by the Minister of National Health and Welfare to do something in the way of affirmative action for the disabled this year. I further understand that all that happened in the Department of Industry, Trade and Commerce was that it prepared a plaque complimenting VIA Rail for its achievements in this area, which is about a $2 contribution. Is that all his department plans to do with respect to providing programs for the disabled, that is, to give a two-buck plaque to VIA Rail?

● (1430)

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, I have not yet had the opportunity to review the report. I think its recommendations deserve to be taken seriously. I will see what I can do to upgrade the response of my department in this important area.

After all, I have had some personal and, thankfully, temporary experience in facing up to the problems of the physically handicapped. I will say, Madam Speaker, that this is an experience which could be a good lesson to a great many people in terms of being sensitive to the needs of the physically handicapped.

* * *

NATIONAL ENERGY PROGRAM

IMPLEMENTATION IN EASTERN CANADA

Mr. Howard Crosby (Halifax West): Madam Speaker, I have a question for the Minister of Energy, Mines and Resources with respect to the implementation of the National Energy Program in eastern Canada. The minister knows that the government's trades training program for offshore jobs has been deferred and that the gas pipeline extension is bogged down in Quebec land squabbles and in National Energy Board procedures. The Nova Scotian government has been left alone to negotiate Fundy tidal power with the New York State authority.

Will the minister tell the House exactly what he is doing to solve the energy problems in eastern Canada and to reduce the use of foreign oil and the costs to the taxpayers of $4 billion a year? Will the National Energy Program remain a paper tiger, or will the government move to implement it and solve these problems in eastern Canada?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the answer to the last question is yes.

[*English*]

DEVELOPMENT OF BAY OF FUNDY TIDAL POWER

Mr. Howard Crosby (Halifax West): Madam Speaker, the other day in the House the minister indicated that he was interested in tidal power development, yet the province of Nova Scotia was meeting last week with the New York authority to advance the Fundy tidal power project which will provide 4,000 megawatts of power to Nova Scotia and eastern Canada. Will the minister tell us what his involvement is with that project and what his government's involvement is? If there is no involvement, what does he intend to do to involve the Government of Canada?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I must advise the hon. member that the government of Nova Scotia did not invite us to consult with them before going to New York. They are very welcome to go wherever they want, since it is a pretty free country.

As far as the issue of tidal power is concerned, the hon. member knows that the federal government has participated with the government of Nova Scotia repeatedly in feasibility studies. The federal government remains of the same disposition vis-à-vis this project. We are ready to review the situation in terms of the financial viability of the project at any time. Our officials have met in the past, and I am sure will meet in the future, if the government of Nova Scotia has any specific, valid projects to put forward.

* * *

[*Translation*]

AIR TRANSPORT

SALE OF NORDAIR

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, I have a question for the Minister of Transport concerning the sale of Nordair.

[*English*]

Madam Speaker, there are reports that the sale of Nordair is imminent, if not already a *fait accompli*. Can the Minister of Transport confirm that the regional carrier has already been sold, or will be sold, to primarily Quebec-based interests, specifically a group headed by Quebecair? When will the hon. gentleman be making an announcement in this regard?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, no announcement is to be made at this time with respect to a sale. I must deny that. The other day, on this same subject, I was reprimanded by one of the members opposite for not having effected that sale up to now.

I want to emphasize the fact, which I have repeated a number of times, that I have selected a group called Regionair which will have first choice with respect to this airline. But that is not unconditional. I have said repeatedly that there must be a fair distribution of shares between the owners of the future integrated company. I have said a number of times that there must be an agreement, a *modus vivendi*, between the management of those two companies, and between the unions. I have also said repeatedly that there must be a system by which the airlines would be evaluated. Up to now these conditions have not been met, which is why there has been no sale yet.

Mr. Scott (Hamilton-Wentworth): Madam Speaker, I gather that the new name of Regionair is the name given to the group headed by Quebecair. Can the minister assure Nordair employees and, indeed the House of Commons, that both major regions which are served by the airline will be represented in the ownership? Can he also assure the House that the announcement of the sale will not be delayed until after the Ontario provincial election?

Mr. Pepin: The hon. member should learn what Regionair is, Madam Speaker. It is a holding company made up of five members, three of which are in Quebec and two of which are in Ontario. Of course, the sale will be announced when it is made.

* * *

NATIONAL ENERGY PROGRAM

CANADIAN OWNERSHIP REQUIREMENTS

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. The minister announced yesterday that he is once again retreating in the face of heavy pressure from the oil industry. First, there was a $40 million loan to Imperial Oil and, second, the government made a 68 per cent foreign-owned company, Dome Petroleum, presto into a 52 per cent Canadian-owned company. We now have the government reducing the minimum requirements from 75 per cent to 65 per cent in order to qualify for petroleum incentive grants. How can the minister tell this House that his energy program to Canadianize is really not breaking down?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I accept the tribute of the hon. member to the flexibility and the willingness of this government to listen to reasoned arguments.

Some hon. Members: Hear, hear!

Mr. Lalonde: I hope that all other parties in this particular debate, whether they be provincial governments or industry, will show as much flexibility or readiness to listen to reason.

As far as the arguments put forward by the hon. member are concerned, I want to stress to him that the various meas-

ures which have been announced are in order to ensure that we will achieve self-sufficiency during this decade and that the Canadian people will end up owning the majority of that industry well before the end of this decade. That is the determination of the government. The measures which have been announced deal with energy security and Canadian ownership being achieved promptly and in an efficient way in favour of all Canadians.

Mr. Waddell: Madam Speaker, the minister calls it flexibility. I call it backing down. I am tempted to quote the remarks of the Liberal leader in Newfoundland reported yesterday in *The Globe and Mail.*

My supplementary question to the minister is this: the president of Imperial Oil publicly admitted today that there is an agreement giving Exxon all of Imperial Oil's research patents and information. Will this be allowed to continue under the goods and sourcing regulations and provisions of Bill C-48?

Mr. Lalonde: Madam Speaker, I do not think that in Bill C-48 there is any provision which would prevent the continuation of such an arrangement. The president of Imperial Oil has indicated that through this arrangement with the parent company, Imperial also had access to all research being carried on by Exxon in its parent company and around the world. Therefore, there was a pool of research and development which was available to Imperial Oil through its own contribution to Exxon. As far as I can see there is nothing illegal or improper with that arrangement.

Mr. Waddell: It is colonial mentality.

Mr. Lalonde: However, there is now an arrangement on a contractual basis, whereby the registration of the patents is made by Imperial Oil in this country rather than by Exxon in the United States. In that respect there has been progress.

Our objective is to increase research and development by all companies in this country. We will continue to do this through the National Energy Program.

* * *

DISABLED AND THE HANDICAPPED

IDENTIFICATION OF PROBLEMS AND REMEDIES

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, my question is for the Minister of National Health and Welfare with respect to the subject of the disabled. The magnitude of the problem of the disabled and handicapped is not generally appreciated. Is there any mechanism in place at either the provincial level or the federal level, such as a data bank or census-taking, in order to identify precisely the problems of the disabled in such a way that appropriate measures can be considered?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, it is a fact well acknowledged by the very good report of the parliamentary task force tabled yesterday that the statistics are lacking on the subject of disabled persons. There are three specific sources of better data on which we are working. One is the Canada Health Survey carried out jointly with Statistics Canada which will provide us with more information. It is being analysed right now. The other source is the Canada Fitness Survey and we are working in co-operation with Statistics Canada for the 1986 census in order that this does include categories of collecting information that will help us to know better those who are disabled, who we think amount to two and a half million Canadians.

* * *

● (1440)

FITNESS AND AMATEUR SPORT

OTTAWA "CITIZEN" INDOOR GAMES—ALLEGED PAYMENTS TO PARTICIPATING ATHLETES

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is directed to the Minister of Labour who has the responsibility for fitness and amateur sport. The CBC today has carried a report with respect to activities surrounding the Ottawa *Citizen* indoor games, which indicates that payments have been made to amateur athletes, or star athletes, up to $1,500 over and above expenses in order that they participate in this particular event.

In view of the fact that this kind of payment may in fact prejudice the amateur status of athletes in Canada, affecting our internal competition and also international competition, has the minister investigated this particular allegation, and has he also had his departmental officials make an investigation into how widespread this may be across Canada?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I have not investigated the allegation. I have a copy of the article from the newspaper here. I do not believe that my responsibilities as minister responsible for fitness and amateur sport would give me any power or any responsibility to be the guardian against shamateurism, as it used to be called, and I have no knowledge as to the accuracy of the story in the newspaper.

In any event, I would believe that it would be a matter for the sport governing bodies to determine whether there are any improper practices, and not a matter for this department.

* * *

KENT ROYAL COMMISSION

INVESTIGATION OF ALLEGED SUPPRESSION OF NEWSPAPERMAN'S REPORT

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I only ask the minister to report to the House in view of the fact that he has some special responsibility for amateur sports, and

I would like to know what that does cover if it does not cover amateur sport.

My supplementary question, on another distressing aspect of this story is to the Minister of State for Multiculturalism, to whom I understand the Kent commission is reporting. It relates to a report that there was in fact a suppression of the reporting of this particular set of circumstances by a reporter, Mr. Harper, of the Ottawa *Citizen*.

In view of the fact that the minister has been looking at the monopolistic activity of the newspaper industry in Canada, I want to know whether the Kent commission will in fact be looking at the ability of one-newspaper towns to receive news and reporting, unfettered by the interests of the publisher or the newspaper in a commercial concern, whether it will be reporting to the minister and then to the House on this aspect of the matter?

Hon. Jim Fleming (Minister of State (Multiculturalism)): Madam Speaker, I am afraid I am not aware of that particular case. Of course, as a Royal commission the Kent commission operates at arm's length from the government, but I would certainly be pleased to draw that concern to their attention, and I share some of the concerns the hon. member has in that situation.

* * *

CRIMINAL CODE

AMENDING LEGISLATION TO DEAL WITH PROSTITUTION

Miss Pat Carney (Vancouver Centre): Madam Speaker, my question is addressed to the Minister of Justice in regard to his proposed legislation relating to sexual offences.

Vancouver hotel operators are maintaining that the sexual harassment of guests by prostitutes who arrive by the busload during convention times is costing the city millions of dollars in lost convention business and is damaging the image of Vancouver as a safe, clean city. I see the minister winces at that, but it is important for our city that it maintain its reputation as a safe, clean city, and not one where people cannot go out at night.

Last summer the minister promised angry citizens' groups that he would deal with the issue of prostitution in his proposed legislation on sexual offences, yet this legislation does not deal with the issue at all in a meaningful way. Why did the minister not keep his word on this matter?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, last fall I was in communication with the attorneys general on the subject and we received some different points of view from the provinces on the advisability of moving in that field at this time. The second aspect of the problem is there is a case at this moment in front of the Supreme Court and, of course, it is a tradition for the Minister of Justice to wait until the court has established the final determination of the law before proposing amendments. When the Supreme Court has disposed of that case on the subject, at that time, in relation to solicitation, we will advise the House about the next step to take.

Miss Carney: My supplementary is addressed to the Minister of Justice. I would suggest that over the last several months he has maintained that he is waiting to hear from other groups, he is waiting to hear from other provinces, and now he is waiting to hear from the Supreme Court. I would suggest he is working both sides of the street on this issue.

One of the basic principles set out in the proposed legislation, and which is not being dealt with by the Supreme Court, is the elimination of sexual discrimination, or, quoting from the minister's own information paper, "sexual offences should apply equally to both sexes". If that is the objective of the legislation, why did the minister not introduce legislation to ensure that the customer, or the "John", is prosecuted as well as the prostitute?

Mr. Chrétien: In the legislation that we have tabled in the House we are not discussing solicitation and prostitution. It deals with other aspects of the criminal code. In the case of prostitution and solicitation, I gave the reason why we have to wait, and I would like to tell the hon. member that the previous administration made their views very well known last year. They said they were not going to do anything at all; at least I am trying to find a solution.

* * *

THE ENVIRONMENT

ACID RAIN POLLUTION—POSSIBILITY OF COMPENSATION TO FARMERS

Mr. Jim Fulton (Skeena): Madam Speaker, my question is to the Minister of the Environment. I think we know that government and industry inaction has caused the death of about one lake in ten in Ontario. Friday's bilateral interim report makes it clear beyond doubt that Canada's agricultural sector is losing productivity and money because of acid rain, and I quote briefly, "Plant tissue loss may approach 15 to 30 per cent and yield losses of 5 to 10 per cent may occur." Does the government plan to compensate farmers in Ontario and elsewhere in Canada for these losses?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, of course we are very pleased that the interim report has come forward so quickly and it has confirmed the very real and urgent pressing dangers which we have previously described. Further work is continuing and, as the hon. member knows, we expect further reports in June and a rapid conclusion of the initial stages of negotiations with the Americans. However, the question of compensation to specific people affected by this general problem is not one on which we have yet made a determination.

Mr. Fulton: Well, Madam Speaker, since 50 per cent of the acid rain falling in Canada is from Canadian sources, and the

facts are clear beyond doubt that industry is profiting by not installing available reduction technologies, is it the minister's position that industrial pollution profit is more important than crop yield in Canada?

Mr. Roberts: No, Madam Speaker, that is not a fair description of the position. There is still much work to be done to trace specific consequences of specific polluting sources. A great deal of work has been done in that way, and the models which are being brought forward by computer analysis are beginning to converge, but there is not yet an assured way of determining how an initial polluting source affects what particular place of deposition.

* * *

THE CONSTITUTION

INCORPORATION OF REFORM OF THE LAW OF EVIDENCE

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I wish to direct a question to the Minister of Justice on the Canada Evidence Act. The minister will be aware that a task force has spent, I suppose, hundreds or thousands of hours studying a new Canada Evidence Act; meetings have been held across the country by a great many people over the last, I believe it is three or four years, and have now received a draft, I understand, of the proposed new Canada Evidence Act. Would the minister tell us, Madam Speaker, if the considered recommendations of this task force were taken into consideration when the government wrote its proposed evidence features into the constitutional resolution, and if so whether they were given the full weight that the amount of work that went into them would appear to warrant?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, when we were in the committee and we looked at some aspects of the charter of rights, this was debated. We received a lot of evidence and the government has made some recommendations. Of course, we kept in mind the views of the people who have been consulting on the Canada Evidence Act, but in fact the charter of rights is part of the answer and I think that this aspect of the charter receives very strong support from all the members of the committee, including some on that side of the House.

Mr. Kilgour: The minister received the report very recently and, if my information is correct, he would not have had time to consider recommendations of these people who have been working now for several years. Can the minister tell us when he received the proposed report and whether in fact he gave it any weight whatsoever in his proposed charter of rights?

● (1450)

Mr. Chrétien: Madam Speaker, I do not know about the date. My advisers have been in touch with the people involved with the study for a long time, who knew the background of their thinking. But we had to have a charter of rights and we have to make it as good as possible. That is why we are pleased to be before this House today with the resolution to give a charter of rights at last to all Canadians.

Some hon. Members: Hear, hear!

Mr. Clark: You mean to have the British do it.

* * *

HISTORIC SITES AND MONUMENTS BOARD

DECISION RESPECTING OTTAWA HOME OF JOHN G. DIEFENBAKER

Mr. Robert C. Coates (Cumberland-Colchester): Madam Speaker, my question is for the Minister of the Environment as the minister responsible for the Historic Sites and Monuments Board of Canada. My question relates to the home of the late Right Hon. John G. Diefenbaker in Rockcliffe, about which the minister made an announcement yesterday. I must say I am very unhappy about the approach of the minister in releasing a written statement as opposed to coming into the House and telling us the government's intention or in advising us of the decision of the Historic Sites and Monuments Board of Canada regarding the request made by the former Prime Minister of Canada.

The minister is suggesting the board made its decision on the basis that Mr. Diefenbaker lived in his home on Lansdowne Avenue in Rockcliffe neither during the period he was prime minister nor when he was leader of the opposition, but did that Board understand, appreciate, or take into consideration that we have a residence for the Prime Minister at 24 Sussex Drive, and a residence for the Leader of the Opposition which is called Stornoway? In neither case could Mr. Diefenbaker have lived in the home he resided in while he was a Member of Parliament for Prince Albert. Did the board take into consideration all of the things which were of great significance to Canadians which were achieved during the period of time he resided in Rockcliffe Park?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Yes, Madam Speaker, I am sure it did.

Mr. Coates: Madam Speaker, my supplementary question is for the Minister of the Environment. Was the minister speaking for the government when he indicated the request in Mr. Diefenbaker's will to all Canadians was rejected, or was that a statement from the board itself? Is that the position of the government in so far as the home in question is concerned?

Mr. Roberts: Madam Speaker, the recommendation was one which came from the board. The board considered the request. The board, as you know, is made up of distinguished historians and citizens of Canada. They came to the decision on their own. They made a recommendation to me and I accepted the recommendation which they presented to me.

Mr. Coates: May I ask a supplementary question of the Prime Minister, Madam Speaker?

Madam Speaker: Order, please. The hon. member for Leeds-Grenville.

Mr. Coates: Madam Speaker, I have a supplementary question for the Prime Minister about a former prime minister of Canada.

Madam Speaker: Order, please. The usual practice is to allow a question and a supplementary. I am not treating the hon. member in a different way from anyone else. The hon. member for Leeds-Grenville.

Mr. Coates: Madam Speaker, I realize you are not treating me in a different way, but this is a question to the present Prime Minister of Canada about a former prime minister.

Madam Speaker: Order, please.

* * *

THE CONSTITUTION

INQUIRY RESPECTING VOTING PROCEDURE

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, my question is directed to the Prime Minister who, I am sure, along with all of us, has heard the statement made by the Leader of the New Democratic Party that he was prepared to allow a free vote on the constitutional issue. Of course, we realize that he had to because he had to drown revolt in the ranks.

Some hon. Members: Oh, oh!

Mr. Cossitt: My question to the Prime Minister is this: could he tell us, without his usual figure skating evasion, whether or not he is prepared to allow a completely free vote on his own side of the House on the issue of the Constitution?

An hon. Member: They do not know what that means.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, when the hon. member was asking his question I saw the Leader of the New Democratic Party was shaking his head no, that he was not the author of the words ascribed to him.

Mr. Stevens: What is your answer?

Mr. Trudeau: I wish they would argue among themselves.

Mr. Epp: We heard the clang over here.

Mr. Cossitt: Madam Speaker, I preface my supplementary question by saying that was not figure skating—he might better have been a ballet dancer—that was dancing all around the question. Will the Prime Minister tell the House, when his Minister of Justice has been quoted in the press as saying that he realizes the majority of Canadians are against what the government is doing with respect to the Constitution but the government will go ahead anyway, how he can justify having the government go ahead in spite of an obvious democratic opinion against what he is doing? Can the Prime Minister define to us where this is democratic? Is he going to go ahead or is he going to listen to the people of Canada for a change?

An hon. Member: No.

Mr. Trudeau: Madam Speaker, I have quoted to the opposition before the hon. member for Provencher who on behalf of the Conservative Party—it may not be the opinion of the hon. member for Leeds-Grenville—said that it was popular will that we have patriation, that we have an amending formula, and that we have a charter of rights. That is exactly what is before the House at this time.

Some hon. Members: Hear, hear!

* * *

ENERGY

ALCOHOL AS PROPELLANT FOR AUTOMOBILES MANUFACTURED IN CANADA

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. In view of the fact Brazil produces 150,000 cars per year which run on alcohol, and Volkswagen has been developing cars to run on alcohol since 1973 when OPEC countries first raised oil prices, will the minister consider asking the automobile manufacturers to produce cars which use alcohol as fuel and provide some incentive to Canadians to convert their cars from gasoline to alcohol?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, it is possible to produce methanol or gasohol from biomass of various kinds. There are pilot projects being considered at the moment and there are funds available for that purpose. Discussions are being held with various parties in various provinces. I believe announcements will be made in the next while about certain pilot projects in this country.

* * *

THE CONSTITUTION

VOTING PROCEDURE WITH RESPECT TO RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is supplementary to that put by the hon. member for Leeds-Grenville. I understand that the Leader of the Liberal Party usually takes his marching orders from the Leader of the New Democratic Party, on these questions, or vice versa. I am sure that the Prime Minister would not want to leave a matter of such gravity unanswered simply because he was not sure what the thinking of the Leader of the New Democratic Party is at the moment, so I would like to put the question to him as a matter of policy. Is it the policy of the

Government of Canada to recommend to the House of Commons, directly or through House leaders, that there be a free vote on the constitutional resolution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, other parties are free to conduct their affairs as well they can.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Trudeau: There has never been any doubt on this side of the House that this was a government measure. It was mentioned in the Speech from the Throne. It has been very central to the debates in this Parliament since the last election, and it has been made quite clear to members on this side that this was a government measure and that people were expected to vote freely for it.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, we have seen the Prime Minister avoid free votes before on questions like capital punishment, and the way in which he introduced that measure into the House of Commons as a practical matter. This is a very important question. We all know that there are very many members of the Liberal Party who are unhappy with elements of the constitutional package—

Some hon. Members: Oh, oh!

Mr. Clark: —just as there are many members of the New Democratic Party who are, and just as the hon. member for Edmonton East in our party is unhappy with the position that I have taken as the leader of our party. I am prepared to treat this matter as one of fundamental seriousness. Is the Prime Minister prepared to treat the Constitution of Canada as being sufficiently free that he will allow his Members of Parliament, members who sit as Liberal Members of Parliament, to vote their conscience, to put their province or their principle ahead of their party on this question? Is he saying that there will be no free vote among the Liberals? Is that what he is saying?

• (1500)

Mr. Trudeau: Yes, Madam Speaker. I hope very earnestly that members on this side will vote according to their consciences and I so authorize them to do so, if I have any authority on the matter. I hope they do not cop out as the opposition has done on this fundamental matter, which means bringing the Constitution to Canada after 54 years of failure, bringing it in with a charter of rights which the people want.

Some hon. Members: Hear, hear!

PETITIONS

MR. DOMM—PATRIATION OF THE CONSTITUTION

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

* * *

HOUSE OF COMMONS

ADJOURNMENT—ADJUSTMENT OF SITTING HOURS

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I have had consultations with my colleague on the other side. We have been asked not to sit on Friday, February 27. We have come to an agreement and we will recoup the hours as stated in the following House order.

I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That the House shall not sit on Friday, February 27, 1981;

That on Thursday, February 26, 1981, Monday, March 2, 1981, and Thursday, March 5, 1981, the hours of sitting shall be from 2.00 o'clock p.m. to 7.00 o'clock p.m. and from 8.00 o'clock p.m. to 10.00 o'clock p.m.;

That on these days private members' business shall be taken up at 9.00 o'clock p.m. instead of at 5.00 o'clock p.m.

Madam Speaker: The House has heard the motion. Does it agree to the motion?

Some hon. Members: Agreed.

Madam Speaker: It is so ordered.

Motion agreed to.

ROUTINE PROCEEDINGS

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,804, 1,978, 1,979 and 1,980.

[*Text*]

CORE FUNDING GRANTS TO NATIVE COUNCIL OF CANADA

Question No. 1,804—**Mr. Blenkarn:**

1. Does the government have a policy in making Core Funding Program grants to organizations, like the Native Council of Canada, if the government

does not know how many individuals are actually paid up members in the council and, if so, what is such policy?

2. How is the leadership of the council elected and what criteria were placed in determining the word Métis as to a blood relation to aboriginal people?

3. (a) Who are the members of the Canadian Arctic Resources Committee (b) how many members are paid up (c) what is the committee's source of funding other than from the government?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Department of Indian Affairs and Northern Development and the Secretary of State as follows: 1. The principles behind the Secretary of State Department's programs for native citizens derive from the following objectives and sub-objectives of the citizenship branch as a whole: to promote and assist the development of effective Canadian citizenship and to co-ordinate the formulation and development of national policies affecting citizenship; to encourage an appreciation of the peoples, regions and cultures, official languages and institutions of Canada; to promote a greater understanding among groups and individuals and to combat prejudice and discrimination; to encourage and assist effective citizens' participation and to facilitate access to government and other societal institutions with particular emphasis on the socially and culturally disadvantaged segments of the population.

The Core Funding Program is particularly related to the latter sub-objective, and is based on the premise that the provision of sustaining support to Metis and non-status Indians and Inuit organizations enables the native citizens of Canada to formulate and present their views and to develop program and policy proposals to further their own development. The Native Council of Canada is the national body in Canada which represents the Metis and non-status organizations. Past studies have indicated that there are approximately 500,000 Metis and non-status Indians who identify socially and culturally with their Indian ancestry.

2. (a) All organizations comprise an elected executive and a board of directors with the exception of some status Indian organizations, the boards of which are elected chiefs of bands. The Native Council of Canada's board is comprised of the presidents of the member provincial and territorial organizations.

(b) The Metis are those individuals of mixed Indian and white blood which are described in Indian communities as those people who identify socially and culturally with their Indian ancestry.

3. As the Canadian Arctic Resources Committee is a private organization, it would be inappropriate for the government to respond to this question. Answers to this question should be sought from the Canadian Arctic Resources Committee.

RETIRED ARMED FORCES PERSONNEL

Question No. 1,978—**Mr. Knowles:**

1. How many retired armed forces police personnel are receiving pensions, including their basic pensions and any supplement or supplements added thereto, of amounts within each of the following brackets (a) less than $20.00 per month (b) $20.00 to $29.99 per month (c) $30.00 to $39.99 per month (d) $40.00 to $49.99 per month (e) $50.00 to $59.99 per month (f) $60.00 to $69.99 per month (g) $70.00 to $79.99 per month (h) $80.00 to $89.99 per month (*i*) $90.00 to $99.99 per month (j) $100.00 to $149.99 per month (k) $150.00 to $199.99 per month (l) $200.00 to $249.99 per month (m) $250.00 to $299.99 per month (n) $300.00 to $399.99 per month (o) $400.00 to $499.99 per month (p) $500.00 to $599.99 per month (q) $600.00 to $699.99 per month (r) $700.00 to $799.99 per month (s) $800.00 to $899.99 per month (t) $900.00 to $999.99 per month (u) $1,000.00 to $1,499.99 per month (*v*) $1,500.00 per month and over?

2. How many widows of armed forces personnel or of retired armed forces personnel are receiving pensions, including their basic pensions and any supplement or supplements added thereto, of amounts within each of the brackets indicated in the above question?

3. What is the total number of retired armed forces personnel and also the number of widows of armed forces personnel or of retired armed forces personnel presently residing in each province?

4. In respect of how many orphans of armed forces personnel are pensions being paid and what is the average amount thereof?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence):

1. Retired armed forces personnel as at December 31, 1980—57,789

(a) less than $20.00	— 2	(l) 200.00 to 249.99	— 4778
(b) 20.00 to 29.99	— 18	(m) 250.00 to 299.99	— 4729
(c) 30.00 to 39.99	— 92	(n) 300.00 to 399.99	— 8254
(d) 40.00 to 49.99	— 170	(o) 400.00 to 499.99	— 7568
(e) 50.00 to 59.99	— 155	(p) 500.00 to 599.99	— 7066
(f) 60.00 to 69.99	— 131	(q) 600.00 to 699.99	— 5551
(g) 70.00 to 79.99	— 153	(r) 700.00 to 799.99	— 3641
(h) 80.00 to 89.99	— 197	(s) 800.00 to 899.99	— 2531
(i) 90.00 to 99.99	— 231	(t) 900.00 to 999.99	— 1891
(j) 100.00 to 149.99	— 1287	(u) 1000.00 to 1499.99	— 4674
(k) 150.00 to 199.99	— 3247	(v) 1500.00 to over	— 1423

2. Number of widows receiving monthly pensions as at December 31, 1980—7029

(a) less than $20.00	— 7	(l) 200.00 to 249.99	— 1089
(b) 20.00 to 29.99	— 23	(m) 250.00 to 299.99	— 1112
(c) 30.00 to 39.99	— 23	(n) 300.00 to 399.99	— 1457
(d) 40.00 to 49.99	— 26	(o) 400.00 to 499.99	— 747
(e) 50.00 to 59.99	— 30	(p) 500.00 to 599.99	— 378
(f) 60.00 to 69.99	— 21	(q) 600.00 to 699.99	— 224
(g) 70.00 to 79.99	— 17	(r) 700.00 to 799.99	— 89
(h) 80.00 to 89.99	— 31	(s) 800.00 to 899.99	— 34
(i) 90.00 to 99.99	— 64	(t) 900.00 to 999.99	— 23
(j) 100.00 to 149.99	— 646	(u) 1000.00 to 1499.99	— 46
(k) 150.00 to 199.99	— 938	(v) 1500.00 to over	— 4

3. Retired armed forces personnel and widows residing in each province as at December 31, 1980:

Province	Personnel	Widows
Newfoundland	327	19
Prince Edward Island	561	75
Nova Scotia	6162	646
New Brunswick	2481	253
Quebec	4758	695
Ontario	20668	2911
Manitoba	2491	324
Saskatchewan	992	115
Alberta	5968	545
British Columbia	12100	1233
Northwest Territories	97	8
Outside Canada	1184	205
Total	57789	7029

4. Number of orphans as at December 30, 1980 — 167
Average monthly amount $94.79

CREDIT STANDING OF ARMED FORCES SUPERANNUATION ACCOUNT

Question No. 1,979—**Mr. Knowles:**

1. What was the total amount at credit in the Canadian Forces Superannuation Account as at March 31 (a) 1978 (b) 1979 (c) 1980?

2. What rate of interest has the government paid for the use of this money during the fiscal year ended on the dates noted above?

3. What amount of interest was credited to the Canadian Forces Superannuation Account during the fiscal year ended March 31 (a) 1978 (b) 1979 (c) 1980?

4. What was the total amount paid out of the Canadian Forces Superannuation Account during the fiscal year ended March 31 (a) 1978 (b) 1979 (c) 1980?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence):

1. Balance in the Canadian Forces Superannuation Account (CFSA) as at:

	CFSA	Actuarial Liability Account	Total
(a) March 31, 1978	2,333,827,474.93	5,204,825,818.72	7,538,653,293.65
(b) March 31, 1979	2,395,773,602.33	5,678,838,368.32	8,074,611,970.65
(c) March 31, 1980	2,449,242,227.75	6,203,543,207.94	8,652,785,435.69

2. Rates of interest for

(a) 1977/78	1. Quarter ending June 30, 1977	1.8102 per cent
	2. Quarter ending September 30, 1977	1.8204 per cent
	3. Quarter ending December 31, 1977	1.8372 per cent
	4. Quarter ending March 31, 1978	1.8508 per cent
(b) 1978/79	1. Quarter ending June 30, 1978	1.8674 per cent
	2. Quarter ending September 30, 1978	1.9102 per cent
	3. Quarter ending December 31, 1978	1.9228 per cent
	4. Quarter ending March 31, 1978	1.9304 per cent
(c) 1979/80	1. Quarter ending June 30, 1979	1.9528 per cent
	2. Quarter ending September 30, 1979	1.9702 per cent
	3. Quarter ending December 31, 1979	1.9786 per cent
	4. Quarter ending March 31, 1980	1.9998 per cent

3. Amount of interest credited to CFSA during fiscal year ending:

	CFSA	Actuarial Account	Total
(a) March 31, 1978	91,476,814.34	198,022,138.53	283,498,952.87
(b) March 31, 1979	94,188,404.31	216,512,549.60	310,700,953.91
(c) March 31, 1980	99,395,779.50	240,704,839.62	340,100,619.12

4. Payments out of CFSA during fiscal year ending:

(a) March 31, 1978	207,873,360.29
(b) March 31, 1979	227,926,358.26
(c) March 31, 1980	253,964,531.63

CANADIAN ARMED FORCES—NUMBER COMMENCING PENSION 1959-80

Question No. 1,980—**Mr. Knowles:**

1. In each year 1959 to 1980 (a) how many personnel of the Canadian Armed Forces have commenced drawing pensions under the Canadian Forces Superannuation Act (b) how many widows have commenced drawing pensions under the said act?

2. In each year 1959 to 1980, how many pensions under the Canadian Forces Superannuation Act to (a) retired Canadian Armed Forces personnel (b) widows of such personnel, have been discontinued because of the death of the annuitant?

3. In each year 1946 to 1980, how many service personnel contributed to the pension or annuity account under the former Part V or under the provisions of the present Canadian Forces Superannuation Act?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence):

1. (a) Personnel of the armed forces retired to pension in:

	1959	752	1966	3,407	1973	3,357
	1960	1,048	1967	2,983	1974	3,478
	1961	1,418	1968	2,787	1975	3,459
	1962	1,343	1969	4,050	1976	3,003
	1963	1,623	1970	4,075	1977	3,124
	1964	2,454	1971	4,267	1978	3,388
	1965	3,419	1972	4,405	1979	3,847
					1980	4,033
(b)	1959	98	1966	263	1973	441
	1960	121	1967	303	1974	478
	1961	166	1968	303	1975	470
	1962	179	1969	371	1976	554
	1963	207	1970	323	1977	527
	1964	208	1971	375	1978	574
	1965	283	1972	420	1979	499
					1980	673

2. (a) Retired pensioners deceased in:

1959	91	1966	208	1973	379
1960	103	1967	243	1974	524
1961	114	1968	295	1975	496
1962	127	1969	353	1976	513
1963	142	1970	356	1977	507
1964	169	1971	331	1978	384
1965	190	1972	323	1979	673
				1980	775

(b) Widows of pensioners deceased in:

1959	9	1966	39	1973	12
1960	12	1967	45	1974	30
1961	17	1968	56	1975	39
1962	19	1969	50	1976	58
1963	26	1970	52	1977	28
1964	28	1971	24	1978	38
1965	34	1972	11	1979	91
				1980	137

3. Number of CFSA contributors in:

1946 — 212,692	1955 — 118,077	1964 — 120,781	1973 — 82,402
1947 — 36,535	1956 — 116,678	1965 — 114,164	1974 — 79,921
1948 — 34,762	1957 — 117,092	1966 — 107,467	1975 — 79,639
1949 — 41,676	1958 — 119,038	1967 — 105,584	1976 — 79,772
1950 — 47,185	1959 — 120,412	1968 — 101,572	1977 — 80,546
1951 — 68,427	1960 — 119,597	1969 — 98,340	1978 — 80,032
1952 — 195,394	1961 — 120,055	1970 — 93,353	1979 — 80,059
1953 — 104,427	1962 — 126,474	1971 — 89,563	1980 — 80,166
1954 — 112,529	1963 — 123,693	1972 — 84,933	

Order Paper Questions

[*English*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 534 could be made an order for return, this return would be tabled immediately.

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

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure of the House that question No. 534 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

DEPARTMENTAL INFORMATION SERVICES PERSONNEL

Question No. 534—**Mr. Orlikow:**

1. On January 1 (a) 1977 (b) 1978 (c) 1979, by department, how many (i) information officers (ii) support staff were employed by job classification and salary range?

2. For the same dates, by department, how many information officer positions were vacant by (a) job classification (b) salary range?

3. By department, what duties and responsibilities were handled by each information officer as of January 1, 1979?

4. By department, what was the total amount spent in 1978-79 on information services, including salaries and wages?

Return tabled.

[*Translation*]

Madam Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

Hon. Jean Chrétien (Minister of Justice) moved:

THAT, WHEREAS in the past certain amendments to the Constitution of Canada have been made by the Parliament of the United Kingdom at the request and with the consent of Canada;

AND WHEREAS it is in accord with the status of Canada as an independent state that Canadians be able to amend their Constitution in Canada in all respects;

AND WHEREAS it is also desirable to provide in the Constitution of Canada for the recognition of certain fundamental rights and freedoms and to make other amendments to that Constitution;

A respectful address be presented to Her Majesty the Queen in the following words:

CONSIDÉRANT:

que le Parlement du Royaume-Uni a modifié à plusieurs reprises la Constitution du Canada à la demande et avec le consentement de celui-ci;

que, de par le statut d'État indépendant du Canada, il est légitime que les Canadiens aient tout pouvoir pour modifier leur Constitution au Canada;

qu'il est souhaitable d'inscrire dans la Constitution du Canada la reconnaissance de certains droits et libertés fondamentaux et d'y apporter d'autres modifications,

il est proposé que soit présentée respectueusement à Sa Majesté la Reine l'adresse dont la teneur suit:

To the Queen's Most Excellent Majesty:
Most Gracious Sovereign:

We, Your Majesty's loyal subjects, the House of Commons of Canada in Parliament assembled, respectfully approach Your Majesty, requesting that you may graciously be pleased to cause to be laid before the Parliament of the United Kingdom a measure containing the recitals and clauses hereinafter set forth:

A Sa Très Excellente Majesté la Reine,
Très Gracieuse Souveraine :

Nous, membres de la Chambre des communes du Canada réunis en Parlement, fidèles sujets de Votre Majesté, demandons respectueusement à Votre Très Gracieuse Majesté de bien vouloir faire déposer devant le Parlement du Royaume-Uni un projet de loi ainsi conçu :

An Act to give effect to a request by the Senate and House of Commons of Canada

Whereas Canada has requested and consented to the enactment of an Act of the Parliament of the United Kingdom to give effect to the provisions hereinafter set forth and the Senate and the House of Commons of Canada in Parliament assembled have submitted an address to Her Majesty requesting that Her Majesty may graciously be pleased to cause a Bill to be laid before the Parliament of the United Kingdom for that purpose.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution Act, 1981 enacted

1. The *Constitution Act, 1981* set out in Schedule B to this Act is hereby enacted for and shall have the force of law in Canada and shall come into force as provided in that Act.

Termination of power to legislate for Canada

2. No Act of the Parliament of the United Kingdom passed after the *Constitution Act, 1981* comes into force shall extend to Canada as part of its law.

French version

3. So far as it is not contained in Schedule B, the French version of this Act is set out in Schedule A to this Act and has the same authority in Canada as the English version thereof.

Short title

4. This Act may be cited as the *Canada Act*.

ANNEXE A—SCHEDULE A

Loi donnant suite à une demande du Sénat et de la Chambre des communes du Canada

Sa Très Excellente Majesté la Reine, considérant :

qu'à la demande et avec le consentement du Canada, le Parlement du Royaume-Uni est invité à adopter une loi visant à donner effet aux dispositions énoncées ci-après et que le Sénat et la Chambre des communes du Canada réunis en Parlement ont présenté une adresse demandant à Sa Très Gracieuse Majesté de bien vouloir faire déposer devant le Parlement du Royaume-Uni un projet de loi à cette fin,

sur l'avis et du consentement des Lords spirituels et temporels et des Communes réunis en Parlement, et par l'autorité de celui-ci, édicte :

Adoption de la *Loi constitutionnelle de 1981*

1. La *Loi constitutionnelle de 1981*, énoncée à l'annexe B, est édictée pour le Canada et y a force de loi. Elle entre en vigueur conformément à ses dispositions.

Cessation du pouvoir de légiférer pour le Canada

2. Les lois adoptées par le Parlement du Royaume-Uni après l'entrée en vigueur de la *Loi constitutionnelle de 1981* ne font pas partie du droit du Canada.

Version française

3. La partie de la version française de la présente loi qui figure à l'annexe A a force de loi au Canada au même titre que la version anglaise correspondante.

Titre abrégé

4. Titre abrégé de la présente loi : *Loi sur le Canada*.

SCHEDULE B

CONSTITUTION ACT, 1981

PART I

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Guarantee of Rights and Freedoms

Rights and freedoms in Canada

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

Fundamental Freedoms

Fundamental freedoms

2. Everyone has the following fundamental freedoms:

(*a*) freedom of conscience and religion;

(*b*) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

(*c*) freedom of peaceful assembly; and

(*d*) freedom of association.

Democratic Rights

Democratic rights of citizens

3. Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

Maximum duration of legislative bodies

4. (1) No House of Commons and no legislative assembly shall continue for longer than five years from the date fixed for the return of the writs at a general election of its members.

Continuation in special circumstances

(2) In time of real or apprehended war, invasion or insurrection, a House of Commons may be continued by Parliament and a legislative assembly may be continued by the legislature beyond five years if such continuation is not opposed by the votes of more than one-third of the members of the House of Commons or the legislative assembly, as the case may be.

ANNEXE B

LOI CONSTITUTIONNELLE DE 1981

PARTIE I

CHARTE CANADIENNE DES DROITS ET LIBERTÉS

Garantie des droits et libertés

Droits et libertés au Canada

1. La *Charte canadienne des droits et libertés* garantit les droits et libertés qui y sont énoncés. Ils ne peuvent être restreints que par une règle de droit, dans des limites qui soient raisonnables et dont la justification puisse se démontrer dans le cadre d'une société libre et démocratique.

Libertés fondamentales

Libertés fondamentales

2. Chacun a les libertés fondamentales suivantes :

a) liberté de conscience et de religion;

b) liberté de pensée, de croyance, d'opinion et d'expression, y compris la liberté de la presse et des autres moyens de communication;

c) liberté de réunion pacifique;

d) liberté d'association.

Droits démocratiques

Droits démocratiques des citoyens

3. Tout citoyen canadien a le droit de vote et est éligible aux élections législatives fédérales ou provinciales.

Mandat maximal des assemblées

4. (1) Le mandat maximal de la Chambre des communes et des assemblées législatives est de cinq ans à compter de la date fixée pour le retour des brefs relatifs aux élections générales correspondantes.

Prolongations spéciales

(2) Le mandat de la Chambre des communes ou celui d'une assemblée législative peut être prolongé respectivement par le Parlement ou par la législature en question au-delà de cinq ans en cas de guerre, d'invasion ou d'insurrection, réelles ou appréhendées, pourvu que cette prolongation ne fasse pas l'objet d'une opposition exprimée par les voix de plus du tiers des députés de la Chambre des communes ou de l'assemblée législative.

The Constitution

Annual sitting of legislative bodies

5. There shall be a sitting of Parliament and of each legislature at least once every twelve months.

5. Le Parlement et les législatures tiennent une séance au moins une fois tous les douze mois. Séance annuelle

Mobility Rights

Liberté de circulation et d'établissement

Mobility of citizens

6. (1) Every citizen of Canada has the right to enter, remain in and leave Canada.

6. (1) Tout citoyen canadien a le droit de demeurer au Canada, d'y entrer ou d'en sortir. Liberté de circulation

Rights to move and gain livelihood

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

(*a*) to move to and take up residence in any province; and

(*b*) to pursue the gaining of a livelihood in any province.

(2) Tout citoyen canadien et toute personne ayant le statut de résident permanent au Canada ont le droit :

a) de se déplacer dans tout le pays et d'établir leur résidence dans toute province;

b) de gagner leur vie dans toute province. Liberté d'établissement

Limitation

(3) The rights specified in subsection (2) are subject to

(*a*) any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of province of present or previous residence; and

(*b*) any laws providing for reasonable residency requirements as a qualification for the receipt of publicly provided social services.

(3) Les droits mentionnés au paragraphe (2) sont subordonnés :

a) aux lois et usages d'application générale en vigueur dans une province donnée, s'ils n'établissent entre les personnes aucune distinction fondée principalement sur la province de résidence antérieure ou actuelle;

b) aux lois prévoyant de justes conditions de résidence en vue de l'obtention des services sociaux publics. Restriction

Legal Rights

Garanties juridiques

Life, liberty and security of person

7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

7. Chacun a droit à la vie, à la liberté et à la sécurité de sa personne; il ne peut être porté atteinte à ce droit qu'en conformité avec les principes de justice fondamentale. Vie, liberté et sécurité

Search or seizure

8. Everyone has the right to be secure against unreasonable search or seizure.

8. Chacun a droit à la protection contre les fouilles, les perquisitions ou les saisies abusives. Fouilles, perquisitions ou saisies

Detention or imprisonment

9. Everyone has the right not to be arbitrarily detained or imprisoned.

9. Chacun a droit à la protection contre la détention ou l'emprisonnement arbitraires. Détention ou emprisonnement

Arrest or detention

10. Everyone has the right on arrest or detention

(*a*) to be informed promptly of the reasons therefor;

(*b*) to retain and instruct counsel without delay and to be informed of that right; and

(*c*) to have the validity of the detention determined by way of *habeas corpus* and to be released if the detention is not lawful.

10. Chacun a le droit, en cas d'arrestation ou de détention :

a) d'être informé dans les plus brefs délais des motifs de son arrestation ou de sa détention;

b) d'avoir recours sans délai à l'assistance d'un avocat et d'être informé de ce droit;

c) de faire contrôler, par *habeas corpus*, la légalité de sa détention et d'obtenir, le cas échéant, sa libération. Arrestation ou détention

The Constitution

Proceedings in criminal and penal matters

11. Any person charged with an offence has the right

(*a*) to be informed without unreasonable delay of the specific offence;

(*b*) to be tried within a reasonable time;

(*c*) not to be compelled to be a witness in proceedings against that person in respect of the offence;

(*d*) to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal;

(*e*) not to be denied reasonable bail without just cause;

(*f*) except in the case of an offence under military law tried before a military tribunal, to the benefit of trial by jury where the maximum punishment for the offence is imprisonment for five years or a more severe punishment;

(*g*) not to be found guilty on account of any act or omission unless, at the time of the act or omission, it constituted an offence under Canadian or international law or was criminal according to the general principles of law recognized by the community of nations;

(*h*) if finally acquitted of the offence, not to be tried for it again and, if finally found guilty and punished for the offence, not to be tried or punished for it again; and

(*i*) if found guilty of the offence and if the punishment for the offence has been varied between the time of commission and the time of sentencing, to the benefit of the lesser punishment.

Affaires criminelles et pénales

11. Tout inculpé a le droit :

a) d'être informé sans délai anormal de l'infraction précise qu'on lui reproche;

b) d'être jugé dans un délai raisonnable;

c) de ne pas être contraint de témoigner contre lui-même dans toute poursuite intentée contre lui pour l'infraction qu'on lui reproche;

d) d'être présumé innocent tant qu'il n'est pas déclaré coupable, conformément à la loi, par un tribunal indépendant et impartial à l'issue d'un procès public et équitable;

e) de ne pas être privé sans juste cause d'une mise en liberté assortie d'un cautionnement raisonnable;

f) sauf s'il s'agit d'une infraction relevant de la justice militaire, de bénéficier d'un procès avec jury lorsque la peine maximale prévue pour l'infraction dont il est accusé est un emprisonnement de cinq ans ou une peine plus grave;

g) de ne pas être déclaré coupable en raison d'une action ou d'une omission qui, au moment où elle est survenue, ne constituait pas une infraction d'après le droit interne du Canada ou le droit international et n'avait pas de caractère criminel d'après les principes généraux de droit reconnus par l'ensemble des nations;

h) d'une part de ne pas être jugé de nouveau pour une infraction dont il a été définitivement acquitté, d'autre part de ne pas être jugé ni puni de nouveau pour une infraction dont il a été définitivement trouvé coupable et puni;

i) de bénéficier de la peine la moins sévère, lorsque la peine qui sanctionne l'infraction dont il est déclaré coupable est modifiée entre le moment de la perpétration de l'infraction et celui de la sentence.

Treatment or punishment

12. Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

Cruauté

12. Chacun a droit à la protection contre tous traitements ou peines cruels et inusités.

Self-crimination

13. A witness who testifies in any proceedings has the right not to have any incriminating evidence so given used to incriminate that witness in any other proceedings, except

Témoignage incriminant

13. Chacun a droit à ce qu'aucun témoignage incriminant qu'il donne ne soit utilisé pour l'incriminer dans d'autres procédures, sauf lors de poursuites pour parjure ou pour témoignages contradictoires.

in a prosecution for perjury or for the giving of contradictory evidence.

Interpreter

14. A party or witness in any proceedings who does not understand or speak the language in which the proceedings are conducted or who is deaf has the right to the assistance of an interpreter.

Interprète

14. La partie ou le témoin qui ne peuvent suivre les procédures, soit parce qu'ils ne comprennent pas ou ne parlent pas la langue employée, soit parce qu'ils sont atteints de surdité, ont droit à l'assistance d'un interprète.

Equality Rights

Droits à l'égalité

Equality before and under law and equal protection and benefit of law

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Égalité devant la loi, égalité de bénéfice et protection égale de la loi

15. (1) La loi ne fait acception de personne et s'applique également à tous, et tous ont droit à la même protection et au même bénéfice de la loi, indépendamment de toute discrimination, notamment des discriminations fondées sur la race, l'origine nationale ou ethnique, la couleur, la religion, le sexe, l'âge ou les déficiences mentales ou physiques.

Affirmative action programs

(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Programmes de promotion sociale

(2) Le paragraphe (1) n'a pas pour effet d'interdire les lois, programmes ou activités destinés à améliorer la situation d'individus ou de groupes défavorisés, notamment du fait de leur race, de leur origine nationale ou ethnique, de leur couleur, de leur religion, de leur sexe, de leur âge ou de leurs déficiences mentales ou physiques.

Official Languages of Canada

Langues officielles du Canada

Official languages of Canada

16. (1) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.

Langues officielles du Canada

16. (1) Le français et l'anglais sont les langues officielles du Canada; ils ont un statut et des droits et privilèges égaux quant à leur usage dans les institutions du Parlement et du gouvernement du Canada.

Official languages of New Brunswick

(2) English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick.

Langues officielles du Nouveau-Brunswick

(2) Le français et l'anglais sont les langues officielles du Nouveau-Brunswick; ils ont un statut et des droits et privilèges égaux quant à leur usage dans les institutions de la Législature et du gouvernement du Nouveau-Brunswick.

Advancement of status and use

(3) Nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French.

Progression vers l'égalité

(3) La présente charte ne limite pas le pouvoir du Parlement et des législatures de favoriser la progression vers l'égalité de statut ou d'usage du français et de l'anglais.

Proceedings of Parliament

17. (1) Everyone has the right to use English or French in any debates and other proceedings of Parliament.

Travaux du Parlement

17. (1) Chacun a le droit d'employer le français ou l'anglais dans les débats et travaux du Parlement.

Proceedings of New Brunswick legislature

(2) Everyone has the right to use English or French in any debates and other proceedings of the legislature of New Brunswick.

(2) Chacun a le droit d'employer le français ou l'anglais dans les débats et travaux de la Législature du Nouveau-Brunswick.

Travaux de la Législature du Nouveau-Brunswick

Parliamentary statutes and records

18. (1) The statutes, records and journals of Parliament shall be printed and published in English and French and both language versions are equally authoritative.

18. (1) Les lois, les archives, les comptes rendus et les procès-verbaux du Parlement sont imprimés et publiés en français et en anglais, les deux versions des lois ayant également force de loi et celles des autres documents ayant même valeur.

Documents parlementaires

New Brunswick statutes and records

(2) The statutes, records and journals of the legislature of New Brunswick shall be printed and published in English and French and both language versions are equally authoritative.

(2) Les lois, les archives, les comptes rendus et les procès-verbaux de la Législature du Nouveau-Brunswick sont imprimés et publiés en français et en anglais, les deux versions des lois ayant également force de loi et celles des autres documents ayant même valeur.

Documents de la Législature du Nouveau-Brunswick

Proceedings in courts established by Parliament

19. (1) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament.

19. (1) Chacun a le droit d'employer le français ou l'anglais dans toutes les affaires dont sont saisis les tribunaux établis par le Parlement et dans tous les actes de procédure qui en découlent.

Procédures devant les tribunaux établis par le Parlement

Proceedings in New Brunswick courts

(2) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court of New Brunswick.

(2) Chacun a le droit d'employer le français ou l'anglais dans toutes les affaires dont sont saisis les tribunaux du Nouveau-Brunswick et dans tous les actes de procédure qui en découlent.

Procédures devant les tribunaux du Nouveau-Brunswick

Communications by public with federal institutions

20. (1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where

(*a*) there is a significant demand for communications with and services from that office in such language; or

(*b*) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.

20. (1) Le public a, au Canada, droit à l'emploi du français ou de l'anglais pour communiquer avec le siège ou l'administration centrale des institutions du Parlement ou du gouvernement du Canada ou pour en recevoir les services; il a le même droit à l'égard de tout autre bureau de ces institutions là où, selon le cas :

a) l'emploi du français ou de l'anglais fait l'objet d'une demande importante;

b) l'emploi du français et de l'anglais se justifie par la vocation du bureau.

Communications entre les administrés et les institutions fédérales

Communications by public with New Brunswick institutions

(2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from, any office of an institution of the legislature or government of New Brunswick in English or French.

(2) Le public a, au Nouveau-Brunswick, droit à l'emploi du français ou de l'anglais pour communiquer avec tout bureau des institutions de la législature ou du gouvernement ou pour en recevoir les services.

Communications entre les administrés et les institutions du Nouveau-Brunswick

The Constitution

Continuation of existing constitutional provisions

21. Nothing in sections 16 to 20 abrogates or derogates from any right, privilege or obligation with respect to the English and French languages, or either of them, that exists or is continued by virtue of any other provision of the Constitution of Canada.

Maintien en vigueur de certaines dispositions

21. Les articles 16 à 20 n'ont pas pour effet, en ce qui a trait à la langue française ou anglaise ou à ces deux langues, de porter atteinte aux droits, privilèges ou obligations qui existent ou sont maintenus aux termes d'une autre disposition de la Constitution du Canada.

Rights and privileges preserved

22. Nothing in sections 16 to 20 abrogates or derogates from any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this Charter with respect to any language that is not English or French.

Droits préservés

22. Les articles 16 à 20 n'ont pas pour effet de porter atteinte aux droits et privilèges, antérieurs ou postérieurs à l'entrée en vigueur de la présente charte et découlant de la loi ou de la coutume, des langues autres que le français ou l'anglais.

Minority Language Educational Rights

Droits à l'instruction dans la langue de la minorité

Language of instruction

23. (1) Citizens of Canada

(*a*) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or

(*b*) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,

have the right to have their children receive primary and secondary school instruction in that language in that province.

Langue d'instruction

23. (1) Les citoyens canadiens :

a) dont la première langue apprise et encore comprise est celle de la minorité francophone ou anglophone de la province où ils résident,

b) qui ont reçu leur instruction, au niveau primaire, en français ou en anglais au Canada et qui résident dans une province où la langue dans laquelle ils ont reçu cette instruction est celle de la minorité francophone ou anglophone de la province,

ont, dans l'un ou l'autre cas, le droit d'y faire instruire leurs enfants, aux niveaux primaire et secondaire, dans cette langue.

Continuity of language instruction

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

Continuité d'emploi de la langue d'instruction

(2) Les citoyens canadiens dont un enfant a reçu ou reçoit son instruction, au niveau primaire ou secondaire, en français ou en anglais au Canada ont le droit de faire instruire tous leurs enfants, aux niveaux primaire et secondaire, dans la langue de cette instruction.

Application where numbers warrant

(3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province

(*a*) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and

Justification par le nombre

(3) Le droit reconnu aux citoyens canadiens par les paragraphes (1) et (2) de faire instruire leurs enfants, aux niveaux primaire et secondaire, dans la langue de la minorité francophone ou anglophone d'une province :

a) s'exerce partout dans la province où le nombre des enfants des citoyens qui ont ce droit est suffisant pour justifier à leur endroit la prestation, sur les fonds publics, de l'instruction dans la langue de la minorité;

(*b*) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

b) comprend, lorsque le nombre de ces enfants le justifie, le droit de les faire instruire dans des établissements d'enseignement de la minorité linguistique financés sur les fonds publics.

Enforcement

Enforcement of guaranteed rights and freedoms

24. (1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.

Exclusion of evidence bringing administration of justice into disrepute

(2) Where, in proceedings under subsection (1), a court concludes that evidence was obtained in a manner that infringed or denied any rights or freedoms guaranteed by this Charter, the evidence shall be excluded if it is established that, having regard to all the circumstances, the admission of it in the proceedings would bring the administration of justice into disrepute.

Recours

Recours en cas d'atteinte aux droits et libertés

24. (1) Toute personne, victime de violation ou de négation des droits et libertés qui lui sont garantis par la présente charte, peut s'adresser à un tribunal compétent pour obtenir la réparation que le tribunal estime convenable et juste eu égard aux circonstances.

Irrecevabilité d'éléments de preuve qui risqueraient de déconsidérer l'administration de la justice

(2) Lorsque, dans une instance visée au paragraphe (1), le tribunal a conclu que des éléments de preuve ont été obtenus dans des conditions qui portent atteinte aux droits ou libertés garantis par la présente charte, ces éléments de preuve sont écartés s'il est établi, eu égard aux circonstances, que leur utilisation est susceptible de déconsidérer l'administration de la justice.

General

Aboriginal rights and freedoms not affected by Charter

25. The guarantee in this Charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada including

(*a*) any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763; and

(*b*) any rights or freedoms that may be acquired by the aboriginal peoples of Canada by way of land claims settlement.

Dispositions générales

Maintien des droits et libertés des autochtones

25. Le fait que la présente charte garantit certains droits et libertés ne porte pas atteinte aux droits ou libertés — ancestraux, issus de traités ou autres — des peuples autochtones du Canada, notamment :

a) aux droits ou libertés reconnus par la Proclamation royale du 7 octobre 1763;

b) aux droits ou libertés acquis par règlement de revendications territoriales.

Other rights and freedoms not affected by Charter

26. The guarantee in this Charter of certain rights and freedoms shall not be construed as denying the existence of any other rights or freedoms that exist in Canada.

Maintien des autres droits et libertés

26. Le fait que la présente charte garantit certains droits et libertés ne constitue pas une négation des autres droits ou libertés qui existent au Canada.

Multicultural heritage

27. This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

Maintien du patrimoine culturel

27. Toute interprétation de la présente charte doit concorder avec l'objectif de promouvoir le maintien et la valorisation du patrimoine multiculturel des Canadiens.

Rights respecting certain schools preserved

28. Nothing in this Charter abrogates or derogates from any rights or privileges guaranteed by or under the Constitution of

Maintien des droits relatifs à certaines écoles

28. Les dispositions de la présente charte ne portent pas atteinte aux droits ou privilèges garantis en vertu de la Constitution du

Canada, in respect of denominational, separate or dissentient schools.

Canada concernant les écoles séparées et autres écoles confessionnelles.

Application to territories and territorial authorities

29. A reference in this Charter to a province or to the legislative assembly or legislature of a province shall be deemed to include a reference to the Yukon Territory and the Northwest Territories, or to the appropriate legislative authority thereof, as the case may be.

29. Dans la présente charte, les dispositions qui visent les provinces, leur législature ou leur assemblée législative visent également le territoire du Yukon, les territoires du Nord-Ouest ou leurs autorités législatives compétentes.

Applications aux territoires

Legislative powers not extended

30. Nothing in this Charter extends the legislative powers of any body or authority.

30. La présente charte n'élargit pas les compétences législatives de quelque organisme ou autorité que ce soit.

Non-élargissement des compétences législatives

Application of Charter

Application de la charte

Application of Charter

31. (1) This Charter applies

(*a*) to the Parliament and government of Canada and to all matters within the authority of Parliament including all matters relating to the Yukon Territory and Northwest Territories; and

(*b*) to the legislature and government of each province and to all matters within the authority of the legislature of each province.

31. (1) La présente charte s'applique :

a) au Parlement et au gouvernement du Canada, ainsi qu'à tous les domaines relevant du Parlement, y compris ceux qui concernent le territoire du Yukon et les territoires du Nord-Ouest;

b) à la législature et au gouvernement de chaque province, ainsi qu'à tous les domaines relevant de cette législature.

Application de la charte

Exception

(2) Notwithstanding subsection (1), section 15 shall not have effect until three years after this Act, except Part VI, comes into force.

(2) Par dérogation au paragraphe (1), l'article 15 n'a d'effet que trois ans après l'entrée en vigueur, exception faite de la partie VI, de la présente loi.

Restriction

Citation

Titre

Citation

32. This Part may be cited as the *Canadian Charter of Rights and Freedoms.*

32. Titre de la présente partie : *Charte canadienne des droits et libertés.*

Titre

PART II

PARTIE II

RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA

DROITS DES PEUPLES AUTOCHTONES DU CANADA

Recognition of aboriginal and treaty rights

33. (1) The aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

33. (1) La présente charte confirme les droits, ancestraux ou issus de traités, des peuples autochtones du Canada.

Confirmation des droits des peuples autochtones

Definition of "aboriginal peoples of Canada"

(2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

(2) Dans la présente loi, «peuples autochtones du Canada» s'entend notamment des Indiens, des Inuit et des Métis du Canada.

Définition de «peuples autochtones du Canada»

PART III

PARTIE III

EQUALIZATION AND REGIONAL DISPARITIES

PÉRÉQUATION ET INÉGALITÉS RÉGIONALES

Commitment to promote equal opportunities

34. (1) Without altering the legislative authority of Parliament or of the provincial

34. (1) Sous réserve des compétences législatives du Parlement et des législatures

Engagements relatifs à l'égalité des chances

legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Parliament and the legislatures, together with the government of Canada and the provincial governments, are committed to

(*a*) promoting equal opportunities for the well-being of Canadians;

(*b*) furthering economic development to reduce disparity in opportunities; and

(*c*) providing essential public services of reasonable quality to all Canadians.

et de leur droit de les exercer, le Parlement et les législatures, ainsi que les gouvernements fédéral et provinciaux, s'engagent à :

a) promouvoir l'égalité des chances de tous les Canadiens dans la recherche de leur bien-être;

b) favoriser le développement économique pour réduire l'inégalité des chances;

c) fournir à tous les Canadiens, à un niveau de qualité acceptable, les services publics essentiels.

Commitment respecting public services

(2) Parliament and the government of Canada are committed to the principle of making equalization payments to ensure that provincial governments have sufficient revenues to provide reasonably comparable levels of public services at reasonably comparable levels of taxation.

Engagement relatif aux services publics

(2) Le Parlement et le gouvernement du Canada prennent l'engagement de principe de faire des paiements de péréquation propres à donner aux gouvernements provinciaux des revenus suffisants pour les mettre en mesure d'assurer les services publics à un niveau de qualité et de fiscalité sensiblement comparables.

PART IV

CONSTITUTIONAL CONFERENCES

PARTIE IV

CONFÉRENCES CONSTITUTIONNELLES

Constitutional conferences

35. (1) Until Part VI comes into force, a constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once in every year.

Conférences constitutionnelles

35. (1) Avant l'entrée en vigueur de la partie VI, le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même.

Participation of aboriginal peoples

(2) A conference convened under subsection (1) shall have included in its agenda an item respecting constitutional matters that directly affect the aboriginal peoples of Canada, including the identification and definition of the rights of those peoples to be included in the Constitution of Canada, and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on that item.

Participation des peuples autochtones

(2) Sont placées à l'ordre du jour de la conférence visée au paragraphe (1) les question constitutionnelles qui intéressent directement les peuples autochtones du Canada, notamment la détermination et la définition des droits de ces peuples à inscrire dans la Constitution du Canada. Le premier ministre du Canada invite leurs représentants à participer aux travaux relatifs à ces questions.

Participation of territories

(3) The Prime Minister of Canada shall invite elected representatives of the governments of the Yukon Territory and the Northwest Territories to participate in the discussions on any item on the agenda of a conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.

Participation des territoires

(3) Le premier ministre du Canada invite des représentants élus des gouvernements du Yukon et des territoires du Nord-Ouest à participer aux travaux relatifs à toute question placée à l'ordre du jour de la conférence visée au paragraphe (1) et qui, selon lui, intéresse directement le territoire du Yukon et les territoires du Nord-Ouest.

PART V

INTERIM AMENDMENT PROCEDURE AND RULES FOR ITS REPLACEMENT

Interim procedure for amending Constitution of Canada

36. Until Part VI comes into force, an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and by the legislative assembly or government of each province.

Amendment of provisions relating to some but not all provinces

37. Until Part VI comes into force, an amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and by the legislative assembly or government of each province to which the amendment applies.

Amendments respecting certain language rights

38. (1) Notwithstanding section 40, an amendment to the Constitution of Canada

(*a*) adding a province as a province named in subsection 16(2), 17(2), 18(2), 19(2) or 20(2), or

(*b*) otherwise providing for any or all of the rights guaranteed or obligations imposed by any of those subsections to have application in a province to the extent and under the conditions stated in the amendment,

may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and the legislative assembly of the province to which the amendment applies.

Initiation of amendment procedure

(2) The procedure for amendment prescribed by subsection (1) may be initiated only by the legislative assembly of the province to which the amendment applies.

Initiation of amendment procedures

39. (1) The procedures for amendment prescribed by sections 36 and 37 may be initiated either by the Senate or House of Commons or by the legislative assembly or government of a province.

PARTIE V

PROCÉDURE PROVISOIRE DE MODIFICATION ET RÈGLES DE REMPLACEMENT

Procédure provisoire de modification

36. Avant l'entrée en vigueur de la partie VI, la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat et de la Chambre des communes et par l'assemblée législative ou le gouvernement de toutes les provinces.

Modification à l'égard de certaines provinces

37. Avant l'entrée en vigueur de la partie VI, les dispositions de la Constitution du Canada applicables à certaines provinces seulement peuvent être modifiées par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat et de la Chambre des communes et par l'assemblée législative ou le gouvernement de chaque province à laquelle la modification s'applique.

Modification concernant certains droits linguistiques

38. (1) Par dérogation à l'article 40, toute modification de la Constitution du Canada :

a) soit portant insertion du nom d'une province aux paragraphes 16(2), 17(2), 18(2), 19(2) ou 20(2),

b) soit prévoyant l'application à une province, aux conditions précisées dans la modification, de tout ou partie des droits ou obligations visés à ces paragraphes,

peut être prise par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province concernée.

Initiative de la procédure

(2) L'initiative de la procédure de modification visée au paragraphe (1) appartient à l'assemblée législative de la province concernée.

Initiative des procédures

39. (1) L'initiative des procédures de modification visées aux articles 36 et 37 appartient au Sénat, à la Chambre des communes, à l'assemblée législative d'une province ou au gouvernement de celle-ci.

Revocation of authorization

(2) A resolution made or other authorization given for the purposes of this Part may be revoked at any time before the issue of a proclamation authorized by it.

Possibilité de révocation

(2) La résolution adoptée ou l'autorisation donnée dans le cadre de la présente partie peut être révoquée à tout moment avant la date de la proclamation qu'elle autorise.

Limitation on use of interim amendment procedure

40. Sections 36 and 37 do not apply to an amendment to the Constitution of Canada where there is another provision in the Constitution for making the amendment, but the procedure prescribed by section 36 shall be used to amend the *Canadian Charter of Rights and Freedoms* and any provision for amending the Constitution, including this section.

Restriction du recours à la procédure provisoire

40. Les articles 36 et 37 ne s'appliquent pas aux cas de modification constitutionnelle pour lesquels une procédure différente est prévue par une autre disposition de la Constitution du Canada. La procédure visée à l'article 36 s'impose toutefois pour modifier la *Charte canadienne des droits et libertés*, ainsi que les dispositions relatives à la modification de la Constitution, y compris le présent article.

Coming into force of Part VI

41. Part VI shall come into force

(*a*) with or without amendment, on such day as may be fixed by proclamation issued pursuant to the procedure prescribed by section 36, or

(*b*) on the day that is two years after the day this Act, except Part VI, comes into force,

whichever is the earlier day but, if a referendum is required to be held under subsection 42(3), Part VI shall come into force as provided in section 43.

Entrée en vigueur de la partie VI

41. La partie VI entre en vigueur à la première des dates suivantes :

a) avec ou sans modification, à la date fixée par proclamation prise conformément à la procédure visée à l'article 36;

b) deux ans après l'entrée en vigueur, exception faite de la partie VI, de la présente loi.

Il demeure entendu que, si la tenue d'un référendum s'impose conformément au paragraphe 42(3), la partie VI entre en vigueur conformément à l'article 43.

Provincial alternative procedure

42. (1) The legislative assemblies of seven or more provinces that have, according to the then latest general census, combined populations of at least eighty per cent of the population of all the provinces may make a single proposal to substitute for paragraph 45(1)(*b*) such alternative as they consider appropriate.

Proposition de remplacement

42. (1) Les assemblées législatives d'au moins sept provinces dont la population confondue représente, selon le recensement général le plus récent à l'époque, au moins quatre-vingts pour cent de la population de toutes les provinces peuvent présenter une proposition commune en vue de remplacer la procédure prévue à l'alinéa 45(1)*b*).

Procedure for perfecting alternative

(2) One copy of an alternative proposed under subsection (1) may be deposited with the Chief Electoral Officer of Canada by each proposing province within two years after this Act, except Part VI, comes into force but, prior to the expiration of that period, any province that has deposited a copy may withdraw that copy.

Possibilité de mise au point

(2) Chaque province concernée peut déposer le texte de la proposition visée au paragraphe (1) auprès du directeur général des élections du Canada dans les deux ans suivant l'entrée en vigueur, exception faite de la partie VI, de la présente loi, étant entendu qu'elle peut retirer le texte au cours de cette période.

Referendum

(3) Where copies of an alternative have been deposited as provided by subsection (2) and, on the day that is two years after this Act, except Part VI, comes into force, at least seven copies remain deposited by provinces that have, according to the then latest

Référendum

(3) Dans les cas où, deux ans après l'entrée en vigueur, exception faite de la partie VI, de la présente loi, au moins sept provinces remplissant les conditions démographiques visées au paragraphe (1) n'ont pas retiré leur texte, le gouvernement du Canada

general census, combined populations of at least eighty per cent of the population of all the provinces, the government of Canada shall cause a referendum to be held within two years after that day to determine whether

(*a*) paragraph 45(1)(*b*) or any alternative thereto approved by resolutions of the Senate and House of Commons and deposited with the Chief Electoral Officer at least ninety days prior to the day on which the referendum is held, or

(*b*) the alternative proposed by the provinces,

shall be adopted.

fait tenir, dans les deux années suivant l'échéance des deux ans, un référendum pour déterminer laquelle des procédures suivantes sera adoptée :

a) celle qui est prévue à l'alinéa 45(1)*b*) ou l'éventuelle procédure de remplacement adoptée par des résolutions du Sénat et de la Chambre des communes et dont le texte est déposé auprès du directeur général des élections au moins quatre-vingt-dix jours avant la date du référendum;

b) celle qui fait l'objet de la proposition des provinces.

Coming into force of Part VI where referendum held

43. Where a referendum is held under subsection 42(3), a proclamation under the Great Seal of Canada shall be issued within six months after the date of the referendum bringing Part VI into force with such modifications, if any, as are necessary to incorporate the proposal approved by a majority of the persons voting at the referendum and with such other changes as are reasonably consequential on the incorporation of that proposal.

43. Dans les six mois suivant la date du référendum visé au paragraphe 42(3), une proclamation sous le grand sceau du Canada est prise en vue de faire entrer en vigueur la partie VI, éventuellement modifiée dans la mesure nécessaire pour incorporer la proposition approuvée par la majorité des votants et pour intégrer les autres aménagements justifiés qui en découlent.

Entrée en vigueur de la partie VI après référendum

Right to vote

44. (1) Every citizen of Canada has, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, the right to vote in a referendum held under subsection 42(3).

44. (1) Tout citoyen canadien a le droit de vote au référendum visé au paragraphe 42(3); ce droit ne peut être restreint que par une règle de droit, dans des limites qui soient raisonnables et dont la justification puisse se démontrer dans le cadre d'une société libre et démocratique.

Droit de vote

Establishment of Referendum Rules Commission

(2) If a referendum is required to be held under subsection 42(3), a Referendum Rules Commission shall forthwith be established by commission issued under the Great Seal of Canada consisting of

(*a*) the Chief Electoral Officer of Canada, who shall be chairman of the Commission;

(*b*) a person appointed by the Governor General in Council; and

(*c*) a person appointed by the Governor General in Council

(i) on the recommendation of the governments of a majority of the provinces, or

(2) Dès que s'impose la tenue du référendum visé au paragraphe 42(3), il est constitué, par proclamation du gouverneur général sous le grand sceau du Canada, une commission référendaire composée :

a) du directeur général des élections du Canada, président;

b) d'une personne nommée par le gouverneur général en conseil;

c) d'une personne nommée par le gouverneur général en conseil :

(i) soit sur la recommandation des gouvernements de la majorité des provinces,

(ii) soit, si les gouvernements de la majorité des provinces ne présentent pas

Constitution de la commission référendaire

(ii) if the governments of a majority of the provinces do not recommend a candidate within thirty days after the Chief Electoral Officer of Canada requests such a recommendation, on the recommendation of the Chief Justice of Canada from among persons recommended by the governments of the provinces within thirty days after the expiration of the first mentioned thirty day period or, if none are so recommended, from among such persons as the Chief Justice considers qualified.

de candidat dans les trente jours suivant la demande que leur en fait le directeur général des élections du Canada, sur la recommandation du juge en chef du Canada, le candidat ainsi présenté étant choisi parmi les personnes recommandées par les gouvernements des provinces dans les trente jours suivant l'expiration du premier délai de trente jours ou, faute de recommandation, parmi les personnes que le juge en chef estime qualifiées.

Duty of Commission

(3) A Referendum Rules Commission shall cause rules for the holding of a referendum under subsection 42(3) approved by a majority of the Commission to be laid before Parliament within sixty days after the Commission is established or, if Parliament is not then sitting, on any of the first ten days next thereafter that Parliament is sitting.

Mandat de la commission

(3) Dans les soixante jours suivant sa constitution, la commission référendaire fait déposer devant le Parlement les règles applicables à la tenue du référendum visé au paragraphe 42(3), qu'elle aura approuvées par décision majoritaire. Si le Parlement ne siège pas, ce dépôt s'effectue dans les dix premier jours de séance ultérieurs.

Rules for referendum

(4) Subject to subsection (1) and taking into consideration any rules approved by a Referendum Rules Commission in accordance with subsection (3), Parliament may enact laws respecting the rules applicable to the holding of a referendum under subsection 42(3).

Réglementation du référendum

(4) Sous réserve du paragraphe (1) et compte tenu des règles déposées conformément au paragraphe (3), le Parlement peut légiférer pour réglementer la tenue du référendum visé au paragraphe 42(3).

Proclamation

(5) If Parliament does not enact laws under subsection (4) respecting the rules applicable to the holding of a referendum within sixty days after receipt of a recommendation from a Referendum Rules Commission, the rules recommended by the Commission shall forthwith be brought into force by proclamation issued by the Governor General under the Great Seal of Canada.

Proclamation

(5) Faute par le Parlement d'avoir légiféré, conformément au paragraphe (4), dans le délai de soixante jours suivant le dépôt des règles visées au paragraphe (3), celles-ci sont mises immédiatement en vigueur par proclamation du gouverneur général sous le grand sceau du Canada.

Computation of period

(6) Any period when Parliament is prorogued or dissolved shall not be counted in computing the sixty day period referred to in subsection (5).

Computation du délai

(6) Dans la computation du délai visé au paragraphe (5), ne sont pas comptés les jours pendant lesquels le Parlement est prorogé ou dissous.

Rules to have force of law

(7) Subject to subsection (1), rules made under this section have the force of law and prevail over other laws made under the Constitution of Canada to the extent of any inconsistency.

Valeur de force de loi des règles

(7) Sous réserve du paragraphe (1), les règles arrêtées en vertu du présent article ont force de loi et l'emportent sur les dispositions incompatibles de toute autre règle de droit fondée sur la Constitution du Canada.

The Constitution

PART VI

PROCEDURE FOR AMENDING CONSTITUTION OF CANADA

General procedure for amending Constitution of Canada

45. (1) An amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by

(*a*) resolutions of the Senate and House of Commons; and

(*b*) resolutions of the legislative assemblies of at least a majority of the provinces that includes

(i) every province that at any time before the issue of the proclamation had, according to any previous general census, a population of at least twenty-five per cent of the population of Canada,

(ii) two or more of the Atlantic provinces, and

(iii) two or more of the Western provinces that have in the aggregate, according to the then latest general census, a population of at least fifty per cent of the population of all of the Western provinces.

Definitions

(2) In this section,

"Atlantic provinces"

"Atlantic provinces" means the provinces of Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland;

"Western provinces"

"Western provinces" means the provinces of Manitoba, British Columbia, Saskatchewan and Alberta.

Amendment authorized by referendum

46. (1) An amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by a referendum held throughout Canada under subsection (2) at which

(*a*) a majority of persons voting thereat, and

(*b*) a majority of persons voting thereat in each of the provinces, resolutions of the legislative assemblies of which would be

PARTIE VI

PROCÉDURE DE MODIFICATION DE LA CONSTITUTION DU CANADA

Procédure normale de modification

45. (1) La Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée à la fois :

a) par des résolutions du Sénat et de la Chambre des communes;

b) par des résolutions des assemblées législatives d'une majorité des provinces; cette majorité doit comprendre :

(i) chaque province dont la population, avant la date de cette proclamation, représentait, selon un recensement général antérieur quelconque, au moins vingt-cinq pour cent de la population du Canada,

(ii) au moins deux des provinces de l'Atlantique,

(iii) au moins deux des provinces de l'Ouest, à condition que la population confondue des provinces consentantes représente, selon le recensement général le plus récent à l'époque, au moins cinquante pour cent de la population de l'ensemble des provinces de l'Ouest.

Définitions

(2) Les définitions qui suivent s'appliquent au présent article.

«provinces de l'Atlantique»

«provinces de l'Atlantique» Les provinces de la Nouvelle-Écosse, du Nouveau-Brunswick, de l'Île-du-Prince-Édouard et de Terre-Neuve.

«provinces de l'Ouest»

«provinces de l'Ouest» Les provinces du Manitoba, de la Colombie-Britannique, de la Saskatchewan et de l'Alberta.

Modification autorisée par référendum

46. (1) La Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par un référendum tenu dans tout le pays conformément au paragraphe (2) et lors duquel la modification a été approuvée :

a) d'une part, à la majorité des votants;

b) d'autre part, à la majorité des votants de chacune des provinces dont les résolutions de leurs assemblées législatives suffiraient, avec les résolutions du Sénat et de

sufficient, together with resolutions of the Senate and House of Commons, to authorize the issue of a proclamation under subsection 45(1),

have approved the making of the amendment.

la Chambre des communes, à autoriser la proclamation mentionnée au paragraphe 45(1).

Authorization of referendum

(2) A referendum referred to in subsection (1) shall be held where directed by proclamation issued by the Governor General under the Great Seal of Canada, which proclamation may be issued where

(*a*) an amendment to the Constitution of Canada has been authorized under paragraph 45(1)(*a*) by resolutions of the Senate and House of Commons;

(*b*) the requirements of paragraph 45(1)(*b*) in respect of the proposed amendment have not been satisfied within twelve months after the passage of the resolutions of the Senate and House of Commons; and

(*c*) the issue of the proclamation has been authorized by the Governor General in Council.

Autorisation de référendum

(2) L'ordre de tenue du référendum mentionné au paragraphe (1) est donné par proclamation du gouverneur général sous le grand sceau du Canada. Cette proclamation est assujettie aux conditions suivantes :

a) le Sénat et la Chambre des communes ont, conformément à l'alinéa 45(1)*a*), adopté des résolutions autorisant la modification de la Constitution du Canada;

b) les dispositions de l'alinéa 45(1)*b*) applicables au projet de modification n'ont pas été observées dans les douze mois suivant l'adoption des résolutions du Sénat et de la Chambre des communes;

c) le gouverneur général en conseil a autorisé la proclamation.

Time limit for referendum

(3) A proclamation issued under subsection (2) in respect of a referendum shall provide for the referendum to be held within two years after the expiration of the twelve month period referred to in paragraph (*b*) of that subsection.

Délai de tenue du référendum

(3) La proclamation visée au paragraphe (2) fixe la tenue du référendum pour une date comprise dans les deux ans qui suivent l'expiration du délai de douze mois mentionné à l'alinéa *b*) de ce paragraphe.

Amendment of provisions relating to some but not all provinces

47. An amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies.

Modification à l'égard de certaines provinces

47. Les dispositions de la Constitution du Canada applicables à certaines provinces seulement peuvent être modifiées par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province à laquelle la modification s'applique.

Amendments respecting certain language rights

48. (1) Notwithstanding section 54, an amendment to the Constitution of Canada

(*a*) adding a province as a province named in subsection 16(2), 17(2), 18(2), 19(2) or 20(2), or

(*b*) otherwise providing for any or all of the rights guaranteed or obligations imposed by any of those subsections to have application in a province to the extent and under the conditions stated in the amendment,

Modification concernant certains droits linguistiques

48. (1) Par dérogation à l'article 54, toute modification de la Constitution du Canada :

a) soit portant insertion du nom d'une province aux paragraphes 16(2), 17(2), 18(2), 19(2) ou 20(2),

b) soit prévoyant l'application à une province, aux conditions précisées dans la modification, de tout ou partie des droits ou obligations visés à ces paragraphes,

may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and the legislative assembly of the province to which the amendment applies.

peut être prise par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province concernée.

Initiation of amendment procedure

(2) The procedure for amendment prescribed by subsection (1) may be initiated only by the legislative assembly of the province to which the amendment applies.

(2) L'initiative de la procédure de modification visée au paragraphe (1) appartient à l'assemblée législative de la province concernée.

Initiation of amendment procedures

49. (1) The procedures for amendment prescribed by subsection 45(1) and section 47 may be initiated either by the Senate or House of Commons or by the legislative assembly of a province.

49. (1) L'initiative des procédures de modification visées au paragraphe 45(1) et à l'article 47 appartient au Sénat, à la Chambre des communes ou à l'assemblée législative d'une province.

Revocation of authorization

(2) A resolution made for the purposes of this Part may be revoked at any time before the issue of a proclamation authorized by it.

(2) La résolution adoptée dans le cadre de la présente partie peut être révoquée à tout moment avant la date de la proclamation qu'elle autorise.

Right to vote

50. (1) Every citizen of Canada has, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, the right to vote in a referendum held under section 46.

50. (1) Tout citoyen canadien a le droit de vote au référendum visé à l'article 46; ce droit ne peut être restreint que par une règle de droit, dans des limites qui soient raisonnables et dont la justification puisse se démontrer dans le cadre d'une société libre et démocratique.

Establishment of Referendum Rules Commission

(2) Where a referendum is to be held under section 46, a Referendum Rules Commission shall forthwith be established by commission issued under the Great Seal of Canada consisting of

(*a*) the Chief Electoral Officer of Canada, who shall be chairman of the Commission;

(*b*) a person appointed by the Governor General in Council; and

(*c*) a person appointed by the Governor General in Council

(i) on the recommendation of the governments of a majority of the provinces, or

(ii) if the governments of a majority of the provinces do not recommend a candidate within thirty days after the Chief Electoral Officer of Canada requests such a recommendation, on the recommendation of the Chief Justice of Canada from among persons recommended by the governments of the prov-

(2) Dès que s'impose la tenue du référendum visé à l'article 46, il est constitué, par proclamation du gouverneur général sous le grand sceau du Canada, une commission référendaire composée :

a) du directeur général des élections du Canada, président;

b) d'une personne nommée par le gouverneur général en conseil;

c) d'une personne nommée par le gouverneur général en conseil :

(i) soit sur la recommandation des gouvernements de la majorité des provinces,

(ii) soit, si les gouvernements de la majorité des provinces ne présentent pas de candidat dans les trente jours suivant la demande que leur en fait le directeur général des élections du Canada, sur la recommandation du juge en chef du Canada, le candidat ainsi présenté étant choisi parmi les personnes recommandées par les gouvernements des provin-

inces within thirty days after the expiration of the first mentioned thirty day period or, if none are so recommended, from among such persons as the Chief Justice considers qualified.

ces dans les trente jours suivant l'expiration du premier délai de trente jours ou, faute de recommandation, parmi les personnes que le juge en chef estime qualifiées.

Duty of Commission

(3) A Referendum Rules Commission shall cause rules for the holding of a referendum under section 46 approved by a majority of the Commission to be laid before Parliament within sixty days after the Commission is established or, if Parliament is not then sitting, on any of the first ten days next thereafter that Parliament is sitting.

Mandat de la commission

(3) Dans les soixante jours suivant sa constitution, la commission référendaire fait déposer devant le Parlement les règles applicables à la tenue du référendum visé à l'article 46, qu'elle aura approuvées par décision majoritaire. Si le Parlement ne siège pas, ce dépôt s'effectue dans les dix premier jours de séance ultérieurs.

Rules for referendum

(4) Subject to subsection (1) and taking into consideration any rules approved by a Referendum Rules Commission in accordance with subsection (3), Parliament may enact laws respecting the rules applicable to the holding of a referendum under section 46.

Réglementation du référendum

(4) Sous réserve du paragraphe (1) et compte tenu des règles déposées conformément au paragraphe (3), le Parlement peut légiférer pour réglementer la tenue du référendum visé à l'article 46.

Proclamation

(5) If Parliament does not enact laws under subsection (4) respecting the rules applicable to the holding of a referendum within sixty days after receipt of a recommendation from a Referendum Rules Commission, the rules recommended by the Commission shall forthwith be brought into force by proclamation issued by the Governor General under the Great Seal of Canada.

Proclamation

(5) Faute par le Parlement d'avoir légiféré, conformément au paragraphe (4), dans le délai de soixante jours suivant le dépôt des règles visées au paragraphe (3), celles-ci sont mises immédiatement en vigueur par proclamation du gouverneur général sous le grand sceau du Canada.

Computation of period

(6) Any period when Parliament is prorogued or dissolved shall not be counted in computing the sixty day period referred to in subsection (5).

Computation du délai

(6) Dans la computation du délai visé au paragraphe (5), ne sont pas comptés les jours pendant lesquels le Parlement est prorogé ou dissous.

Rules to have force of law

(7) Subject to subsection (1), rules made under this section have the force of law and prevail over other laws made under the Constitution of Canada to the extent of any inconsistency.

Valeur de force de loi des règles

(7) Sous réserve du paragraphe (1), les règles arrêtées en vertu du présent article ont force de loi et l'emportent sur les dispositions incompatibles de toute autre règle de droit fondée sur la Constitution du Canada.

Limitation on use of general amendment procedure

51. (1) The procedures prescribed by section 45, 46 or 47 do not apply to an amendment to the Constitution of Canada where there is another provision in the Constitution for making the amendment, but the procedures prescribed by section 45 or 46 shall, nevertheless, be used to amend any provision for amending the Constitution, including this section.

Restriction du recours à la procédure normale de modification

51. (1) Les articles 45, 46 ou 47 ne s'appliquent pas aux cas de modification constitutionnelle pour lesquels une procédure différente est prévue par une autre disposition de la Constitution du Canada. La procédure visée aux articles 45 ou 46 s'impose toutefois pour modifier les dispositions relatives à la modification de la Constitution, y compris le présent article.

Idem

(2) The procedures prescribed by section 45 or 46 do not apply in respect of an amendment referred to in section 47.

(2) Les procédures prévues aux articles 45 ou 46 ne s'appliquent pas à la modification visée à l'article 47.

Idem

Amendments by Parliament

52. Subject to section 54, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate or House of Commons.

52. Sous réserve de l'article 54, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat et à la Chambre des communes.

Modification par le Parlement

Amendments by provincial legislatures

53. Subject to section 54, the legislature of each province may exclusively make laws amending the constitution of the province.

53. Sous réserve de l'article 54, la législature de chaque province a compétence exclusive pour modifier la constitution de celle-ci.

Modification par les législatures provinciales

Matters requiring amendment under general amendment procedure

54. An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with a procedure prescribed by section 45 or 46:

(*a*) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(*b*) the *Canadian Charter of Rights and Freedoms;*

(*c*) the commitments relating to equalization and regional disparities set out in section 34;

(*d*) the powers of the Senate;

(*e*) the number of members by which a province is entitled to be represented in the Senate;

(*f*) the method of selecting Senators and the residence qualifications of Senators;

(*g*) the right of a province to a number of members in the House of Commons not less than the number of Senators representing the province; and

(*h*) the principles of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada.

54. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait selon la procédure visée aux articles 45 ou 46 :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) la *Charte canadienne des droits et libertés*;

c) les engagements énoncés, en matière de péréquation et d'inégalités régionales, à l'article 34;

d) les pouvoirs du Sénat;

e) le nombre de sénateurs représentant chaque province au Sénat;

f) le mode de sélection des sénateurs et les conditions de résidence qu'ils doivent remplir;

g) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui de ses sénateurs;

h) les principes de la représentation proportionnelle des provinces à la Chambre des communes prévus par la Constitution du Canada.

Recours obligatoire à la procédure normale de modification

Consequential amendments

55. (1) Class 1 of section 91 and class 1 of section 92 of the *Constitution Act, 1867* (formerly named the *British North America Act, 1867*), the *British North America (No. 2) Act, 1949*, referred to in item 22 of Schedule I to this Act and Parts IV and V of this Act are repealed.

55. (1) La rubrique 1 de l'article 91 et la rubrique 1 de l'article 92 de la *Loi constitutionnelle de 1867* (antérieurement désignée sous le titre : *Acte de l'Amérique du Nord britannique, 1867*), l'*Acte de l'Amérique du Nord britannique (nº 2), 1949*, mentionné au nº 22 de l'annexe I de la présente loi, et les parties IV et V de la présente loi sont abrogés.

Modifications corrélatives

Idem

(2) When Parts IV and V of this Act are repealed, this section may be repealed and this Act may be renumbered, consequential upon the repeal of those Parts and this section, by proclamation issued by the Governor General under the Great Seal of Canada.

Idem

(2) Dès l'abrogation des parties IV et V de la présente loi, le gouverneur général peut, par proclamation sous le grand sceau du Canada, abroger le présent article et changer en conséquence de cette double abrogation la numérotation de la présente loi.

PART VII

AMENDMENT TO THE CONSTITUTION ACT, 1867

PARTIE VII

MODIFICATION DE LA LOI CONSTITUTIONNELLE DE 1867

Amendment to *Constitution Act, 1867*

56. (1) The *Constitution Act, 1867* (formerly named the *British North America Act, 1867*) is amended by adding thereto, immediately after section 92 thereof, the following heading and section:

Modification de la *Loi constitutionnelle de 1867*

56. (1) La *Loi constitutionnelle de 1867* (antérieurement désignée sous le titre : *Acte de l'Amérique du Nord britannique, 1867*) est modifiée par l'insertion, après l'article 92, de la rubrique et de l'article suivants :

"Non-Renewable Natural Resources, Forestry Resources and Electrical Energy

«Ressources naturelles non renouvelables, ressources forestières et énergie électrique

Laws respecting non-renewable natural resources, forestry resources and electrical energy

92A. (1) In each province, the legislature may exclusively make laws in relation to

(*a*) exploration for non-renewable natural resources in the province;

(*b*) development, conservation and management of non-renewable natural resources and forestry resources in the province, including laws in relation to the rate of primary production therefrom; and

(*c*) development, conservation and management of sites and facilities in the province for the generation and production of electrical energy.

Compétence provinciale

92A. (1) La législature de chaque province a compétence exclusive pour légiférer dans les domaines suivants :

a) prospection des ressources naturelles non renouvelables de la province;

b) exploitation, conservation et gestion des ressources naturelles non renouvelables et des ressources forestières de la province, y compris leur rythme de production primaire;

c) aménagement, conservation et gestion des emplacements et des installations de la province destinés à la production d'énergie électrique.

Export from provinces of resources

(2) In each province, the legislature may make laws in relation to the export from the province to another part of Canada of the primary production from non-renewable natural resources and forestry resources in the province and the production from facilities in the province for the generation of electrical energy, but such laws may not authorize or provide for discrimination in prices or in supplies exported to another part of Canada.

Exportation hors des provinces

(2) La législature de chaque province a compétence pour légiférer en ce qui concerne l'exportation, hors de la province, à destination d'une autre partie du Canada, de la production primaire tirée des ressources naturelles non renouvelables et des ressources forestières de la province, ainsi que de la production d'énergie électrique de la province, sous réserve de ne pas adopter de lois autorisant ou prévoyant des disparités de prix ou des disparités dans les exportations destinées à une autre partie du Canada.

Authority of Parliament

(3) Nothing in subsection (2) derogates from the authority of Parliament to enact laws in relation to the matters referred to

Pouvoir du Parlement

(3) Le paragraphe (2) ne porte pas atteinte au pouvoir du Parlement de légiférer dans les domaines visés à ce paragra-

in that subsection and, where such a law of Parliament and a law of a province conflict, the law of Parliament prevails to the extent of the conflict.

phe, les dispositions d'une loi du Parlement adoptée dans ces domaines l'emportant sur les dispositions incompatibles d'une loi provinciale.

Taxation of resources

(4) In each province, the legislature may make laws in relation to the raising of money by any mode or system of taxation in respect of

(*a*) non-renewable natural resources and forestry resources in the province and the primary production therefrom, and

(*b*) sites and facilities in the province for the generation of electrical energy and the production therefrom,

whether or not such production is exported in whole or in part from the province, but such laws may not authorize or provide for taxation that differentiates between production exported to another part of Canada and production not exported from the province.

(4) La législature de chaque province a compétence pour prélever des sommes d'argent par tout mode ou système de taxation :

a) des ressources naturelles non renouvelables et des ressources forestières de la province, ainsi que de la production primaire qui en est tirée;

b) des emplacements et des installations de la province destinés à la production d'énergie électrique, ainsi que cette production même.

Cette compétence peut s'exercer indépendamment du fait que la production en cause soit ou non, en totalité ou en partie, exportée hors de la province, mais les lois adoptées dans ces domaines ne peuvent autoriser ou prévoir une taxation qui établisse une distinction entre la production exportée à destination d'une autre partie du Canada et la production non exportée hors de la province.

Taxation des ressources

"Primary production"

(5) The expression "primary production" has the meaning assigned by the Sixth Schedule.

(5) L'expression «production primaire» a le sens qui lui est donné dans la sixième annexe.

«Production primaire»

Existing powers or rights

(6) Nothing in subsections (1) to (5) derogates from any powers or rights that a legislature or government of a province had immediately before the coming into force of this section."

(6) Les paragraphes (1) à (5) ne portent pas atteinte aux pouvoirs ou droits détenus par la législature ou le gouvernement d'une province lors de l'entrée en vigueur du présent article.»

Pouvoirs ou droits existants

Idem

57. The said Act is further amended by adding thereto the following Schedule:

57. La présente loi est en outre modifiée par l'adjonction de l'annexe suivante :

Idem

"THE SIXTH SCHEDULE

Primary Production from Non-Renewable Natural Resources and Forestry Resources

1. For the purposes of section 92A of this Act,

(*a*) production from a non-renewable natural resource is primary production therefrom if

«SIXIÈME ANNEXE

Production primaire tirée des ressources naturelles non renouvelables et des ressources forestières

1. Pour l'application de l'article 92A :

a) on entend par production primaire tirée d'une ressource naturelle non renouvelable :

(i) it is in the form in which it exists upon its recovery or severance from its natural state, or

(ii) it is a product resulting from processing or refining the resource, and is not a manufactured product or a product resulting from refining crude oil, refining upgraded heavy crude oil, refining gases or liquids derived from coal or refining a synthetic equivalent of crude oil; and

(*b*) production from a forestry resource is primary production therefrom if it consists of sawlogs, poles, lumber, wood chips, sawdust or any other primary wood product, or wood pulp, and is not a product manufactured from wood."

(i) soit le produit qui se présente sous la même forme que lors de son extraction du milieu naturel,

(ii) soit le produit non manufacturé de la transformation, du raffinage ou de l'affinage d'une ressource, à l'exception du produit du raffinage du pétrole brut, du raffinage du pétrole brut lourd amélioré, du raffinage des gaz ou des liquides dérivés du charbon ou du raffinage d'un équivalent synthétique du pétrole brut;

b) on entend par production primaire tirée d'une ressource forestière la production constituée de billots, de poteaux, de bois d'œuvre, de copeaux, de sciure ou d'autre produit primaire du bois, ou de pâte de bois, à l'exception d'un produit manufacturé en bois.»

PART VIII

GENERAL

PARTIE VIII

DISPOSITIONS GÉNÉRALES

Primacy of Constitution of Canada

58. (1) The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

Primauté de la Constitution du Canada

58. (1) La Constitution du Canada est la loi suprême du Canada; elle rend inopérantes les dispositions incompatibles de toute autre règle de droit.

Constitution of Canada

(2) The Constitution of Canada includes

(*a*) the *Canada Act*;

(*b*) the Acts and orders referred to in Schedule I; and

(*c*) any amendment to any Act or order referred to in paragraph (*a*) or (*b*).

Constitution du Canada

(2) La Constitution du Canada comprend :

a) la *Loi sur le Canada*;

b) les textes législatifs et les décrets figurant à l'annexe I;

c) les modifications aux textes législatifs et aux décrets mentionnés aux alinéas *a*) ou *b*).

Amendments to Constitution of Canada

(3) Amendments to the Constitution of Canada shall be made only in accordance with the authority contained in the Constitution of Canada.

Modification

(3) La Constitution du Canada ne peut être modifiée que conformément aux pouvoirs conférés par elle.

Repeals and new names

59. (1) The enactments referred to in Column I of Schedule I are hereby repealed or amended to the extent indicated in Column II thereof and, unless repealed, shall continue as law in Canada under the names set out in Column III thereof.

Abrogation et nouveaux titres

59. (1) Les textes législatifs énumérés à la colonne I de l'annexe I sont abrogés ou modifiés dans la mesure indiquée à la colonne II. Sauf abrogation, ils restent en vigueur en tant que lois du Canada sous les titres mentionnés à la colonne III.

Consequential amendments

(2) Every enactment, except the *Canada Act*, that refers to an enactment referred to in Schedule I by the name in Column I thereof is hereby amended by substituting

Modifications corrélatives

(2) Toute loi, sauf la *Loi sur le Canada*, qui fait mention d'une loi figurant à l'annexe I par le titre indiqué à la colonne I est modifiée par substitution à ce titre du titre

for that name the corresponding name in Column III thereof, and any British North America Act not referred to in Schedule I may be cited as the *Constitution Act* followed by the year and number, if any, of its enactment.

correspondant mentionné à la colonne III; tout Acte de l'Amérique du Nord Britannique non mentionné à l'annexe I peut être cité sous le titre de *Loi constitutionnelle* suivi de l'indication de l'année de son adoption et éventuellement de son numéro.

French version of Constitution of Canada

60. A French version of the portions of the Constitution of Canada referred to in Schedule I shall be prepared by the Minister of Justice of Canada as expeditiously as possible and, when any portion thereof sufficient to warrant action being taken has been so prepared, it shall be put forward for enactment by proclamation issued by the Governor General under the Great Seal of Canada pursuant to the procedure then applicable to an amendment of the same provisions of the Constitution of Canada.

60. Le ministre de la Justice du Canada est chargé de rédiger, dans les meilleurs délais, la version française des parties de la Constitution du Canada qui figurent à l'annexe I; toute partie suffisamment importante est, dès qu'elle est prête, déposée pour adoption par proclamation du gouverneur général sous le grand sceau du Canada, conformément à la procédure applicable à l'époque à la modification des dispositions constitutionnelles qu'elle contient.

Version française de certains textes constitutionnels

English and French versions of certain constitutional texts

61. Where any portion of the Constitution of Canada has been or is enacted in English and French or where a French version of any portion of the Constitution is enacted pursuant to section 60, the English and French versions of that portion of the Constitution are equally authoritative.

61. Les versions française et anglaise des parties de la Constitution du Canada adoptées dans ces deux langues ont également force de loi. En outre, ont également force de loi, dès l'adoption, dans le cadre de l'article 60, d'une partie de la version française de la Constitution, cette partie et la version anglaise correspondante.

Versions française et anglaise de certains textes constitutionnels

English and French versions of this Act

62. The English and French versions of this Act are equally authoritative.

62. Les versions française et anglaise de la présente loi ont également force de loi.

Versions française et anglaise de la présente loi

Commencement

63. Subject to section 64, this Act shall come into force on a day to be fixed by proclamation issued by the Governor General under the Great Seal of Canada.

63. Sous réserve de l'article 64, la présente loi entre en vigueur au jour fixé par proclamation du gouverneur général sous le grand sceau du Canada.

Entrée en vigueur

Exception

64. Part VI shall come into force as provided in Part V.

64. La partie VI entre en vigueur dans les conditions prévues à la partie V.

Exception

Short title and citations

65. This Schedule may be cited as the *Constitution Act, 1981*, and the Constitution Acts 1867 to 1975 (No. 2) and this Act may be cited together as the *Constitution Acts, 1867 to 1981.*

65. Titre abrégé de la présente annexe : *Loi constitutionnelle de 1981*; titre commun des lois constitutionnelles de 1867 à 1975 (nº 2) et de la présente loi : *Lois constitutionnelles de 1867 à 1981.*

Titres

SCHEDULE I

to the

CONSTITUTION ACT, 1981

MODERNIZATION OF THE CONSTITUTION

Item	Column I Act Affected	Column II Amendment	Column III New Name
1.	British North America Act, 1867, 30-31 Vict., c. 3 (U.K.)	(1) Section 1 is repealed and the following substituted therefor: "1. This Act may be cited as the *Constitution Act, 1867*." (2) Section 20 is repealed.	Constitution Act, 1867
2.	An Act to amend and continue the Act 32-33 Victoria chapter 3; and to establish and provide for the Government of the Province of Manitoba, 1870, 33 Vict., c. 3 (Can.)	(1) The long title is repealed and the following substituted therefor: "*Manitoba Act, 1870.*" (2) Section 20 is repealed.	Manitoba Act, 1870
3.	Order of Her Majesty in Council admitting Rupert's Land and the North-Western Territory into the union, dated the 23rd day of June, 1870		Rupert's Land and North-Western Territory Order
4.	Order of Her Majesty in Council admitting British Columbia into the Union, dated the 16th day of May, 1871.		British Columbia Terms of Union
5.	British North America Act, 1871, 34-35 Vict., c. 28 (U.K.)	Section 1 is repealed and the following substituted therefor: "1. This Act may be cited as the *Constitution Act, 1871*."	Constitution Act, 1871
6.	Order of Her Majesty in Council admitting Prince Edward Island into the Union, dated the 26th day of June, 1873.		Prince Edward Island Terms of Union
7.	Parliament of Canada Act, 1875, 38-39 Vict., c. 38 (U.K.)		Parliament of Canada Act, 1875
8.	Order of Her Majesty in Council admitting all British possessions and Territories in North America and islands adjacent thereto into the Union, dated the 31st day of July, 1880.		Adjacent Territories Order

ANNEXE I

LOI CONSTITUTIONNELLE DE 1981

ACTUALISATION DE LA CONSTITUTION

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
1.	Acte de l'Amérique du Nord britannique, 1867, 30-31 Vict., c. 3 (R.-U.)	(1) L'article 1 est abrogé et remplacé par ce qui suit : «1. Titre abrégé : *Loi constitutionnelle de 1867*.» (2) L'article 20 est abrogé.	Loi constitutionnelle de 1867
2.	Acte pour amender et continuer l'acte trente-deux et trente-trois Victoria, chapitre trois, et pour établir et constituer le gouvernement de la province de Manitoba, 1870, 33 Vict., c. 3 (Canada)	(1) Le titre complet est abrogé et remplacé par ce qui suit : «*Loi de 1870 sur le Manitoba*.» (2) L'article 20 est abrogé.	Loi de 1870 sur le Manitoba
3.	Arrêté en conseil de Sa Majesté admettant la Terre de Rupert et le Territoire du Nord-Ouest, en date du 23 juin 1870		Décret en conseil sur la terre de Rupert et le territoire du Nord-Ouest
4.	Arrêté en conseil de Sa Majesté admettant la Colombie-Britannique, en date du 16 mai 1871		Conditions de l'adhésion de la Colombie-Britannique
5.	Acte de l'Amérique du Nord britannique, 1871, 34-35 Vict., c. 28 (R.-U.)	L'article 1 est abrogé et remplacé par ce qui suit : «1. Titre abrégé : *Loi constitutionnelle de 1871*.»	Loi constitutionnelle de 1871
6.	Arrêté en conseil de Sa Majesté admettant l'Île-du-Prince-Édouard, en date du 26 juin 1873		Conditions de l'adhésion de l'Île-du-Prince-Édouard
7.	Acte du Parlement du Canada, 1875, 38-39 Vict., c. 38 (R.-U.)		Loi de 1875 sur le Parlement du Canada
8.	Arrêté en conseil de Sa Majesté admettant dans l'Union tous les territoires et possessions britanniques dans l'Amérique du Nord, et les îles adjacentes à ces territoires et possessions, en date du 31 juillet 1880		Décret en conseil sur les territoires adjacents

SCHEDULE I

to the

CONSTITUTION ACT, 1981—*Continued*

Item	Column I Act Affected	Column II Amendment	Column III New Name
9.	British North America Act, 1886, 49-50 Vict., c. 35 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act, 1886*."	Constitution Act, 1886
10.	Canada (Ontario Boundary) Act, 1889, 52-53 Vict., c. 28 (U.K.)		Canada (Ontario Boundary) Act, 1889
11.	Canadian Speaker (Appointment of Deputy) Act, 1895, 2nd Sess., 59 Vict., c. 3 (U.K.)	The Act is repealed.	
12.	The Alberta Act, 1905 4-5 Edw. VII, c. 3 (Can.)		Alberta Act
13.	The Saskatchewan Act, 1905, 4-5 Edw. VII, c. 42 (Can.)		Saskatchewan Act
14.	British North America Act, 1907, 7 Edw. VII, c. 11 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1907*."	Constitution Act, 1907
15.	British North America Act, 1915, 5-6 Geo. V, c. 45 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act, 1915*."	Constitution Act, 1915
16.	British North America Act, 1930, 20-21 Geo. V, c. 26 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act, 1930*."	Constitution Act, 1930
17.	Statute of Westminster, 1931, 22 Geo. V, c. 4 (U.K.)	In so far as they apply to Canada, (*a*) section 4 is repealed; and (*b*) subsection 7(1) is repealed.	Statute of Westminster, 1931
18.	British North America Act, 1940, 3-4 Geo. VI, c. 36 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1940*."	Constitution Act, 1940

ANNEXE I (*suite*)

LOI CONSTITUTIONNELLE DE 1981

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
9.	Acte de l'Amérique du Nord britannique, 1886, 49-50 Vict., c. 35 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle de 1886.*»	Loi constitutionnelle de 1886
10.	Acte du Canada (limites d'Ontario) 1889, 52-53 Vict., c. 28 (R.-U.)		Loi de 1889 sur le Canada (frontières de l'Ontario)
11.	Acte concernant l'Orateur canadien (nomination d'un suppléant) 1895, 2e session, 59 Vict., c. 3 (R.-U.)	La loi est abrogée.	
12.	Acte de l'Alberta, 1905, 4-5 Ed. VII, c. 3 (Canada)		Loi sur l'Alberta
13.	Acte de la Saskatchewan, 1905, 4-5 Ed. VII, c. 42 (Canada)		Loi sur la Saskatchewan
14.	Acte de l'Amérique du Nord britannique, 1907, 7 Ed. VII, c. 11 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1907.*»	Loi constitutionnelle de 1907
15.	Acte de l'Amérique du Nord britannique, 1915, 5-6 Geo. V, c. 45 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle de 1915.*»	Loi constitutionnelle de 1915
16.	Acte de l'Amérique du Nord britannique, 1930, 20-21 Geo. V, c. 26 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle de 1930.*»	Loi constitutionnelle de 1930
17.	Statut de Westminster, 1931, 22 Geo. V, c. 4 (R.-U.)	Dans la mesure où ils s'appliquent au Canada : *a*) l'article 4 est abrogé; *b*) le paragraphe 7(1) est abrogé.	Statut de Westminster de 1931
18.	Acte de l'Amérique du Nord britannique, 1940, 3-4 Geo. VI, c. 36 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1940.*»	Loi constitutionnelle de 1940

SCHEDULE I

to the

CONSTITUTION ACT, 1981—*Continued*

Item	Column I Act Affected	Column II Amendment	Column III New Name
19.	British North America Act, 1943, 6-7 Geo. VI, c. 30 (U.K.)	The Act is repealed.	
20.	British North America Act, 1946, 9-10 Geo. VI, c. 63 (U.K.)	The Act is repealed.	
21.	British North America Act, 1949, 12-13 Geo. VI, c. 22 (U.K.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Newfoundland Act*."	Newfoundland Act
22.	British North America (No. 2) Act, 1949, 13 Geo. VI, c. 81 (U.K.)	The Act is repealed. (effective when section 55 of the *Constitution Act, 1981* comes into force)	
23.	British North America Act, 1951, 14-15 Geo. VI, c. 32 (U.K.)	The Act is repealed.	
24.	British North America Act, 1952, 1 Eliz. II, c. 15 (Can.)	The Act is repealed.	
25.	British North America Act, 1960, 9 Eliz. II, c. 2 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1960*."	Constitution Act, 1960
26.	British North America Act, 1964, 12-13 Eliz. II, c. 73 (U.K.)	Section 2 is repealed and the following substituted therefor: "2. This Act may be cited as the *Constitution Act, 1964*."	Constitution Act, 1964
27.	British North America Act, 1965, 14 Eliz. II, c. 4, Part I (Can.)	Section 2 is repealed and the following substituted therefor: "2. This Part may be cited as the *Constitution Act, 1965*."	Constitution Act, 1965

ANNEXE I (*suite*)

LOI CONSTITUTIONNELLE DE 1981

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
19.	Acte de l'Amérique du Nord britannique, 1943, 6-7 Geo. VI, c. 30 (R.-U.)	La loi est abrogée.	
20.	Acte de l'Amérique du Nord britannique, 1946, 9-10 Geo. VI, c. 63 (R.-U.)	La loi est abrogée.	
21.	Acte de l'Amérique du Nord britannique, 1949, 12-13 Geo. VI, c. 22 (R.-U.)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi sur Terre-Neuve.*»	Loi sur Terre-Neuve
22.	Acte de l'Amérique du Nord britannique (N° 2), 1949, 13 Geo. VI, c. 81 (R.-U.)	La loi est abrogée lors de l'entrée en vigueur de l'article 55 de la *Loi constitutionnelle de 1981.*	
23.	Acte de l'Amérique du Nord britannique, 1951, 14-15 Geo. VI, c. 32 (R.-U.)	La loi est abrogée.	
24.	Acte de l'Amérique du Nord britannique, 1952, 1 Eliz. II, c. 15 (Canada)	La loi est abrogée.	
25.	Acte de l'Amérique du Nord britannique, 1960, 9 Eliz. II, c. 2 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1960.*»	Loi constitutionnelle de 1960
26.	Acte de l'Amérique du Nord britannique, 1964, 12-13 Eliz. II, c. 73 (R.-U.)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé : *Loi constitutionnelle de 1964.*»	Loi constitutionnelle de 1964
27.	Acte de l'Amérique du Nord britannique, 1965, 14 Eliz. II, c. 4, Partie I (Canada)	L'article 2 est abrogé et remplacé par ce qui suit : «2. Titre abrégé de la présente partie : *Loi constitutionnelle de 1965.*»	Loi constitutionnelle de 1965

SCHEDULE I

to the

CONSTITUTION ACT, 1981—*Concluded*

Item	Column I Act Affected	Column II Amendment	Column III New Name
28.	British North America Act, 1974, 23 Eliz. II, c. 13, Part I (Can.)	Section 3, as amended by 25-26 Eliz. II, c. 28, s. 38(1) (Can.) is repealed and the following substituted therefor: "3. This Part may be cited as the *Constitution Act, 1974*."	Constitution Act, 1974
29.	British North America Act, 1975, 23-24 Eliz. II, c. 28, Part I (Can.)	Section 3, as amended by 25-26 Eliz. II, c. 28, s. 31 (Can.) is repealed and the following substituted therefor: "3. This Part may be cited as the *Constitution Act (No. 1), 1975*."	Constitution Act (No. 1), 1975
30.	British North America Act (No. 2), 1975, 23-24 Eliz. II, c. 53 (Can.)	Section 3 is repealed and the following substituted therefor: "3. This Act may be cited as the *Constitution Act (No. 2), 1975*."	Constitution Act (No. 2), 1975

ANNEXE I (*fin*)

LOI CONSTITUTIONNELLE DE 1981

	Colonne I Loi visée	Colonne II Modification	Colonne III Nouveau titre
28.	Acte de l'Amérique du Nord britannique, 1974, 23 Eliz. II, c. 13, Partie I (Canada)	L'article 3, modifié par le paragraphe 38(1) de la loi 25-26 Elizabeth II, c. 28 (Canada), est abrogé et remplacé par ce qui suit : «3. Titre abrégé de la présente partie : *Loi constitutionnelle de 1974*.»	Loi constitutionnelle de 1974
29.	Acte de l'Amérique du Nord britannique, 1975, 23-24 Eliz. II, c. 28, Partie I (Canada)	L'article 3, modifié par l'article 31 de la loi 25-26 Elizabeth II, c. 28 (Canada), est abrogé et remplacé par ce qui suit : «3. Titre abrégé de la présente partie : *Loi constitutionnelle n° 1 de 1975*.»	Loi constitutionnelle n° 1 de 1975
30.	Acte de l'Amérique du Nord britannique n° 2, 1975, 23-24 Eliz. II, c. 53 (Canada)	L'article 3 est abrogé et remplacé par ce qui suit : «3. Titre abrégé : *Loi constitutionnelle n° 2 de 1975*.»	Loi constitutionnelle n° 2 de 1975

[*English*]

He said: Madam Speaker, on February 8, 1865, the Hon. George Brown stood in the Parliament of Canada at the beginning of the Confederation debates and said:

It is with no ordinary gratification I rise to address the House on this occasion. I cannot help feeling that the struggle of half a lifetime for constitutional reform—the agitations in the country, and the fierce contests in this chamber—the strife and the discord and the abuse of many years—are all compensated by the great scheme of reform which is now in your hands.

Today it is with very great pride that I rise to begin the concluding stage of debate on another great scheme of constitutional reform. Like George Brown over a century ago, I am convinced that once the strife and the discord and the abuse are all behind us, all Canadians will be compensated by the reform which we are now debating.

[*Translation*]

Madam Speaker, four months ago, I spoke at length in the House about the efforts that were made and were frustrated on several occasions for one reason or another during the past 53 years to repatriate our Constitution. I then introduced in the House a proposal to repatriate our Constitution and entrench a charter of rights and freedoms as well as the equalization principle and the notion of sharing, with an amending formula and mechanism designed to solve constitutional deadlocks.

I then proposed that the resolution be deferred to a joint Commons and Senate committee. That resolution, Madam Speaker, has been considerably altered in recent months and much improved, thanks to the hard work of 132 members of Parliament and 51 senators who have taken part since October in the proceedings of that committee, and thanks also to submissions made before that committee by some premiers, by a large number of national organizations, by individuals, thanks to submissions which were made to the committee in writing, to hundreds and hundreds of reports which were considered and to experts that were heard. And today, Madam Speaker, we have before us a resolution which has been drawn up in Canada by Canadians for the Canadians of today, and especially for the Canadians of tomorrow.

Some hon. Members: Hear, hear!

Mr. Chrétien: I should like first to pay tribute to the permanent committee members, especially to the co-chairmen, Senator Hays, who with his experience and his sense of humour has been a great help to the committee, and more especially to the member for Hochelaga-Maisonneuve (Mr. Joyal) who has chaired most of the sittings and performed an impossible task with dignity, neutrality and ability, thus earning the admiration of committee members, and particularly of all Canadians who followed those proceedings on television.

Some hon. Members: Hear, hear!

[*English*]

Mr. Chrétien: During this debate we will hear a great deal about process, and I will speak to that issue later, but I want to speak more about substance. Because long after the debate over process is finished and forgotten, Canadians will take pride in the results of the substance of our work.

If anything came out of the joint committee, it is that Canadians want their common values and common aspirations to be reflected in their Constitution. The Charter of Rights and Freedoms, in my view, is a good reflection of the hopes and dreams of Canadians.

I want to examine the charter both in terms of what it holds out for tomorrow and also in terms of how it fits into the stream of Canadian history. While our history is one in which we can take pride, it is not without its stains. Some of these were brought out very clearly during the hearing by the joint committee of testimony from representatives of our native people, of the National Association of Japanese-Canadians, francophone groups outside of Quebec, of anglophone groups in Quebec, of the National Black Coalition, of women's groups, of the handicapped.

● (1510)

Part of our task is to recognize the injustice of the past, to say "never again shall rights be trampled upon". Part of our task is to ensure that the enormous evolution in our values is reflected in our Constitution. That is what we are doing today. We are building a modern Canada for tomorrow.

Some hon. Members: Hear, hear!

Mr. Chrétien: In the modern Canada of today with a vast administrative apparatus spanning two levels of government, we need a charter of rights to ensure that rights common to all Canadians are protected from the actions of both levels of government. Indeed, few have been as clear as the hon. member for Provencher (Mr. Epp) who told the joint committee, and I quote:

It is the popular will that we have a Charter of Rights and Freedoms for the Canadian people, embedded in the Constitution.

What does this charter of rights and freedoms do? First, it protects fundamental freedoms common to all Canadians, such as freedom of speech, of religion, of the press, freedom to vote and to hold office.

Second, it guarantees the freedom of Canadians to establish residence and seek a job anywhere in Canada without regard to provincial borders. It establishes one Canadian citizenship rather than ten provincial citizenships.

Third, the charter guarantees legal rights of Canadians. It sets out protections against arbitrary arrest, against unreasonable search and seizures. It enumerates the rights of an accused to be defended by counsel, to have a fair trial, not to be forced to testify against oneself. It ensures that where evidence is obtained illegally it shall not be used where, by so doing, the administration of justice would be brought into disrepute.

Fourth, the charter enumerates equality rights. In this area, the government is taking bold steps forward in order to ensure the equality of women before and under the law. Indeed, when I announced new wording for section 15 on January 12, Mrs. Doris Anderson called it a major step forward. She said: "I think the government's come a very long way toward meeting the consensus of Canadians, including women." We agree with Mrs. Anderson that it is a major step forward.

Yesterday, in this House, the hon. member for Don Valley East (Mr. Smith), assisted in his task by the hon. member for Brandon-Souris (Mr. Dinsdale), tabled a moving report on the handicapped. Today I take pride in presenting a constitutional charter which specifically prohibits discrimination against the handicapped.

Some hon. Members: Hear, hear!

Mr. Chrétien: Fifth, the charter deals with language rights, and I will speak to this in a few minutes.

Sixth, the charter makes specific reference to the multicultural nature of our society. At the time of confederation our forefathers established a new country based on two great cultures, the English and the French. Over the last 114 years, Canada has been enriched by the contribution of immigrants from the four corners of the globe. And because Canada prides itself on not being a melting pot, we are establishing today that the charter "shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians". As far as the government is concerned, the multicultural heritage of Canadians is such an essential fabric of our nationhood that it must be reflected in our Constitution.

Seventh, the project of constitutional reform which we have before us recognizes for the first time, and I am proud to say so, the aboriginal and treaty rights of the Indian, Inuit and Metis peoples of Canada. It is not possible to correct generations of injustice merely by adding words to a Constitution. But it is possible to take a giant step toward a new beginning so that, in the words of the hon. member for Nunatsiaq (Mr. Ittinuar), "together we will build a great nation."

Some hon. Members: Hear, hear!

Mr. Chrétien: Madam Speaker, I would like to tell the House that in all the lists of rights that I have spoken about so far, we have not changed in any way distribution of power in Canada. The limits that we are imposing today are limits that we are imposing on both levels of government. We think that in a modern society like ours the rights of the citizen should be protected in the Constitution so that the errors of the past—there were not many, but there were a few—will not be repeated, and I stress that point, Madam Speaker.

[*Translation*]

Madam Speaker, I should like to deal now with the language issue and, in this regard, maybe I should direct my remarks especially to my fellow Quebecers. On May 20 of last year, we elected together to remain faithful to our Canadian heritage and roots. During the referendum campaign, the Prime Minister, other Quebec members and I indicated that if Quebec were to remain part of Canada, we would have to change Canada. I, for one, played a very active part in that campaign, and in every speech I made I insisted that if the No side won, we would carry out in-depth reforms. As I said then and repeat now, we intend to patriate our Constitution, adopt a proper amending formula, enshrine both English and French as the official languages of Canada, make sure that from now on the rights of Canadians to deal with federal institutions and courts are protected by the Constitution, and include the Canadian legislation on official bilingualism in the Constitution.

I also indicated a while ago that we would provide francophones outside Quebec with the constitutional right to set up French schools in all Canadian provinces, and that the price to pay for this right which has not been recognized for the past 114 years in Canada would be to grant anglophones in Quebec the same education rights as those being granted to francophones outside Quebec.

I also said that we shall enshrine in the Constitution the notion of sharing because it is part of the fabric of Canada. There have been good years and lean years, depending on the occupation or the area in which one lived. What has made Canada a great country is the fact that when times were hard, the rich have always helped the poor. That is why we are still here together today.

Madam Speaker, the reform we are proposing today follows the trend set by great francophone leaders who were concerned with the whole of Canada, men like Laurier, Henri Bourassa, André Laurendeau and others. I am thinking of Laurier, the first French Canadian to lead our country, the statesman who always claimed that all of Canada was the country of French Canadians. I am thinking of Henri Bourassa who had this to say, and I quote:

> Our very own nationalism is the Canadian nationalism based on two peoples, on the distinctive traditions that duality implies. Our country, our land, is all of Canada.

When Henri Bourassa spoke of constitutional reform, he insisted on the right of all minorities to be taught in their own language everywhere in Canada. Fifty-five years ago today, speaking to the Ontario premier, Bourassa said, and I quote him in English:

● (1520)

[*English*]

We claim for ourselves the right, natural, historical and constitutional, to have the French language taught to our children in all public schools attended by a sufficient number of them in every province.

[*Translation*]

That is what Henri Bourassa said 55 years ago to the Ontario premier.

Madam Speaker, that is exactly what we are doing at last in Canada today. We believe it is important to maintain the people's mobility in the country because there are Francophones in every province of Canada and because there are also Anglophones who feel at home and comfortable in Quebec. Here is what Henri Bourassa said about minorities outside Quebec, and I quote:

It is not only the right but the strict duty of the province of Quebec to ensure the conservation of French groups in other provinces, because their survival is the guarantee of its own existence. Let us not forget it. If by an attitude of despicable selfishness or in the torpor of a foolish apathy, we allow the other French groups within confederation, those scattered shoots of the main stem, to perish one after another, we shall be soon attacked on our own ground. We shall suffer the punishment of cowards and egoists.

I am thinking also of André Laurendeau and his struggle to recommend true bilingualism at the federal level. The Official Languages Act is his legacy. Today, Madam Speaker, we are making it a constitutional guarantee, and because such progressive advances have been made in Canada, what would have triggered a revolution 15 years ago now goes almost unnoticed.

Madam Speaker, that is what we are offering Canadians at this point in our history: a new foundation on which to build a more united, a more generous and a greater country. But to achieve this, we must patriate the Canadian Constitution. Why patriate it? As we all know, Canada is now a sovereign and independent country, but it is still lacking something very important. We cannot amend our own Constitution in Canada. It was in 1867 that British colonies joined together to form our country Canada which gradually achieved its independence. This was done by the Balfour declarations of 1926 and the Statute of Westminster of 1931 which virtually recognized Canada's independence. The government of the day, under Prime Minister Bennett, asked that the Constitution remain in Britain until such time as an amending formula could be worked out. According to the historians and the government of the time, it should have been a matter of six months or at most one to two years.

Since then, Madam Speaker, six prime ministers and 11 constitutional conferences have tried to solve the problem. Among those prime ministers, there were some Liberals and some Progressive Conservatives. In the short time that I have been in public life there have been many near misses. In 1963, just as I was getting ready to enter politics, Mr. Fulton, the Minister of Justice under Mr. Diefenbaker, was working on a solution. Subsequently, one of our good friends, the late Guy Favreau, spent a considerable amount of time trying to achieve consensus with the Fulton-Favreau formula and at one point he thought he had found the answer, but again it escaped him.

The House may recall the fiery period between 1968 and 1971 when all governments attended the Toronto conference convened by Messrs. Robarts and Johnson which continued thereafter because Ottawa and the provincial governments had to reach agreement, which is what was achieved in 1971. For the first time in Canada's history there was agreement. Unfortunately it did not last. A few days later, for reasons altogether foreign to the amendment formula, Quebec withdrew its consent.

And in 1975 the Prime Minister (Mr. Trudeau) made a renewed attempt at repatriation, and repatriation alone. That did not lead anywhere so we introduced Bill C-60 in 1978 which again ended in failure. This time we began in 1980 and we are now in 1981. Fifty years of efforts, Madam Speaker, 50 years of failure. That is why we are committed at this time to settle an anachronistic situation wherein we have to go through the British parliament if we want to amend our own Constitution. We must set aside the rule of unanimity and break out of that vicious circle; and the only way to do that is to act as we are doing now, although it may not be the easiest way, Madam Speaker.

[*English*]

As I said in French, it is not the easiest way, but it is the only way. It is the only way because we tried under the best circumstances last summer right after the referendum. Hon. members will remember the good wishes of this House of Commons before and after the referendum when I went to the provinces telling them that we wanted to have some changes in Canada. All of them said, "Yes, yes, yes," but in September there was no agreement. The hon. member for Provencher tells me in good faith to try again, but I am telling this House that that is just wishful thinking.

Mr. Clark: That's not true.

Mr. Chrétien: I will come to that point later on when I talk about the many amending formulas proposed by the opposition.

I am telling this House that the amending formula we are proposing at this time is the best one, and I will tell the House why. First, we are patriating. We are making the Canadian Constitution a Canadian document. After that we will not impose an amending formula. There will be the rule of unanimity for two years. During those two years the Prime Minister of Canada and the first ministers will have to meet twice to try to find an amending formula. If for whatever reason seven provinces representing 80 per cent of the population—and we have agreed that will be the amending formula—do not agree, the matter will be put to a referendum, and the people of Canada will settle it once and for all. I think that is the only way to get out of that problem.

At the moment it looks as though there is not a great chance of agreement among the provinces. There was a meeting in Montreal last week. Not all ten premiers attended. Only six of them did, and they could not agree on an amending formula. They were not even able to agree on whether or not to go to London. If there is not agreement, we will have the Victoria formula. It is not a perfect formula, but it is the only one which received the approval of 11 first ministers in 1971. In their wisdom they all agreed at that time. So there must be something good about it.

• (1530)

According to the Victoria formula, first, the provinces will have a legal say in the amending process. That is the last time we are going to London. Now we can go unilaterally. When the patriation process is over, under any of the amending formulas which have been proposed, as well as under the one we are proposing now, the provinces will have a say in the amending process.

Second, the Victoria formula gave the regions a say in the amending process. The rule is an easy one; it is the rule of 25 per cent. Any province which has to date 25 per cent of the population has a right to agree or disagree on any new amendment. Any province which some day will have 25 per cent of the population will acquire the same rights. In terms of the regions, as was agreed by the western premiers in 1971, if two provinces representing 50 per cent of the population of western Canada agree, the Constitution can be amended.

The situation is somewhat different in the maritimes. We wanted to apply a similar rule to the one which applied in the western provinces under the terms of the Victoria formula, but after listening to the first ministers of the maritime provinces, we accepted what we called the Henderson amendment according to which two out of the four maritime provinces will have to give their consent. This is the amending formula. Under the amending formula there is sufficient regional protection to ensure that nothing is imposed on the maritimes or on the western provinces unless, in the case of the western provinces, two provinces representing 50 per cent of the population agree with it. The rule is different for the maritimes, but that is the way they want it. So it would be impossible for central Canada to impose its views on the rest of Canada in constitutional matters.

Why do we need in Canada an amending formula that has some flexibility? The answer is very simple, that what we are doing today is the start of the process, not the end. Much reform has to be undertaken in Canada in future in terms of constitutional powers. For example, take the upper chamber, the Senate. The senators themselves prepared a report a few months ago in which they proposed some reforms of the upper House. In my meeting with the ministers last summer, one item took up a lot of time when we were trying to find a formula for reforming the upper House which would result in more adequate regional representation. This was not resolved, but some agreement will have to be reached on it.

We will have to constitutionalize the Supreme Court. There was much discussion of this issue and we came very close to a conclusion this summer. That will have to be done some day. The problem of family law will have to be clarified. The re-examination of the division of powers in Canada will have to be tackled. Some powers could be delegated to the provinces and, in the best interests of Canada, some powers could be transferred to the national government. It is very important also that we strengthen our economic union in Canada.

In short, Madam Speaker, what we are proposing to the people of Canada, through their elected representatives from all across the country in this chamber, is very simple. It consists of the patriation of the Canadian Constitution at long last, and the entrenchment in the Constitution of a charter of rights and liberties, a dream which has been referred to in this House so eloquently and so many times by the former member for Prince Albert. It contains the entrenchment of native rights in the constitution, equalization payments, the notion of sharing, the recognition of the ownership of the resources by the provinces in a very clear test, coupled with the power given to the provinces to tax the resources and to pass laws in interprovincial trade, within, of course, federal parameters. Also, as I said earlier, it includes an amending formula which will permit the many changes which will be brought about in the future.

I should like to tell you, Madam Speaker, that when you look at the distribution of powers, as mentioned in the motion before us, the only changes you will find are in favour of the provinces in matters of resource ownership, indirect taxation and interprovincial trade. It will be the first time that, under the law, the provinces will have to be consulted and will have to agree to any change in the Constitution. We are imposing on the national government a new obligation to grant to those provinces which are less fortunate equalization payments and other schemes to ensure the sharing of Canada's wealth in the future.

In my judgment, our scheme is not that complicated, and I think that the Canadian people are strongly in favour of it. Of course, the Canadian people do not like the unilateral obligation which we have to accept, but when you are the government you have to take your responsibilities.

Some hon. Members: Hear, hear!

Mr. Chrétien: There was very little quarrel in the committee regarding these matters. Everyone from across Canada who came to testify before the committee said that we needed a better charter, that we have to inscribe into the charter new protection for certain rights and other such proposals. We have not been able to satisfy all the demands but this is a good beginning. It will clearly establish that what is important in Canada is that we are all equal. We can be different in our society and be equal at the same time.

Some hon. Members: Hear, hear!

Mr. Chrétien: What was the reaction of the opposition? I think it is a very amusing situation and at the same time not very amusing. I have seen the work of the members of the

opposition in the committee and I have to tell you, Madam Speaker, that when there was no disagreement or protest on the substance, opposition members made some very good contributions, and I thank them for that. They worked very hard, especially the hon. member for Provencher.

Some hon. Members: Hear, hear!

Mr. Chrétien: But—

Mr. Crombie: But what?

Mr. Chrétien: I will come to the hon. member soon.

Some hon. Members: Oh, oh!

Mr. Chrétien: From the start they all said they were in favour of patriation. That was a great step forward. Some months or a year ago there was no accord on patriation, and it was the hon. member for Edmonton East (Mr. Yurko), seconded by the hon. member for Provencher, who put forward a motion, which was approved in this House at the time of the referendum, that we should patriate the Constitution.

Some hon. Members: Hear, hear!

Mr. Chrétien: All hon. members are in favour of a charter of rights. That is very important. I quoted the very eloquent words of the hon. member for Provencher, and we are all in agreement. Hon. members are in favour of enshrining native rights in the Constitution. They want to enshrine equalization payments. All that we have done is for the good, but it is not complete and we should do more. But they say the process is wrong. What are they proposing? They have two or three amending formulas but the process is always the same.

According to their formula, the entrenchment of the rights of the natives, of the rights of women, of the handicapped, and so on, will be subject to the approval of the provinces. The Premier of Manitoba, the province of the hon. member for Provencher, said, not only in Canada but in London, that he will never accept any section of the charter of rights in Canada. How can they be in favour of a charter of rights and an amending formula which will ensure that there will never be a charter of rights that will apply to all Canadians; that we have different classes of Canadians in Canada; that in some provinces there will be some natives who will have aboriginal rights and other natives who will not have them; that women in some provinces will have some rights and other women will not have the same rights in other provinces; that the handicapped will have some protection in some provinces and will not have the same protection in other provinces? That is the ambiguity of the opposition.

● (1540)

Some hon. Members: Hear, hear!

Mr. Chrétien: I understand their embarrassment; they have to face their responsibilities and the reality. They were all there that Friday morning when we agreed to entrench in the Constitution the protection of aboriginal rights. It was one of the high moments in my political life, when I saw the unanimity in that committee and some members were crying because there was a commitment on that day that the injustices of the past were at last to be corrected.

Some hon. Members: Hear, hear!

Mr. Chrétien: Suddenly there is an amending formula from Mr. Tremblay which nobody understands as yet. There was, for four months, an amending formula; they might have another one four months later; from the eighth to the twelfth month there was a third possibility. And if there was no agreement, it was "unanimity"; again going back to Mr. Lyon to get approval to entrench any rights in Canada. It was not understandable.

Today they come with a new amending formula; they had a new release yesterday. Now it will be an amending formula with no more unanimity; it is something new. This can be studied at another time, but I think the hon. member for Lincoln (Mr. Mackasey) will probably deal with that, with great pleasure, tonight, or the Minister of State for Science and Technology and the Minister of the Environment (Mr. Roberts) will deal with that tomorrow. But the new amending formula is something different this week; now it is seven provinces and 50 per cent of the population. But have they consulted Mr. Lougheed about it? Have they consulted Mr. Lyon about it who said in London that it is unanimity or nothing? What about Mr. Lévesque, their new friend?

An hon. Member: Or Claude Ryan?

Mr. Chrétien: What about Roch La Salle? I hope he will come and explain it in this House.

[*Translation*]

Madam Speaker, you cannot have both ways. One cannot claim to be in favour of a charter of rights—I can guess what is going to happen soon in the House; hon. members will stand each in turn and move preposterous amendments to the charter of rights and then the next day they will vote against it. I find that situation ridiculous. What we are doing here is not a charade. If we want to have a charter of rights it must apply to all Canadians.

[*English*]

I want to tell the opposition that what we are doing here is not a charade. As I said in French, I expect them to come forward with new amendments, all sorts of great amendments, as was the case with the hon. member for Kingston and the Islands (Miss MacDonald) yesterday concerning women's rights. But the fact of the matter is that the rights of women will never be protected in the Constitution if there is not unanimity; if there is not unanimity, according to the so-called Vancouver formula provinces will opt out of the protection of the rights of Canadians.

Some hon. Members: Hear, hear!

Mr. Chrétien: What I am telling you, Madam Speaker, is that it is not the kind of Canada I want. I have worked on that.

I think that our projects are the best we can produce today. They are not perfect. As I said so many times in the committee, perfection is the enemy of good. But these are good projects, projects which will realize the hopes of a lot of Canadians.

[*Translation*]

I must say, Madam Speaker, it is time we took our responsibilities in this House. This problem has been around for 53 years, 54 now. Of course, some professors will have more than one pet subject to expatiate upon in coming generations, and I refer to Mr. Dion, but I feel enough has been said about it. To me, this is a unique opportunity. Last spring we decided we would make major changes. Some will ask who is speaking for whom. I must say, Madam Speaker, that there are 282 Members of Parliament in this House who were elected by all Canadians in the last election. The House has transformed us all. How come? Because when we come to the Parliament of Canada, we take a different view from the one we had before. I am proud to admit that I have been transformed by the 18 years I have been a Member of Parliament, because I got to know my country. I have been through the whole country from St. John's, Newfoundland, to Victoria and from Windsor to the North Pole, in my ministerial capacity. There are not many parts of Canada I have not visited. I learned to know my country. This is a country with a fantastic future. And this is also a country that has to attune its institutions to today's needs. This country has become adult. This is a country which must bring home its Constitution. This is a country which, because of its diversity, must guarantee the helpless in our society equal rights and safeguards the like of which are not commonly found in other democratic countries.

[*English*]

Some hon. Members: Hear, hear!

Mr. Chrétien: Madam Speaker, this is an historical occasion. We have the occasion, after the traumatic experience of the spring, to build for our children and the children of our children a better Canada—a Canada which will recognize the diversity and equality which should be in our society, a Canada which will protect the weakest in society, a Canada which will have forever two official languages in the Canadian Constitution, a Canada which will be an example to the world. This is a generous land; now we have the occasion to make it even a better country.

Some hon. Members: Hear, hear!

Hon. Jake Epp (Provencher): Madam Speaker, four months ago I rose in the House and commented on a proposed resolution concerning the Constitution and the motion which established the parliamentary committee to study that resolution. At that time I expressed very grave reservations over the course of action the government was adopting and over the contents of that resolution. Other members of the official opposition and I entered the entire constitutional debate from the perspective that, despite our profound opposition to the process, we would approach the work of the committee in a positive spirit of co-operation and with the determination that the process should be open to more Canadians.

● (1550)

I would like to take this opportunity, Madam Speaker, to thank the co-chairman of the committee for the work he did, namely, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal).

Some hon. Members: Hear, hear!

Mr. Epp: I know it is not generally the tradition of this House to do that, but I want to say to all members that I believe he dispatched his duties not only with the care his office required, but also with a fairness we all appreciated.

Some hon. Members: Hear, hear!

Mr. Epp: If I might, Madam Speaker, I would like to make reference to a few other hon. members. One is the Parliamentary Secretary to the Minister of Justice (Mr. Irwin) with whom I have had very deep divisions. While those divisions remain, I appreciate that although the divisions were there in the committee they did not become, nor have they remained, in the area of personal animosity, which I feel has no place in the parliamentary system.

I also enjoyed the loquaciousness and the homilies of the hon. member for Lincoln (Mr. Mackasey). While at times they were a little lengthy, I believe they were always in the interests not only of protecting his party's position but also his vision of this country.

Some hon. Members: Hear, hear!

Mr. Epp: There are two other members I want to mention. One is the member for Nunatsiaq (Mr. Ittinuar). Although he holds partisan positions other than my own, I developed an appreciation of his vision of Canada's north when I was minister of Indian affairs and northern development. He was able to express his vision in the committee.

I would also like to mention the hon. member for Yorkton-Melville (Mr. Nystrom). I am sure that times were difficult for him from day to day. I know he presented his case with the sincerity which the occasion demanded.

Some hon. Members: Hear, hear!

Mr. Epp: That being the case, Madam Speaker, what do we have before us at the present time? I want immediately to lay out before you and all members of the House that we regard this debate as a serious one. We will treat it in that manner. We also will expect, as the Prime Minister (Mr. Trudeau) said on October 2, that every member who wishes to participate on this side of the House will have that opportunity at this stage.

Some hon. Members: Hear, hear!

Mr. Epp: Additionally, we will act in a very straightforward manner. As well, we will move a minimum of amendments regarding the matter which is now before us.

Having said that, our divisions and our differences with the government run deep, revealing differing views on the nature of Canada. We are today in one of those periods of profound difference between the major parties in this House, between the Liberal Party of the Prime Minister and our own party. Our concern that the proceedings of the committee be televised and that the deadline of the committee be extended beyond December 9 was a means to allow more Canadians to be heard. It reflected both our desire to ensure that Canadians would be heard and also that they would be involved. We are proud and pleased that our determination forced the government's hand on both issues.

Some hon. Members: Hear, hear!

Mr. Epp: Our amendments in the committee reflected our positive spirit of co-operation. We offered a number of substantial changes to the charter of rights, some of which were adopted to help create a document which we believe would better reflect the fundamental nature of our nation and provide the best possible guarantee of the rights of all Canadians.

We offered a number of other amendments as well, all of which were rejected. Together these amendments would have provided Canadians with an alternative to the government's unilateral and divisive course of action. Thus, four months later we find ourselves before this House, again commenting on a resolution which is certainly better than the one proposed in October; but despite the tremendous work of the committee, those aspects of the proposed resolution threaten the very nature of the Canadian federation. Those parts of the resolution have not been changed. In its most controversial aspects it is the very same resolution. As a result, our principal objections to the resolution remain unchanged.

From the outset the prime focus of our objections has been on the unilateral and divisive nature of the government's action. On October 6 I feared that the government's determination to act alone and to ask Westminster to make substantial changes to our Constitution would create an atmosphere of distrust, of disunity and open confrontation. I believe then, as I believe today, that this is a step which would block the future progress of constitutional reform. While the Minister of Justice (Mr. Chrétien) says there will be other steps, I do not believe that those steps are possible and that they will result in positive action, in light of the atmosphere which has been created.

Some hon. Members: Hear, hear!

Mr. Epp: This resolution is creating an atmosphere which will disrupt any possibility of genuine reform taking place in the coming years. The government's proposal is based on a false premise. That premise is this: the approach is based, fundamentally, on the view that the federal system no longer works and that progress cannot come from consensus. That is the basic premise upon which the government has launched this proposal—that consensus does not work and that negotiation will not result in success. The premise is that, ultimately, the negotiations will fail. On that premise the government justifies acting arbitrarily and unilaterally, and in face of the opposition not only of the provinces but also of the people of Canada.

Some hon. Members: Hear, hear!

Mr. Epp: With all respect to the Minister of Justice, it is important to note again that today the provinces, the partners in this federation, are continually created as straw men. One can then go ahead and knock them down. That is not the way to build a consensus. It is not the way to build a federation.

Some hon. Members: Hear, hear!

Mr. Epp: As well, the government insists on incorporating a referendum proposal which would give the central government unilateral power to change our Constitution without any reference to either the elected legislatures or the elected governments of any province. That is what is proposed.

On that false premise the government is asking another country, Great Britain, to vote on basic Canadian rights and freedoms. It is a blatant surrender of Canadian sovereignty which the Liberals seek to justify on grounds that we could never reach agreement on these important questions in Canada. That is the false premise upon which the government is proceeding.

We are told over and over again that Canadian federalism is a 54-year record of failure. The Prime Minister loves to tout this 54-year deal. It was 53 years when we started; it is now 54. The record shows that since 1927 this matter has come up in federal-provincial relations on 48 different dates. That is less than a day for every year. The Prime Minister continues to insist that it has been a record of failure. The interesting point is that, of those 54 years, he sat as chairman for 13 of them.

In fact, the Canadian federal system about which I have spoken, when run by reasonable governments—and I stress "reasonable governments"—has produced agreements on hospital insurance, medicare, the Canadian Pension Plan and equalization. In fact, that process could go on to the point where every agreement between the provinces and the federal government could be reached one way—by agreement, negotiation and consensus. That success story is suddenly to be put in the waste can and we will now be moving unilaterally. The genius, Madam Speaker, of Canadian federalism is that it does work; that is the genius of it. When reasonable governments and reasonable leaders allow it to work, it works.

• (1600)

Some hon. Members: Hear, hear!

Mr. Epp: The system fails only when its leaders let that system down; it works when its leaders make it work.

Some hon. Members: Hear, hear!

Mr. Epp: And so we reject the Liberal idea that after 114 years of our Canadian partnership, suddenly that partnership should be abandoned and our federal system should be replaced by a form of unitary state. Our federal traditions grew out of the nature of this country. There is no other system that could thrive here, no other system that can suit our diversity. That nature has not changed. Suddenly, to tear it up, to tear up federal traditions, would be a risk.

To tear up those federal traditions that are at risk now, Madam Speaker, is threatening to tear up our own country, especially the region from which I come. The events of the past four months have confirmed that the Prime Minister will replace the tyranny of unanimity, as it has been called, with the chaos of unilateralism. That is his solution. He says, "You do not like tyranny, so we will give you chaos."

The political atmosphere in Canada now is highly charged and Canadians have witnessed wrangling and outright confrontation between the federal and provincial governments. We are now in legal battles, and the disturbances among Canadians in different regions of the country is something all of us in the House should be aware and take note of.

In my responsibilities within my party I have received numerous letters, telegrams, telephone calls from Canadians in all walks of life and from all parts of the nation. Many of the people sending those messages do not really know much about the substance of what the government is doing, and that is not a deprecating statement, Madam Speaker. But what they convey is that they are deeply concerned by the unnecessary hostility and division which is being created in our country. That is the message that they are giving to us.

As well, Madam Speaker, this is not another flag debate, as the members of the government like to say it is. Charters of rights, amending formulae, referenda are more than just symbols; they are the practical rules, the practical tools, by which our nation will be governed in the future. All laws, and in particular fundamental constitutional laws, are not worth the paper they are written on unless they reflect and represent a true consensus. The government, in its determination to impose this resolution, has forgotten that laws and lawmakers must never just command, but rather in a democracy they must command respect for themselves and also for what they are doing.

Some hon. Members: Hear, hear!

Mr. Epp: Throughout the constitutional debate our party has attempted to strike the compromises which are necessary to put an end to division and hostility within Canada, hostility which is now spreading between Canada and the United Kingdom. It has poisoned the atmosphere which the government has now created, and as a result we have attempted, sincerely, Madam Speaker, to offer alternative solutions to the government's unilateral action.

For example, we have encouraged the holding of another first ministers' conference on patriation and the amending formula; we have proposed a way in which the final details of an amending formula, which already commands substantial support, the Vancouver consensus, could be finalized here in Canada. We have also adopted a position which would invite and encourage the provinces to change their position and adopt a charter of rights.

Our alternatives would have ensured that Canada's Constitution would be amended here in Canada, and that all substantial changes would command respect from Canadians from sea to sea and to Canada's northern sea.

Some hon. Members: Hear, hear!

Mr. Epp: Madam Speaker, the government has rejected every one of those proposals, every one of those compromises, every one of those thoughts, because they are determined to act in the face of opposition not only from the opposition party, but also from a number of the provinces and, most importantly, in face of the opposition of the majority of Canadians.

So, Madam Speaker, the unilateral action, the divisiveness of the government's proposition, remains unchanged and for that reason we oppose it.

Some hon. Members: Hear, hear!

Mr. Epp: As I have said, Madam Speaker, the Conservative party has offered Canadians a positive alternative, a way out of the needless conflict, strife and division which is being created in Canada and between Canada and Great Britain. I emphasize that we have a positive alternative, and I emphasize the difference in approach between the so-called constructive approach of the New Democratic Party and ourselves.

Let us take a look at the contribution of the New Democratic Party just for a minute, Madam Speaker. The Leader of the New Democratic Party (Mr. Broadbent) is going around the country claiming victory for the constructive approach of his party.

An hon. Member: Shame, shame!

An hon. Member: Because he is right.

Mr. Epp: He is claiming personal responsibility for nearly every amendment which was made to the charter and to the resolution.

An hon. Member: You are against it.

Mr. Epp: That has struck another chord. Madam Speaker, the very claim the NDP make, that they were the ones to propose, is a direct insult to the many interest groups which were able to persuade the government and the members on the committee to introduce the favourable amendments.

Some hon. Members: Hear, hear!

Mr. Epp: The fact is that out of the 43 amendments the New Democratic Party proposed in committee, the majority report that they supported and voted for claims that they only received two amendments; and they claim that they were the architects of two amendments.

What is the record, Madam Speaker? In October the New Democratic Party members told us that they had grave concerns over the amending formula. They offered four changes to the amending formula. All of them were rejected. In October the NDP members told us they had grave concerns over the minority education provision. That amendment was rejected.

An hon. Member: The most concerned party of Canada.

Mr. Epp: In October again they told us there were serious flaws in the legal rights. Fourteen proposed changes were all rejected.

Again, in the same month, they expressed fears that the charter did not provide adequate protection for women and natives. They moved six additional amendments; all were rejected.

An hon. Member: By the Tories.

Mr. Epp: Madam Speaker, I find it somewhat humorous that the member from New Westminster says we rejected them; I did not know we had a majority in the committee. I always thought, Madam Speaker, it was the NDP-Liberal coalition that had the majority. I must say, Madam Speaker, that if that is the manner in which he taught political science, we are in trouble.

An hon. Member: If that is the best you can do, Jake, try again.

Mr. Epp: What, then, Madam Speaker, was the constructive approach of the NDP? I want to say there were constructive measures that they took. For one, they did move on the matter of indirect taxation respecting resources. It is interesting to note when the Leader of the New Democratic Party says there will be hundreds of millions of dollars accruing to the provinces that that position is not concurred in by the federal-provincial relations minister of the province of Saskatchewan. In fact, at the caucus of the New Democratic Party he was asked that very question. He was asked how much money would accrue to the province of Saskatchewan which could not be obtained either through direct taxation or through the royalty regime.

• (1610)

Mr. Broadbent: Tell us about Alberta, Jake.

Mr. Epp: He cupped his two fingers and said "this much", which is zero. That is what the NDP got.

There were other "positive" approaches which the New Democratic Party took. For example, it was through its efforts that fundamental property rights for Canadians were not included in the charter. It was the New Democratic Party that moved that the word "information" should be replaced by the word "communication" in the charter; it got that too. Obviously the price of New Democratic Party support for this resolution which undermines and disrupts the nation was very low.

What about the government's proposal? First of all, let us take a look at the amending formula. The Minister of Justice said there would be a two-year interim period—if we actually look at the clause it is approximately a period of two years—and after that period of time there would be the unanimity factor. What happens after that? Our Constitution will then be changed by a formula discussed in Victoria ten years ago. We rejected the Victoria formula on October 6, 1980. The reasons we gave then are the same reasons we reject it today.

The Victoria formula represents an outdated consensus which no longer corresponds to the reality of the Canada of the 1980s. I believe there is a better consensus on which to build. I believe the Vancouver consensus is a better consensus and a more up-to-date one. Quebec had already rejected large parts of the Victoria agreement in 1971, but as early as 1974 various provinces went on record and stated very clearly that they could not accept the Victoria amending formula. That was seven years ago. The government is still trundling it forward as a consensus project. It has never been the case. That is a political argument, I grant that. But aside from that, there are certain criteria which an amending formula must meet. If it does not meet those criteria, it is not worth entrenching in the charter.

What are those questions and how does the Victoria formula measure up? The first question one must ask about an amending formula, that basic change to any constitution or federal state, is this: Is the proposed amending formula fair? I reject the Victoria amending formula because it does not recognize the equality of the provinces. It is not fair. It provides a perpetual veto to certain provinces regardless of population while creating different classes of provinces in the Atlantic region and again different classes of provinces in western Canada. Discrimination on the basis of population already exists in the House of Commons and in the Senate. I accept that. But do we have to use the power of the veto, which the majority will now enjoy, at all steps of an amending formula in the federal state? The same population discrimination should not be involved in the provincial requirement.

If we think about most other federal states, including our neighbour to the south, such a double discrimination does not exist. In amending the constitution of the United States, the requirements are: population only in the House of Representatives, a two-thirds majority in the Senate and 75 per cent support of state legislatures. What happens is that North Dakota, the state immediately to the south of where I live, is treated as an equal partner with California in the American federation. At no time can the residents of North Dakota argue that they are less American than the people who live in California.

On the test of fairness, the Victoria formula fails. The Victoria formula must also be rejected because it is no longer acceptable to the majority of the provinces, not only because it discriminates between the provinces, but because it creates difficulties in the fields of resource jurisdiction so critical to the western and the Atlantic provinces.

Second, does the formula work? What the government proposes is that Canadians accept an amending formula which no longer corresponds to the Canada in which we live. It takes

no account of the tremendous population growth in western Canada and the potential for growth in the Atlantic region. It also contains no provision as to how this regionally-based formula will be adopted in the future when some of the people living north of sixty in the Yukon and Northwest Territories in their wisdom decide to become full partners in the Canadian confederation. The Minister of Justice did not answer that question. What happens with regional imbalance when the other areas of Canada want to join our federation? Based solely on the Canada of 1970, the time the Victoria formula was created, it does not reflect the Canada of 1980. I suggest it is even short of the potential of what this country could be by 1990 and on.

Since this resolution was proposed in October, the government has made a change in the permanent amending formula. The Minister of Justice made that point as well. We supported this change to drop the population requirement in the Atlantic provinces to deal Prince Edward Island back into confederation. The earlier proposition had dealt that province out; the government now dealt the province back in. I do not think the government should take any credit for dealing Prince Edward Island back in after having first dealt them out, but they like to take that credit as well. That being the case, there is no accounting for population in the Atlantic region, which is fine.

● (1620)

What is the situation in the west? If we are to be equitable, the 50 per cent population requirement, it could be argued, should not apply to the west either. Such an action, for example, would strengthen the position of Saskatchewan and Manitoba, but it would deny any additional responsibility to British Columbia and Alberta which they might have or should enjoy because of increased numbers, if you are going to stay in the numbers game, as the Victoria formula does. No matter how you manipulate the formula, the fact remains that you cannot bring equity to a formula that is based on inequity.

I ask the second question: Does the formula work? Let us examine whether the Victoria formula would have worked if it had been in place. The Victoria formula requires the consent of the province of Quebec, the consent of the province of Ontario, the consent of any two provinces in Atlantic Canada and the consent of two provinces in western Canada enjoying at least 50 per cent of the population in that region. We talk about protecting rights and protecting Canadians. At the time medicare was proposed, the province of Quebec rejected it. When the Canada Pension Plan was proposed, the province of Quebec rejected it. Had the Victoria formula been in existence at those times, neither of those programs, which Canadians wanted, would be presently a fact of life in Canada. Those social benefits that Canadians have enjoyed over the years would be seriously jeopardized, if they had existed at all. Therefore, our objection to Victoria remains and the reasons we have given are obvious.

What about the interim amending formula? The minister spoke, for example, of the two-year period of an interim amending formula whereby the rule of unanimity would apply. Then, of course, the Damocles sword would come down on all of us and we would have Victoria. Last October I was skeptical of the government's provision of an interim amending formula. It was suggested then, and continues to be argued, that this two-year period would allow the federal government and the provinces to agree to a permanent amending formula.

The hon. member for Lincoln made one of his favourite arguments in committee. I say to him with the respect he knows I have for him that this provision can only be viewed as the two-year illusion. The proponents of the two-year illusion ignore a number of facts. They ignore the poisoned atmosphere in which federal-provincial discussions will take place over those two years. That will be there. No one can or will deny that. Moreover, they believe that the federal government will bargain in good faith even though the amending formula, which it always indicated it wants, will come into effect if those discussions break down. Therefore it is a Catch-22 situation. No matter what happens, the feds win. That is the kind of deal they talk about during those two years. There is no hope for agreement as long as the federal government holds every trump card.

The question can then be asked whether the committee has been able to alter this situation in any way. The answer is clearly no. I expressed the concern earlier that just to get a provincial alternative on the ballot, it would take eight provinces with 80 per cent of the population to agree. That population figure ensured an automatic veto for both central Canadian provinces.

I must admit one change that took place. Canadians will be pleased to know that the government responded to these concerns by reducing the number of provinces required from eight to seven while maintaining the 80 per cent population factor. Therefore, the veto remains. Despite the work of the committee and the various amendments that were moved, the two-year interim amending formula remains what it always was, a two-year illusion.

What about the referendum proposal? I find it rather humorous. The Minister of Justice and I have had many exchanges. He talks about the number of formulae we have. I do not know whether the pot has the right to call the kettle black, but I could talk for some time about his own amending formulae.

What about his referendum proposal, which is another amending formula? Alongside its outdated amending formula which I have already talked about, the original resolution contained a radical new proposal to have constitutional amendments accepted or rejected by referenda. Many members of my party and the New Democratic Party as well were concerned with the potentially dangerous effects of a referendum permanently entrenched in the Constitution. Questions were put to the Prime Minister in the early days asking whether this will be used once only as a deadlock-breaking device, which in sincerity a number of those members thought its purpose was. We found out in committee that is not its purpose. The purpose is to have it as a permanent amending formula and to keep it in the proposal so that at any time the federal govern-

ment, whenever it chooses to declare deadlock, can trigger the referendum proposal.

I have serious concerns about that proposal. Why? In particular, any government of the day might get a hollow victory which might be won in a referendum, given the tremendous powers at the disposal of any federal government and the powers of persuasion in the media, for example; or given the charismatic role of a political leader of the expenditure of public moneys without accountability until the deed is done. All those things can be used in a referendum.

I remain deeply concerned that the government has chosen to retain a permanently entrenched referendum in its Constitution. While claiming they are trying to build a united Canada, members of the Liberal Party and New Democratic Party, if the New Democrats vote for this provision, are including a divisive mechanism for changing the Constitution which would pit provinces against the federal government, regions against regions and Canadians against Canadians. They are supporting, New Democrats included, a referendum proposal which could turn constitutional change into a perpetual win-lose situation and will certainly create continued confrontation between the various governments in Canada. All Canada want a Constitution which unites us. Let us not put into the Constitution that which divides.

Where do I go for the best evidence? On October 7, 1980, the hon. member for Yorkton-Melville had this to say about the proposal. I quote him from page 3344 of *Hansard*. Referring to the referendum, he said:

> I think that has very dire consequences because it means the government can control the timing of the question, which is very important. One can put his finger to the wind and take public opinion polls. If the timing is right, there is a referendum . . . What would happen if there were a tremendous energy crisis, a conflict in the Middle East and a tremendous increase in the price of energy, if there were a national referendum to have more control of resources going to the federal government? That may even carry in two of the western provinces representing 50 per cent of Canadians. For example, it could isolate the provinces of Saskatchewan and Alberta which have the oil. It is dangerous to have the power which exists in sections 42 and 46 of the resolution.

● (1630)

The numbers obviously have been changed in the new resolution but the statement, I think, remains what it was.

What about a second authority? When the Premier of Saskatchewan, Mr. Blakeney, appeared before the committee on Friday, December 19, 1980, he said in part:

> As now drafted, a referendum could be used to by-pass provincial legislatures entirely. There is no requirement that the provincial legislatures be consulted or in any way involved in future constitutional changes before a referendum is called. Thus, there could be a situation of an extensive and well-publicized debate in the federal Parliament, little or no debate in provincial legislatures, a well-orchestrated appeal to the public and then a referendum, what I call the "instant referendum". This clearly undermines the position of democratically elected provincial legislatures.
>
> The instant referendum, as I say, has all the charm of instant mashed potatoes, and it must be changed.

An hon. Member: You must be choking on the NDP federal position.

Mr. Epp: I was. In order to keep the record straight, I want to refer to the position that the Premier of Saskatchewan took. There was a change made regarding the instant referendum: they could not trigger it until 12 months had expired after the declaration of deadlock. For clarity and a straightforward approach, I want to put on the record that that change took place after those comments. But the basic argument against referendum remained the same.

Those people who support the referendum proposal argue that the people should be consulted and should be trusted. It should be clear by now that our party is not afraid to allow Canadians to participate in the making of their Constitution.

Some hon. Members: Hear, hear!

Mr. Epp: We have done all we could, and we will continue in this process, to open up any means whereby government will be opened up and Canadians will be included.

If the people should be trusted, as we say they should be, why, for example, is there no inclusion in the resolution of a citizen-initiated referendum procedure? Or has that thought never crossed the minds of the government? Should the public not have the right to initiate a referendum? Or, for that matter, should the provinces not have the right to initiate a referendum? Why only the federal government?

Both of the authors of the 1978 discussion paper on constitutional amendment, published by this very government, and the authors of the infamous Kirby memo—and I have to say something here, Madam Speaker, just as an aside to the members of the committee. I understand that we have been wrongfully blaming Mr. Kirby all these long months, and I want to apologize to him publicly. I understand Mr. Kirby only saw the document; it was Mr. Eddie Goldenberg who wrote it.

Some hon. Members: Hear, hear!

Mr. Epp: But that memorandum sought to provide this government with advice suggesting that should either the federal government or any number of provincial governments block a constitutional amendment, 3 per cent of their electorate should be able to initiate a referendum to challenge the decision. This was their own advice. As the Kirby memo explained, this would support the view that sovereignty resides with the people. Follow your own advice.

There is no citizen-initiative in the resolution. It is the view of the federal government that the people should be consulted only when it wants to and on which terms. Despite the minor changes introduced since October, the federal government retains ultimate control of the use of referenda for constitutional change. It is not the people we do not trust; it is this government.

Some hon. Members: Hear, hear!

Mr. Epp: For the same reason, it is curious that this same federal government which wants to entrench referenda into the constitution refuses to hold a referendum on this resolution.

One must ask why. Let us go to the Minister of Justice. In answering questions on the CTV "Question Period" program this last weekend, he explained to Canadians why they would not be consulted on the very fundamental change being proposed by the government. He explained that constitutional amendments such as the charter of rights are very complex issues for the people to understand. He recognized that a referendum might not concentrate on the substance of an amendment, but might involve other issues.

An hon. Member: Oh, my God!

An hon. Member: Oh, my Pierre!

Mr. Epp: Above all, he warned of the divisive nature of referenda, I quote him:

> You know, the Optimist Club in my riding in Grand'Mere had split in two during the referendum... and so there is no more Optimist Club in Grand'Mere.

That is the reason the minister does not want to take this proposal to the Canadian people. How can he then turn around and tell the people, the good burgers of Grand'Mere and the people of Canada, that he is going to entrench a permanent referendum mechanism in the Constitution? It need be said no more better, I would think, than in the editorial in today's *The Globe and Mail*. I quote but one sentence:

> A federal cabinet which can ask the question it wants, under the rules it wants, can be pretty certain of getting the answers it wants.

That is what they want.

An hon. Member: That is why they are afraid to go to the people with it now.

Mr. Epp: On October 6, I singled out four main objections to the proposed resolution, namely, the unilateral nature of the project, the phony interim amending formula, the outdated permanent amending formula and the referendum mechanism, as wrong, and they remain wrong.

Some hon. Members: Hear, hear!

Mr. Epp: Because we believe that the government's approach was unilateral and divisive, our party offered a series of amendments to the committee which would have offered Canadians what we believe is a real and positive alternative. We suggested that the resolution should be split into a patriation package which would be sent to Westminster, and a Canadian package which would be approved by Parliament and referred to the provinces and their legislatures once the amending formula was in place.

What about the patriation package? That package would have provided for the immediate patriation of Canada's Constitution so that Canadians could settle their constitutional problems here in Canada without involving a foreign government.

Before I get to that point, I want one point clearly understood in the House during this debate. It was not the British government, the British Parliament or the British people that insisted on keeping the Constitution in Britain in 1931. It was done at Canada's request. Let us have no argument here that for some reason the British people have a colonial mentality toward the resolution. That is the reason, our party believes, that the British Parliament has no business making important constitutional decisions for Canadians.

Some hon. Members: Hear, hear!

• (1640)

Mr. Epp: We also believe just as strongly that the Canadian Parliament has no business asking the British to make those decisions. Worth-while constitutional progress does not lie in abandoning federalism, nor does it lie—and I say this especially to the Secretary of State for External Affairs (Mr. MacGuigan)—in attacking other countries. That is also something which has been in the arsenal of the Prime Minister.

There is only one acceptable role for Britain to play, and that is to accede to only one acceptable request. Let Britain send our Constitution home immediately with an amending formula acceptable to Canadians, and let every other question about our Constitution be decided in Canada by Canadians.

Some hon. Members: Hear, hear!

Mr. Epp: What has happened in the last two weeks? In the last two weeks we have seen a serious deterioration in Anglo-Canadian relations. We have seen forced and trumped up charges by the Secretary of State for External Affairs against the British High Commissioner. The minister then had to come back into the House humiliated. All of us were humiliated by the action he took, in partnership with the hon. member for Oshawa. We have seen documents over the last two weeks. Where is the truth? There is a lack of truth. The Prime Minister says it is a lack of candour. Where I come from it is the truth. What about the inevitable collision between the British Parliament and the Canadian Parliament, or is the possibility of collision the very ace the Prime Minister wants to use?

What Britain has to do is repeal section 7(1) of the Statute of Westminster. That is their responsibility; the rest is ours.

Some hon. Members: Hear, hear!

Mr. Epp: We believe the patriation package should also include a means by which Canadians could adopt and approve an amending formula in Canada which reflects a truly Canadian consensus as it exists today, not in 1971. The Vancouver formula found agreement in principle—and I am glad the Prime Minister is back—and I believe the Vancouver consensus could have been developed further and could have brought about consensus, if the Prime Minister had wanted it to. But he did not want that. The Vancouver formula fulfils the criteria I spoke of earlier. It respects the equality of the provinces in the Canadian federation.

No province retains a veto over constitutional changes. It is flexible, yet it provides significant safeguards for the rights and powers which the Fathers of Confederation felt were essential to the nature of the country, and especially the

provinces. It is simple enough to be adaptable, whether it be to further demographic shifts in Canada or to the introduction of new northern partners in confederation. It does not freeze a concept of the nation in time, as does the Victoria formula. The Victoria consensus can reflect the Canada of the 1980s only if the aspects I described earlier are removed. I believe the Vancouver consensus is a formula on which we can build for the future.

What about the legitimate concerns raised by the Prime Minister and others about the so-called opting out provisions? I have been very candid about this, and I know the minister was candid about Victoria today. I share that same approach about public life. I have been candid in the committee, and I know there is a need to refine the Vancouver consensus. That is why we say, let us have one more go at it with the premiers.

The Prime Minister is concerned about the so-called checkerboard effect. We do not live in a unitary state. We live in a federal state. We should recognize differences and use those differences to build one common country. In a federal state with 11 governments and two territorial governments, the only way to avoid the so-called checkerboard effect is to demand unanimity on all counts. That is the only way to avoid the chechерboard effect. That is not the Prime Minister's formula, that is not the formula of the hon. member for Oshawa and it is not our formula. So no matter how the Prime Minister wants to use it, there will be to some greater or lesser degree a certain checkerboard effect regarding any formula the Prime Minister wants to adopt.

I therefore believe that if we are to succeed in this venture and if we are to protect the powers which were given in 1867, it is important to recognize and maintain the unique regional identities and traditions. In Canada unity has never meant uniformity. All of us have been proud that in order to find national unity, we have to find that national unity in our diversity. I believe the Vancouver consensus protects that diversity and yet gives us the foundation to build a great nation.

What about the Canadian package and the charter? The Minister of Justice and members of the New Democratic Party say that if we delay, Canadians will not have the charter and their rights will not be protected. There are two aspects to this, and other members of our party will speak to them. Should we have a charter or not? I personally favour a charter. We have always enjoyed rights under the British parliamentary system, so it is not that by some stroke of lightning, because of the action of the Prime Minister, I will suddenly have all the rights he gives me. It is not that I did not have them before. Yet that is what he is saying. So I say that the very premise on which he starts is wrong. Our party—and I want to say this on the public record, because we have not said it in the House, although we have said it in committee—supports a charter of rights.

Some hon. Members: Hear, hear!

Mr. Broadbent: But not yet.

Mr. Epp: They can do whatever they want. If they feel embarrassed, that is fine. The point I want to make is that, in order for the charter to find agreement among Canadians, it must be more than words, noble though they may be. It must enjoy consensus and legitimacy. This charter does not enjoy either.

Canadians want a charter of rights. I said that earlier, but what they want is a charter which is carefully considered and approved by Canadians in Canada. I am not for a moment convinced, as I said earlier, that the power of public opinion cannot in fact bring about those changes. I am not yet ready to give up on that sort of federalism.

Is the charter complete? I agree with the Minister of Justice that there were many amendments which improved the charter. I had the honour to move a number of them. In fact, if we were working at all on any deal, I must admit we were much more successful than was the New Democratic Party—

Mr. Broadbent: Because you moved them first.

Mr. Epp: —because all we have to look at is the majority report, which we rejected and they approved.

What does this charter do? Where does it start from? This charter starts from the premise that the government will grant us rights. That is where the charter starts from and that is where the charter is wrong. My rights, our rights in this House, the rights of Canadians, are not granted by any government.

• (1650)

Some hon. Members: Hear, hear!

Mr. Epp: It is for that reason that we moved an amendment, not only because the Right Hon. John Diefenbaker, the then leader of this party and the prime minister of this country, had that entrenched in the Canadian Bill of Rights, but because the philosophy underlying the charter was right. What it did was to say that every human being created in the image of God has certain inalienable rights.

Some hon. Members: Hear, hear!

Mr. Epp: Once you accept that principle, whether you live under the Canadian parliamentary system or under the American republican system, or in Poland where people are struggling for their rights today, or in the U.S.S.R. where many of our people came from, you still have rights, even though the government abrogates them or does not allow people to enjoy them. But you know inside that you have those rights because you are a human being.

Some hon. Members: Hear, hear!

Mr. Epp: It was for that reason that we moved the following amendment:

> Affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions,

Affirming also that individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law,

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

Some hon. Members: Hear, hear!

Mr. Epp: That proposal was rejected by the Liberal members, and no matter how often they say that we are delaying the entrenchment of the charter, the point is that their charter is based on a false premise. If the minister says that he wants to finish the work of the Right Hon. John Diefenbaker, let me tell him that what he has now done is to gut and destroy his work.

Some hon. Members: Hear, hear!

Mr. Epp: The charter which the right hon. gentleman recognized was based on the very principle which we have just stated. Governments cannot be supreme; it is the people in a democracy who must be supreme.

Some hon. Members: Hear, hear!

Mr. Epp: What about our other roots? Can a nation grow and develop if it forgets about its roots? For example, if we want to forget about this amendment, why was this country the Dominion of Canada? Why did the Fathers of Confederation go back to Psalm 72, verse 8, "He shall have dominion also from sea to sea, and from the river unto the ends of the earth?" Why was the dominion and the country to be vested in the supreme God and not in government? What the charter does is to remove these roots.

Some hon. Members: Hear, hear!

Mr. Epp: If hon. members want to laugh about God, go ahead, that is their choice.

What about property rights? Property rights, as I said, were agreed to by a minister of the Crown, by the Solicitor General of Canada (Mr. Kaplan). He gave the solemn commitment, in place of the Minister of Justice, that property rights would be included. It was because of the NDP and the deals that were made that Canadians will not have that amendment in the charter.

Mr. Chrétien: What about Prince Edward Island?

Mr. Epp: I am glad the minister asked that question because we have been dealing with Prince Edward Island. Prince Edward Island does not want it in the fundamental section. They have never been against the private ownership of property; what they want is some protection of the shore line. I ask the minister not to confuse the Prince Edward Island position.

Some hon. Members: Hear, hear!

An hon. Member: Red herring.

Mr. Epp: What about property rights? Every person who has understood the common law has said that a man's home is his castle. Why not entrench it? What about the immigrants who came to this country for one thing—the right to own land because they could not enjoy it in their own country or because it had been taken away from them? So if anyone says that they are completing Mr. Diefenbaker's work, let them say that no more.

Some hon. Members: Hear, hear!

Mr. Epp: I will try to conclude, Madam Speaker, if you will give me a few minutes more.

What is the situation that we face today? I should like to speak provincially for a little while. I am concerned, for instance, when I look at the history of my part of the country. There were various parties which developed as protest parties. The New Democratic Party, which was known as the CCF, is one of them. Today, the west feels strong, and at least some of the protesters in the region believe that the region could find greater strength outside Canada. I believe that separatism runs against the very basic nature of the people of western Canada.

Some hon. Members: Hear, hear!

Mr. Epp: Western Canadians do not want to dismantle, they want to build. They are attracted by the opportunities in Canada, and they will not exchange the excitement for something smaller and more narrow, as some of their leaders, or proposed leaders, think they might. What I do not want to see in this resolution is that the horizon of any region of the country will be narrowed or that the other options can, in fact, become options. I say to the Prime Minister, let him not make the option of rejecting the country a viable option to anyone anywhere.

There are various other amendments and proposals on the national institutions and the Supreme Court which should be made. I do not have time to enumerate them all today, and I thank the House for the indulgence it has shown me so far. But what about our parliamentary approach in the immediate future? In the committee which studied the resolution members of our party offered a series of amendments which, we believe, represented a reasonable alternative.

Mr. Knowles: I rise on a point of order, Madam Speaker. I wonder if the House would be willing to dispense with the private members' hour today, and let the hon. member for Provencher (Mr. Epp) complete his speech and the hon. member for Oshawa (Mr. Broadbent) make his speech as well.

Madam Speaker: Is there unanimous agreement to that proposal?

Some hon. Members: Agreed.

Madam Speaker: It is so agreed.

● (1700)

Mr. Epp: Madam Speaker, as I said earlier, members of our party in the committee offered a series of amendments which we believed were reasonable alternatives to the destructive

actions of the government. In this debate in Parliament, our party will continue to offer compromise solutions to the dilemma which we feel is facing our country.

Our amendments to the resolution will also seek to eliminate those provisions of the resolution which we find most objectionable. As the official opposition and the only opposition, we will continue to defend the interests of the federation and of the nation. We will both propose and oppose.

But I do not believe that there is any provision in this constitutional proposal which is more objectionable than the permanent enshrinement of a referendum to change Canada's Constitution. This is not just any referendum, it is not asking the people; it is a referendum which could be held in order to break a so-called deadlock, a deadlock wholly determined by the federal government. It is a referendum which will still be controlled by the federal government. It is a referendum which would be used to by-pass the people's elected representatives in provincial legislatures. It is a referendum which could be used by a majority to override the rights of minorities, the very essence which this proposal purports to protect.

Referenda have been used in extraordinary times and circumstances in the history of our nation. In all cases they have created serious divisions within our country. As I said earlier, even the Minister of Justice recognizes that referenda are open to abuse and create needless strife within communities.

Canadians do not want a constitution which contains a provision that will pit government against government, region against region, Canadian against Canadian. Therefore, as a unifying gesture to all Canadians we ask that the government abandon its provision for referenda in the resolution. If the government is truly flexbile, I urge it to accept the following amendment which would drop this divisive provision from the resolution. I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Some hon. Members: Hear, hear!

Mr. Epp: I will close with the following remarks. I reiterate that all of us feel we are as Canadian as any other member in this House. All of us love our country. Each and every one of us has had experiences which have made our love for the country what it is today. If that feeling for the country, if that love for the nation, is to continue, we must respect the very fundamental rules by which we live—our Constitution. It is important that we respect federalism and not change it unilaterally. The Canadian system works and it is time for the Canadian government to respect it.

Some hon. Members: Hear, hear!

Madam Speaker: I have the amendment of the hon. member for Provencher (Mr. Epp). I am sure the House would want me to give it very careful consideration. I will take its receivability under advisement.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Winnipeg-Assiniboine (Mr. McKenzie)—Veterans Affairs—Backlog of cases before Pension Review Board—Call for minister's resignation; the hon. member for Algoma (Mr. Foster)—National Energy Program—Multinational oil companies moving to meet Canadian ownership requirements; the hon. member for Saskatoon West (Mr. Hnatyshyn)—The Constitution—Proposals made to the province of Saskatchewan.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

Mr. Edward Broadbent (Oshawa): Madam Speaker, we are now in the final stages of an historic debate which began not four weeks or four months or even four years ago; we are in the midst of a debate which goes back at least as far as the last decade.

In the past decade there have been studies and proposals on the Constitution by our political parties, by the legal profession, by an earlier joint House-Senate committee and by a royal commission, to name just a few groups. It has been the subject matter of numerous first ministers' meetings. These reports, these studies and these meetings did not take place in an historical vacuum. They were undertaken because social, economic, cultural and regional change in our country during the past dozen years made them necessary.

Indeed, the Quebec referendum was last year, but what led to it reaches far back into the history of our land. Talk of western alienation has only recently become fashionable, but I recall making a speech on that subject more than ten years ago and, in fairness, members of other parties have spoken on that important issue of western grievances more than ten years ago. Finally, all the provinces, not just in recent months but for many years, have brought to first ministers' meetings constitutional grievances which they have wanted resolved.

What does one conclude from this? After years of studies, conferences and proposals coming from the private sector, the

public sector, the federal government and provincial governments, our conclusion is clear: now is the time in Canadian history to act; we have waited long enough.

Some hon. Members: Hear, hear!

Mr. Broadbent: Let me emphasize in underlining this conclusion three current and pressing reasons. First, the old, pervasive provincial and federal wrangling which takes place at first ministers' meetings, in my judgment, is divisive. It is something for which I do not lay the blame on individual premiers, whether they are in the Conservative Party, the Liberal Party or my party. Nor do I blame the prime minister, whoever he may be or has been for the past decade. I blame the decision-making framework of those conferences which has required the unanimity principle to be changed. Year after year we have seen premiers coming to Ottawa, not in the mood to make agreements because they knew unanimity was virtually impossible, but rather, being politicians—and that is their responsibility—to speak for their regional grievances and concerns. Instead of a premier of Newfoundland coming to Ottawa and saying that Newfoundland would like a particular settlement, we have a premier of Newfoundland—I am not talking about the current premier; I mean this as a generalization—who talks only about the grievances of Newfoundlanders. Or we have premiers from western Canada who come to Ottawa to talk only about the grievances of western Canadians, and so on down the line. So year after year we have seen in our first ministers' conferences Canadians who at home I think are men of good will—indeed, I know they are men of goodwill. I hope that one day there will be a woman among them.

● (1710)

Some hon. Members: Hear, hear!

Mr. Broadbent: What I am saying is that these conferences should show Canadians, on television, what a rich, magnificent and diverse land we have. They could show our leaders coming together to reach decisions. Instead, what happens is that they come together to bash Ottawa. I stress that it is not a conscious, deliberate plot. It is built into a structure which does not enable decisions to be taken because the unanimity principle has been at work. That must change, since these methods are destructive. These kinds of conferences on national unity are not constructive.

The second reason I suggest on behalf of my colleagues that at this poignant moment in our history we need to make a decision is, of course, related to the Quebec referendum. Politicians' memories tend to be very short. I give credit to members opposite for what they did in the province of Quebec. They did what had to be done. I say in passing that they helped to create the problem. I must also say that they helped persuade Quebecers to vote for the right side in that referendum. It was an historic moment of serious consequence for the unity of this country.

After the referendum took place there were a number of people who spoke in this House. I quote one of them from *Hansard* for May 21, 1980, at page 1265:

> We need a new constitution. I welcome the commitment made by the Prime Minister and the Minister of Justice which was reaffirmed here today. It is a commitment, which I share, to a new constitution for Canada. We need a constitution that is located here in our country, a constitution that can be amended here in our country, a constitution that guarantees certain fundamental rights, and a constitution that articulates a sharing of powers that is appropriate to a diverse federal country. We now have a climate where that can be achieved.

The person who said that is the Right Hon. Leader of the Official Opposition (Mr. Clark). I submit we have that kind of proposal before us now.

Some hon. Members: Hear, hear!

Mr. Broadbent: The suggestion was made to the people of Quebec during the referendum by those of us who live outside Quebec—and I want to stress that as well—that if they voted for Canada, which we all knew the vote was about, then early action would be taken. Premiers from different provinces said that, as did all party leaders in this House. I think we have an obligation to live up to that commitment to take early action.

Some hon. Members: Hear, hear!

Mr. Broadbent: The third point I would like to underline, in terms of its immediacy, concerns western Canada. During the past half dozen years particularly, but also a bit further beyond that, western Canadians have been expressing an exuberant optimism. I do not think it is distorted to say that everywhere in western Canada one now senses a greater degree of optimism about the future and about personal prospects than is the case in central Canada or Atlantic Canada. The reasons are obvious. They are quite analogous to what has gone on in world history. We are a part of the world, in broad historical terms, which is growing economically. People sense there is a vitality here, which creates a greater degree of optimism. I know that is true in western Canada where the growth has been greater. Western Canadians had a tough time during the depression as compared with the rest of Canadians. We must remember that. But they now have a sense that the future is in their hands, and those of us who live elsewhere in Canada should be pleased with that reality and should be supportive of it.

Some hon. Members: Hear, hear!

Mr. Broadbent: We need a constitutional change now which moves toward partly resolving some conflicts and concerns which western Canadians have had. But, secondly, we need constitutional change which provides a decision-making framework which can meet the grievances of western Canadians as well as others.

I have outlined three reasons. One has culminated this year in the perpetual wrangling of first ministers, which must be terminated. The second reason is the need to meet our collective commitment to Quebecers on the referendum. The third is the need to resolve the grievances of western Canadians. These

reasons lead my members in this party to the conclusion that decisive action is required now.

In short, we in Parliament must make a very difficult decision. And we have made it—at least some of us have. That decision is to act without the co-operation of the majority of the provinces. Indeed, to be quite honest, it is to act in the face of the opposition of most provincial governments. That must give us pause as national politicians. We know we have the legal authority to do so; I do not think there is any doubt about that at all. But is it morally legitimate? Is it politically appropriate? Is it desirable that unilateral action be taken at this time? I would like to address and answer those questions.

The critic for the Conservative Party spoke ably from a perspective which I do not share. He outlined his case ably and he raised this point. He said that by acting now, without the co-operation of the provinces, would be divisive. I want to deal with that issue in two senses, both in the short run and in the long run. It is certainly divisive in the short run among the premiers. There is no doubt about it; Sterling Lyon does not like it one bit, nor does Mr. Peckford. I could go down the line and cite a whole number of premiers. There is no one who will challenge that. Indeed, I will add to the list because I am sure he will soon make it known publicly. The premier of Saskatchewan will be opposing unilateral action. Thus, it cuts across all party lines in our land. We must deal with that. The premiers are unhappy. Of course, in one sense that is divisive.

What about the people of Canada? Are they unhappy? Is this action divisive now? In the short run I would say the answer to that, regrettably, must be yes. Part of the reason for the divisiveness among the people of Canada, as opposed to the politicians of Canada, surely has to be the performance of the Government of Canada in the whole process before Christmas. I say this bluntly to the government side.

Some hon. Members: Hear, hear!

Mr. Broadbent: The initial refusal to have radio and television coverage of the committee, the refusal to extend the deadline for Canadians to appear before the committee and the bringing in of closure early in the debate, created tension and unhappiness in the country. That is a banal truism. I say at this time that there were almost 100 groups who wished to present their testimony before the committee. It was the people who basically liked the charter of rights and those who wanted change, who were unhappy with the process before Christmas. I think it was a reflection on the efficacy of Parliament that both opposition parties made that clear. They fought that kind of process. Also, part of parliamentary efficacy is to show that this process can work and reflect the genuine needs of this country.

Belatedly, I give credit to the government; it came to its senses and it did respond. It could have remained intolerant. It could have remained even more rigid to its deadlines. It could have kept out radio and television. But after pressure was put on from this side, it yielded. I think the yielding was sensible, but regrettably it did promote dissension and divisiveness in the country from which we are still somewhat recoiling.

• (1720)

However, I want to go beyond the short run, and before doing so I want to say this, because in a debate of historic significance it certainly behooves us to look back in history just occasionally; and by that I mean beyond last week's headlines or even last year's referendum.

There has not been, Madam Speaker, significant constitutional change anywhere in the world at any time, beneficial change, that has not been divisive. That is the reality of politics, particularly in a democratic age. The United States, to achieve independence, had to have a war of independence. We now look back to 1867 with rather romantic eyes and at what was achieved by some distinguished leaders who put aside partisan differences.

Those who know the history of the period well know indeed a lot of divisiveness remained in Atlantic Canada, remained in Quebec, remained in parts of what was then Upper and Lower Canada. So at the very birth of our nation, although our forefathers came together to create a Canada, that action was certainly divisive, too; at the time it was divisive. Just a few years ago, Newfoundland voted to come into confederation—how short historical memories are. If I recall correctly, there were two votes and the population of Newfoundland was almost evenly divided. So that, too, was historic action that I think we are all happy about. Those of us who do not come from Newfoundland welcome Newfoundland as a sister province, and a vast majority of Newfoundlanders are proud today to be Canadians.

So I am saying, Madam Speaker, that the divisive argument, to a considerable extent, is a bogus argument. It would be nice to have significant historic change where we all sat down and said: Aren't we wonderful fellows? A community of communities. There would be no differences. We will just sit there and, even though we come from different cultures, even though we come from different regions, even though we come from different economic groups, we will sit down and agree overnight. Well, history just ain't like that, Madam Speaker. It is a little more uncomfortable.

So if we are going to act decisively in history—and that is what we are doing now—we have to be prepared as parties, as politicians, to take a little divisiveness, even if it means, as it does for most of us, divisiveness within our own parties too, if it is good for Canada in the long run.

Some hon. Members: Hear, hear!

Mr. Broadbent: The serious question, Madam Speaker, about divisiveness then is not in the short run but in the long run. To assess whether this package is divisive in the long run, one has to look at it in terms of its substance; one has to look at the essence of what we are being asked to deal with and say, as our founding fathers did more than a hundred years ago: Is that going not only to please our children but our grandchildren and our great grandchildren? Is it going to keep the people in Atlantic Canada, in central Canada and in the west happy or make them happier or more content with their

existence as Canadians? That is the serious question that has to be asked.

Therefore, we have to look at the substance of the proposal. During three months of committee hearings I as one Canadian was proud to see other Canadians who were not politicians, who were not in many cases active in any parties, come before a committee and speak for the women of Canada. They spoke for the multicultural dimension of Canada, for our disabled, for the rich, for the poor. There was a very good cross-section of the people of our land who made a remarkable contribution in a remarkable period of our history in that committee; and high among these I want to include, of course, the original inhabitants of our land, the aboriginal peoples themselves. I will come back to them in a minute.

So I ask this question, Madam Speaker, particularly of the people of Canada today. Put aside the notion that this is a Liberal proposal, or that it is a Liberal-NDP proposal, or that it is opposed by the Conservatives and therefore others must oppose it. I ask the people of Canada to think of the substance of what we are dealing with and to forget its political parentage.

I also ask, particularly after the months of work that was done by members of all parties in that committee and by the citizens of Canada: What are the results? Can any MP who puts aside that partisan difference now seriously doubt the viability of this charter of rights? After the improvements that have been made, can any person who takes human liberty as a fundamental value oppose what is probably the best charter of rights in the world? I say that and I mean it. I say no. With this charter we will be entrenching not only individual rights but also group rights, a process so essential in a federal state as diverse as ours.

To those who say a charter of rights is unnecessary—and there are in this land a number who say that—I say do not think of American history, do not think of the Soviet Union, do not think of Europe, do not think of anywhere else, just think of Canada. Think of our own history; think of how Japanese Canadians were treated during World War II; think of the padlock law in Quebec and of the anti-free press legislation that was once passed in Alberta. Think of the smashing of the IWA which was trying to get established in Newfoundland; think of the denial of schools to francophone kids where they happen to be a minority; think of all Canadians who are not of British or French ancestry and think about the number of years that they had to grow up in our country called in very pejorative terms "bohunks" or "wops" because they did not happen to be francophone or anglophone. This is Canada I am talking about.

Think of the discrimination which has persisted and persists today against women in our land; think of the denial of equality to our disabled; and, Madam Speaker, most important for all of us in this Parliament and elsewhere whose ancestors came from other continents, think of our aboriginal peoples and the abominable way they have been treated throughout our history.

Some hon. Members: Hear, hear!

Mr. Broadbent: Well, Madam Speaker, my party says now is the time to redress some of these injustices; now is the time to provide equality and freedom within the Constitution; now is the time to entrench a Canadian charter of rights in a Canadian Constitution.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, the point has been made that such a charter curtails the legislative power of federal and provincial governments. Well, we in this party have said since the Regina manifesto back in 1933 that this is, of course, true and it is, of course, desirable. That is one of the central purposes of a charter of rights. And if it had existed around 30 or 40 years ago, a number of the injustices that I have just listed would probably not have taken place.

However, in making this point about the limitations on both federal and provincial jurisdictions that results from a charter of rights, I want to stress the findings of our legal experts, those who know that the effect of bills of rights in other countries is not the curtailment of legislative authority; the most beneficial effect that charters of rights or bills of rights have had in other lands is the protection of individuals in the administration and enforcement of laws. That is the prime benefit from a charter of rights, and we must always keep that in mind.

● (1730)

Although many Canadians citizens and Members of Parliament from other parties have made substantial contributions to the improvement of the charter, I want to pay special tribute to some members of my party who made what I regard as an outstanding contribution. I want to do so because some of them are not happy with the over all effects. There is a small minority of well meaning conscientious members of Parliament in my party who are not in agreement with the very substantial majority. Some of them made outstanding contributions to this process, nonetheless, in good conscience, fulfilling a very difficult role as human beings.

I want to say that the hon. member for Yorkton-Melville (Mr. Nystrom) and the hon. for Burnaby (Mr. Robinson) who worked hard on that committee did an outstanding job not only for our party, but for Parliament.

Some hon. Members: Hear, hear!

Mr. Broadbent: The hon. member for Nunatsiaq (Mr. Ittinuar), the hon. member for Cowichan-Malahat-The Islands (Mr. Manly), the hon. member for Skeena (Mr. Fulton) and the hon. member for Vancouver-Kingsway (Mr. Waddell) will deserve, when history is written about this period, much credit for the progress we made in entrenching aboriginal and treaty rights in the Constitution.

Some hon. Members: Hear, hear!

Mr. Broadbent: I congratulate the hon. member for New Westminster-Coquitlam (Miss Jewett) for achieving remarkable progress in ensuring the charter provides equality for Canadian women not only before but under the law.

Some hon. Members: Hear, hear!

Mr. Broadbent: I compliment also the hon. member for Beaches (Mr. Young) who, along with members in other parties, worked hard to ensure that those with physical disabilities are recognized in our Constitution. I want to express appreciation to the hon. member for Dauphin (Mr. Lewycky) who joined with others in fighting for recognition of our multi-cultural heritage in this constitutional document.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Broadbent: Madam Speaker, I want to emphasize that this charter is of utmost significance to the francophones of this country. It acknowledges at last the duality of Canada concerning federal institutions and access to education in either language.

There is no need to say here that the anglophone minority in Quebec has always enjoyed fair and equitable treatment from the majority of the people in that province. And at last with this charter we are beginning to recognize that our francophone minorities outside Quebec have the same rights. I must insist that this charter does not take any power away from the provinces which want to pass legislation on linguistic matters. It is perfectly normal that Quebec should want to be the main centre of French culture in Canada. The fact that Quebec is now as French as Ontario in English demonstrates the cultural vitality of Quebecers. When the Quebec government enacted Bill 101, we endorsed the aims of that legislation because it was the answer to the need felt by Quebecers to assert themselves, not only in cultural endeavours but in all spheres of activity as well.

The proposed constitutional resolution does not negate the spirit of that statute. We do not want a uniform Canada. The aspirations of Quebecers are compatible with Canadian federalism. What makes this country exciting and rich on the cultural and human level is precisely the contribution of those two great civilizations which, in spite of everything, have managed to live side by side and in harmony throughout our brief history.

Of course, there were some difficult moments, but the common experiment of French-and English-speaking Canadians is unique and has proved to be mutually enriching. Obviously, the French fact in Canada transcends the borders of Quebec. Over one million francophones living in the Atlantic provinces, in Ontario and in western Canada have been impatiently waiting for their Parliament to confirm their basic rights. This proposed resolution meets these century-old expectations. Let us not deceive them. If we let this opportunity go by today, it may be too late tomorrow. Canada belongs to all Canadians wherever they are and whatever language they speak.

[*English*]

If I may make a personal observation on that point, I will tell hon. members that I am married to a Franco-Ontarian and I have a daughter who attends a francophone school here in the city of Ottawa. But I was disturbed to discover that the first publicly financed, as opposed to ecclesiastical, francophone school was established in the city of Ottawa just last year. It shows, Madam Speaker, that we have just begun the battle, but with this charter of rights, at long last we anglophones are beginning to smarten up and do for francophones all over Canada what anglophones have had for themselves in the province of Quebec throughout history.

Some hon. Members: Hear, hear!

Mr. Broadbent: I want to say also that in addition to this central duality of this country, which my party has long accepted and cherished, the proposal in the constitutional resolution on equalization is a matter of great concern to social democrats. The disparities that exist between regions and which have resulted in unequal opportunities in life must always be fought against. It must remain a concern until the end of time. If a child grows up in one of the outports of Newfoundland without the same opportunities in life as a child who grows up in downtown Toronto or Vancouver, as long as these disparities exist which make it impossible for a young man or woman to achieve full fruition in the development of his or her talents, we must do everything we can to overcome those inequalities. We are happy about the provision for equalization which resides in this resolution and it merits support.

I turn now to the amending formula. As noted, it is basically one which was agreed to a number of years ago by all the provinces but one and the federal government. In our judgment it is a practical formula which gives each of our four major regions a veto on constitutional change. A notable improvement in the proposed amending process was to make clear that a referendum cannot be used except as a deadlock breaking mechanism. As a result of improvements which were made to the resolution at committee stage, a referendum on constitutional change can take place only after it has been thoroughly discussed for some period of time at the first ministers' level. That is the way co-operative federalism should work.

We stress in our party, unlike the Conservative party, that a referendum is not a bad idea for constitutional change. We do not like referenda for normal responsibilities of Members of Parliament. We have long argued that when tough issues are faced in terms of normal legislation it is our responsibility to face them, whether they deal with abortion or capital punishment. They are things which Members of Parliament should debate, debate honestly and for which they should be prepared to stand up and be counted. Like other federal states, for example, Australia and Switzerland, we can see the utility from time to time of perhaps going to the people directly on matters which affect the framework within which other decisions are made, namely the Constitution. It is a pretty basic democratic idea. Our party supports a referendum as a deadlock breaking mechanism.

I want to come to another element in the package which leads us to the conclusion that what we have is substantively solid, correct and will wear well over the years, and that is the issue of resource control.

● (1740)

When I first met with the Prime Minister (Mr. Trudeau) on the day the Leader of the Opposition met with him last fall, we went over matters in the proposal and talked about equalization, language rights and a general charter. The Primer Minister had done his research with his staff. He knew the NDP position and principle on these things. It was not long after that my party in general supported the principles embodied in the resolution.

During that first meeting and subsequently, I said there was something missing which had to be dealt with at this time in our history; that is the resource question. It was not put in there as some attempt to buy off one province. The matter of resources and resource control is something which now affects Atlantic Canada, something that has historically affected the province of Quebec but in particular concerns western Canadians. We are all well aware of that.

It was my view and that of my party that if we were going to make serious constitutional change, we should deal not only with grievances as they emerged historically, with good reason, from the province of Quebec, but also deal with possible serious grievances in western Canada. The issue which stood out above all others in that area was the control of resources.

I suggested on behalf of my colleagues to the Prime Minister that if reasonableness was shown in the amending process at the committee stage, on the charter and other aspects of the proposals, and if they added three key elements regarding resources, we would be prepared to accept this package as being good for Canada at this time. Contrary to what the Conservative Party has been saying, and if there is anything that has disturbed me in a partisan sense in this debate—

Madam Speaker: Order, please. The hon. member's time has expired. I must interrupt him, unless the House gives its unanimous consent to allow him to continue his speech.

Some hon. Members: Agreed.

Mr. Hnatyshyn: Don't make it partisan.

Mr. Broadbent: I will pretend that objection did not occur because I intend to get partisan for a minute. Something that has disturbed me is the failure of the Conservative Party to recognize for western Canadians the relevance of these resource concessions. There were Supreme Court decisions, and I will not go into them in detail, which caused concern among western governments. Alberta was very much among them. They wanted change.

I give credit to the government because we insisted on the change and they went along with it. What has not been so widely recognized is that the government did show flexibility. The Prime Minister knows very well that in the summer when they discussed change in respect of resource control going to the provinces, the federal government said it would have to reintroduce new broad powers over the economy. We were told that if we were going to have one, we were going to get the other. We did not agree to that. Demonstrating the flexibility required in constitutional building, the government did not reinstate or reinsert the broad powers. That was very wise.

What we have obtained in terms of addressing a provincial concern of particular relevance to the west is that the provinces now have ownership of their non-renewable natural resources clarified in the Constitution. They can participate in interprovincial trade with federal paramountcy. For the first time they can levy indirect taxes on those resources. I say to the Conservative members that this means in revenue potential for the province of Alberta in excess of an additional $600 million. Even for Alberta, that ain't hay. It counts for something.

We wanted this resource change because those who grew up in central Canada in particular, and received their livelihood on the basis of industry protected by tariffs and other arrangements, know full well that western Canadians had a certain grievance about that. We know full well they wanted to use their resource potential to provide themselves with wealth for the future as the industrial structure provided did for us in the past. Although the resource amendment we obtained from the government does not go all the way, three out of four demands are not bad. Those three concessions are going to be very good for western Canada.

Having said all these good things about this proposal I want to express some reservations we will be debating in this final stage of the process. First, we deeply oppose the Conservative and Liberal position to remove the limited degree of reform which was in the original package of the Senate. We think the Senate, to put it euphemistically, has outlived its existence.

Some hon. Members: Hear, hear!

Mr. Broadbent: It has outlived its legitimacy for some time. I see some embarrassed looks on Liberal faces.

Mr. Lalonde: We need it for Stanley.

Mr. Broadbent: We objected to the Conservative and Liberal vote on that. We will have something to say about that later. Similarly, we would like to see coastal provinces have control of their offshore resources just as provinces have control of inshore resources. We would like to see limited participation, with federal paramountcy, in international trade. These are legitimate goals. We regret the government did not see fit to accept them.

We would also like to see the western provinces put on the same basis as the Atlantic provinces in the amending formula. If two provinces are all that are required in Atlantic Canada to fulfil part of the veto requirement, then we should have simply two provinces in western Canada, and not two provinces with more than 50 per cent of the population.

Among all these concerns there is one that is fundamental. I discussed this earlier today with the Minister of Justice (Mr. Chrétien). It concerns the entrenchment of aboriginal and treaty rights. I am pleased to report to the House that, as a result of those discussions, the government has agreed to accept an amendment which will be moved to Clause 54. It will ensure that aboriginal and treaty rights of our native people will be as firmly entrenched in the Constitution as all other rights for all other Canadians. That must be done.

I want to finish my comments on the details of this proposal by saying that if the government ensures a fair and full debate and adds nothing objectionable, my caucus will proudly vote for a motion that at long last will provide us with a Canadian bill of rights in a Canadian constitution that can in the future be amended exclusively here by Canadians.

I conclude with one additional observation. We live in one of the most difficult nations in the world to govern, one of the most regionally and culturally diverse in existence, but we are rich in natural resources and human potential. We must now use this new Constitution we are acquiring as the beginning step of a new spirit of nation building which will lead to the creation of one of the most just and exciting nations on the face of the earth. We know we can do that.

● (1750)

Madam Speaker: I have now had time to examine the motion presented by the hon. member for Provencher (Mr. Epp), and I can say that it is in order. Therefore, the amendment moved by Mr. Epp, seconded by Mr. Baker (Nepean-Carleton), is that the motion be amended as follows:

That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Is it the pleasure of the House to adopt the amendment?

Mr. Mackasey: May I call it six o'clock, Madam Speaker?

Madam Speaker: Is it agreed that we call it six o'clock?

Some hon. Members: Agreed.

Madam Speaker: It being six o'clock I do now leave the chair until 8 p.m.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Hon. Bryce Mackasey (Lincoln): Mr. Speaker, earlier in the debate the hon. member for Provencher (Mr. Epp) was kind enough to mention me in his opening remarks as well, of course, the co-chairman and the Minister of Justice (Mr. Chrétien). I appreciated that gesture because in the many months during which we were locked up together in committee we both realized we shared the same concern and appreciation for the House of Commons and its institutions, and we realized that one can debate without being personal; one can make his point without heckling and interfering, and I think quite unexpectedly that type of atmosphere dominated more often than not the many meetings we held on the Constitution.

The hon. member even mentioned that at times I was rather loquacious—

Mr. Knowles: Oh, no.

Mr. Mackasey: —which is a polite word for long-winded. I felt sorry today when I checked the record to find that the hon. member for Provencher—he is agreeing with me—surpassed me in time in the last ten days. I only wish I had known he was creeping up. I might have pre-empted a little of his time.

This is one of those great debates; it is an opportunity for members of the House of Commons, and I can recall a few since 1962. No matter how people criticize the House of Commons and no matter how imperfect the procedure tends to appear, I have found that given half a chance, the House of Commons usually meets the challenge placed before it. I mention this because I think—and I will develop the theme—that we have two ways to go before this debate is over. We can procrastinate further, or we can accept the challenge and go on to greater things in this country. I do not pretend to know for which parliamentarians will opt. I think it is too early to say.

Over 100 members of this House of Commons participated to some degree or another in the committee hearings. That is a remarkable number of members. Some participated for only fleeting moments. Others participated for days and weeks on end replacing sick members or members unavoidably absent. Over half the members of the Senate participated in the deliberations of the committee.

Over 914 individuals expressed their opinions to that committee through letters, telegrams or participation. No less than 294 groups made their views known either directly or indirectly to that committee.

What I am saying is that nobody can suggest for a moment that the resolution before this House was made anywhere else but in Canada, by Canadians and for Canadians.

Some hon. Members: Hear, hear!

Mr. Mackasey: It is wrong to suggest that we are asking Great Britain to amend our Constitution. We are asking Great Britain to respect the amendments which the House of Commons and the Senate—the Parliament of Canada—have felt to be in the best interests of this country. That is a very important distinction.

I would say that perhaps unintentionally the committee of which I, the hon. member for Provencher and others here were members has probably opened a new avenue of communication for Canadians from all walks of life. In retrospect I feel the insistence of other parties that we televise the proceedings was wise.

• (2010)

I think it provided an opportunity, for the first time in Canadian history, to countless hundreds of thousands of Canadians, of watching, not simply members of a committee at work, but their neighbours, their friend, their representative, and thus participate directly in the constitutional processes. What a change, Mr. Speaker, from what had been the custom and the tradition over the last two decades when backbenchers were ruled out of the constitutional process, when they had no input. Backbenchers were as curious as other Canadians as to what the provincial premiers, the federal government or its representatives would decide on their behalf.

It seems to me that the success of the committee's work, its ability to bring forward a good document has reflected, not simply in two amendments by the NDP, seven amendments by the Conservatives and 28 or 48 amendments by the government—those statistics are unimportant—but more important is that 25 members of the House and of the Senate of all political parties were able to produce a document, a bill of rights which, as the Leader of the NDP Mr. Broadbent indicated tonight, is one of the finest of its kind anywhere in the world.

Why is that document a good document, Mr. Speaker? It is a good document because of the sincerity and the eloquence of those who appeared before that committee. It is no secret that many members shed a tear when they listened to Canadians of Japanese origin telling us quietly and in a dignified manner about the type of discrimination they suffered in the war. They did it, not in a reproachful tone but in a sad tone of voice, suggesting in a moderate way that they hoped this blot on our history would never be repeated.

Then came the very deeply proud Canadians of Ukrainian origin who reminded us rather forcefully, with dignity and integrity, that they accepted the bilingual nature of Canada but this is a multicultural country now, a pluralistic society, and they wanted their culture, their language and their traditions respected and reflected in the Constitution.

I could go on, Mr. Speaker, to talk about other groups, and I will do so about a few of them, about the quiet dignity of no less than 16 groups of aboriginal people who came before that committee and, with their earthy wisdom, dedication and determination, insisted, but did not plead, that we enshrine in the bill of rights some recognition that aboriginal rights existed. They did not ask us to define them, they left that up to the courts or, better still, for negotiation. But what was important to these very proud Indian and Eskimo people and Metis was that we at this level recognize once and for all that aboriginal people have rights still to be defined and injustices still to be rectified.

Women's rights, the rights of the disabled, our fundamental freedom, our legal rights all presently enshrined in that document, for the most part were not enshrined when we began the process last October or November. Now they are enshrined because Canadians, for the first time, had a direct input into this Parliament and said to their elected and their non-elected representatives, "We want a charter of human rights now, not in five years, in ten years or in 20 years, but now." I suggest, Mr. Speaker, that if we adopt the proposal of the Conservative Party, we will prolong indefinitely the passage of a bill of rights for Canadians. Those of us who sat on that committee—I am certainly talking for the Liberals and, I gather, for the NDP—do not want to be part of any procrastination in the enshrinement of the bill of rights at this time.

What do my good friends opposite propose? Let us look at the minority report which they presented to the Canadian people some days ago. It is a good document, a precise document and an accurate document in that it reflects the views of the Conservative Party. What does it propose? It says something that would please all of us if read not too carefully. It says that the Constitution should be patriated, and it will be, Mr. Speaker. It recognizes if that is to be a meaningful gesture, there must be an amending formula. It goes further to suggest that the overwhelming number of people and groups who appeared before us wanted a bill of rights containing legal protection against overzealous legislators, overzealous law enforcement officers or insensitive bureaucrats.

Hon. members opposite recognize the need for an amending formula for a bill of rights to be patriated. What is the formula? Having said that we must have one before we bring the Constitution home, they suggest it must include, preferably, a charter that is known as the Vancouver charter. One of the dilemmas we have with the Conservative position is that really they want their cake and they want to eat it too. They want to amend the Constitution, they want an amending formula, they want a bill of rights, but not too soon, some time in the future when the climate is better, when the premiers will agree, and if they do not agree then there would be no amending formula, no patriation and no bill of rights.

Where is the evidence that there is any dramatic shift in the attitude of the premiers? All of us who have followed this debate for many years will recognize the need for a bill of rights. I still remember with horror the dying days of the last provincial-federal conference when one premier tried to trade mobility rights for mineral rights, and another premier tried to trade fishing rights for minority rights. This has not been the exception; it has been the practice for some 50 years. We have discussed the need for a bill of rights not for 50 years, but certainly for a couple of decades. Yet Conservative members would suggest that public opinion would force the premiers to change their hardened attitude.

• (2020)

Today we heard how the big bad Liberal Party opposed the entrenchment of the recognition of the deity, God, that somehow we all got together, we non-religious members, and huddled and decided that we did not want to see the word "God" enshrined in the Constitution. We heard also that we did not recognize supremacy, the essential worth of a human person or the special importance of the family in our society. That

declaration was included in the preamble last fall. It was placed there by the Prime Minister (Mr. Trudeau), by the Minister of Justice and Minister of State for Social Development; by the Liberal Party. Who decided that they did not want a preamble which included these declarations? It was the ten provincial premiers of this country.

Some hon. Members: Hear, hear!

Mr. Mackasey: No one in this House has any monopoly on virtue or religion. I find it rather strange that these arguments are brought into the House of Commons. Perhaps it is because they must divert attention from a bad argument or a weak case.

Now, why bring in the Vancouver formula? Why are so many of us adamantly opposed to the Vancouver formula? We are concerned and we will continue to be concerned about people. We do not want a formula which would make it possible for Canadians in one province to have different rights than Canadians in other provinces. The Victoria charter we suggest recognizes four distinct regions in Canada; the Atlantic, Quebec, Ontario and the west. We recognize the uniqueness of British Columbia and the western region. By saying we would need the support of two provinces and 50 per cent of the population, that automatically means, certainly in the foreseeable future, the inclusion of British Columbia. The Prime Minister said that that formula is not etched in stone. It is one that could be changed or altered in the next two years or at the next federal-provincial conference which, under the proposed resolution, must be held once a year.

What is obnoxious to us about the Vancouver formula? I will let Quebec members tell the House what is wrong with it later on in this debate. For instance, it fails to recognize the unique position of that province. Quebec is rightly concerned with its language and culture because it is the home of the majority of French-speaking Canadians, Canadians who worry that unless they can exercise some unusual prerogative in the form of a veto, things could take place in an amended Constitution which would make it difficult for that province to retain its language, its culture and its control over the educational process. I do not intend to belabour that or elaborate beyond what I have said. I will leave that to other hon. members.

The most insidious provision of the Vancouver formula is that it permits the provinces of the country to opt out of any change they do not like. If you, Mr. Speaker, were one of the spokesman for the aboriginal groups appearing before the committee, how would you feel if you saw Parliament endorsing a formula which permitted one province to recognize aboriginal rights but the next province to deny aboriginal rights? How would one feel as a francophone from Ontario, Manitoba, Saskatchewan or Quebec, who wanted to transfer to another province and did not have the assurance when he or she moved to that other province that their children could be educated in that minority language? How would they feel about constitutional change which permits one province to recognize minority rights but denies the same rights to minorities in another province?

How about the disabled? The plight of the disabled has not been recognized with great warmth by all provinces. The minister told me that one day. Provinces recognize that if this desirable recognition of the rights of the disabled goes into effect, many provinces will have to insist that the building code reflects basic changes to make the lives of disabled people a little easier. They will have to toughen up their labour laws to bring an end to the discrimination which has been practised for too long against disabled people. What kind of a Canada is the opposition proposing when some provinces can recognize the particular problems of the disabled and other provinces are not required to? That is essentially what they are proposing when they propose the Vancouver formula. It does not surprise me; at least they have been consistent in their opposition. Anything that they may feel is undesirable the provinces could object to.

What about the rights of tradesmen such as electricians, carpenters and construction workers living in a country in which mobility rights are recognized in some provinces but not in others? What I am describing, if I was describing it to a stranger, is not one country, but ten countries, maybe four of five regions, ten associate states, ten sovereign nations or ten nation states. That is not the Canada we in this place want; that is not the Canada that Canadians want.

Some hon. Members: Hear, hear!

Mr. Mackasey: That is the kind of Canada we would have if the amending formula permitted certain provinces that did not like the changes to opt out.

What about women's rights? Once again we find a variation from one province to another. What about legal rights, which is perhaps the most important item in a charter of human rights? There would be no uniformity. Some provinces would respect the charter and some would opt out because certain elements in those provinces might feel that one is guilty until proven innocent. That is the kind of balkanization this party does not want to see.

Hon. members opposite might say they do not want a unitary state. Of course we do not either. The Fathers of Confederation selected very wisely when they decided to opt for the federal system. This country is great because it is not bland, uniform or over-centralized. In 1867 the Fathers of Confederation would never have agreed to any other form of government. Somebody in the House must remind hon. members opposite, the public, the intellectuals and the provincial premiers that federalism is a two-way street. We should not be ashamed to suggest that Canadians want a strong federal government as part of our federal system.

• (2030)

Some hon. Members: Hear, hear!

Mr. Mackasey: When you listen to some of the premiers you would think we were a community of communities, or ten provinces bound together very loosely, almost as a nuisance factor, perhaps to look after the army, the military and a few

other services. That is not what the Fathers of Confederation expected, nor is it to be the legacy of Pierre Elliot Trudeau.

I said earlier, Mr. Speaker—and I am conscious of the time, it will be a long debate—that we have two choices before us. I can see the same mood coming over this House as the one that came over the committee. I saw a committee evolve from a group of individuals, some of whom wanted no part of patriation. They certainly wanted no bill of rights. I will not mention names, since they are sincere people. They are people of conviction who believe in the British system, the unwritten code. I saw the evolution, and in many ways, I understood a little better the opposition to the extension of certain language rights which, as an English Quebecer, I always took for granted. I did not approve of that opposition but I understood, just as members opposite, and perhaps some members on our own side understood, that if we were to have a bill of rights it should be a good one.

I am suggesting that in the next three weeks or a month we may be able to come to some accommodation in this House. We may be able to put aside the tendency of the Conservatives to procrastinate, to delay to another day the passage of a bill of rights, the concern which reflects the fear of anything that may be temporarily unpopular with the people. Perhaps it is the concern for the views of six or seven Conservative premiers, although this does not include Bill Davis. Whatever their logic for proposing a formula which would postpone the passage of the bill of rights, I think they may realize that if we patriate the Constitution, include the Victoria Charter and a bill of rights and if we dump that whole package on the table at the next federal-provincial conference and the premiers realize they have nothing to fear from that bill of rights, or from that particular formula which could be amended and improved or changed to some degree in the next year, they may very well be taking a type of progressive, bold initiative which would unlock the future of this country for the new generation.

Some hon. Members: Hear, hear!

Mr. Mackasey: In the few minutes I have left, Mr. Speaker, I would like to say that our challenge is not to simply bring back the Constitution but to unlock the future, to make certain that the students of the future coming out of our universities are not saddled with the same constitutional dilemma, the same impasse, the same procrastination that has characterized federal-provincial relations in the last two or three generations in this country.

As someone has already mentioned, we have a great country. I think it was the hon. member for Provencher who said so eloquently today that we have the greatest country in the world. It could be greater because we are rich in resources. The richest resources we have are not natural resources or minerals but human resources. Thanks to medicare we have the healthiest work force in the world. Thanks to our educational programs, both federal and provincial, we have the best educated work force in the world. We have had the freest people in the world until some of these provincial barriers crept in, interfering with mobility and the flow of capital.

Out there we have hundreds of thousands of young Canadians who want to get on with the job of nation-building and who want to see the constitutional issue behind us, not in front of us. That is the message which comes through loud and clear to all members when they return home.

What is the message of the business community? They say, "For goodness sake, Bryce, get the constitutional problem off the table and let us get on with other issues. Let us get on with unemployment problems and with the issue of inflation. Let us resolve the energy problem." This is what people are saying. We have the power in this House in the next few weeks to do precisely that, to bring back the Constitution with a decent amending formula and a bill of rights.

If we were to do that we would show French-speaking Canadians we appreciated their gesture last year when they opted for Canada when faced with the choice of looking inward or looking outward, despite their grievances, real or imagined, that they were wise to opt for Canada. This was the result of the work of members of this House, particularly the Minister of Justice and the Prime Minister to whom we should be thankful.

Think of the contribution the Atlantic provinces could make if we unlocked the future. They are a proud people, independent minded, who have exported their human resources to central Canada for far too long. Think of the contribution the native peoples can make if we can only recognize their rights and put the Constitution behind us, bringing them into the mainstream of thinking, as they were before. Think of the people of the west. They seem many times to me to be forgotten, maligned, misunderstood and misrepresented. When I travelled in the west in 1978, to Vancouver, Edmonton, Calgary and Winnipeg, speaking on this very subject, not always in the largest cities, I realized that perhaps the first generation of unhyphenated Canadians would come from the west, not from Quebec, the Atlantic provinces or from Ontario. They are Canadians who can trace their roots back for one, two and three generations or more, Canadians who look puzzled at our dilemma. The westerners want to participate in nation-building, and they want to do it from the west. They do not want to have to constantly come to Ottawa, Toronto or Montreal to participate. We need to get rid of the stereotype image we have of the west, as simply that of the granary, of the empire.

Mr. Hnatyshyn: What is this stereotype?

Mr. Mackasey: It is of an immeasurably rich people, but its contribution goes well beyond that. Those of us who spent any time in British Columbia know of the contribution that province makes in the field of architecture. It is way ahead of that of other countries and other provinces. Universities in the west are at the forefront of research; cancer research and in the use of the cobalt bomb. There is research going on with respect to optic fibres in the west. The west has much to contribute.

When you ask me what the west wants I say they want to participate as equals, as Canadians.

We in this House of Commons have a unique challenge to put the constitutional problem behind us. We have the challenge to bring the Constitution home, including in it a bill of rights fashioned by Canadians, for Canadians and in Canada. Then let us marshal the forces out there, Canadians of all walks of life; the aboriginal people, an independent people; the warm people of Cape Breton, the Atlantic provinces; the potential and *joie de vivre* of French Canada, now that they have turned once more to this great nation, and the untapped potential of the westerners. This is what makes this country; this is the challenge that the House of Commons has to face. I am not sure if we are worthy of it. Thank you, Mr. Speaker.

● (2040)

Hon. J. Robert Howie (York-Sunbury): Mr. Speaker, the Constitution is a country's statement of fundamental principles that determines how it shall be governed. What we refer to now as our Constitution is a British law enhanced and encumbered with formal amendments, court decisions, orders in council and unwritten convention. The British North America Act is the heart of our Constitution, enacted by the British Parliament in 1867 after extensive preparatory work by Canadians. It distributes powers between the federal and provincial governments.

Since a good part of our Constitution is already here in the form of court decisions and unwritten convention, this really means transferring the power of amendment to the British North America Act from Britain to the Canadian federal and provincial governments. At the moment the British North America Act can only be amended by the British Parliament. After it is patriated, however, there must be some method of amending it when necessary, and this poses the problem. All parties agree there must be an amending formula but they cannot agree on the formula.

Personally, I feel the Constitution should be patriated unchanged except for the amending formula, and that amendments should be made in Canada and agreed to by at least seven provinces representing more than 50 per cent of our people.

I pose the question: if seven provinces and 50 per cent of our people do not favour change, should it be made? Is there a mandate for change?

The constitutional proposals of the government are skilfully conceived, designed and executed. Constitutional proposals attract great interest in the Atlantic provinces. Who of us have not noted from our boyhood days the agitation in these provinces by the sea for fairer treatment at the hands of Ottawa? We recall the delegations which from time to time have appeared before the central authorities, and constant representations of provincial governments and other groups protesting alleged discrimination against our provinces because of tariff, trade and transportation policies and practices of Ottawa. At this very moment I am protesting the severe cutbacks in Canadian National Express services, services which were supposed to be a *quid pro quo* for the reduction of rail services not so long ago. I am also protesting the neglected development of oil shales which have the potential to supply Canada with 15 billion barrels of oil.

On several occasions in this very session of Parliament I have pointed to the long-term savings that an enlightened investment in regional development could produce for both the Atlantic provinces and the central government. That is why any constitutional amendment which can provide the Atlantic provinces with the assistance that is now denied us, and which we feel is due to us in consequence of our participation in confederation, would merit careful consideration. National policies of restraint, restricted credit and high interest rates hit adversely against the Atlantic provinces. We must have a claim for redress against such policies.

Actuated by that thought I have considered the arrangements and understandings in effect in 1867 when my province, then prosperous and thriving, entered confederation. I have the view, which many others have shared, that confederation was the result of an agreement among the original provinces which comprised certain definite understandings as to trade and transportation arrangements which were to be developed to the advantage of my province, and if the federal authorities could be prevailed upon to carry out the original plan, the grievances about which our people have complained would tend to disappear.

If the confederation of the colonies of British North America was not the result of an agreement between the original provinces which entered into it, then to what was it due? Surely no one suggests it was thrust upon them by the Imperial Parliament.

Our Constitution is really the crystalization into law by an imperial statute of an agreement made by the provinces after full consultation and discussion. Probably one of the most learned and eloquent dissertations on the Constitution was made in this House a very long time ago, on February 18, 1925, by the then minister of justice, the Hon. Ernest Lapointe. He said, and his words are reported in *Hansard* at page 297 of that year in column two:

> There were many obstacles in the way of achieving confederation. Everybody who knows something of the history of Canada knows what some at least of those obstacles were. The country was on the verge of civil strife. During the two years which preceded the Quebec resolutions, not less than four cabinets succeeded each other at the head of the affairs of Canada. The provinces got together; they tried to effect an understanding and they effected one.
>
> In the language of Sir John A. Macdonald, the very pact of confederation bears on its face all the marks of a compromise.

I draw to your attention, Mr. Speaker, these words of Sir John A. Macdonald to a pact of confederation which are quoted by the hon. Mr. Lapointe. These words are contrary to many of the propositions and positions being advanced and taken today by the government.

Mr. Lapointe continued at page 297:

> The provinces relinquished some of the powers which were theirs and they retained for themselves other powers. The powers which they relinquished, they relinquished subject to conditions which were put into confederation, some of those conditions being more or less important, others essential, and without such

conditions confederation would not have taken place. They tried to combine federal strength with local freedom of action. Everything that was private, domestic, home rule, the provinces kept to themselves, and they saw to it that their powers in that regard should never be interfered with. It is to be noted that in the British North America Act, they have the right to amend those provisions which concern their own constitution, except as regards the office of the Lieutenant-Governor.

Not so in the case of any of the provisions concerning the federal Parliament; and there were reasons for that. If confederation was a pact, an agreement, is it possible for one of the parties to the agreement, or rather for the body which resulted from the agreement, to amend, to alter the conditions of that pact without consulting and without securing the consent of the parties to the original agreement?

You will again observe, Mr. Speaker, the use of the word "pact" and "agreement". Mr. Lapointe made it very clear that the Constitution cannot be altered without the consultation and the consent of the parties to the agreement.

Mr. Lapointe continued at page 297 as follows:

As regards the United States as well as Australia, New Zealand and South Africa, they all agreed at the time of the enactment of the statute creating their constitution that they would have the right to alter it. They possess that right because it was made one of the conditions of the statute constituting them a state. Not so with Canada, because there were special conditions and difficulties in the way. I ask my hon. friend this question. Confederation was achieved and the new parliament was opened in 1867.

Does he believe that two years afterwards, in 1869, for instance, this parliament could have fairly and reasonably amended the British North America Act or have asked the Imperial parliament to amend it without the consent of the four original provinces? Could he fairly say that that could have been done two years after the opening of this parliament? If it could not be done at that time, could it be done 25 years afterwards, or even 50 years afterwards, without the consent of the contracting parties in the pact of confederation.

● (2050)

I would commend a full reading of this learned address to all members of the House. The hon. Mr. Lapointe goes on to indicate that the other provinces, which joined the first four and came later into a joint confederation, have the same status, powers and rights as the original four provinces, and they should be consulted just as much as any other province if any substantial changes are asked regarding the British North America Act.

The learned gentleman concluded his remarks with the admonition that we cannot ask for power to alter the Constitution without the consent of the provinces, for it is their Constitution as well as ours.

In 1906 to 1907 Sir Wilfrid Laurier speaking in this House, as reported in *Hansard*, said:

In Parliament here we can do as we please; we are in the majority; but are the members of this House prepared to say that if any province finds itself aggrieved by the terms of confederation, which have been accepted by all the provinces, they will ask the British parliament to alter the Constitution in the way desired by that particular province?

Such a course might be followed by very serious consequences. Confederation is a compact, made originally by four provinces, but adhered to by all the nine provinces who have entered it, and I submit to the judgment of this House and to the best consideration of its members, that this compact should not be lightly altered. It should be altered only for adequate cause, and after the provinces themselves have had an opportunity to pass judgment on same.

In what surely must have been one of the landmark addresses ever made in this House, the hon. Mr. Lapointe took support from the remarks made by the Right Hon. Arthur Meighen, Sir George Etienne Cartier, Hon. George Brown, Sir Wilfrid Laurier, Sir John A. Macdonald and Sir Robert Borden. In their words which he quoted, he held that the British North America Act is a covenant, is of a nature of a treaty, the provinces of which were essential for the acceptance of the whole scheme, and he was forced to the conclusion that we do not have the right to ask to alter it without the consent of those who are parties to the agreement.

One of the greatest constitutional scholars to whom I have been exposed was the late Chief Justice of New Brunswick, the Hon. John B. McNair. In his illustrious career Mr. McNair served not only as chief justice but also as lieutenant-governor and indeed he was premier of New Brunswick for 17 years.

An hon. Member: He was a Liberal.

Mr. Howie: Yes, a Liberal.

I would like to share with you Mr. McNair's thoughts on the important question of constitutional amendment. I am quoting from the synoptic of the proceedings of the legislative assembly of New Brunswick on March 17, 1939, as reported at page 223:

Democracy had its roots in a very small state that existed in Greece many centuries ago, where all freemen were entitled to meet in the public forum to transact the public business. That was the democratic system in its purest form.

In these days of great population, with wide expanses of territory to be governed, that method of administering public affairs is impracticable. British genius, however, long since developed a system under which the people send to the legislative halls persons of their own choosing to represent their interests and do their business for them.

It is desirable to keep government, the administration of the affairs of the people, as close to the people as is possible. No doubt it would be easier for those elected to office to rule from afar off where, protected by an army of bureaucrats, they would hear little of the individual problems and needs of their constituents. That is the way totalitarian rulers carry on—from behind a screen. But is not close contact with the people the very essence of our democratic representative system of government?

Life might be easier without it for those who are administering public affairs. But is it well for them to be out of touch with the leaders of thought who are found all over—in the municipal councils, on the farms, in the factories, in divers places in every community?

In support of the doctrine of centralization it has been suggested here that sweeping changes are essential in the distribution of legislative powers between the Dominion and the provinces, as now found in the Constitution. Might I suggest this question for hon. members to consider—what authority does the Dominion Parliament not now possess that is necessary for the solution of the problems of our day?

I have expressed my view that the Constitution should be patriated with an amending formula. There is merit in both the Vancouver consensus and the Victoria charter, and there are drawbacks to both formulas as far as smaller provinces such as the maritimes are concerned. My personal preference is for the Vancouver consensus because each province is treated equally and given one vote, seven of ten provinces must vote in favour of the changes and they must represent more than 50 per cent of our population.

The Victoria charter, on the other hand, takes a regional approach and has much to commend it from the point of view of smaller provinces like the maritimes. It does, however, give both Quebec and Ontario a veto power, but this would be reflected, by their larger populations, to a great extent in the

Vancouver consensus as well. Where both amending formulas have much to commend them, I would tilt in favour of the Vancouver consensus because it appears to have a wider acceptance among the provincial partners to Confederation.

One thing the lengthy committee discussion has done is to acquaint more Canadians with the problems which face our constitutional deliberations. I believe it has created a new climate where one more attempt at winning agreement with the provinces on the amending formula is justified and desirable. After all, as Sir John A. Macdonald pointed out, the nation has been built on compromise and our federal and provincial governments have repeatedly demonstrated the ability to come up with a great compromise when it is required. In terms of an amending formula, I believe that compromise is required now.

Unilateral patriation is a move that would completely change the constitutional relationships between the federal government and the provinces as established in 1867.

A cautious and prudential position is well taken. Present necessary amendments to the British North America Act can be quickly procured in the usual way; by imperial statute and pursuant to an address by the federal Parliament with the concurrence of the provinces. To reduce the BNA Act to the category of a federal statute would be a retrograde move, contrary to the spirit of Canadian confederation, replete with possibilities of constitutional confusion and future trouble.

It is simply astounding that the government proposes a trend against which statemen of all parties have been protesting vehemently for decades. Revision of the British North America Act may seem to be essential in certain respects but in no respect will the work of amendment lack difficulty, and it is right, of course, that constitutional changes should not be regarded lightly or made an easy matter. The provinces, especially Quebec, will be wary of alterations. They will be jealous to maintain their rights and tenacious in clinging to the powers given them by the British North America Act.

There is every reason why we should go slowly with amendments to the British North America Act, especially with regard to the transfer of the powers to amend the act from Westminster to Ottawa.

We are told that we are living in a new age under conditions which the Fathers of Confederation never contemplated; the old arrangements must be modified; there must be a fresh alignment of powers.

No one will deny that some adjustments may be necessary, but the suggestion that social reconstruction is possible only through federal legislation and control carries little conviction. In theory that message might create greater uniformity; but in practice uniformity has not resulted from the exercise by the federal government of its privileges and its powers. Our forefathers in 1867 rejected the arguments in support of uniformity when they refused to enter a legislative union. The grounds for such rejection are just as strong today. Each province has its own special conditions, its own special problems and its own special interests.

There is no question but that some adjustments may be necessary or advisable in the division of legislative powers made in 1867 and in the financial arrangements now existing between the federal government and the provinces. But as to the real move now afoot to give to the Parliament of Canada the power to enact a substantial constitutional amendment to the British North America Act and impose a new charter on the provinces, I view the entire proposal with great misgivings.

• (2100)

It is my fear that such a scheme would entirely destroy our federal fabric. The division of legislative and executive powers, which is the pith and substance of the federal system of government, must depend for its maintenance and stability upon a paramount law; in our case upon the supremacy of the British North America Act.

Legislatures hold their present powers because each province is an autonomous self-governing province under the BNA Act, sovereign within the sphere defined for it in the act and independent of the Canadian Parliament to that extent.

It has been suggested by critics that the course taken by the provinces is the course of obstruction. Why should they not oppose? A province has every reason to mistrust a greater exercise of power by Ottawa. The high hopes held out in 1867 have not been realized; the fine promises then made have not been honoured. Take for example the trade of Ontario and Quebec and the regions beyond. It was to flow through New Brunswick and make of the seaports of the maritime provinces great emporiums of the world. But it continues to find channels through a foreign country or over artificial water routes, maintained at our expense and closed by nature for a great part of the year.

Our domestic products, which were to find markets in Ontario and Montreal, are turned back by a manipulative freight rate structure. Even the inter-colonial railway, the substantial *quid pro quo* for New Brunswick's entry into confederation, has had its value largely destroyed. Within a few short months the modern day *quid pro quo*, the CN Express, the remnant of the CPR valley line through New Brunswick, will be closing its doors to the capital city of the province, isolating it from contact by rail with the rest of the country. It is the bounden duty of this government to see that these wrongs are remedied and that the trust imposed in the central government is observed and fulfilled.

In speaking of Canada, the Hon. Mr. Lapointe said, "It is the child of the provinces, it is not their father." The great caveat which I enter at this time is that a nation's constitution is not just another statute, it is the foundation of all the laws, federal and provincial, which are enacted in the name of the Crown. The Constitution is not just a set of goals and objectives. It is the bedrock of our rule of law and it permeates every statute and regulation enacted within Canada. It will require vast changes and significant adjustments. Why should not this package in its new form be submitted to the provinces? What rights are contained in the new proposed Constitution that are not now enjoyed by Canadians? Admittedly they

will be in a more permanent form enshrined in a new constitution, but could they not wait to be put through the amending process here in Canada after the Constitution is patriated with an amending formula? That is the route I prefer because it maintains the checks and balances which are the hallmark of our federal provincial system; it honours the pact of confederation and it meets the dictum spelled out by some of the greatest parliamentarians of our age.

I have no objection to the enshrinement of the equalization principle or to many of the excellent human and civil rights which are proposed for the charter to be included in the British North America Act. My great concern is for the process by which this is being accomplished and I have spelled out my objections. I have asked that the proposal be put before the provinces again and I have given my reasons why that course of action should be taken.

On the substance of the proposal, I have one final caveat to file. The proposed constitution's bill of rights has been steadily expanded while in committee. The bill was to include a few guarantees such as the right to an education in either official language where numbers made this possible. Since then proposed additions to the charter have multiplied like fruit flies. Various groups have pushed for the inclusion of specific guarantees to protect different people who make up our population. Many of these are justified. The committee majority decided not to include mention of the deity in a preamble and the question of property rights was discarded. Is the resultant constitution—the resultant charter of rights—the best charter of rights that can be given to Canadians?

I would really like to see a cooling off period, a reference to the provinces and a second look at the charter before it is enacted. After all, if seven of ten provinces representing 50 per cent of our population will not vote for it, should we really enact it? That is the challenge I want to leave with the government.

Some hon. Members: Hear, hear!

Mr. Doug Neil (Moose Jaw): Mr. Speaker, I appreciate the opportunity of taking part in this debate. As you know, in the previous debate held last fall I was denied that right despite the fact the Prime Minister (Mr. Trudeau) of our country indicated to the country and the members of this House on October 22 that each and every one of us could have the opportunity of participating in the debate.

Within the last few days there have been rumblings in the press and the media about the possibility of closure once again in this debate. I hope that is not true. We are at a critical time in our history and the resolution is so important that we must have a full and complete debate which allows the expression of opinion by all of us in this House. That is what democracy is all about.

As I rise to take part in this debate, I do so with a certain degree of sadness in my heart, sadness because this debate is so unnecessary. It is a debate which has come about because of the ideological theories of one man, the Prime Minister of Canada, an individual who, in my opinion, does not understand or, more likely, does not want to understand, the true nature of Canadian federalism which singles Canada out as being unique in the world. He does not understand the importance that Canadians for more than 100 years have placed upon consultation, negotiation and co-operation between the partners in confederation.

I can see two Canadas, the Canada of the present day and the Canada which existed only two or three decades ago. The Canada of yesterday existed before the decay set in, a cancerous growth which began to grow and spread and now is attacking the very heart of this great country.

The Canada of yesterday is a Canada which struggled through the thirties, the depression years, and then suddenly found itself faced with an even greater struggle, the Second World War. That war was started by a nation whose ambition was to conquer the world. The survival of western European and the North American continent and our democratic way of life was in jeopardy. Hundreds of thousands of proud Canadians, both men and women, volunteered to serve their country; many paid the supreme sacrifice. There are others, of course, but they were relatively few in number, who because of their ideological beliefs were not prepared to serve their country. We came out of that war respected as a nation, a proud nation, rich in resources, both human and natural.

● (2110)

We elected the Right Hon. Louis St. Laurent, and later on the Right Hon. J. G. Diefenbaker, as prime ministers of our country: two gentlemen that, in my opinion, personified Canada. People across the country from all walks of life and different ethnic backgrounds, regardless of their political affiliation, were able to say with pride, "He is my prime minister. He is the leader of my country." When they visited abroad, they displayed dignity, integrity, and statesmanship so befitting our country.

No Prime Minister since, who has held office for any lengthy period of time, has had this statesmanlike quality necessary to instil in Canadians that same feeling of oneness, of belonging and being part of that great multitude of people of all races and creeds that make up this great country of ours. Lacking that leadership, we have drifted over the years, ignoring the direction in which we were headed.

But there was one man who knew, the man at the helm, the man who is still the Prime Minister of our country, a man who said this:

> I am satisfied, but I suppose one has to be in the wheelhouse to see what shifts are taking place. I know that we have spun the wheel and I know that the rudder is beginning to press against the waves at sea—but perhaps the observer who is on the deck and smoking his pipe, or drinking his tea, sees the horizon much in the same direction and doesn't realize it, but perhaps he will find himself disembarking at a different island than the one he thought he was sailing for.

Having spun the wheel, the Prime Minister has brought us to the Canada of today: a country divided by language, by region, and over energy; a country where the vast majority of Canadians no longer are filled with pride for their flag, their country or their national anthem.

As a Member of Parliament for eight and a half years I have had the privilege of visiting a number of countries in various

parts of the world as a delegate with parliamentary associations. I am always filled with emotion when, in the opening ceremonies, the host country raises its flag and its national anthem is played. As in the Canada of yesterday, the people snap to attention. They stick their chests out, and with pride they join in singing their national anthem. During the singing, my thoughts returned to the Canada of today. I had visions of some of our official functions such as football games or hockey games where our national anthem is played. One can observe people wearing hats, standing with hands in their pockets or chatting with neighbours. That is the Canada of today, with a Prime Minister at the helm whose personal ambition is to change the face of Canada even more.

For 113 years, we have had a constitution, the British North America Act. It has served us well. It is a constitution that was made in Canada by Canadians. It is a British statute, however, and because of this amendments have to be made in Westminster.

We had the opportunity in 1931 to break those ties, as did South Africa, Australia, New Zealand, The Irish Free State and Newfoundland. They seized the opportunity. We did not. It is not Britain, as suggested by the Prime Minister, which has prevented patriation, but we ourselves as Canadians, because Canada could never agree on an amending formula.

So the tie with Britain remained with the unanimous consent of the ten governments. Over the years, various attempts have been made to find an acceptable formula, without success. Basically, I suppose, this is because of the regional nature of our country and the fear that one region or one province could take advantage of another region or province.

The fact that amendments have to be made in Westminster has really caused no problems for Canada. Many amendments have been made over the years based on requests, after consensus between the provincial and federal governments. There was never any undue delay. However, there has always been a desire or consensus on the part of all Canadians to have our Constitution brought back to Canada. That desire or consensus is stronger today than it has ever been.

I am sure that had the first ministers' conference last fall been called to reach an agreement on patriation and an amending formula only, such agreement could have been arrived at, but the Prime Minister was not prepared to limit the discussion to these two items. He insisted on including a so-called "people's package", a charter of rights to be entrenched by the British parliament.

This caused concern amongst the premiers because they felt, and rightly so, that some of the package could intrude into provincial rights. In many cases, they doubted the value of the bill of rights. They felt our British parliamentary system was such that the protection of the citizens of Canada was better under that system than under the entrenchment.

I would like to comment for a moment on the charter. I listened with interest this afternoon to the Minister of Justice (Mr. Chrétien). He said, "Never again will our rights be trampled upon." He was attempting to give the impression that once entrenched, those entrenched rights are inviolate.

A short time ago, I took the opportunity of asking the parliamentary library to supply me with a copy of the constitution of the U.S.S.R. I would like to quote a few brief paragraphs.

Art. 125. In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the U.S.S.R. are guaranteed by law:

(a) freedom of speech;

(b) freedom of the press;

(c) freedom of assembly, including the holding of mass meetings;

(d) freedom of street processions and demonstrations.

● (2120)

Article 126 reads in part:

In conformity with the interests of the working people, and in order to develop the initiative and political activity of the masses of the people, citizens of the U.S.S.R. are guaranteed the right to unite in mass organizations, trade unions, co-operative societies, youth organizations, sport and defence organizations, cultural, technical and scientific societies—

Article 127 reads:

Citizens of the U.S.S.R. are guaranteed inviolability of the person. No person shall be placed under arrest except by decision of a court of law or with the sanction of a procurator.

The final article I would like to read is Article 128, and it says this:

The inviolability of the homes of citizens and privacy of correspondence are protected by law.

One can conclude that writing basic rights and freedoms into a constitution is not in itself a guarantee to the individual citizen that he will enjoy these rights and freedoms. The only real guarantee is a democratic system of government in which the right of an individual to exercise his or her franchise freely is guaranteed and in which every two, three, four or five years citizens have the option of replacing the government.

The rights and freedoms in the government's charter of rights, and many more, have been enjoyed by us as Canadians under the British parliamentary system since we became a country 113 years ago, and they are not written down. They are not entrenched. These rights we have enjoyed during our lifetimes and the lifetimes of our forefathers have their roots in the Magna Carta, which goes back to the year 1215.

Under the system that exists today in Canada, each of us now has the right to own property. As the hon. member for Provencher (Mr. Epp) said this afternoon, many people emigrated to Canada attracted by that right to own homes or farms. Early in the century the railroads of Canada and the government advertised extensively in Europe encouraging people to come to Canada and to take up homesteads, land of their own. Now the government, because of pressures exerted by the New Democratic Party, has refused to include in the charter the right to own land. I wonder why. Is it because the NDP sees it as an obstacle to its plans to try to bring in socialism? Why would the Prime Minister not turn his back on such representations from the NDP? Would that perhaps spoil his plans as well?

Mr. Althouse: Maybe it is a provincial right.

Mr. Epp: Let's get into that one for a moment.

Mr. Neil: I hope when my friend to my left goes back to Saskatchewan he is able to explain that to his constituents.

As my colleague, the hon. member for Provencher, so eloquently put it this afternoon, members of the Liberal Party refused to acknowledge the supremacy of God. They did so by turning down the amendment of our party based on the Diefenbaker bill of rights. Why was it turned down? Was it because the late hon. gentleman from Prince Albert had drafted it, or has our country reached such a state that the Prime Minister and members on the government side of the House refuse to acknowledge that all power comes from God?

On the positive side, I would like to say I agree with the government's indication that it will protect mobility rights, and I will give the reason. A short time ago a constituent visited me at my office back home and told me he was leaving the Armed Forces very shortly. He had travelled to another province. I will not name the other province, but when he got there he looked around and decided that was the place where he would like to retire. He thought perhaps he should find a job before he tore up his roots in Moose Jaw, so he went to the local Manpower office. Everyone knows that Manpower offices are run by the Government of Canada. Do hon. members know what he was told? As soon as Manpower found out he was not a resident of that province, he was told that Manpower was sorry but Manpower could not take his name and register him for employment. Is that mobility? The government is preaching mobility, but is certainly not practising mobility.

On the eve of the conference of first ministers a leaked government document left the impression that the government hoped the conference would fail. As one who watched the complete proceedings on television, I was impressed with the premiers' sincere attempts within a limited time to reach a consensus. I am satisfied that given more time, with a Prime Minister who sincerely wished for an agreement, we would not be involved in this debate today.

The Prime Minister has attempted to stress the urgency of patriation, but what is the urgency? There is no matter pending in Canada at the moment which requires immediate changes in our Constitution. The Prime Minister said this was a promise to Quebec during the referendum campaign and that Quebec is expecting it. It is interesting to note that there is not one political party in the province of Quebec, including the Liberal Party under Mr. Claude Ryan, which supports the steps being taken by the government on the Constitution. So what is the urgency? I suggest that the Prime Minister has spun the wheel too far, the boat is capsizing and he is making a last vain attempt to make his mark in history. He really does not care if in doing so he does irreparable damage to our country.

As I said in my opening remarks, the Prime Minister does not understand the true nature of federalism or the importance Canadians for more than 100 years have placed upon consultation, negotiation and co-operation between the partners in confederation. Would it not make sense for the Prime Minister to call a halt to his unilateral action and invite the provincial first ministers to a conference to deal specifically with an address to Her Majesty requesting patriation of the Constitution with an amending formula and leave the other issues to be dealt with by Canadians in Canada? This would give Canadians and the provinces an opportunity to take time to consider the matter of a charter of rights. I know that suggestion will fall upon the deaf ears of the Prime Minister and Leader of the New Democratic Party (Mr. Broadbent), the leader who has been so anxious right from the start to ally himself as closely as possible with the Prime Minister. The reason, of course, may be that the philosophies of the two are not that far apart, and at times both of them may have had their hands on the rudder.

• (2130)

What is the future of our country if this resolution passes? Are we headed for a unitary state? This afternoon the hon. member for Provencher discussed the amending formula and the referendum clauses in some detail. I watched the look of amazement on some of the faces of the backbenchers on the government side of the House and I honestly do not believe that, until it was explained to them by the hon. member for Provencher, they fully realized the unfairness of the resolution and the problems it can create in our country. Quebec and Ontario will have a permanent veto while the other eight provinces will have none, and unless a province can join with another province in its region, they will have no clout at all.

What about my own province of Saskatchewan? What about Alberta or British Columbia? It means that the other provinces in Canada could gang up and take control of our resources, or, under the referendum process, the federal government could do the same thing, on its own.

I am sure further discussions and negotiations with the provincial ministers would lead to a solution of our problems, but I gather from the remarks of the Minister of Justice that such a step will not be taken. Therefore, I appeal to the backbenchers on the government side of the House, and to the more reasonable members of the New Democratic Party who have indicated they will probably be voting against the government, to give serious consideration to what they are doing by supporting the Prime Minister in his unilateral action.

Parliament is in the course of dealing with a matter which could change the course of Canadian history, and I think members on the other side and members of the NDP should consider that on such an important issue they are not answerable to the Prime Minister, not answerable to the Leader of the NDP, but they are answerable to all the people of Canada and, above all, they are answerable to themselves and to their conscience. I urge each and every one of the backbenchers on the government side and the NDP members to think the situation over. They must live with their conscience as long as they live. The decision they make with respect to this vote is

vital for our country. Let them examine their conscience well and, I beg them, vote to defeat this resolution.

Mr. Robert Wenman (Fraser Valley West): Mr. Speaker, it is my opinion that in the process of this debate, Parliament stands abused. The Prime Minister (Mr. Trudeau) of our country chose to introduce this important resolution at a press conference rather than in Parliament. That might perhaps have been excused if television had not been available in the House but, since the same media was available here, the same exposure and the same ability to communicate with the people of this country was available. One can only presume that his failure to present that motion in the House of Commons was an example of his arrogance, contempt and an abuse of this institution.

The rights of the people of Fraser Valley West have been abused in this House of Commons by the closure motion. I stand here tonight with half of my rights gone. The debate has gone full circle. It started in the House of Commons, went on to committee, and now my input comes after the fact. The input of the people of Fraser Valley West has been denied.

Mrs. Mitchell: Do they like your behaviour?

Mr. Wenman: I am certain that the people of Fraser Valley West and, I hope, people who stand for parliamentary democracy, as I thought the hon. member did, recognize this kind of abuse. I would have expected the hon. member stand with me on closure, not against me.

Mr. Deputy Speaker: Order, please. The hon. member's remarks should be addressed to the Chair.

Mr. Wenman: I am sorry, Mr. Speaker. The rights of the people of Fraser Valley West were abused by that closure. My privilege and responsibility as their Member of Parliament have been impinged in the same way. The offending closure motion, as we sit tonight, has not been withdrawn despite representations to the minister responsible. The President of the Privy Council (Mr. Pinard), said in this House of Commons that this is an unconscionable rule which should be re-examined. To my knowledge, it has not been re-examined, it has not been withdrawn, and another potential motion hangs like an axe over this Parliament, hangs like an axe over this debate.

I cannot understand why, when the Prime Minister and the government House leader see the seriousness of this, members of the House of Commons do not rise against this closure rule and have it struck from the records. Party after party, prime minister after prime minister, have stated that it should be struck from the record. I should like to quote Sir Wilfrid Laurier when he spoke the first time this motion was to be used—

Mr. Collenette: By a Tory government.

Mr. Wenman: I do not care whether it is a Tory government, a Liberal government, an NDP government or any kind of a government. This rule is an inequitable rule, and you know that too. Stand up for democracy in the House and listen to your former prime minister, listen to the echo of Liberalism—

Mr. Deputy Speaker: Order, please. Remarks should be directed to the Chair.

Mr. Wenman: Mr. Speaker, I am speaking directly to you, sir. This is what the Liberal prime minister of Canada said:

> Let me repeat to my right honourable friend: As you sow, so shall you reap; as you are fair, so shall you meet with fairness; as you are unjust, so shall you meet with injustice . . .
>
> In the words of Shakespeare "this even handed justice commends the ingredients of our poisoned chalice to our own lips".
>
> The poison that he offers to us today will come to his own lips at some future day. We are in the minority; we can be gagged, we can be prevented from expressing our opinions; they can trample upon our rights. But, sir, the day of reckoning will come!

Those are the words of a great prime minister, a Liberal prime minister. Those are Laurier's words. Laurier's words are as true today as the day they were uttered in April of 1913. They are as true today as we watch our current Prime Minister's universe unravel in a poisonous and less than candid, way.

• (2140)

In the future, history may well show its repetition of the results of the April 9, 1913 resolution. With the implementation of the obnoxious and infamous closure of October 23, 1980, history may well repeat itself. Like that initial debate in 1913, it may in fact mark the pivotal point for the ultimate defeat of intent and purpose, not only of this resolution but also of the government itself. Hopefully this closure motion will not be the pivotal point for the final severance of this nation as well.

Laurier went on in his speech at that time to say:

> But, sir, I also have the honour to belong to the great Liberal Party of Canada. I have occupied a position of some importance in it; nay, I may say that for 20 years and more I have been entrusted with its chief command. During the 15 years I was in office it sometimes happened that friends came to me and told me that I was not doing justice to myself or to the party, but that I should impose closure, as had been done in many other Parliaments. Sir, I am a Liberal of the old school; I have been brought up in the school of Fox and of the old leaders of the Liberal minority in Parliament of such a valuable weapon as it would be deprived of by the introduction of closure. Perhaps I was wrong; perhaps I was too generous. Nay, I was not; I would rather stand here today, having refused, after the 15 years of my administration, to impose closure, and having decided to abide by the old rules.

Mr. Knowles: I would rather stand here in opposition than be over there "by the power of the gag".

Mr. Wenman: I know the hon. member stands for the principle of democracy and against closure. I thank him for that comment.

Mr. Knowles: Would the hon. member entertain one question now that we have referred to each other? What did Diefenbaker do during the five or six years he was in office?

Mr. Wenman: I have already covered that aspect. I said that if it had been the New Democratic Party in Saskatchewan,

Alberta or British Columbia, if it had been the Conservative Party of 1980, if it had been the Liberal Party of 1981, the Liberal Party of 1913 or whatever date it happened to be, it does not make it right. You, a man of principle, understand that only too well. Of course I make that comment through Mr. Speaker.

Mr. Knowles: We both understand it.

Mr. Wenman: If freedom is the absence of coersion, then closure marks the desecration of freedom. Surely freedom is the essential philosophic principle of our Parliament and our democracy. The most obnoxious form of closure is therefore undemocratic and should be removed from our procedures before it is further allowed to erode the fundamental values and traditions of our Parliament.

In our Parliament freedom of speech—the obligation, the privilege, the platform, the right—is far more important than the substance or process of this speech, of any other speech to be given, of any other bill or of any other resolution which may be placed here. The irony of the resolution we are debating today is that it purports to guarantee the process it has already taken away. The process has tarnished and subverted its own most basic freedom of speech.

The Prime Minister of Canada who claims to stand for justice and equity knows that the closure motion is wrong. He knows he has wronged both his own principles in invoking it, as well as this Parliament. He stands in a position to correct it, and I call upon him to do so.

I have had the best of all Canada has to offer. This nation has been good to me. I have received the best of education, the best of spiritual values, material plenty and opportunity unbounded. This country has been good to me. I have also had the opportunity to put words together in an educated and parliamentary way. But last week when I talked with a person in my riding, he said, "You know, one thing you are doing is starting to sound like them. When you get up and speak on the Constitution, why do you not just tell it the way we feel it? Why do you not just get up and say these kinds of things?"

I said in the early part of my speech I would use some of his words. These were the things he told me to say. I think that sometimes the majority of the people out there, the great democracy out there, somehow speaks with a clarity that we, the mechanics of the Constitution, confederation and re-confederation, do not have. Sometimes we really cannot see the forest for the trees.

The people I represent see the issue of the Constitution so simply. They say to me, "Why do you not just bring the Constitution home as quickly as possible, with as little change as possible, and then make whatever changes are desirable and as many as possible here in Canada?" This sounds simple. It is simple patriation with a majority amending formula, with no special status for any partner in confederation, with fairness, justice, equality, but above all let us get on with the business of the House and the country of solving pressing economic and social problems. They do not understand why the government cannot hear and see this simple message. The consensus is clear. It is clear, whether it is among the women of Canada, the provinces of Canada or the parliaments speaking in unanimity. The consensus is already obvious. My constituents cannot understand why we do not just do it, or why we did not do it when we had the unanimous resolution of the House. Quite frankly I agree with them. I do not understand why we did not, or and why we cannot. The consensus is clear.

My constituent also said that there was a sense in the west that somehow the centre is fiddling around with the Constitution while the west burns. There is a sense that the east and the centre mistake western tolerance for western ignorance. The west is tired of being tolerant, the west is tired of being laughed at with blue-eyed Arab jokes. The people are tired of being put down as red-necked yahoos. Westerners feel that the west has turned a blind eye to this kind of centralist bigotry, but that does not mean the west is blind. The west has had enough of one-way equalization.

A westerner's salary might be 5 per cent higher than salaries anywhere else in Canada, but it costs 100 per cent more to buy a house in western Canada. That 5 per cent more does not make up for it. It costs more than 5 per cent more to buy a car in western Canada than it does here in Ottawa or in central Canada. It costs more to pay for a telephone in the west. The cost of living in the west is very, very high. The west does not mind paying under these equalization formulas, but they do get tired. The people in the west want the centre to wake up and recognize the facts before they say, and they are seeming to say it in the telephone calls from my constituents, "Take your subsidies, take your tariffs and quota barriers, take your unfair freight rates, take your smug constitutional veto, take your eastern credit institutions, take your weighted electoral system home. If you want us to be a continuing part of this great federation, we want to be a part of it on a fair and equal basis." We do not want to play with your loaded dice. We do not want to play with your stacked deck. We want a new deal from a straight deck in the west.

• (2150)

Mr. Paproski: We want to get in on the poker game.

Mr. Wenman: You are darned right we do, with a straight deck. We will play poker but let us not have stacked cards. The response must be that if you want to play the game with a straight deck then you must say what you really want. We want the potential of the west recognized. We want you to help us build upon that potential. We want you to recognize that the future of and for the east lies in the building of the west, not the exploitation of the west. We want you to see that the west is but a gateway to the great markets in the world of the Pacific Rim. That is the first step. It is British Columbia, Alberta, Saskatchewan and Manitoba which hold great potential, not the far east. The near west of the Pacific Rim holds even greater potential since we were excluded from the traditional markets in Europe. Why can you not see that potential and build with us? That is what we want, and we want it in a very positive way. We in the west want one strong, united Canada. I have no doubt about that, even in light of separatist

groups which come to me in anger. When you get right down to it, when you get past the argument, they still want one strong, united Canada. Our country holds forth great promise. We believe Canada is a federation of equal individuals and equal partners who can build on that promise. We in the west are proud Canadians. We love Canada. Do not force us out. Help us build together for our mutual benefit, for it can be done.

There are so many of these concerns I want to bring to your attention. I would like to be more specific about them rather than just talking about them in the rhetorical form. Rhetoric is fine, but we want to be seen, heard, to be understood and to be a part of. Westerners see this constitutional package, unfortunately, as yet another attempt to make the citizens of the west second class.

Tariffs have caused the longest standing grievance on the part of all. Tariffs were originally instituted in 1879 to protect and promote Canadian manufacturing which, at that time, was located almost entirely in central Canada. In view of the potential competition from the much larger American industry to the south, such a policy was justified in its place and in its time.

As the west opened up and settled, tariffs meant only one thing to westerners. They meant westerners had to pay higher costs for manufactured goods. Input costs for industry were also higher in the west than in the east. Tariffs meant that western industrial development was, in fact, hampered. The reality of these tariffs was that western Canadians paid higher prices for goods than other Canadians. Because Ontario and Quebec had more industry, central Canada enjoyed a disproportionate share of the tariff benefits. Canadians outside Ontario and Quebec pay for central Canada's higher wage bill without gaining proportionate benefits. This is not an opinion, it is fact.

The figures on the relative level of tariff benefits are revealing. In 1977 British Columbia had 10.8 per cent of Canada's non-agricultural employment. At the same time British Columbia had only 8.5 per cent of Canada's manufacturing employment, a sector with the highest nominal tariff protection at 8.49 per cent. The discrepancy in respect of the prairies is even greater. While having 16 per cent of Canada's non-agricultural employment this region has only 8.2 per cent of the country's manufacturing employment.

On the other hand, Ontario and Quebec between them have 66 per cent of Canada's non-agricultural employment. However, they have 78.4 per cent of all manufacturing employment. It is clear that if high tariffs were to benefit all provinces equally Ontario and Quebec should only have 66 per cent of the manufacturing employment. Obviously, that is not the case.

Moreover, B.C. and the prairies have a greater than proportionate share of primary industrial employment which receives only nominal tariff protection. That tariff protection is only 1.12 per cent. Ontario and Quebec have a less than proportionate share of this low tariff sector. In effect, B.C. and the prairies are paying as much as Ontario and Quebec for tariff protection yet they are not receiving even proportionately as much protection as are the two central Canadian provinces. This means there is an unrecognized transfer of payment from the west and from the Atlantic provinces to Ontario and Quebec. This is what I mean when I say "two-way equalization". If you equalize on income tax you must equalize on the other factors as well. This is just one example.

I have been very specific, Mr. Speaker, in order to show you some of the obvious injustices. It may be something to which we have turned a blind eye and said nothing about it. Now that we are talking about equalization we must weigh all these factors. These factors were not weighed in the committee which heard briefs. They were not weighed there, at least from what I heard. I do not think they will be weighed because the provinces have not yet had an input, have given that point of view. Somehow the regions in this great country are not heard, understood or felt. But we will start talking about these specific items. We will bring them to you. Will you do something about it now? Either you respond to what I have just said or you call me wrong and correct my statistics. Do something about it one way or the other. Do not ignore us again. We are tired of being ignored. We want to be heard. We want to be felt. There is representation in this House from western Canada. I am standing here representing western Canada. It does not take a Liberal on the side opposite, a member of the NDP, or a Conservative to represent the west. It does not matter who does it. We are elected representatives. We are here to be heard. We have a message to give to you. You must hear it. You must listen because this is something specific. Let us see what you can do about it.

This is just one example of how western Canadians have been doing more than their share to assist in Canadian economic development. I do not think it is healthy for anyone to suggest they are doing anything else. I do not think the west is asking too much when it says it deserves an equal say on how the Constitution will be amended, nor do I believe it is helpful to threaten western premiers with scorn every time they object to proposals which could hinder their future social and economic development. We have that feeling.

The last time I stood in debate in this House I quoted Premier Lougheed, I quoted Premier Blakeney, and I quoted Premier Bennett. I was hooted down for quoting them, and I wonder why. That is something we in the west do not understand. We will not put up with it any more. To be sure, the federal government has provided great assistance to the development of the west. I want to recognize that, but at the same time they have acted in too many cases to hinder, to retard and to throw sand in the gears.

The case of freight rates is a clear example of what I am saying. Again, I want to be specific so that I give you not just rhetoric. The substantial benefits from confederation should not all flow from west to east or from east to west. Yet westerners must pay higher prices for consumer goods from central Canada because of expensive rail charges. I find it absolutely amazing that I can move the same furniture and goods from Ottawa to Vancouver on the same van line more

cheaply than I can move them from Vancouver to here. There is something wrong there.

An hon. Member: It is further from Vancouver to Ottawa.

Mr. Wenman: That is the kind of answer we receive, that it is further.

I would call it ten o'clock, Mr. Speaker.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

● (2200)

[*English*]

VETERANS AFFAIRS—BACKLOG OF CASES BEFORE PENSION REVIEW BOARD—CALL FOR MINISTER'S RESIGNATION

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, on February 11 my colleague from Grey-Simcoe directed a question to the Acting Minister of Veterans Affairs (Mr. Lamontagne) regarding a pensioner in his riding who was having great difficulty having his pension application reviewed. He received a letter from the Royal Canadian Legion, Ontario command, stating that he would have to wait from 12 to 14 months before his application would be reviewed. We find this unacceptable. This matter has been raised continually in this session, even by Liberal members, and we are not satisfied with the answers we are receiving about the delays, Mr. Speaker.

I also posed a supplementary question to the acting minister pointing out, as recorded on page 7127 of *Hansard* for February 11, 1981:

> There is a backlog of serious proportions before the Pension Review Board, and many veterans are dying before their claims are processed. As the two previous ministers of veterans affairs were making progress in clearing up this problem, and as things have gone from bad to worse under the minister's direction, is he now prepared to resign and let another minister take his place so that this serious, shocking matter will be cleared up in the department?

He gave me no answer at that time, Mr. Speaker, and one of his Liberal colleagues pointed out to him: Don't answer it. We are going to keep asking the question until we get the answer, you can be sure of that. We are not going to stop raising this.

The reason I suggested this Acting Minister of Veterans Affairs resign, Mr. Speaker, is that I believe he is having great difficulty in handling the two portfolios, the Department of National Defence and the acting veterans affairs role. I would suggest to him, and I hope the parliamentary secretary will relay my feelings and the feelings on this side of the House, that he have a talk with the Prime Minister (Mr. Trudeau), suggesting that he just handle one portfolio or the other. We have no objections on this side to the acting minister taking over as the full-time Minister of Veterans Affairs and the Prime Minister giving the Department of National Defence portfolio to another member.

I believe there are some ministers who can handle two portfolios. I have seen that on both sides of the House. The hon. member for Victoria (Mr. McKinnon) had no difficulty handling both portfolios, but we feel on this side of the House that the present acting minister is having great difficulties.

He is not here tonight, he is out visiting military bases or he has been the last few days. That is part of his job and there is nothing wrong with that, but we want a full-time minister who is going to be spending some time over on Wellington Street at the Department of Veterans Affairs headquarters in order to find out what is going on with this Pension Review Board.

I want to point out, Mr. Speaker, that in this letter my colleague from Grey-Simcoe was quoting from about that 12 to 14-month delay before a review of this man's pension claim, it actually says he might have to wait up to two years—two years, Mr. Speaker.

Veterans are getting older, they have been hit hard with the budget, they are hit hard by this new energy package and they are looking to increased pensions. To tell them they have to wait for up to two years before their pensions are reviewed is absolutely ridiculous. That is why we are calling for a full-time minister.

I have here a list of several pages I received from the War Amputations of Canada of veterans who have passed away waiting for their pension to be reviewed. This is totally unacceptable. We cannot accept these continuous excuses, or that it takes six to eight months to clear this up. That is the standard answer; in six to eight months we are going to get some action on this. We are finding that even Liberal members are asking questions in the House about this matter, and I pointed that out a couple of weeks ago.

● (2205)

One Liberal, in a question to the Acting Minister of Veterans Affairs, pointed out that as a Member of Parliament one hesitates to recommend to a veteran that he go through the appeal procedure because it takes so long. It is a sad situation when a Member of Parliament has to tell a veteran that he may as well forget about his problem because it might take two years before anything happens. This is discouraging news to give a veteran.

Perhaps the parliamentary secretary could ask the present acting minister to consider discussing his role with the Prime Minister. We need a full-time minister of veterans affairs in light of the problems we are having in the Department of Veterans Affairs, especially those with the Pension Review Board. I hope the parliamentary secretary will have some good news for us tonight. I hope he is able to give me some assurance that he will pass the message on to the Acting Minister of Veterans Affairs on his return.

Adjournment Debate

Mr. John Campbell (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, I thank the hon. member for Winnipeg-Assiniboine (Mr. McKenzie) for the opportunity to clarify the situation concerning the backlog of cases to be heard by the Pension Review Board.

When an application is received, action is initiated without delay, usually within the same week, to keep the applicant informed about the appeal process. The backlog arose some four years ago when applications to the Board increased from 550 appeals to 1,400 appeals. Three years ago the government appointed two additional ad hoc members to the board, thus increasing the board's production from 560 decisions to 1,100 decisions annually. Unfortunately, there remained some 200 cases which were not heard, and the Pensions Review Board was not meeting the demand for appeals.

Under the previous government, vacancies occurred and the membership of the board was never brought up to strength. These unfulfilled positions had the unfortunate effect of compounding the problem.

Upon forming the government last year, we moved quickly to bring the board to full strength and the acting minister personally recommended and obtained government approval to provide six additional person-years to assist board members in the researching and gathering of facts, thus speeding up the appeal process to meet demand. The year-end statistics show that the Pensions Review Board is now disposing of more cases than new applications received.

Contrary to the statement by my hon. friend, progress has been made and we have taken the steps necessary to ensure that further progress is made in reducing the backlog. The Canadian Pension Commission is presently dealing with a backlog of cases at the first division level. Problems created by the loss of trained medical and other support staff and the lengthy time it takes to train new staff have contributed to the increase in time required to prepare a case for a first decision. Other factors, such as the availability of pertinent medical information only obtainable from private physicians or non-departmental hospitals have also contributed to delays in adjudication. During the last meeting of the Standing Committee of Veterans Affairs the chairman of the Canadian Pension Commission explained the situation at length with regard to delays in adjudication.

It should be noted that a few months ago Parliament gave the commission the added responsibility for adjudication on the award of proportionate pensions for widows. These applications are being processed rapidly with an absolute minimum of delay. Not long ago there were many complaints about the length of time required to hear a claim which was appealed to the second level of adjudication, namely, entitlement award hearings. The commission has been able to reduce the waiting period so that now it is less than at any time in the last ten years. There is every reason to believe it will be just as successful in reducing the number of claims awaiting first decisions.

Hon. members will know that the Pension Act makes provisions for retroactive awards to successful applicants so that applicants are not penalized for delays in adjudication beyond their control. We are very aware of the difficulties delays cause to our veterans and their families, and we are taking steps to improve the situation.

NATIONAL ENERGY PROGRAM—MULTINATIONAL OIL COMPANIES MOVING TO MEET CANADIAN OWNERSHIP REQUIREMENTS

Mr. Maurice Foster (Algoma): Mr. Speaker, on February 11, 1981, I put a question to the Minister of Energy, Mines and Resources (Mr. Lalonde) concerning the National Energy Program and what has happened with respect to Canadianization.

It seems to me there are three important parts to the program. The first is the pricing and distribution of revenues, which gets perhaps 80 per cent or 90 per cent of the present publicity and interest across the country. The second, which is very important, relates to conservation and substitution. I hope that in the next month or so the minister will be moving ahead with plans for greater conservation and substitution of oil by natural gas, electricity and renewable energy sources. The third part which is very important and certainly will be important to the future of this country relates to the Canadianization program.

In my question, I asked the minister if he could confirm press reports that some seven multinational oil companies were moving rapidly toward Canadianization.

• (2210)

This question was based on a press report on page six of the Ottawa *Citizen* of February 10, 1981, to the effect that multinationals are scrambling on to the bandwagon. The press report suggested that several oil companies, Getty, Murphy, Suncor and Ultramar, are about to be taken over by Canadian companies in order to qualify for the petroleum incentive grant system which will be available to Canadian-owned companies.

It further suggests that Gulf Canada submitted a report to its parent company in the United States suggesting three alternatives for Canadianization of that company. It suggests that Shell and Mobil are negotiating with medium-sized Canadian companies for greater Canadian ownership and corporate arrangements which would make them eligible for the Canadian petroleum incentive grants as well.

If these negotiations are taking place, it will be a major step toward breaking the log jam and moving toward greater Canadianization of our petroleum industry, especially when coupled with the actions by Dome in its move toward Canadianization and, of course, the recent takeover of Petrofina by PetroCan.

The president of Imperial Oil appeared before the Standing Committee on National Resources and Public Works. He indicated that company was not contemplating corporate structure changes, that it would be able to continue on without moving toward greater Canadianization. It has been suggested in some circles that by using farm-in arrangements for drilling

on their lands that in fact they can qualify for the grants available.

These moves are important. I hope the parliamentary secretary will indicate how much progress has been made. We are told that 71 per cent of our petroleum industry is foreign owned and 82 per cent is foreign controlled. If these press reports are accurate, this means we are starting to move toward greater Canadianization of our petroleum industry. I hope the parliamentary secretary will be able to confirm this in his response to my comments tonight.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, I am pleased that the hon. member raised the question of Canadianization in the petroleum industry since it is a principal feature of the National Energy Program tabled in the House last autumn.

I want to note, as the hon. member has already done, that the acquisition of Petrofina by Petro-Canada and the recent move by Dome Petroleum toward a greater degree of Canadian participation represent major progress in the program of Canadianization, a program which carries broad support across this country. In asking the question a few days ago, and in pursuing the matter this evening, the hon. member referred to possibilities of further Canadianization moves that can be anticipated.

● (2215)

Those moves must necessarily remain within the terms of commercial confidentiality during this stage of discussion and negotiation, but I share his expectation that in the time ahead we will see a greater degree yet of Canadianization in this dynamic sector of our economy.

In that regard, I want to emphasize the willingness of the government to assist petroleum companies in meeting the Canadianization objectives. In that context, I should like to refer to the statement made yesterday by the minister which set forth some details about the ownership criteria to qualify for the petroleum incentive program. The minister announced yesterday that the incentives will significantly help companies meet our Canadianization objectives. The hon. member may well be aware that the phasing-in approach to the program will ensure that more companies are immediately eligible for the maximum incentive payments for exploration and development, particularly in the so-called "Canada lands", or the frontier areas. These new regulations will give the companies more time to increase their Canadian ownership rate, a measure which, in some respects, is similar to that now in place in Australia.

I refer to these and other provisions as indications of the desire of the government to facilitate the move toward Canadianization of a number of corporations in the petroleum sector, and, indeed, of the importance the government places on this objective. I do not need remind the House that the degree of foreign control in the industry has been greater than in other industrialized countries, and that the government is committed to ensure a greater degree of Canadian control in the petroleum industry.

THE CONSTITUTION—PROPOSALS MADE TO PROVINCE OF SASKATCHEWAN

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, I was very interested in the remarks of the hon. member for Algoma (Mr. Foster), and his question with respect to the energy policy. It is my understanding that members traditionally use this opportunity to express their concern and dismay over the inadequacy of answers which have been given during question period. I can fully understand why the hon. member for Algoma would ask that question.

My question has to do with the Constitution. I would really appreciate the opportunity, following the speech by the hon. member for Lincoln (Mr. Mackasey), of a Liberal member speaking on this issue. It appears that the seals are silenced; the Liberals are sitting back with their lips zipped, not participating in this debate leaving it to members of the House of Commons on the opposition side to speak. Maybe by this device of asking a question in the course of the late night show we can get some Liberal to stand in his place and talk about the Constitution.

This matter has preoccupied the Prime Minister (Mr. Trudeau) and the Liberal Party. My question is very specific. I asked the Minister of Justice (Mr. Chrétien) in the House what in the world was going on in respect of his negotiation with the province of Saskatchewan, trying to bring Premier Blakeney and the province of Saskatchewan on side in this constitutional debate?

● (2220)

This is a very serious debate in the course of our country's history. I do not deny that for a moment, but I think this kind of debate, discussion and negotiation requires candor on the part of the government. The government should keep the people of Canada advised on what it is prepared to do and how far it is prepared to go in order to win political support for this package.

While we hear many statements from government spokesmen, particularly the Minister of Justice, to the effect that these are fundamental principles which will be entrenched in the Constitution by way of a charter of rights, the government has demonstrated in the course of its activities during this debate that it is prepared to be so flexible as to do almost anything to receive political support in order to get the package through.

I think it was not unfair for me to ask what is happening with the province of Saskatchewan. There was no secret. Everyone across the country knew that the attorney general of the province of Saskatchewan was involved with senior officials of the Department of Justice. Offers were made. These negotiations went on for a full week while the committee was sitting and considering constitutional proposals. The Premier of Saskatchewan raised two questions at the constitutional

committee in respect of his requirements. One question was in respect of a definition of ownership of resources, and the second was in respect of an amending formula and referendum provisions. He was opposed to the government's proposals in those respects.

The negotiations went on. I asked what offers were being made. The Minister of Justice refused to answer. All of a sudden, once the negotiations broke down, we found a line was given to the press. The press was being fed different versions of the story. What did we read in the press of February 10, 1981? Spokesmen for the federal government, one Edward Goldenberg, an aide to the Minister of Justice, and Senator David Steuart, a former Saskatchewan Liberal leader and a political opponent of Premier Blakeney's New Democratic Party government, said that the government offered Saskatchewan all it asked. That was the word being fed to the press. That was the contrived press manipulation this government is so good at and attempts to use so often.

The next day there was a report from Mr. Romanow, the attorney general of the province of Saskatchewan. He said the federal government never offered to meet the bottom line of Saskatchewan's constitutional demands. I know it is not a very parliamentary term, but if one party says one thing and another party says exactly the opposite to what the Liberal spokesmen were saying, I would say the other party was accusing the Liberal spokesmen of not speaking the truth.

I simply want to know what the government was doing in the negotiations. Is it in a position now that it is still prepared to negotiate with the province of Saskatchewan? Will the parliamentary secretary stand in his place and explain, after all this press speculation and press manipulation, precisely what game this government is up to in respect of its negotiations with the province of Saskatchewan? I come from Saskatchewan and I am interested in knowing what is happening to my province. The people of Canada want to know how far the federal Liberal Party is prepared to go in order to get this package through.

I very much look forward to the parliamentary secretary's response, which I know will not equivocate. It will answer this question without any attempt to deviate from the facts of the case, and it will let us know exactly what was offered and what is the true story in this instance.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I am very glad to answer the hon. member for Saskatoon West (Mr. Hnatyshyn) this evening in respect of the particular points he just mentioned in his question. First I should state with regard to the strategy of dealing with the constitutional debate, I thought it rather ironic that the Conservative Party, which decried the lack of opportunity to speak before Christmas when the resolution was in the House, would now complain that there are too many opportunities to speak. I would like to point out to the hon. member that the interventions from this side of the House cannot and will not be judged solely by their quantity but mainly by their quality.

Mr. Hnatyshyn: Now for the serious part of the answer.

Mr. Collenette: On the particular point at hand, the record is quite clear. On February 5, the minister gave what I thought was a very clear response to the hon. member for Saskatoon West. The deliberations with regard to all provincial governments are a matter of public record. Ever since the proposed resolution was made public on October 2, 1980, the government has been prepared to discuss with any province any changes they may wish. Certainly I would say that the government is still prepared to entertain any further suggestions on the part of anyone, whether it be the opposition in the House, provincial governments or any other individuals. Notwithstanding the fact that the committee stage has passed, this matter is still before Parliament. The final decisions will not be made until the final vote is taken in this chamber.

• (2225)

Premier Blakeney has said several times since October that he was not going to take any position on the package until it was clear what its final contents would be. He appeared before the special joint committee on December 19 and publicly submitted his views on the resolution. He suggested a number of changes, some of which have been adopted.

For example, and I want to be quite candid with the hon. member, Mr. Blakeney proposed a referendum rules committee. This request has been met in Sections 44 and 50 of the resolution before us. Secondly, he and Premier Hatfield suggested a change in the equalization provision. This change is now reflected in the text of Section 34. He urged the adoption of provisions confirming or transferring authority over resources to the provinces. The text supported by him has been adopted, except it does not give the provinces jurisdiction over international trade, as he advocated. The Minister of Justice (Mr. Chrétien) has been equally strong in his point of view that there will be no change in the government's position in respect of the provincial role in international trade and resources.

The government has discussed all these matters with Mr. Blakeney and his representatives from time to time, and after considering all the factors has made recommendations to the committee. This is reflected in the resolution now before the House, and it is up to Canadians, and the people of Saskatchewan in particular, to judge the actions of Mr. Blakeney for what they are, and whether he is acting in the best interests of the people of Saskatchewan and in the best interests of Canada.

Mr. Deputy Speaker: A motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m.

At 10.27 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, February 18, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

HOUSING

PROGRAM OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

In the Speech from the Throne delivered on April 14, 1980, when the mortgage interest rate was 16 per cent, the government said it would assist those unable to bear the burden of renegotiating home mortgages, but later cancelled the alleged program of assistance because the interest rate decreased. I move, seconded by the hon. member for Vancouver Quadra (Mr. Clarke):

That this House direct the government to keep its promise made in the Speech from the Throne to assist those Canadians who cannot afford the home mortgage interest rate which today exceeds 16 per cent in most of Canada by providing the promised program of assistance.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FISHERIES

PROGRAMS OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

In view of the promises made in the throne speech that the government would undertake major initiatives to ensure the quality of fish products, to ensure orderly marketing, and to guarantee adequate investment in the fishing sector, through partial cost recovery, and whereas none of these promises has been fulfilled over the past 12 months, I move, seconded by the hon. member for Malpeque (Mr. Gass):

That this House condemns the inaction of the Minister of Fisheries and Oceans in failing to carry out the promises made to Canadian fishermen in the Speech from the Throne, and directs him to take immediate initiatives which will restore the economic potential of Canada's fishing industry.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

DISABLED AND THE HANDICAPPED

LEGISLATION OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

Notwithstanding the government's promise of April 14, 1980, in the Speech from the Throne, to provide employment opportunities for handicapped Canadians and to add new legislative protections to the Human Rights Act, the government vacillated on entrenching the rights of handicapped persons and said the status of handicapped persons could not be defined. Therefore I move, seconded by the hon. member for Red Deer (Mr. Towers):

That this House condemns the government for failing to fulfil its promise to handicapped Canadians to introduce legislation amending the Human Rights Act to protect the rights of the handicapped in addition to any recognition granted by a charter of rights.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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POLITICAL PARTIES

MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that there are reports of the Conservative-Rhino coalition breaking down and that card-carrying red rhinos have found problems in obtaining invitations to next week's party convention, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

S.O. 43

That Joe come clean on his relationship with the Rhinoceros Party and that this House support Joe's attendance at the Rhino leadership convention on May 16 at the Granby Zoo.

Madam Speaker: The hon. member for Brampton-Georgetown.

* * *

ENERGY CONSERVATION

LEGISLATION OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Canadians recognize that fuel efficiency standards for automobiles can result in immense energy economies and cost savings to consumers, and welcomed the promise in the Speech from the Throne for federal legislation establishing fuel efficiency standards. Therefore I move, seconded by the hon. member for Prince Edward-Hastings (Mr. Ellis):

That this House condemns the government for failing to formulate and introduce legislation setting mandatory fuel efficiency standards for automobiles as promised in the Speech from the Throne and for thereby permitting inefficient automobiles to be supplied to Canadian consumers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PROCEDURE

USE OF STANDING ORDER—MOTION UNDER S.O. 43

Mr. Maurice A. Dionne (Northumberland-Miramichi): Madam Speaker, on this historic day, under the provisions of Standing Order 43, I move, seconded by the hon. member for Madawaska-Victoria (Mr. Corbin):

That the opposition's flagrant abuse of Standing Order 43 be referred to the Standing Committee on Procedure and Organization for action.

Madam Speaker: The hon. member for Surrey-White Rock-North Delta.

* * *

● (1410)

PENSIONS

CONVENING OF CONFERENCE OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. Everyone in Canada recognizes the plight of our senior citizens. Those who battle inflation on fixed pension incomes welcomed the government's announcement in the Speech from the Throne of a national pension conference for the fall of 1980. Therefore I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That this House condemns the government for its cruel deception of senior citizens in failing to convene the national pension conference promised in the Speech from the Throne and in failing to fulfil its promise to aid those on fixed pension incomes.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENERGY

CREATION OF CORPORATION OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Development of alternate energy sources to replace oil is vital to the resolution of Canadian energy problems, and all Canadians wanted the creation of an alternate energy corporation as promised in the Speech from the Throne on April 14, 1980. Since this has not been done, I move, seconded by the hon. member for Halifax West (Mr. Crosby):

That this House condemns the failure of the government to create an alternate energy corporation as promised in the Speech from the Throne to stimulate the development of new and renewable energy sources to replace oil so that Canadians in the east will not be dependent on costly foreign oil.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EMPLOYMENT

PROGRAMS OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I join my colleagues on this historic day to remind the people across the aisle of the broken promises in the throne speech.

Unemployed Canadians welcomed the government's promise in the Speech from the Throne to develop critical trade skills to prepare Canada's labour force better for tomorrow's jobs by providing trades training programs. I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That this House condemns the government for implementing a national energy program which has drastically reduced resource exploration and develop-

ment and resulted in deferment of trades training programs for offshore and onshore skilled jobs instead of fulfilling the promise made in the throne speech.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ROYAL CANADIAN MOUNTED POLICE

MEASURES OUTLINED IN SPEECH FROM THE THRONE—MOTION UNDER S.O. 43

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, I am also rising under the provisions of Standing Order 43. The government said in the Speech from the Throne on April 14, 1980, that it would implement the recommendations of the Marin royal commission to formalize internal discipline in the Royal Canadian Mounted Police and provide for an external review of public complaints against members of the RCMP. As is the case with other promises, we have not seen legislation in this respect. I therefore move, seconded by the hon. member for Edmonton North (Mr. Paproski):

That this House condemns the government for failing to fulfil this and other promises in the Speech from the Throne, especially with respect to internal discipline and public complaints, and thereby undermining the status of the RCMP and its bond of trust with the public.

Madam Speaker: Is there uanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE MINISTRY

RESPONSIBILITIES OF INDIVIDUAL MINISTERS—MOTION UNDER S.O. 43

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, the Solicitor General (Mr. Kaplan) has written to a constituent of mine as follows:

As minister responsible for the riding of Broadview-Greenwood, I am pleased to send the attached cheque in the amount of $15,568 on behalf of my colleague, the Hon. Jim Fleming, Minister of State for Multiculturalism—

Therefore I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the House congratulates the Solicitor General on his new and onerous responsibilities as the minister responsible for the riding of Broadview-Greenwood and that the Prime Minister indicate who are the other ministers responsible for this or other ridings and in general for public expenditures in constituencies throughout Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

ENERGY SERVICES ASSOCIATION REPORT—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, one year ago today Canadians were paying 25 cents a gallon less for gasoline. One year ago today well drilling starts were on the increase. Now, one year later, they are declining at the rate of 16 per cent, depriving Canadians in the drilling industry and support and supply service industries of jobs.

The Energy Services Association of Alberta has issued a documented report on the negative effect the government's energy policy is having not only on oil and gas exploration but also on downstream jobs and even on the food, textile and all service industries.

I therefore move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That members of the government read this report, which will be delivered to their offices today, and act immediately to redress the disastrous results the government's policies are having on the economy, creating disastrous effects for most Canadians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

NATIONAL ENERGY PROGRAM

ECONOMICS OF OIL SANDS PROJECTS—SUBMISSION BY CANADIAN PETROLEUM ASSOCIATION

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I should like to direct my question to the Minister of Energy, Mines and Resources. The National Energy Board has been hearing evidence on energy supply and demand in the last few months. It is fair to assume that the minister has instructed his officials to monitor these hearings. Is the minister, therefore, aware of the submission of the Canadian Petroleum Association in which it stated that the main reason for not proceeding with oil sands projects is simply that they are no longer economical under the National Energy Program? What is the minister going to do to get the projects going again?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I have indicated that two governments had to be involved in this matter, the government of Alberta and the Government of Canada, that we were ready and willing to undertake additional discussions with the government of Alberta in this particular regard, that the net returns to the industry had to do not only with the price of oil but also with the taxation and the royalties imposed on those companies by Alberta, as well as the taxes raised by the national government.

We indicated last year that we were ready also to make a deal with Alberta so that the tar sands projects could be proceeded with on their own without having to wait for a comprehensive agreement with the government of Alberta. Unfortunately, the government of Alberta has refused this offer and has decided that it wanted to hold those projects as a kind of ransom for a comprehensive deal. That is its decision. We have to carry on those discussions, and we are available.

Mr. Hnatyshyn: Madam Speaker, the same association has requested that, owing to the critical importance of oil supply, on which I think the minister agrees, and the devastating effect which the National Energy Program is having on future supplies, the National Energy Board submit as soon as possible an interim report on oil supply. Is the minister prepared to advise the board to meet this request, or does the minister consider it to be in his interest to delay the production of such a report?

Mr. Lalonde: Madam Speaker, the hearings by the National Energy Board are concluded. I am sure the National Energy Board is reviewing the evidence submitted to it and will be preparing its report. When the board is ready to submit its report, it will be made public. That is a decision for them to take.

So far as the so-called devastating effect of NEP is concerned, I want to refer the hon. member to a report by the Alberta Energy Conservation Board which has stated quite clearly that the devastating effects on energy supply in the 1980s were going to come mainly out of the decisions of the government of Alberta rather than from the NEP. The board stated that while the NEP might have a negative effect of about 50,000 barrels a day, the current decisions by the government of Alberta would have a negative effect of around 300,000 barrels a day, if I remember well. That is also a report which my hon. friend might want to examine.

DISCUSSIONS BETWEEN FEDERAL AND PROVINCIAL GOVERNMENTS

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I do not know which comes first here, the cart or the horse. The minister must understand that his policies will have very serious consequences on the policies of producing provinces.

This brings me to my final supplementary question regarding the absolute necessity of having some kind of an agreement between the producing provinces and the federal government. The lack of it is deterring activity and causing great apprehension. Rigs are leaving the country, owing to the fact that the NEP, announced on October 28, was simply the kiss of death. The indecision has caused a movement of rigs out of our country ever since the government took office. I want to ask the minister what initiatives he is taking to reconvene discussions with the producing provinces so that we can move forward together, or is he prepared to sit back and wait for someone else to take the initiative?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I quite agree with the hon. member on the necessity of having an agreement with the producing provinces. I know that he has spent many months of fruitless efforts in trying to arrive at an agreement which, unfortunately, he did not succeed in getting when he was in office. Unfortunately, we have not been more successful up to now, but I hope we will. I have already met with my counterpart from Saskatchewan with whom I have had a very good discussion and a fruitful meeting. There have also been discussions at the official level with Saskatchewan officials. Unfortunately I have not been able to arrange a meeting with my counterpart from Alberta.

• (1420)

The government of Alberta indicated publicly and repeatedly that it wanted discussions to be carried on at the level of officials for a while. The last indication I had was from a statement by a senior official of Alberta saying that they would not be ready to report to their government before mid-March, and that they did not think there would be any opportunity for serious or extensive negotiations to commence before then. I find this regrettable but, again, our officials are available, I am available, and the Government of Canada remains available for resumption of discussions with the government of Alberta as soon as that government is ready for such discussions.

ADVICE GIVEN BY MINISTER'S OFFICIALS

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Those of us who live in western Canada and are familiar with the industry have considerable concern about the supply situation. The minister brought up the issue of his officials. He said that they were willing to talk. Recently *The Globe and Mail* reported that the minister's officials, before a gathering of engineers and geologists in Alberta, said that 22,000 wells would have to be drilled in western Canada to find a four or five-year supply of oil. Also they said that in the north this would take 75 wells.

Some hon. Members: Question.

Mr. Hawkes: Is that the kind of advice he is receiving from his officials, and does he believe that kind of advice?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member referred to *The Globe and Mail.* He knows that paper does not refer to me very positively, very often.

Mr. Epp: Never.

Mr. Lalonde: But while he is dealing with *The Globe and Mail,* I might suggest that he read the article this morning on the question of oil rigs and gas rigs. It indicated that the arguments of the drilling contractors' association lack complete credibility. They lack complete credibility when they claim that the NEP has been the cause of reduction in drilling in some areas. My friend might find an advantage in reading this particular article.

As far as the specific article to which he referred is concerned, I have not seen that article. I will read it and let my friend know what are my views on it, but I am not aware of statements by my officials to that effect.

Mr. Hawkes: Madam Speaker, the bafflegab gets longer and longer. I asked the minister whether he believed that kind of advice; at least he could answer that. The minister brought up the issue of drilling contractors in the province of Alberta. Those of us who live there and drive north in the wintertime see rigs going south. That is believable, that is what is happening, and the supply situation is suffering.

Does the minister have his officials working on a new supply forecast based on the fact that we will have fewer rigs drilling in this country in the years ahead? The drain of rigs began prior to the NEP because they knew it was coming. The minister should back off. We need oil in this country; we must have rigs.

Some hon. Members: Hear, hear!

Mr. Lalonde: Madam Speaker, if it helps the hon. member, I might remind him that on February 10 of this year, which was approximately eight days ago, there were 577 rigs active in Canada compared to 531 on February 12, 1980. So, there are more rigs active at the present time in Canada, including western Canada, than there were last year; not fewer.

An hon. Member: Why don't you go out there and see?

* * *

THE ECONOMY

GOVERNMENT ACTION TO COMBAT INFLATION—REQUEST FOR CUT IN TAXES

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is directed to the Prime Minister. Last year in the election campaign he promised to "assist those who need it most". He specifically promised to control inflation. Today's Gallup poll indicates that Canadians are not exactly impressed with his efforts, when 50 per cent said that inflation is the number one problem, for the obvious reason that the costs of essentials are up more than 12 per cent, well in excess of wage increases. Is the government now prepared to act on his election promise to do something about inflation? Specifically, will he bring in a tax cut for middle and low-income Canadians, many of whom cannot afford to wear the roses that all the Liberals are sporting in their suits today?

● (1425)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker—

Some hon. Members: Hear, hear!

Some hon. Members: Baa, Baa!

Mr. Trudeau: Madam Speaker, I think the reaction of the members on this side to the question of the Leader of the New Democratic Party shows that they are not prepared, as he seems to be, to condemn the flower growers and gardeners of Canada. They are workers, too. The people who sell flowers have an honest living to make, just as any other worker has.

Some hon. Members: Hear, hear!

Mr. Crosbie: Who paid for them?

Mr. Trudeau: Madam Speaker, in so far as who paid for them, hon. members opposite can look at a question asked by one of their own members on this general subject. If they are interested in what their own members are asking about, then they can read the answer. They obviously do not take their own people very seriously.

In the Speech from the Throne we made a clear commitment that we would first help those who needed help most. That was why, within weeks of the meeting of this House after the last election, we introduced a measure to provide the old age pensioners with a very sizeable increase in the guaranteed income supplement.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, members on this side should be excused for thinking that the Liberal cheers when the Prime Minister stood up were for the rate of inflation. It indicates their concern.

Notwithstanding the assistance which was provided to pensioners, which all members in this House support, no one else has received anything. Since the Prime Minister acknowledged in the campaign that interest rates had some bearing on the cost of living, and since the government has refused to interfere with the Governor of the Bank of Canada and his high interest rate policy, there are two areas of specific concern upon which the government could move. One is mortgage rates and the other is small business loans. Since small businessmen have to pay in excess of 20 per cent in order to expand, and since mortgages are up to 16 per cent to 18 per cent, will the government at least take specific action and make the banks put up money for small businesses at lower rates through mandatory legislation, and will it substantially lower mortgage rates?

Mr. Trudeau: Madam Speaker, as far as small businessmen are concerned, we responded to the request of the Small Businessmen's Association. We extended to the end of this year the small business development loan, and that is a significant gesture.

Mr. Crosbie: The bond—my bond.

Mr. Trudeau: Madam Speaker, the bond.

The hon. member talks about the causes of inflation. Of course there are many. As he knows, one of the main causes of the rapidly increasing cost of living is the cost of energy. The government has been putting forward policies and seeking the support of members opposite for an energy policy which would keep inflation at about five to six points below what it would have been if we had followed the Tory energy policy.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, for almost a year now the issues of special assistance to senior citizens and lower energy prices than would have been provided by the Tories, have been singled out. That probably leaves out 95 per cent of Canadians from receiving any serious action which would benefit them in terms of inflation. Is that to be the sum total of the government's action on inflation? Or, is the Prime Minister going to stand back and allow the average income of working families to decrease by another $1,200 this year, as the figures of the Minister of Finance indicate? In effect, is the Prime Minister saying that he does not care about that and that the financial policies of the government will remain unchanged?

Mr. Trudeau: Madam Speaker, I am sorry if I offend the hon. member. But when he mentions the figure of 95 per cent of Canadians being untouched, it seems to me he is showing a great ignorance of the need for energy by all Canadians in this country, from farmers to old age pensioners, to young people, who all across the country are benefiting from the government's policy to keep inflation at about five points below what it would have been under the budget of the party opposite.

* * *

● (1430)

HOUSING

IMPLEMENTATION OF PROGRAMS OUTLINED IN SPEECH FROM THE THRONE

Mr. Doug Lewis (Simcoe North): My question is to the minister responsible for housing. In the Speech from the Throne the government promised to protect those Canadians most affected by unacceptably high interest rates, and they have been unacceptably high since the government took office. What action has the government taken on this promise?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I thank the hon. gentleman for the question because in fact it is a repeat of a question that he has asked and that I have responded to in the House on previous occasions.

I would simply remind the hon. gentleman of the history of the ministry since that time. The first action, again within a month of taking office, was the movement by the corporation and the ministry to respond under government programs to those people who had been promised continued assistance; I refer to the AHOP assistance program to keep costs below 30 per cent of income.

Secondly, I would remind the hon. gentleman of the increase of the non-profit social housing commitment of this government, to increase the annual commitment from 25,000 starts in a year to 30,000 starts.

Finally, Madam Speaker, I am happy to have the occasion to point out to the hon. member the provisions of the report on the handicapped yesterday, which complimented CMHC for its action in addressing the handicapped in this nation and for the leadership it has shown in that regard.

Mr. Lewis: We keep asking the question because we do not get an answer.

Turning to another part of the Speech from the Throne, the government promised to assist those unable to bear the burden of renegotiating their home mortgages in the present abnormal situation so that the spectre of foreclosure will be avoided. CMHC is now swamped with the spectre of foreclosed homes. Why did the minister not take any action on that promise?

Mr. Cosgrove: I would be repeating my last answer to the hon. gentleman, that when we said we would address assistance to those who needed help first, we did, to those people who were on the bottom end of the lower-income scale and that is why we addressed, for example, the rule to protect on an equitable basis those people who would have to pay more than 30 per cent of their income towards shelter cost. That is why we address the issue of social housing units, because those units, by and large, serve the target area, those people who find it difficult to come into the market, or find it difficult to compete or find housing in any other form.

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FISHERIES

LONG-TERM PLANNING AND DEVELOPMENT

Mr. Thomas Siddon (Richmond-South Delta): My question, Madam Speaker, is for the Minister of Fisheries and Oceans. The throne speech makes a number of sanctimonious sounding promises with respect to initiatives affecting the fisheries sector which would be expected to increase substantially Canada's share of our own natural resource and to assure a maximum return to fishermen and fish processing companies. In the past ten months the exact opposite has happened. We see chaos in the industry, a lack of consultation, last minute changes of regulations, and this is all summarized in a condemning news letter put out by the Fisheries Council of Canada in December, which suggests that the minister is guilty of politicizing the decision-making affecting the management of the fisheries.

Will the minister tell us why it is that he has refused to continue the comprehensive long-term planning and development of a national fisheries policy for Canada which was initiated by his predecessor, which he has abandoned, and which the Fisheries Council of Canada has scorned because he reneges on that very important initiative?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, taking the last point first, in fact I did not discontinue the work. A draft report is on my desk now and I hope that the good work started by my predecessor, which was an update of the document published in 1975, will in fact be useful information, which is obviously what the hon. member needs.

As to the question of maximum return, the hon. member may not have heard that the great push of the department, the industry, fishermen and processors, in the last months and the months to come would be to enhance the quality of Canadian fish in order to ensure consistent quality in the markets that we wish to penetrate. This work is going ahead very positively.

As for the question of the politicizing of the fisheries policy I might say that if tilting in favour of the fishermen who earn a living from the fishery is politicizing the debate, then I have to plead guilty to having politicized the discussion.

Mr. Siddon: That is not quite the accusation of the Fisheries Council of Canada, Madam Speaker. They allege in fact that the tilt has been to the advantage of incumbent members that happen to represent Liberal fishing ridings.

The throne speech promised that licensing regulations would be changed so that Canadian fishermen could benefit more fully from the resources out to our 200-mile limit. That clear promise in the throne speech has been reneged upon. Will the minister tell us when he is going to allow Canadians to benefit fully from our own resource, without licensing foreign trawlers to enter Canadian waters and harvest our resource, and when is he going to make some progress on resolving the long-standing situation with the United States on reaching an agreement on the shared use of those stocks which straddle the Canada-U.S. border?

Mr. LeBlanc: Madam Speaker, one of my colleagues suggested the hon. member fire his research bureau. It is a very positive suggestion. The fact is we have embarked on a difficult reorganization of the licensing program and, as hon. members on all sides of the House recognize, the goal is worthy but the way is difficult.

As for the question of Canada's role in the 200-mile zone, it is very clear from the Law of the Sea consensus that those species in which our fishermen and processors have no interest are allocated to foreign interests. As far as we are concerned, those fisheries which we are interested in are taken by the Canadian fleet. There may be a modest amount which respects treaties. We have, for example, a treaty with France, but surely the hon. member is not advocating that we do not live up to our responsibilities, having signed treaties.

Oral Questions

INDUSTRY

WHITE FARM IMPLEMENTS TAKEOVER—QUERY RESPECTING GOVERNMENT AID

Mr. Derek Blackburn (Brant): My question, Madam Speaker, is to the Minister of Industry, Trade and Commerce, but in his absence I will address it to his parliamentary secretary.

The White farm implement industry in Brantford has been shut down since last August throwing 1,100 workers out of work. The parent company in the United States has apparently found a buyer, three groups of Canadian investors, one in Guelph, Ontario, one in Brantford, and one in Montreal. I would like to ask what response will the federal government give to this group of Canadian investors who are seeking a $10 million loan from the federal government at a low interest rate in order to purchase this very viable farm implement industry and save it from going under permanently?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, if the hon. member had given me notice of this question, I would have been able to give him an answer immediately. I shall take note of it now and provide him with the details requested in the near future.

[*English*]

Mr. Blackburn: I have a supplementary, Madam Speaker. This apparently has been in the press for at least a day, and I am surprised the parliamentary secretary was not aware of it. The same group of Canadian investors has approached the government of Ontario for a $5 million loan, and in view of the fact the federal government came to the rescue of an American multinational, Chrysler, with respect to its Canadian operations, and in view of the fact that the Ontario government has been approached, will the minister assure this House and the stockholders of White farm implements, and the 1,100 workers at this operation that produced the best North American combine yet invented, that the Canadian government will not see White go under and will do everything it can to help the Canadian investors buy out that company so that it will be back on the tracks in a matter of a few weeks?

● (1440)

[*Translation*]

Mr. Lapointe (Charlevoix): Madam Speaker, I am happy to see that some members have enough leisure time to spend their day reading the newspapers. I would like to tell the hon. member that we are aware of the problems faced by this industry at the present time. I understand, but of course I would like to check on this, that the business development program has offered to that group of investors a loan guarantee of $10 million.

Oral Questions

TRANSPORT

INQUIRY WHETHER MINISTER DISCUSSED AUTOROUTES 13 AND 50 WITH QUEBEC COUNTERPART

Mr. Robert Gourd (Argenteuil-Papineau): Madam Speaker, my question is for the Minister of Transport.

In view of the election promise of the Quebec minister of transport to start work on highway 50 and complete highway 13 if the federal government is willing to negotiate and assist in the financing, can the minister tell the House whether he has been approached by his provincial counterpart in relation with such negotiations?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, many factors will eventually influence the decision to transfer to Mirabel some of the routes now going to Dorval. In passing, I am willing to postpone my appointment as ambassador to be there when this decision is made.

There will be the cost to the government, the cost to the carriers and the cost to the passengers. Obviously, the quality of the road network around Mirabel will be a major factor. It is in this context that an extension of highway A-13 must be considered.

Until now, as far as I know, the Quebec government had indicated that the federal government should make a decision about the transfer before negotiations on highway A-13 are undertaken. My hon. friend for Argenteuil now says that the Quebec minister of transport is willing to reconsider this position.

Mr. Fox: For the third time.

Mr. Pepin: For the third time, as one of my colleagues has just said. As I expect to meet with the Quebec minister very soon concerning the announcement of an agreement on the Montreal commuter train network, we shall probably discuss this matter at the same time.

* * *

[*English*]

AUTOMOTIVE INDUSTRY

LEGISLATION RESPECTING FUEL EFFICIENCY STANDARDS

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. Given that a promise was made to the Canadian people that the federal government would introduce legislation to set mandatory fuel efficiency standards for automobiles, will the minister give an explanation of why the government has failed to introduce this legislation?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the legislation is currently being drafted and will be introduced soon. The hon. member knows that there has been no time in the schedule of the House to consider a number of pieces of legislation. There are something like 40 bills awaiting consideration by Parliament. I am very eager, as are my colleagues, to see Parliament examine expeditiously these bills as well as others that will come forward, including the one referred to by my hon. friend. I hope we will get the co-operation of the opposition.

Mr. McDermid: Madam Speaker, it is obvious who has the pull over there and who can get their bills introduced in the House. Since the government is trying to convince Canadians that the most important step to energy self-sufficiency is conservation, why would the minister have put increased costs and energy taxes ahead of the conservation legislation? Could it be that the government is broke?

Mr. Lalonde: Madam Speaker, the hon. member must have been living in a dreamworld in the last six months, unless he was living some kind of nightmare of his own. In effect, we have introduced conservation measures and I will name one in particular, whereby Canadians can switch to natural gas or electricity in most provinces and get an $800 grant for that conservation.

Mr. Hnatyshyn: When?

Mr. Lalonde: They can do that, keep receipts, and the program will come into effect on April 1, without having to wait for the co-operation of my hon. friend, which is not very forthcoming when it comes to passing legislation in this House.

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PENSIONS

DELAY IN CONVENING NATIONAL PENSIONS CONFERENCE

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, my question is for the Minister of National Health and Welfare. The Speech from the Throne promised the convening of a national pensions conference by the fall of 1980. Within six months that promise was broken. I should like to ask the minister why there was such indecent haste to break that promise; has she been collaborating on a way to promise conventions and then break those promises by working with the Minister of Employment and Immigration?

Hon. Monique Bégin (Minister of National Health and Welfare): I have a real—

[*Translation*]

—how should I say, it really hurts me, Madam Speaker.

[*English*]

It really hurts me to have to inform the hon. Tory member that another hon. Tory government, namely, the government of Ontario, had to wait until it called an election to publish a very important report on pensions, which was released on Friday last week. By courtesy and elementary common sense we did not want that money to be wasted. We have that report now and our conference will be held on March 31. I hope the hon. member will be there.

Mr. Friesen: Madam Speaker, I wonder if the minister is operating on the Gregorian calendar. The conference was supposed to be held last fall and the election happens to be this spring, so there is a six-month gap there somewhere. The Speech from the Throne also promised that we must "begin immediately"—and I emphasize immediately—

—to design better methods of providing flexible, portable, and secure pensions both in the private and public sectors. To start this process, my government will soon release a major study on the Canadian pension system.

I should like to know what has happened, and when that study will be released?

[*Translation*]

Miss Bégin: Frankly, Madam Speaker, being asked such wonderful questions is almost a pleasure because they enable us to give political answers.

[*English*]

The hon. member does not seem to have in the research bureau of the Tory party a copy of the Lazar report which we begged the Tories, when they formed the government, to release. They had problems with the French translation. We had to wait until we were back in office to release that report. It has been released for months. If the Conservative opposition had had the common sense to identify pensions as a major concern of Canadians for their future, for tomorrow and for their children, they would have appointed a critic for pensions and they would have sent a delegate with me when we travelled to a few European countries to study the pension systems over there.

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ENVIRONMENTAL AFFAIRS

PROPOSED TALKS WITH UNITED STATES PRESIDENT RESPECTING GARRISON DIVERSION PROJECT

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, my question is for the Right Hon. Prime Minister. Early in March, President Reagan of the United States is scheduled to visit Ottawa. Is it the intention of the Prime Minister to use the opportunity of the President's visit to ask the new American administration for a clear and unequivocal commitment that no new funds will be appropriated for the Garrison diversion unit until such time as Canadian concerns about interbasin biota transfers and water quality are resolved?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I have dealt with this matter before. I would remind the House that I raised the matter on my very first meeting with the previous president, President Carter, and that he had given us an undertaking that, in so far as his administration was concerned, he was very conscious and respectful of the Canadian objectives in this regard. I intend to make the same points to President Reagan.

Mr. Sargeant: Madam Speaker, I hope the new president has more effect with the U.S. Senate appropriations committee than the last one.

U.S. CONGRESS COMMITTEE MEETINGS

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, my supplementary question is for the Secretary of State for External Affairs. In April this year the United States Congress appropriations subcommittees on energy and water development will hold hearings of witnesses in opposition to the Garrison diversion. Is it the intention of the Secretary of State for External Affairs to seek an opportunity to speak before these committees in order to outline Canada's grave concerns about this project, or should the minister be unable to testify, would he be prepared to send an all-party delegation of members of this House to testify at these hearings?

Hon. Mark MacGuigan (Secretary of State for External Affairs): I certainly do not think it would be appropriate for me to appear before an American committee, Madam Speaker. I will consider the hon. gentleman's representations as to the best way in which this should be handled.

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DISASTERS

LOCKEPORT, N.S.—AID FOR REBUILDING OF PLANT DESTROYED BY FIRE

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I wish to direct a question to the Right Hon. Prime Minister. On January 13 I directed a question to the Deputy Prime Minister concerning the disastrous fire which had occurred in Lockeport, Nova Scotia, and which caused loss of employment for some 305 people. The Parliamentary Secretary to the Minister of Regional Economic Expansion replied that a proposal concerning this matter would be made within the next few weeks to the advisory board of the department. In the absence of the Minister of Regional Economic Expansion, I will direct my question to the Prime Minister. As more than a month has passed, I would ask if the advisory board has now completed its examination of the company's proposal, a proposal I might add which was made over a month ago by company officials. Will he make this an anniversary day for Lockeport by making a decision which would lead to the rebuilding of the plant in that town?

• (1450)

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Regional Economic Expansion): In relation to what the hon. member stated, Madam Speaker, the advisory board has made its recommendation. The department in Nova Scotia has presented its proposal to the minister, and he will be making an announcement on this within the next few days.

Oral Questions

EMPLOYMENT

GOVERNMENT MEASURES TO PROVIDE JOBS

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, my question is for the Minister of Employment and Immigration. I wish to remind him of a short phrase in the throne speech, that there will be an increased effort to develop critical trade skills so as to prepare today's labour force better for tomorrow's jobs. The only thing the government signalled, during the year it has been in power, is its intention to reduce and shift some of the burden for manpower training and education to the provinces, to the tune of $1.5 billion. Will the minister advise whether there are any other initiatives which the government has undertaken to redress this critical situation in view of the fact that half the unemployed are under the age of 25 and industry is critically short of skilled manpower?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I am pleased to answer that question. I ask the hon. member to review some of the other announcements we have made since the throne speech. We introduced a new training program for women to bring them into non-professional fields. We established additional training funds for native people in Canada. We established a major parliamentary task force to look into the whole area of developing new programs for training, and held a number of meetings across Canada. In that regard we will be negotiating with the provinces in the forthcoming months to establish new training agreements. We have established new programs under the $350 million industrial adjustment program act. We have established a brand new generation of critical skills training to make sure there will be an upgrading of training opportunities for Canadians in displaced communities, as well as right across Canada. That is just a short inventory of a number of initiatives we are taking to provide for additional training because we recognize it to be one of the very important issues this country will face in the coming decade.

Mr. Oberle: Madam Speaker, the tomorrow that the throne speech talked about was here yesterday. Canada's industrial future lies in high technology jobs. The time for study has passed. The minister knows the situation. He knows that he has to involve industry, the provinces, labour unions and the government in redressing this critical situation. The time for study is no longer here, the time is for action. When is the minister going to take some action to bring the players together and produce some effective programs?

Mr. Axworthy: Madam Speaker, unlike some members of the opposition, we believe more in accomplishment than in rhetoric.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): That is what the women thought too.

Mr. Axworthy: We put into place a number of meetings with industrial representatives, and in the last year signed several major agreements with groups like the mining industry, the aerospace industry, the electronics industry, and the forest industry in the hon. member's province, to establish brand new critical skill trade programs. I will be very glad to send the hon. member copies of these agreements if he is genuinely interested.

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MUNICIPAL AFFAIRS

TORONTO HARBOURFRONT DEVELOPMENT PROJECT

Mr. Roland de Corneille (Eglinton-Lawrence): Madam Speaker, my question is to the Minister of Public Works. Will the minister give an accounting to the House with regard to the program in Toronto which caused so much excitement some while ago, the Harbourfront development, particularly with regard to the question of the terminal building?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I presume the hon. member is referring to news reports to the effect that, because of some problems at the municipal level and regional level in metropolitan Toronto, the plans for Harbourfront have run into some delay. I understand from the president of the corporation that those were simply delays and the program is continuing.

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PARLIAMENT

COLLECTIVE BARGAINING RIGHTS FOR EMPLOYEES

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is for the Prime Minister. As he knows, some 3,000 employees on Parliament Hill are denied the fundamental right to choose free collective bargaining concerning their working conditions on the Hill. In view of the fact that over 13 years ago a joint Senate-House of Commons committee recommended an extension of these rights, and the then government House leader some two years ago promised changes in this area, what action is the government prepared to take to put an end to this unjust and primitive state of labour relations here on the Hill, and bring in the necessary legislation to extend to our employees on the Hill full collective bargaining rights?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I believe this question was asked the other day. The hon. member was reminded that these employees are not employees of the government but of the House of Commons, and I believe the Speaker told the hon. member that this type of question would be more properly raised directly with her.

Mr. Robinson (Burnaby): If ever there was an instance of buck passing, this is it. Madam Speaker has said that the government must bring in legislation to extend these rights. My supplementary question is the following. While the government has delayed this legislative action, and I might say this is

a rather surprising attitude from a Prime Minister who purports to act on behalf of workers, at least who did some time in the past, and defends freedom of association—

Some hon. Members: Oh, oh!

Mr. Robinson (Burnaby): While the government is delaying this legislative action in circumstances in which an employee in an office of a non-New Democratic Party Member of Parliament is arbitrarily fired, disciplined, or harassed, in the absence of any legislative action on the part of this government the Speaker said that she is powerless to intervene.

Madam Speaker: Order. Now I do have to object to the length of the question.

Mr. Robinson (Burnaby): In view of the fact there is no avenue of appeal whatsoever for such an employee, when is the government going to bring in the necessary legislation to extend collective bargaining rights or, at the very least, provide some sort of appeal mechanism or grievance procedure for employees in an MP's office who may be unfairly dismissed, harassed, or unjustly disciplined?

Mr. Trudeau: Madam Speaker, I find it regrettable that the hon. member is bringing back his allegations of harassment. He has been challenged by many people, by the press and by myself, either to put up or shut up on this matter.

Some hon. Members: Hear, hear!

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AUTOMOTIVE INDUSTRY

CHRYSLER CANADA—TERMS OF NEW LOAN GUARANTEE AGREEMENT

Mr. Otto Jelinek (Halton): Madam Speaker, in the absence of the Minister of Industry, Trade and Commerce I will direct my question to the Minister of Finance. It is with regard to the new loan guarantee agreement with Chrysler. In view of the fact that this new agreement is substantially inferior as far as Canada's benefits and Chrysler's guarantees are concerned, when compared to last May's agreement, and because presumably the Minister of Finance along with cabinet had to approve such a program, I now ask the minister to justify the government's new position in this regard, keeping in mind for example the reduction of some 3,000 jobs with this program as opposed to the one of last year, and the reduction of 50 per cent in small cars to be produced in Canada by Chrysler, not to mention the $50 million discrepancy in the actual amount of the funds agreed to, and to explain how the government can justify taking a step backwards in this regard as compared to the agreement last May with Chrysler.

● (1500)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I have been involved in the discussions with the Minister of Industry, Trade and Commerce and other ministers on this particular proposal, and we did approve it because, in our view, it represented a very good deal for Canada in light of the support which the Government of Canada proposed to give. It was my impression that the Minister of Industry, Trade and Commerce had done an extremely good job in negotiating with Chrysler and getting very substantial benefits for Canada.

An hon. Member: Answer the question.

TREATMENT ACCORDED SMALL BUSINESSES

Mr. Otto Jelinek (Halton): Madam Speaker, notwithstanding the minister's answer—from a questionable program to one which has taken a step backward—I would like to put a supplementary question to the Minister of State for Small Businesses.

In view of the fact that small business provides over 50 per cent of the labour force in Canada, as he well knows, and because this vital sector is experiencing a record number of bankruptcies, primarily as a result of high interest rates and the lack of venture or working capital, could the minister explain why, on one hand, the government is able to support a large foreign company to the extent of $200 million while, on the other hand, Canadian-owned small and medium-sized industries, which provide the largest possible employment potential, are left high and dry by their own minister? What action is the minister taking from his standpoint when, on one hand, we have the government guaranteeing $200 million—

Madam Speaker: Order, order.

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, the hon. member should check his figures before making allegations. Indeed the loan guarantee given to Chrysler Corporation amounted to about $150 million.

As to the small business sector in Canada, the hon. member ought to recall that the moment we were returned to office we rushed through the House a measure to raise the loan ceiling from $75,000 to $100,000 under the Small Businesses Loans Act. In addition, as early as April 17 the Minister of Finance announced that Small Business Development Bonds would be issued and, a few days ago, he stated that this program would be extended until the end of the year. The hon. member spoke about the record number of bankruptcies experienced by the small business sector. He should know as well that the bankruptcy rate is less than 1 per cent of the total number of small businesses in Canada and he forgot to say that 1980 saw the creation of 50,000 small businesses in this country.

Oral Questions

COMMUNICATIONS

INQUIRY RESPECTING NATION-WIDE TELIDON PROGRAM

Mr. Jacques Olivier (Longueuil): Madam Speaker, I should like to direct my question to the Minister of Communications.

About a year ago, the Minister of Communications announced a subsidy to Telecable Videotron for the development of Telidon. About two weeks ago, the Minister of Communications also announced a commitment by the government to the Telidon program amounting to $21 million. Can the minister assure the House that the Telidon program will be developed right across Canada and not only regionally?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, the nature of the news I announced last week with regard to Telidon is such that it should really encourage the Canadian industry, which is very much interested in that new technology in which we have a leading edge.

I am particularly happy that Telecable Videotron, which is firmly established on the south shore of Montreal, should participate in the pilot project and that the people there should be amongst the first to enjoy the benefits of that new technology. In addition, as a result of the expansion of Telecable-Videotron throughout the island of Montreal, several Montrealers will also be among the first Canadians to enjoy its advantages. I am also happy to tell the hon. member that similar pilot projects will be scattered throughout Canada.

More good news, Madam Speaker: yesterday, the great multinational Time-Life announced that it was going to choose the Canadian system's Telidon, over those of its great international competitors, namely, the French system, Antiope, and the English system, Prestel. Naturally, that is very good news for the whole Canadian information industry.

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[*English*]

HOUSE OF COMMONS

VISIT OF PRESIDENT OF UNITED STATES OF AMERICA—QUERY RESPECTING ADDRESS TO PARLIAMENT OF CANADA

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I wish to ask a question of the Prime Minister. There has been an announcement that the President of the United States and Mrs. Reagan have accepted the Governor General's invitation to visit Canada on March 10 and 11, 1981. Is the Prime Minister in a position today to indicate generally the program for that visit, and particularly is he in a position to say whether or not the president will be addressing Parliament?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the dates were only decided in a final way yesterday, and through our officials we are now trying to establish the agenda for those two days. If consideration is given to having the president address the joint Houses, I would be happy to consult with the leaders of the opposition parties and determine their views on this.

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BUSINESS OF THE HOUSE

DISPOSITION OF BILL C-42

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I rise on a point of order. I realize that tomorrow is the day for dealing with House business for the days that lie ahead. There was some urgency to the passage of Bill C-42, the bill under which the Post Office is to be turned into a Crown corporation. I wonder if the House leader could schedule a time when we might deal with that bill and get it passed, particularly so we can avoid a strike situation.

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I will be happy to consult with the minister responsible and my colleagues, the House leaders on the other side, to try to deal with that bill as soon as possible.

An hon. Member: Thursday is tomorrow.

PRINTING OF ADDRESS TO HER MAJESTY

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I am sure that members have noticed the unusual size of both the Order Paper and *Votes and Proceedings*. That is the result of the requirement that the entire text of the motion for an Address to Her Majesty be printed each day, in the case of *Votes and Proceedings* and *Hansard*, sometimes two or more times. Needless to say, this is a rather expensive and not entirely necessary practice.

After consulting the other House leaders, I believe there would be consent to permit the Table to devise an appropriate abbreviated form for use in the Order Paper, *Votes and Proceedings* and *Debates*, with the understanding that the full text of the main motion would be printed in the Monday Order Paper every week; that the full text of any amendment under consideration would be printed each day; and that *Votes and Proceedings* carry a full text on each day on which a vote is taken on an amendment and on the day that the matter is finally disposed of.

Hon. Walter Baker (Nepean-Carleton): There have been consultations, and we are agreeable to the House order as stated by the government House leader.

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

Madam Speaker: The proposal of the hon. minister is agreed to.

PRIVILEGE

MR. COATES—RESIDENCE OF LATE RIGHT HON. J. G. DIEFENBAKER

Mr. Robert C. Coates (Cumberland-Colchester): Madam Speaker, I will not take a lot of time of the House, but I have to bring a matter of privilege to the attention of the House that I feel affects every member of this chamber, since we represent the people of Canada. It relates to the request by the former prime minister of Canada, the Right Hon. John Diefenbaker, to the people of Canada that his home in Rockcliffe be used specifically as a museum in association with his contributions as a prime minister and as a Canadian of great significance.

In recent days, the Minister of the Environment (Mr. Roberts) has announced a decision of the Historic Sites and Monuments Board in Canada in relation to Mr. Diefenbaker's home in Rockcliffe. As far as I am concerned, the decision rests with the people of Canada and should not be sloughed off to a board of any kind. The decision is the responsibility of the Government of Canada and, more particularly, the Prime Minister of Canada (Mr. Trudeau) as to whether we accept the gift which the Canadian people have been notified by the executors of the estate of the late Right Hon. John Diefenbaker is available to them.

● (1510)

I have been in communication with the Prime Minister, the Minister of the Environment and the Secretary of State (Mr. Fox), and I have indicated to all three that the John G. Diefenbaker Memorial Foundation would be willing to enter into discussions with the Government of Canada with the objective that that Foundation assume the responsibilities as outlined in Mr. Diefenbaker's will as far as any—

Madam Speaker: Order, please. I would like the hon. member to try to let me know exactly where his question of privilege stands. I can see the hon. member is pressing a point. He has a complaint about a situation with which he does not agree, but that does not in itself constitute privilege. I would like him to restrict himself to indicating to me where his question of privilege lies.

Mr. Coates: Madam Speaker, I will get to that quite quickly. What I am endeavouring to indicate is that a board established by the Government of Canada to carry out certain responsibilities on behalf of Canadians has made an announcement through the Minister of the Environment which reflects on the role played by Mr. Diefenbaker during his lifetime. Certain actions this board anticipates taking relate to some aspects of his distinguished career. As I read the announcement, this board has at the same time proposed that this gift which is part of Mr. Diefenbaker's estate should be rejected. The gift made through Mr. Diefenbaker's will was not to the Historic Sites and Monuments Board of Canada. It was to the people of Canada, to the Parliament of Canada and to the Government of Canada which naturally must act on behalf of the people of Canada.

What has happened is that a board has taken a decision which leads one to believe that the government will not accept the gift which has been made to the people of Canada.

I believe the people of Canada have the right to expect that the bequest made in Mr. Diefenbaker's will will in fact be acted upon. I have no doubt at all that the people of Canada and the members of this House who represent the people of Canada would want to see that happen. I do not believe that, by the use of a vehicle such as a board of one sort or another, we can eliminate the bequest which has been made.

The solicitors for the executors of the estate of Mr. Diefenbaker have made certain statements to the effect that, if this gift made to the people of Canada by the late John G. Diefenbaker is not accepted, it will become a part of the residue of Mr. Diefenbaker's estate and be disposed of as the executors perceive it should be disposed of. It would be a terrible travesty and tragedy for the people of Canada if the Government of Canada failed to indicate whether it would accept the gift made in the will. This House and the people of Canada have the right to know where the government stands. I do not believe the government should use a vehicle such as a board to eliminate its obligation to the people of Canada.

Just to clarify this matter for members of the government, the Diefenbaker Foundation has indicated in correspondence with the Prime Minister, the Minister of the Environment and the Secretary of State that it would be willing to assume the responsibility set out in that bequest if the Government of Canada accepts the gift, so the taxpayers of this nation should have no fear that they will be asked through their tax dollars to assume the responsibility of maintaining and operating the Diefenbaker home.

What I really find reprehensible and unacceptable is the suggestion that, because Mr. Diefenbaker did not live in the home when he was prime minister or leader of the opposition, it is not a home of significance. The Prime Minister of this nation lives at 24 Sussex Drive. The Leader of the Opposition (Mr. Clark) lives at Stornoway. Private Members of Parliament live at wherever their residences are. For many years Mr. Diefenbaker lived in his home in Rockcliffe. That is the home where he wrote his memoirs. That is the home where his wife died. That is the home where he died. It is unbelievable to me that a board charged with responsibility for historic sites and monuments in Canada would reject out of hand the suggestion that the home in which Mr. Diefenbaker died is a significant place to be a museum for future Canadians to see.

As far as I am concerned, it is facetious to suggest that the Canadian government, through the Historic Sites and Monuments Board of Canada, would build a monument in Prince Albert as a substitute for accepting the gift from Mr. Diefenbaker's estate. All members of this House realize that few people get the opportunity to go to Prince Albert, but we should also realize that almost one million people visited this capital as tourists last year. This is the place where we have Laurier House and Kingsmere.

What the government, through this board, is suggesting is that we should not accept a gift and have a museum to the

Right Hon. John G. Diefenbaker. I do not accept that. I believe the government should not try to use the device of a board to squirm out of its responsibility to the people of Canada to accept this home. I believe we should hear today a clear statement as to what its intentions are. If its intentions are to refuse a gift from a former prime minister of this country, let it be known. Let the people know.

I can give the government the guarantee that the home will be retained. It will be a museum open to Canadians. It is terribly important that all Canadians know that the Government of Canada accepts the gift of a former great Canadian of his home, that it will be under the auspices of the government and all the people of Canada so that Canadians today, tomorrow and forever will be able to see that home as a memorial and a tribute to a great Canadian, indeed one of the greatest Canadians who has ever lived in the 114-year history of this country.

Some hon. Members: Hear, hear!

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I rise to speak briefly on the same question of privilege. I listened carefully to the hon. gentleman's remarks, and I would like to comment on one or two of the points he made, particularly because of my desire to clarify, in case there should be any misinterpretation or in case I might have misinterpreted his remarks.

At one point I thought I heard the hon. member indicate that this decision which has been taken might be one which reflects on the role of Mr. Diefenbaker as a former Prime Minister or in Canadian public life. If I understood the hon. member correctly to say that, I want to assure him and the House immediately that nothing could be further from the truth. I doubt if there are many members of this House who had more affection and respect for the Right Hon. John Diefenbaker than I had, and I am sure the Historic Sites and Monuments Board is extremely conscious of his contribution to Canadian history and the high esteem in which he was held by so many Canadians.

● (1520)

The fact of the matter is that a set of policy guidelines has been established, not by the government but by the Historic Sites and Monuments Board. If I understood the hon. gentleman correctly, he is urging me to overturn the recommendation made to me by a distinguished group of historians and citizens whose purpose is to come directly to a determination of this kind of difficult and sometimes delicate question. If the hon. member wants to say that the responsibility rests with me rather than with the Historic Sites and Monuments Board, I would have to accept it; but I would also have to say to him frankly that I would be extremely loath to overturn a decision taken by such a disinterested—and I do not mean uninterested—body, and that this kind of decision should be expressly removed, not only from partisan judgment but even from the possible public interpretation that a partisan judgment was being applied by a minister.

The reasons which the board put forward for rejecting this generous offer were not only that it was in conflict with this request—

An hon. Member: "Bequest".

Mr. Roberts: I accept the hon. member's correction. The reason the board did not accede to this bequest was, first of all, that it did not correspond to the established policy because it felt there were more appropriate ways of recognizing Mr. Diefenbaker's contribution. It should be underlined also that the board felt that the purpose of the bequest, the kind of museum which was envisaged, could not appropriately be fulfilled at the Rockcliffe site. I think it would be foolhardy and wrong for me to overturn the professional judgment exercised by very competent people.

I will read the remarks of the hon. gentleman carefully, but on the basis of what I heard during my attentive listening to his remarks, I do not think it would be appropriate today to overturn the decision taken by the board; and I do hope that nothing in his remarks could be interpreted as undermining or attacking the decision which the board has taken.

Madam Speaker: I will not hear any more speakers on this question of privilege because the first speaker, the hon. member for Cumberland-Colchester (Mr. Coates), did not make, in my view, any kind of argument which would indicate to me that there was a question of privilege in the point he raised. Yesterday the hon. member pursued this matter in the proper way by asking a question of the minister during the question period, and he received some answers. Obviously he is not very satisfied with those answers, so today he wants to push the point. That is probably quite legitimate, but it should not be done under the guise of a question of privilege, which it is not. Therefore, I will not hear any more speakers on the ground that this is not a question of privilege.

When the first speaker on a question of privilege does not succeed in convincing me that there is even a hint that there might be a breach of privilege, my policy is not to hear second speakers. So my ruling on this question is that the hon. member has a complaint, which is probably very legitimate; that is not for me to determine. But complaints have to be aired at other times and not through questions of privilege.

I have notice of another question of privilege from the hon. member for Broadview-Greenwood (Mr. Rae). I will hear it now.

MR. RAE—LETTER FROM MR. KAPLAN RESPECTING MULTICULTURALISM GRANT

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, now that the Solicitor General (Mr. Kaplan) is in the House, I want to indicate to him that Mr. Ian Martin, who is one of the executive officers of the Canadian Association of Teachers of English as a Second Language and who is a constituent of

mine, received a letter on February 12, 1981, from the Solicitor General which I should like to read into the record. The letter reads as follows:

As minister responsible for the riding of Broadview-Greenwood, I am pleased to send the attached cheque in the amount of $15,568 on behalf of my colleague, the Hon. Jim Fleming, Minister of State for Multiculturalism, in respect of the submission you presented to him for approval under the multiculturalism grants program.

With all best wishes for a successful endeavour,

Yours very truly,
Bob Kaplan, P.C., M.P.

I must say that I had no idea prior to last night when my constituent came to my office asking me whether it was true that the Solicitor General was in fact responsible for Broadview-Greenwood riding, since this constituent was labouring under the illusion that I was the Member of Parliament who was responsible for his interests. I said no, I was not aware of the fact. He then showed me the letter which I read.

I should like to put to the House and to you, Madam Speaker, that we have here an application for a grant under a program which has nothing to do with politics. It is a program which has to do with English as a second language. It is not political, it is not tainted by NDP, Liberal or Conservative politics, and as soon as it touches the Minister of State for Multiculturalism (Mr. Fleming), I would have anticipated and indeed expected, since this is the real world of politics, that the Minister of State for Multiculturalism would have given out the cheque and would have given me notice, as happens with every other program with which I am acquainted, of the fact that this money was sent out. Instead of this, we find now that the Solicitor General has been appointed the "minister responsible for the riding of Broadview-Greenwood".

What is the nature, Madam Speaker, of those onerous and difficult responsibilities for Broadview-Greenwood?

An hon. Member: Sending out a cheque.

Mr. Peterson: To make up for your inadequacies.

Mr. Rae: That is a nice thing to say. The only inadequacy that I have in the eyes of this government is that I am not a member of the Liberal Party, and that is the only reason they decided to appoint a minister responsible for my riding. Can the hon. member tell us who the minister responsible for his riding is in Willowdale?

As a Member of Parliament for Broadview-Greenwood, I want to register my state of disbelief that there is a minister masquerading in front of the people of Canada as the minister responsible for Broadview-Greenwood. What other riding is he responsible for? Why are we not allowed to take our own responsibilities and take account of whatever government programs there are? If there is a letter to go out, let it go out from the minister of state to whom my constituent applied rather than from the interloper masquerading as a minister responsible for my riding. If he is indeed the minister responsible for Broadview-Greenwood, why was he not sworn in before the Governor General and why did he not take his oath of office as Solicitor General and minister responsible for Broadview-Greenwood? He is exercising this privilege on government stationery and government letterhead. He is not describing himself as the Liberal Member of Parliament undermining the NDP Member of Parliament for Broadview-Greenwood; he is describing himself as the minister responsible for Broadview-Greenwood.

Finally, as a matter of pure courtesy, I would have thought that if the Government of Canada is going to nominate ministers responsible for opposition ridings or for all ridings, and obviously ministers responsible for the dispensing of public moneys in an individual constituency, the least they can do is to indicate to the member involved that this is what is happening and tell him that, if he wants to get any money for his constituents, he must go crawling on all fours to the Solicitor General before he can get it.

Madam Speaker: Would the Solicitor General (Mr. Kaplan) not want to rise later? I would prefer to recognize the hon. member for Yukon (Mr. Nielsen), following which the minister could reply.

Hon. Erik Nielsen (Yukon): Madam Speaker, normally I would have preferred to follow the minister. However, I have a similar and related point to the one raised by the hon. member for Broadview-Greenwood (Mr. Rae). He will learn that these things happen when these honourable rascals are in office!

I have a question on the Order Paper asking why the Minister of Indian Affairs and Northern Development (Mr. Munro), who was following the same kind of practices, has set up a constituency office in my riding.

Some hon. Members: Shame.

Mr. Nielsen: He has done the same thing in another riding and intends to do it again. The question on the Order Paper asks how many more ministers are setting up constituency offices in ridings which do not have Liberal members. If the Chair finds that the question raised by the hon. member for Broadview-Greenwood is properly based, I would ask the Chair to take into consideration the propriety of ministers of the Crown using taxpayers' money to set up a constituency office in a riding which they do not represent.

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I am very glad to have this opportunity to inform the constituents of Broadview-Greenwood who do not know about these responsibilities, which the Prime Minister (Mr. Trudeau) has asked me to assume in relation to that riding.

• (1530)

I should say by way of background that all members of the government have been asked to assume similar responsibilities for ridings—

Some hon. Members: Oh, oh!

Mr. Kaplan: —not particularly Liberal, Conservative or NDP ridings, because the ridings for which the Prime Minister asked me to assume this responsibility do not only include ridings held by members of the opposition, but as well a number of ridings which are represented by Liberal members.

Mr. Knowles: Do they know it?

Mr. Kaplan: In saying that, I want to point out how very inaccurate it is to characterize this as involving members opposite having to come crawling to me on all fours to get money for their ridings. This is a perfect example; the hon. member did not even know that this application had come in from his riding. Over $15,000 was awarded in a perfectly proper grant. The Member of Parliament did not come crawling on all fours to me. He certainly does not have to, and this grant proves that he does not have to.

Let me come to the responsibilities the ministers have been asked to assume. It is sometimes believed by Canadians, if their riding is not held or represented by a member of the government or a member of the government party, that they cannot address the government directly but are obliged to make representations to the government only through members of the caucus, members of the government or through members of the opposition. I am glad to have this opportunity to let the people in the hon. member's riding and other ridings know that there are ways to make representations to the government other than through their own Member of Parliament, whether he is a member on the government side or a member on the opposition side.

Mr. Rae: This is incredible.

Some hon. Members: Oh, oh!

Mr. Rae: It is straightforward government programming; it has nothing to do with politics.

Mr. Kaplan: I think the hon. member opposite should check the facts.

Mr. Rae: I have checked the facts.

Mr. Kaplan: I am willing to use this case, although I am not familiar with all the details of the background, as an example to see whether anyone came crawling on all fours to a member of the government or to a member of the government party to get this particular grant. I am sure the member will find that no such demeaning activity took place, nor should it.

Mr. Rae: That is not what I said.

Mr. Kaplan: I should like the good constituents of Broadview-Greenwood to know that if any of them want to make representations to a member of the government, the Prime Minister of Canada has asked me to go out of my way to be available to the people living in that riding.

Mr. Rae: This is unbelievable.

Mr. Kaplan: If they should choose to make representations directly to a member of the government, they will find me available and willing, within the limits of my other responsibilities, to meet with them.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Kaplan: Of course, they continue to be free, as are all Canadians, to make representations to any member of the government, to their own Member of Parliament or to other Members of Parliament. It is a matter of their choice. If they want to come and make representations to me, I should like them to know that the Prime Minister of Canada has asked me to take the extra trouble to be available to people from that riding.

Miss Jewett: I cannot believe it.

Mr. Kaplan: I make no apologies for that.

Some hon. Members: You should.

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, we have been treated to the greatest example of patronizing, condescension and arrogance I have ever seen in this House.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): I am surprised and shocked that it would come from a Member of Parliament who I thought heretofore understood what Parliament was all about and what a Member of Parliament was all about.

Only a Liberal could make that argument with a straight face, although to save himself he at least smiled when he sat down. It is a carryover of the ethics of the Prime Minister (Mr. Trudeau) which he expressed many years ago as to his view of Parliament, that parliamentarians are nobodies; that somehow Parliament is the handmaiden of the government. And now this is being extended to ridings.

If the minister is prepared to put the doctrine with which he just dealt to the test, if the hon. member for Broadview-Greenwood (Mr. Rae) wants to put a motion to send this entire matter to the Standing Committee on Privileges and Elections, I am prepared to second it. If it is seconded, I want to see the Solicitor General (Mr. Kaplan) rise in his place and say that he is prepared to let it go. Then we will have an opportunity not only to get the answer to the question put by the hon. member for Yukon (Mr. Nielsen), but also an opportunity to get to the bottom of what I think is a sleazy practice on the part of the minister.

Some hon. Members: Hear, hear!

Madam Speaker: I will hear one more intervenor on this question.

Hon. John C. Crosbie (St. John's West): Madam Speaker, I wish to speak on this question of privilege because I think it is

about the most serious one which has come up in this session of Parliament.

Some hon. Members: Oh, oh!

Mr. Crosbie: The laughter over there only shows how serious it is. If a minister of the government writing to people in a member's district saying that he has now been given the responsibility of representing that district is not a breach of the privileges of the members of this House, then I fail to see that we have any privileges whatsoever; we have none.

Some hon. Members: Hear, hear!

Mr. Crosbie: The hon. member for Broadview-Greenwood (Mr. Rae) is the Member of Parliament for that district. He has been sworn in to this House. For a cabinet minister to write people in his district pretending that somehow he is responsible for the district is beyond belief. Then to give the excuse in this House that this is the case because the Prime Minister (Mr. Trudeau), the imperial potentate, asked him to take on that responsibility, not only for a Member of Parliament in the opposition but for Members of Parliament of his own party, is also beyond belief. Members of the Liberal Party will have a cabinet minister holding them by the hand and telling people in their districts that he is responsible for their district, and when a letter goes out with money for a group in the district, that the Liberal member cannot be trusted in his own district. Adult, intelligent members over there laugh about it and think it is an hilarious practice, one that is all to the good of Canada. If that is not prostitution of the democratic process, what are we seeing?

I have been involved in provincial politics, and I always thought that federal politics were on a higher level. But I was quickly disabused of that when I came here and saw how members of the government opposite operate.

I have an example in my own district. I will raise a question of privilege tomorrow with respect to the Minister of Employment and Immigration (Mr. Axworthy), who tossed aside all the rules and regulations of his own community services program and gave a grant of $25,000 to a project which was ranked as No. 56 in order of priority of 67 projects which were not financed. Because a provincial Liberal member of the House of Assembly spoke to the cabinet minister who is supposed to be responsible for Newfoundland—the "cabinet minister irresponsible for Newfoundland"—the hon. member for Grand Falls-White Bay-Labrador (Mr. Rompkey), they advanced $25,000 of government funds and ignored their own department and the advisory board. A project which got .23 points out of a score of nine received an additional $25,000 not included under the program, nor recommended by the department or by the local advisory board. If this is not a scummy way for a minister of the government to operate, if this is not even scummier, if the minister's explanation is not the lowest we have heard, I do not know what is. There is a prima facie case for this matter to go to the Standing Committee on Privileges and Elections to see if we have any rights with respect to this government. Or will the tyranny of the majority rule hereafter?

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, obviously this is not a prima facie case of privilege. No regulation or statute has been breached. No directive has been violated. So, obviously it is a difference of opinion. This debate comes at a very bad time because for a while we believed that the opposition was serious in their wish to see the debate on the Constitution of Canada proceed normally and without undue delay. Madam Speaker, this is a silly and continued question meant to delay unduly the debate on the Constitution, and I ask you to dismiss it as such.

● (1540)

[*English*]

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I rise on a point of order. If I heard you correctly, Madam Speaker, just before the hon. member for St. John's West (Mr. Crosbie) stood up on his point of order you said you would hear one more member. I thought that member was the hon. member for St. John's West. Following his intervention there was another intervention. Therefore, I claim my right to intervene as well.

Some hon. Members: Hear, hear!

Mr. Munro (Esquimalt-Saanich): Madam Speaker, this House has been insulted today. It is an absolute disgrace that a minister of the Crown, who has taken an oath to uphold the rules of the House and to observe the rules of democracy and proper behaviour in this country, should have the arrogance to write a letter such as he wrote and to sign it. I can imagine someone writing the letter but not the minister signing it. It is an abuse of power. I suggest that the suggestion made by the hon. member for Yukon (Mr. Nielsen) about there being constituency offices established in other ridings through public funding should be referred to the Auditor General for examination and report. I make the motion here and now that the matter be referred to the Auditor General for examination and report.

Some hon. Members: Hear, hear!

Mr. Rae: On a point of order, Madam Speaker.

Madam Speaker: I will hear the hon. member on his point of order.

Before I do that I want to explain to the hon. member for Esquimalt-Saanich (Mr. Munro) that I did say I would hear another person on this side of the House.

Some hon. Members: No.

Madam Speaker: I said I would hear another intervenor. Then no one on this side rose, but I usually give a chance to

both sides. There were four members on this side who rose. Before hearing the hon. minister I said that I would have to hear him. If the hon. member was listening he will remember that I said that I will now have to hear the hon. President of the Privy Council (Mr. Pinard). In all fairness, I must hear the arguments on both sides of the House.

Some hon. Members: Shame!

Madam Speaker: The Chair should also have a chance to explain. In doing so I try to be brief and to take as little as possible of the time of the House. I explained what I was doing. The hon. member did not quite understand what I had said. I think I have a chance to explain to him. It is now not too late to explain an action. I hope we can all explain our actions in the House. I know now that the hon. member agrees that I should be able to give this explanation.

I will now hear the hon. member for Broadview-Greenwood on a point of order.

Mr. Rae: Madam Speaker, I neglected to move the necessary motion. I would like to do so now. If you do find, Madam Speaker, that I have a prima facie case, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the matter of ministers of the Crown being appointed as responsible for ridings already represented by a duly sworn Member of Parliament be referred to the Standing Committee on Privileges and Elections.

Some hon. Members: Hear, hear!

Madam Speaker: We have heard several contributions in the House which have come close to the matter we are now discussing. I have ruled a few times on matters which come close to the matter which has been brought up today. I do not find in the question that was raised a prima facie case of privilege.

I want to remind hon. members of the duties of the Chair as defined in Standing Order 12(1), which sets out that the duties of the Chair do not extend to regulating in any way the responsibilities assigned to cabinet ministers, either officially or in the way described by the Solicitor General (Mr. Kaplan).

It is true that there is a dispute with respect to this action. There is also a judgment as to the propriety of this action. It is different on both sides of the House. It is not in the Chair's competence to determine or rule on the propriety of actions. Therefore, I recognize that there is a complaint. The matter has been brought up in the House in the form of a question of privilege, but I cannot find that there is a prima facie case of a question of privilege in this case.

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, I, too, rise on a point of order. In order that I might inform my constituents who the minister responsible for my constituency is, could you, Madam Speaker, request the government to table the list of ministers who are responsible, so that I may go and appeal to him as a Member of Parliament and be able to direct my constituents to him?

Madam Speaker: I must tell the hon. member that I cannot request the government to do any such thing. The hon. member might pursue this matter during question period or at another time when the question can be debated. I am sorry that I cannot accommodate the hon. member. According to the rules I am unable to ask the government to do any such thing.

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I rise on a point of order. Is it implicit in your ruling that such a matter may not also be considered by the Standing Committee on Privileges and Elections?

Madam Speaker: Yes, it is implicit in my ruling, since I did not find a prima facie case of a question of privilege. If I had found such was the case then I would have put the hon. member's motion to the House and the House could have decided after debate, or without debate, whether or not they wished to send it to the Standing Committee on Privileges and Elections.

Mr. Gordon Taylor (Bow River): On a point of order, Madam Speaker. If undermining a member in his own riding does not fall within a question of privilege, then what is a question of privilege?

Some hon. Members: Hear, hear!

Madam Speaker: I have explained that many times in the House. I refer the hon. member to definitions which I have given quite frequently in some of my rulings with regard to privilege. From time to time I attempt to remind members of the definition of privilege as given by Erskine May or by Beauchesne. I do this in order to remind members what really constitutes a question of privilege, since we often hear some questions which cannot be recognized as questions of privilege. I think it is important to say from time to time in the House that members apply themselves to raising questions of privilege which are legitimate. That is why I define what it is from time to time. I would refer the hon. member to some of my rulings.

* * *

POINT OF ORDER

MR. BAKER (NEPEAN-CARLETON)—CONDUCT OF MEMBERS

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I rise on a point of order. The Speaker enjoys a particular position in this House. May I ask whether you would consider making a comment on the propriety of practices—perhaps not today—from the point of view of protecting the members of this House from practices of other members of the House, which at least a substantial number of us think are reprehensible? This has been the practice of your predecessors from time to time.

I would like to bring a case to mind. There was a case involving a report commissioned by the former minister of transport, the hon. member for Vegreville (Mr. Mazankowski). That report was found wanting by Mr. Speaker and he

admonished the government at that time for dealing in the way it had. We accepted that admonition. Whether it was right or not is a matter of record. There were some precedents put before Mr. Speaker Jerome which indicated that his admonition was not in order. Nonetheless, the Speaker of the day took it upon himself to protect the position of Members of Parliament from improprieties or conduct unbecoming of a minister or a ministry. That was a good practice, Madam Speaker.

If there was ever a case where you should stand and protect Members of Parliament from improprieties, if you do not find a prima facie case, then this is the case. I invite you to indicate to the ministers what is proper conduct in so far as members of this House are concerned.

Some hon. Members: Hear, hear!

Madam Speaker: I believe, and I think the hon. member knows, that there is a place to determine the propriety of these types of actions. These questions can be referred to the Standing Committee on Privileges and Elections. I would say that is a very wise rule, if I want to protect my own office, since I do not see myself, as Speaker, in the position of frequently admonishing the House or members on what is proper and what is not. It is enough that I have to keep telling members that something is in order and something else is not in order. I think that is about the limit of my role in this House because I only act under the rules, customs and traditions built up by the House itself. I dc not make my own rules and judgments on the deliberations of this House, but I always take seriously what the hon. member for Nepean-Carleton (Mr. Baker) has to say and I will look into the precedent that he invokes. I am sure I will not want to admonish members but I will look at the precedent and see if what he is requesting of me is at all possible in light of my conception of my office.

● (1550)

Mr. John Gamble (York North): Madam Speaker, with respect to the reflection on this issue which you will apparently undertake, might I direct you to the mechanics spelled out with respect to this matter on page 25 of the fifth edition of Beauchesne, paragraph 84, which reads as follows:

(1) Once the claim of a breach of privilege has been made, it is the duty of the Speaker to decide if a prima facie case can be established. The Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify him in giving such precedence (or as it is sometimes put, that there is a prima facie case that a breach of privilege has been committed); and also that the matter is being raised at the earliest opportunity.

(2) It has often been laid down that the Speaker's function in ruling on a claim of breach of privilege is limited to deciding the formal question, whether the case conforms with the conditions which alone entitle it to take precedence over the notices of motions and orders of the day standing on the Order Paper; and does not extend to deciding the question of substance, whether a breach of privilege has in fact been committed—a question which can only be decided by the House itself.

Those last words are particularly significant. It is with respect to that specific issue that I draw your attention and I would hope you might reflect upon that at the time you make your deliberation. The reason I suggest that is that it may be proper, having regard to the rule, for the House to decide the issue and not for the decision to be made before the House has an opportunity to decide that issue.

Madam Speaker: I read it as the hon. member went along and I understand it, but I will reflect upon it. It seems to me that this confirms some of the things I just said but I will take that advice and read extensively what is the role of the Speaker in determining a prima facie case of privilege. That is quite easy to understand, but the part the hon. member did not quote and which I have to deal with is, what does constitute a breach of privilege or contempt of Parliament? That is the question on which I have to determine whether there is a prima facie case. What the hon. member read seems to confirm what I am saying.

The hon. member for Red Deer (Mr. Towers) on the same point of order?

Mr. Gordon Towers (Red Deer): On the same point of order, Madam Speaker. While you are contemplating that I wonder if you would go just a little further and look at what is happening in Alberta where the government has named twin Members of Parliament. This is terribly confusing to the people I was elected to represent; they wonder what is going on. Is the whole democratic process breaking down? Just two weeks ago the hon. member for Lambton-Middlesex (Mr. Ferguson) was out there. People hired a hall to hear him and presented him with a brief; it is brought back but nothing happens. They want to know what is going on.

Madam Speaker: I have to stop the hon. member because he is getting very close to discussing the ruling; however, I will take this fact into account.

ROUTINE PROCEEDINGS

[*English*]

CRIMINAL CODE

MEASURE RESPECTING COMPUTER RELATED CRIME

Mr. Gordon Taylor (Bow River) moved for leave to introduce Bill C-628, to amend the Criminal Code (computer crime).

Madam Speaker: I understand the hon. member wishes to speak very briefly to the bill.

Mr. Taylor: Thank you, Madam Speaker. I would like to introduce a bill entitled "An act to amend the Criminal Code (computer crime)". I will give a very short explanation of the bill.

Computer related crime is a growing problem which occurs and brings great loss to the public. Losses for each incident of computer crime tend to be far greater than losses associated with each incident of white-collar crime. The prosecution of persons engaged in computer-related crime is difficult under

present Criminal Code provisions which, when enacted, did not envisage our present technology.

The purpose of this bill is to amend the Criminal Code so that the integral elements such as magnetic tapes, programs and date are included in the offences against property.

The penalty for an indictable offence is imprisonment for ten years. This amendment is badly needed today in view of the universal use now being made of data systems and the personal and confidential information contained on same.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 984, 1,437, 1,652, 1,674, 1,675, 1,758, 1,860, 1,944 and 2,005.

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

[*Text*]

IMPORT STATISTICS

Question No. 984—**Mr. MacKay:**

Did the Import Analysis Division of the Department of Industry, Trade and Commerce undertake a detailed analysis of the import statistics published by Statistics Canada and, if so, did they find "enormous and unpredictable errors" as well as "significant variations in reliability of data, even when aggregated at the industry, or subsector level" and, if so, are such "errors" and "variations" likely to impede the division's ability to carry out its objective of encouraging import substitution by Canadian manufacturers?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): In so far as the Department of Industry, Trade and Commerce is concerned: the Import Analysis Division of the Department of Industry, Trade and Commerce carried out a small detailed analysis of the import statistics published by Statistics Canada and concluded that errors and variations occurred. Such errors and variations were substantial and occurred in a generally unpredictable pattern, leading to extremely unreliable and often misleading statistics. The consequence of error is particularly great at the company level where such data may be used to estimate market volumes and value at the product level. Furthermore, such errors and variations impede the ability of the Import Analysis Division by, in some cases, making it impossible to collect accurate product level market information and by, nearly always, substantially reducing the productivity of the division in its effort to disaggregate data for market analysis purposes.

The Department of National Revenue, Customs and Excise, has been authorized by Treasury Board to hire additional resources to implement a program of corrective action at ports of entry. In addition, Statistics Canada and the Department of Industry, Trade and Commerce are developing additional measures in connection with the Customs and Excise initiative.

RCMP—CONTRACTS FOR SERVICES

Question No. 1,437—**Mr. Crosby:**

1. What is the projected cost per man that will be used to negotiate contracts with the provinces that utilize the services of the Royal Canadian Mounted Police when current contracts expire in 1981?

2. What is the projected percentage increase in the cost to the provinces when new Royal Canadian Mounted Police contracts are established in 1981 and what items will be increased other than the cost per man?

Hon. Bob Kaplan (Solicitor General): 1. The RCMP agreements are not based on a "cost per man" calculation. The full costs of the program are detailed (e.g. salaries, transportation, clerical assistance) in order to provide a comprehensive report to the contracting parties. The provinces are then billed for a proportion of that cost base. The federal government has proposed that, under a new agreement, the provincial and municipal governments should pay 75 per cent and 90 per cent respectively of the total cost of providing police services in their jurisdictions.

2. On average, the provincial share of the contract policing program will increase about 50 per cent. In addition to the increased share of the cost base, the cost base itself is to be modified slightly by the addition to it of certain administrative, rental, pension and interest expenses arising from the program. Cost recoveries are also intended to become more current.

GRANTS TO UNIVERSITY OF QUEBEC, CHICOUTIMI

Question No. 1,652—**Mr. Dionne (Chicoutimi):**

Did the government grant (a) research funds or subsidies (b) direct or indirect grants or other types of subsidies to the University of Quebec in Chicoutimi and, if so (i) in what amount, by year (ii) through which department or agency?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council):

(a) and (b) Research Grants

(i)
1975-76—$ 7,000
1976-77—$ 9,000
1977-78—$ 9,000
1978-79—$10,000
1979-80—$14,000
1980-81—$10,000

(ii) Energy, Mines and Resources

(a) and (b) Direct Grants

(i)
1975-76—none
1976-77—none
1977-78—none
1978-79—none
1979-80—$ 5,000
1980-81—$10,000

(ii) Environment Canada

(a) and (b) Grants and scholarships from NRC and NSERC to researchers and graduate students at the University of Quebec in Chicoutimi.

(i) Year	(ii) Granting Agency	(a)	(b)
1975-76	NRC	$194,810	—
1976-77	NRC	$162,496	—
1977-78	NRC	$209,626	—
1978-79	NSERC	$170,164	$4,240
1979-80	NSERC	$170,580	—
1980-81	NSERC	$250,227 (Provisional)	—

A Research grants awarded to researchers at the University

B Scholarships and Fellowships awarded to graduate students attending the University

(a) A research grant was given to the "Laboratoire des études en économies régionales" of the University of Quebec in Chicoutimi.

(b) None.

(i) 1978-79: $10,000.

(ii) Regional Economic Expansion

(a) and (b)	Year	General Research Grants	Research Grants	Leave Fellowship Awards
(i)	1975-76	$ 6,836	$192,682	—
	1976-77	$11,818	$ 71,162	$20,000
	1977-78	$ 7,817	$ 1,686	—
	1978-79	$13,120	$ 8,620	—
	1979-80	$13,908	$ 66,204	—

(ii) Social Sciences and Humanities Research Council of Canada.

MR. P. HOMULOS

Question No. 1,674—**Mr. Cossitt:**

1. Did Mr. P. Homulos, Director of the National Inventory Program, National Musuems of Canada, fly from Kennedy Airport, New York, to London, England, on or about October 11, 1980 and, if so (a) was he a passenger on British Airways flight 172 (b) was the aircraft a Concorde and, if so, for what reason did he not travel economy class on a regular flight (c) was the cost of the flight paid by the taxpayer (d) what was the extra cost between the Concorde and regular first class travel and was it approximately $1,022?

2. What did Mr. Homulos do on behalf of the government while in England and what is a list of all items that he acquired or attempted to acquire including the cost in each case?

3. Is it the policy of the government to allow senior bureaucrats to travel in luxurious supersonic aircraft at the expense of the taxpayer and (a) if so, for what reason (b) if not, will the government request reimbursement for such excess travel by Mr. Homulos and any others?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the National Museums of Canada that the reply to the above question is as follows: 1. Yes.

(a) Yes, Mr. P. Homulos was a passenger on British Airways flight 172 on October 11, 1980.

(b) The aircraft was a Concorde. Mr. Homulos did not travel economy class because none was available in the time he was given to book the flight.

(c) No. Mr. Homulos was travelling to Europe to attend a meeting at the invitation of the West German government and his travel to and from Europe and his expenses in Europe were paid by that government. Mr. Homulos also used this opportunity to conduct business for the National Museums of Canada as part of his work. Costs for this work were borne by the National Museums of Canada in the normal way.

(d) Not applicable.

2. Mr. Homulos was only in transit in England and did not leave the airport.

3. (a) Travel regulations state that "commercial air travel shall normally be by economy class. For program related reasons, in a limited number of exceptional cases, continual travel by first class may be necessary. The deputy head may personally approve all such use. If, in the opinion of the employer, the use of first class air travel is unavoidable, such use shall be recorded by the department or agency concerned and reported on a quarterly basis to the Treasury Board". (Administrative Policy Manual—Chapter 370—Section 3.2.2.—Travel).

(b) Not applicable.

Question No. 1,675—**Mr. Cossitt:**

What is a complete list of all flights taken by Mr. P. Homulos, Director of the National Inventory Program, National Museums of Canada, during the month of October, 1980 and (a) what was the total cost to the taxpayer of all such trips including transportation, accommodation, etc. (b) what was the reason for the trips (c) what items were acquired and what was the cost in each case?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the National Museums of Canada that the reply to the above question is as follows: 1. Mr. Homulos made two trips during the month of October, 1980. They were as follows:

October 8—October 21, 1980

Albany, New York

Stockholm, Sweden

Cologne, West Germany.

October 26—November 1, 1980

Mexico City.

(a) The total cost to the taxpayer including transportation, accommodation, etc. for the first trip was $2,005.05 and the cost for the second trip was $1,506.38.

(b) There were three reasons for the first trip:

1. To present a paper at the Museum Computer Network meeting in Albany, N.Y.

2. To meet with the chairman of the International Council of Museums Documentation Committee to discuss the agenda for the meeting held at the end of October (Mr. Homulos is a member of the executive of this committee).

3. To participate in a meeting on Museum Inventories sponsored by the government of West Germany.

The reason for the second trip was to participate in the International Council of Museums Documentation

Committee meetings being held at the Museum of Anthropology.

(c) None.

ADVERTISING EXPENDITURES

Question No. 1,758—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of Public Works for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. Paul J. Cosgrove (Minister of Public Works): The estimated expenditures of Public Works Canada are as follows: (a) Advertising $205,500; (b) Publications $223,733.63; (c) Other Information $43,831.

FRENCH LANGUAGE ONLY LABELLING

Question No. 1,860—**Mr. Cossitt:**

Is the government aware that free milk is being distributed to school children in waxed milk cartons bearing the French language only in the province of Quebec and, if so (a) who is responsible for distributing such cartons (b) is it the government's intention to protest to the government of Quebec the absence of English on the cartons and what further action, if any, will be taken?

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): Under the requirements of the Food and Drug Regulations, locally-produced products can be unilingually labelled on the condition that they are distributed within a local government unit that does not have a population of more than 10 per cent of the second official language group. A local government unit means a city, metropolitan government area, town, village, municipality, or other area of local government. Within the boundaries of a local government unit as described above, many areas in Quebec will qualify for unilingual labelling in the French language only.

Under the requirements of the Consumer Packaging and Labelling Regulations, a product such as milk distributed on a free basis to schools would be exempt from the language requirement.

WELLAND CANAL—TRANSIT TIME

Question No. 1,944—**Mr. Benjamin:**

What is the time in transit through locks of the St. Lawrence Seaway Authority, including those on the Welland Canal, for the months of July, August, September, October and November, 1980, compared with the sames months in 1979?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The St. Lawrence Seaway Authority advises as follows:

Time in Transit (Hours)

	St. Lawrence Section		Welland Section	
	1979	1980	1979	1980
July	20.4	26.4	12.2	14.7
August	21.1	20.4	12.5	14.8
September	20.5	20.5	12.6	12.2
October	21.6	22.8	17.4	14.3
November	23.9	21.2	49.0	20.7

Transit time data is averaged by periods of four weeks rather than by months. The above table provides average times for the four-week period which most closely corresponds to the months in question.

PETRO-CANADA OIL PURCHASES

Question No. 2,005—**Mr. Wilson:**

1. Were instructions given by the Minister of Energy, Mines and Resources to Petro-Canada regarding the amount of oil which should be purchased by the corporation on a direct state-to-state contract and, if so, what were they?

2. Does this policy extend to an instruction to the Canadian subsidiaries of multinationals to divide their purchasing between direct purchases from exporting countries and purchasing through the networks of affiliates and, if so, what was the instruction?

3. What proportion of Canada's total imports has the government authorized Petro-Canada to purchase on a state-to-state contract and over what period of time is the authorization in force?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): 1. No estimates have been given by the Minister of Energy, Mines and Resources to Petro-Canada regarding the amount of oil which should be purchased by the corporation on a direct state-to-state contract. However, Petro-Canada has been directed through an order in council to be responsible for the purchase of the Mexican crude oil and the direction of the transportation of the crude to Canada.

2. There has been no instruction to the Canadian subsidiaries of multinationals to divide their purchasing between direct purchases from exporting countries and purchasing through the networks of affiliates. In order to ensure equitable distribution and obligation in the matter of imports of Mexican crude under the Mexican program, the federal government has utilized a system of allocation.

3. The federal government has not taken any position with respect to a specific level or proportion of crude oil imports that should be developed on a state-to-state basis.

NOTE: The Department of Energy, Mines and Resources is continually reviewing trends and circumstances evolving in international crude supply and evaluating in what direction oil import policy should develop.

[*Translation*]

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

Some hon. Members: Agreed.

MOTIONS FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, Notice of Motion for the Production of Papers No. 10 is acceptable to the government.

Madam Speaker: Is it the pleasure of the House that notice of motion No. 10 be deemed to have been adopted?

Some hon. Members: Agreed.

[*Text*]

B.C. TELEPHONE COMPANY—TRANSFER OF LEGISLATIVE OR GOVERNMENTAL JURISDICTION

Motion No. 10—**Mr. Fulton:**

That an humble address be presented to His Excellency praying that he will cause to be laid before this House copies of all correspondence, telegrams or other documents exchanged between the government or any of its departments or agencies and the government of the Province of British Columbia or any of its departments or agencies, since January 1, 1976, relating to the transfer of legislative or governmental jurisdiction over the B.C. Telephone Company or telephone rates levied by the company.

Motion agreed to.

[*Translation*]

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, would you kindly call Notice of Motion for the Production of Papers No. 32?

[*Text*]

APPLICATION OF FEDERAL LAW IN VARIOUS PROVINCIAL COURTS

Motion No. 32—**Mr. Herbert:**

That an order of the House do issue for copies of all correspondence, minutes of meetings, studies and other communications of the Department of Justice relating to the comparison of the application by the various provincial courts of federal laws.

[*Translation*]

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Madam Speaker, the Department of Justice has none of the documents which the member is asking for in motion No. 32. I would ask him to withdraw his motion.

Mr. Herbert: Transfer for debate.

Madam Speaker: Transferred for debate.

Mr. Collenette: Madam Speaker, I ask that the remaining notices of motions for the production of papers be allowed to stand.

Madam Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, as I just witnessed the previous exchange a new low in Parliament has been found. I wonder if there is any point in my standing and speaking and asking to be heard on the floor of this Parliament. What is the point if in fact another cabinet minister has been appointed by the Queen to represent me? What is the point if I cannot be heard?

The Acting Speaker (Mr. Blaker): Order, please. I think it is fairly well understood that even in a case where the Speaker has given what I understand to be a ruling today and has undertaken to give further consideration to an aspect of that ruling, it seems to me that the hon. member would be more in keeping with the rules if he were not to comment on that matter which is now under consideration. We are on orders of the day and I suggest the hon. member address himself to the bill.

● (1600)

Mr. Wenman: If hon. members opposite cannot see the relevance of this and how it is related to this Parliament, to my right to stand here, to my right to be heard, that is too bad.

When I left off speaking yesterday I was referring to western alienation, to the closure brought against me, against my constituents and against this House of Commons. I was talking about the very problem that was mentioned by hon. members across the way. The hon. member opposite said that you need no longer go through the Member of Parliament. Therefore, you need no longer go through Parliament; you now go directly to "the king". That relates to the basic foundation of what the Constitution and parliamentary democracy are about.

We can go back and examine this. Somehow, the Constitution that we are talking about began its evolution in history as an outgrowth of the feudal system. I do not know whether it was in the Magna Carta or in Simon de Montfort's parliament or where exactly, but there was something which was meant to stop exactly the kind of abuse we have just seen. It came from a feudal system where the king handed out fiefs, he handed out parcels of land, parcels of constituencies and the recipient had ultimate control of whatever form of law there was in the land.

We have now come full circle from the law coming out of the mouth of the king, through control of law transferring, it is hoped, to parliaments like this one; now it has come full circle

back through the mouth of the king who calls himself the Prime Minister (Mr. Trudeau).

In this, Parliament is the ultimate example. Parliament has become a sham. Members are elected by universal suffrage, by the ballot, and constituencies are marked with an eye to equity or at least the appearance of equity. Unfortunately, as we can see today, it is only a pretence. All that is left of this place in which we stand to speak is a pretence because, in fact, power is no longer here. Power is no longer vested in me through my constituents. It has been transferred directly, not by some minister with an idea, not by some political party, but by the Prime Minister of Canada. He has transferred the authority given to me by my people back to himself through his government and his cabinet.

How did we reach this stage, Mr. Speaker? Where did the power go? How did it slip away when we were all standing here thinking we were watching, so freely and openly? Who saw Parliament die? Did it die at the hands of a clever and devious tyrant?

An hon. Member: Yes.

Mr. Wenman: Was it smothered by the apathy of myself and my colleagues through being too comfortable? Was it through the expediency of your rules, Mr. Speaker? How did it happen? How did Parliament, how did this great place of debate and dignity, fall into such disrespect, such contempt? How did it arise that the Prime Minister can flaunt his arrogance? How can he flaunt that arrogance by appearing on television, instead of in this House of Commons, to present this motion? That is the ultimate arrogance in this situation. He has not appeared in this House of Commons to speak in this debate on this very resolution. He has bypassed the House of Commons on the basic debate, on what we are talking about today, and now he is bypassing the representation of the House.

In 1981 we have a new low in the House of Commons. Let this speech of the minister stand as a symbol to all Canadians of the travesty done to democracy. Let them see it as one more step. How can I tell members who support the government that the west does not want a cabinet minister representing me in the riding? The people want me to represent them. They chose me to represent Fraser Valley West. If hon. members opposite think that those constituents will put up with the arrogance of the king in appointing someone else, they will never grasp the true sentiment of the alienation felt in the west.

My constituents expect a fair forum to be created here so that hon. members opposite can hear what I have to say and respond to it accordingly. That is what the west wants. That is what democratic people across the nation want. They want a forum where all members can be heard. But do we get a forum where we can be heard, Mr. Speaker? No, we get closure. Our constituents send us here and then they say, "We do not hear our members speak." How can they hear their members speak when the government invokes the most obnoxious form of closure known to this House, to this Parliament, to the British parliamentary system?

Hon. members opposite want to have things all their way and they are destroying this nation. They are destroying this democracy and putting forth high-sounding words.

What good is this piece of paper, this Constitution, this bill of rights? What good is it to me or to the people of Canada if it is but a piece of paper and no respect is shown for this institution itself? It is nothing, and I am really sorry about that.

This is very symbolic of what is wrong in our country, about what is so wrong about this institution. This particular document is described as the best document in the world. That is a pretty broad statement and it was made by the Leader of the New Democratic Party (Mr. Broadbent). He claims modestly that this is the best document in the world. I suggest that his research has fallen short. After all, this document does not promise a "harmonious and happy society". There are constitutions that promote a harmonious and happy society. Those words are contained in the constitution of democratic Kampuchea. It was going to reform Cambodia. The first measure of reform was an act of genocide: the slaughter of 25 per cent of its people! Yet a "harmonious and happy society" is a written guarantee in its constitution. We have those guarantees, theoretically, in the Constitution of Canada. Ours does not go quite that far; this one is more elaborate.

The constitution of Chile declares that "Men are born free and equal and nobody may be deprived of his personal freedom." That is in the charter; it is a guarantee.

The Leader of the NDP claimed that ours is the greatest charter in the world. But he did not look at the charter of the Soviet Union. I do not say this facetiously, but the Soviet Union has one of the most elaborate, attractive and best constitutions in the world. It is all-encompassing. The Soviet constitution guarantees freedom of speech, of the press, of assembly meetings, street processions and demonstrations; it includes the privacy of citizens and their correspondence, telephone conversations and telegraphic communications. These are protected by law in a written constitution.

Our Constitution is more modest; it does not go that far. Does that make our Constitution better or worse? Not at all. What makes our Constitution more valuable is not what is written but instead what is contained in the basic philosophy, in the principles and values held by those who chose to be governed by this establishment. The people chose me, they chose all of us who sit here; they did not choose a person appointed by the Prime Minister.

This whole Constitution rests on the will of the people. That is why their participation is so important. That is why my participation, which has been diluted through restriction of opportunity and through closure, is so important. I think this point of principle and values is where it all rests.

● (1610)

That is why there was a little glimpse or opening in the committee's resolution which had something to do with philosophy, principles and values. As everyone knows, that is the Diefenbaker preamble. I can understand why my socialist

friends and athiests, none of whom is here, which does not surprise me, are in such a hurry to pass this resolution.

Mr. Knowles: Order!

Mr. Wenman: The New Democrat is here to comment on my speech again. I thank him very much. I can see why the athiests and socialists want this motion passed right away. They have been successful in blotting out all references to the supremacy of God, all references to private ownership of property, the sanctity of the individual as a human being and the value and position of the family as the basic structure and unit of our society. Certainly the socialists and athiests want this through quickly.

However, the big surprise was to find the Liberal Party of Canada under this Prime Minister not only condoning the desecration of these values and refusing to recognize them in our Constitution, but attempting to implement some kind of charter without them. Such a charter is deficient and must not be allowed to proceed through this House of Commons. These values are the only ones that give credibility to any constitution for Canada. The piece of paper will be meaningless without them.

Herein is our statement of creed, our beliefs, what we will stand for and not stand for. Not only should this charter suggest rights, but it should be extended. We need a charter of responsibilities as well as a charter of rights. We should be equally ready to discuss and entrench not only these rights but the responsibilities that a Canadian owes his country.

I wish there were an adequate way for me to express my gratitude that I feel in being a Canadian, the appreciation that somehow through fate I was born a citizen of this country. This country has given me everything; education and an opportunity to develop the individual being that is within me. I care about this country. I love this country. I want to keep this country together.

A basic foundation for keeping this country together is the Constitution. I care too much to have my Constitution, the Constitution of my country, shortchanged to suit the expediency and timetable of one man in his particular space and place in time.

I would be doing my constituents a wrong, I would be doing everything that I understand this Parliament to have been throughout history a disservice, if I were to support this motion in this form through this process and for the purposes stated so far. I have no problem in voting against this resolution. It is lacking in the basic principles and values which have made this nation, Canada, the nation it is today.

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker, this is an historic debate, a momentous debate, a serious debate. Initially I want to congratulate the leading speakers for each of the three parties for their contribution to the debate; my colleague the Minister of Justice (Mr. Chrétien), the hon. member for Provencher (Mr. Epp) and the Leader of the New Democratic Party (Mr. Broadbent). They made responsible contributions to the discussion. I only hope that as the debate proceeds we will be able to sustain that serious level.

The hon. member for Provencher said yesterday our differences on this question run deep, revealing different views on the nature of Canada. I believe his statement is true, although not in the way he described. This has become clear. It became clear to me during the summer when I, along with my colleague, the Minister of Justice, took part in federal-provincial discussions. It became clear during those discussions and during the first ministers' conference, and it is becoming clear in this debate, that there are, underlying the divergent views expressed, different views given on the nature of Canada. Simply put, our view on this side of the House is that Canada is much more than the sum of its provinces or the sum of the regions of the country. It is not a kind of self-help contract made among the provinces. It is not, to use Senator Forsey's expression, a "geographical expression".

When the Fathers of Confederation did their work in the 1860s, they were not only concerned, although they certainly were, about maintaining the economic and military security of regions of their society; they consciously undertook the task of building a new nation from coast to coast. That view, if one goes through the confederation debates, blows like a tempest through their discussions. Here are the words of George Brown, expressed 116 years ago this month. After having drawn a comparison between the British colonies and various countries in Europe, he went on to say and I quote:

> Well, sir, the bold scheme in your hands is nothing less than to gather all these countries into one—to organize them all under one government—
>
> Our scheme is to establish a government that will seek to turn the tide of European emigration into this northern half of the American continent—that will strive to develop its great natural resources—and that will endeavour to maintain liberty, and justice, and Christianity through the land... Sir, the whole great ends of this confederation may not be realized in the lifetime of many who now hear me. We imagine not that such a structure can be built in a month or in a year. What we propose now is but to lay the foundations of the structure—to set in motion the governmental machinery that will one day, we trust, extend from the Atlantic to the Pacific. And we take especial credit to ourselves that the system we have devised, while admirably adapted to our present situation, is capable of gradual and efficient expansion in future years to meet all the great purposes contemplated by our scheme.

It is in furtherance of those objectives that we have presented this resolution to the House of Commons. The hon. member for Provencher said yesterday repeatedly, I am sure sincerely but falsely, that the view on this side of the House is that the federal system had not worked, that it had failed and that we were seeking to alter the fundamental nature of the federation, that the federation would be subverted.

None of those charges is true. We are proud of the achievements of the Canadian federation. Indeed, we believe that our party has been responsible for many of those achievements. We are proud of our system of government, of its accomplishments and of the historic role that our party has had in pursuing them.

We have not said the federation has failed. What we have said is that the pursuit of an amending formula agreed to by all provincial governments, a pursuit that has taken place over

half a century, has failed. We are saying the time has come in light of that failure to take our responsibilities as a national Parliament, representing the citizens of Canada, to strengthen our system of government by clearly defining how changes to the powers of government can take place within Canada.

● (1620)

Why has it failed? The reasons for the failure can probably be left to the historians. I suspect that when they examine the reasons for the failure, they will decide that, understandably, within any federal system there is natural tension between the views of the national and provincial governments. I suspect that they will also decide that the provinces were reluctant to give up an advocacy of unanimity for amendment knowing full well that that provided them with a useful bargaining instrument to try to get greater administrative and legislative powers from the federal government.

It is because we believe that historical evidence has shown us that unanimity is impossible to achieve that we have brought forward for the consideration of the House proposals which deal particularly with two areas: the charter of rights, to which I will refer later, and the question of an amending procedure for the Constitution of Canada.

The hon. member for Provencher (Mr. Epp) said yesterday that the amending formula, whatever it was, should have two characteristics: it should be fair and equitable and should reflect the federal nature of Canada.

The amending process which we have brought forward for the consideration of the House exactly meets those requirements. It reflects the federal and the regional nature of Canada. For the first time, it formally involves the provinces in the amending procedure—a procedure which is designed to ensure that there is substantial support for amendment to the Constitution in each of the four regions of Canada. It is a fair procedure because it provides opportunity for the provincial governments to present an alternative formula for the approval of the people of Canada, if the provincial governments can agree on one to be presented.

Yesterday, the hon. member for Provencher said, "Well, there is virtual unanimity on the part of the provincial governments as to what formula they would like, the Vancouver formula." Then he went on to say that our requirement of seven provinces, seven out of the ten, representing 80 per cent of the population, should agree, and we would put that formula to the people, was, he thought, an "imposition of tyranny". It was a very bizarre statement, because later on, when he discussed his own amending formula, he suggested that what is required at one stage in the procedure is the agreement of seven provinces containing 50 per cent of the population. It is difficult for me to understand why seven provinces containing 80 per cent of the population is a "tyrannical imposition", while seven provinces representing 50 per cent of the population he calls an "achievement of consensus".

An hon. Member: Taking it out of context.

Mr. Roberts: Well, the hon. member says I am taking it out of context. It is a bit difficult to do otherwise because there are so many contexts out of which one can take things.

There have been at least three varieties of amending procedures suggested by the opposition. There is the Tremblay formula, which I gather has now been taken back. There is the Vancouver formula, which they now find difficulties with. There was a whole range of options presented yesterday by the hon. member for Provencher. The difficulty with his point of view is that, literally, one does not know what the end result of his proposals would be?

At one point he said he was against unanimity. Fine. Then he held up the example of the United States as having an equitable constitution. The United States required approval of three quarters of the states. If you apply that to Canada, it means you would need to have approval of only eight of the provinces. That means that you could have constitutional changes imposed over the views of the Ontario and Quebec governments together, or over the views of the Alberta and British Columbia governments together, or over the views of the Nova Scotia and New Brunswick governments together. And he thinks that that is an equitable formula.

Then he suggested that perhaps what should be done is to repeal Section 7 of the Statute of Westminster. The effect of repealing Section 7 of the statute would be to transfer authority from the British North America Act to this Parliament with no role for the provinces in any way. Is that the kind of amending formula that he wants?

Then he suggested that what we should have is the Vancouver formula, because he says there is an agreement in principle by all governments. One difficulty with that is that it is simply not true. Premier Hatfield indicated to the joint committee that there was not support for the Vancouver formula. Indeed, Mr. Wells, a minister in the Ontario government, wrote to the hon. member for Edmonton East (Mr. Yurko). It is a matter of public record. I will just read two paragraphs from his letter on the Vancouver formula which the hon. member for Provencher says is accepted by everyone in principle. I am now quoting Mr. Wells:

> I have gone to some considerable length in recounting these events because I believe that they should be carefully considered by you and your colleagues in determining your ultimate stance on the federal resolution. While ministers and first ministers were willing to give various consideration to the Vancouver formula in spite of its potential checkerboard effect in the hope of achieving consensus, they could not come up with solutions to the two serious technical problems the formula contains. The problem of applicability, in particular, reopened all the arguments with regard to the general formula. If opting out could not be applied, then a 50 per cent population requirement was considered too flexible; unanimity was too rigid; 85 per cent left out the Atlantic provinces; a regional formula was regarded as treating some provinces unequally.
>
> In sum, our discussions held out the potential for consensus, but it was not achieved in fact. The explanation lies not in the ill will of any of the participants, but in defects inherent in the formula itself.

Then the hon. member for Provencher says, "We recognize that there are some drawbacks to the Vancouver formula, some uncertainties". So what we will have, as I mentioned earlier, is that if seven provinces containing 50 per cent of the population can agree on something, that is what we will

impose. But he never goes on to say what will happen if we do not have the agreement of seven provinces with 50 per cent of the population. It is a pig in a poke. It is unknown. In the ultimate analysis of the process put forward by the Conservative Party, one simply does not know what one is getting. It is a sincere point of view, sincerely expressed. It is not, I suggest, a view responsibly expressed.

The opposition yesterday, and I think throughout the debates of the committee, has really attacked the process by which we have sought constitutional reform, much more than the substance. They have described our efforts as "unilateral and divisive". It is always a surprise to me when people use the word "unilateral". I know sometimes it escapes members of the House, but words actually have a meaning. One can look them up if in doubt. "Unilateral" means imposed by one person or party. That is not what we are doing. We are proceeding with the support, I believe, of members in every political party in this House of Commons.

Some hon. Members: Hear, hear!

Mr. Roberts: We will proceed with significant support from the provinces. I believe, and the hon. member for Provencher has confirmed this in his remarks, that we are proceeding with a charter of rights which has the support of the people of Canada.

Of course, there are people who are unhappy with the process by which we have arrived at this position. I am unhappy with it. The Minister of Justice (Mr. Chrétien) is unhappy with it. We would all prefer to go with the support of all the provinces. We would have loved to do that. The reason we are proceeding in the way we are is that we recognize that that kind of support is impossible to achieve.

Nor is this new Constitution one which is being made, as was charged yesterday, by foreigners, by the Imperial Parliament, by Great Britain. This Constitution is being made in Canada. Indeed, it has the longest gestation period of any baby in public life, going back well over 50 years. It is being made by the members of this House of Commons in this debate and by the decisions they will take. It has been made by the past Members of Parliament in previous parliamentary discussions, by the work of at least two joint committees of Parliament which have assessed our Constitution, by the continuing participation of a whole host of interested groups who made their views known to the joint committee, and by the witnesses who appeared before it. The role of Great Britain in this process is a formal one, not the exercise of moral authority. It is rather like a notary who ratifies a contract or a civil authority which registers a marriage.

There has been much talk, I think wildly exaggerated, on the part of the opposition about the divisiveness of this process that we have gone through, about the strength of debate and discussion taking place in the country. That is not a source of divisiveness. It is not a source of weakness. It is a source of strength that in this country we freely, forcefully, frankly and passionately debate these views. I suspect there is no institution which expresses more strongly a conflict of views of various representatives than this House of Parliament, this House of Commons. The expression of those views in this manner is not divisiveness. It is a way in which we come to a conclusion and develop consensus for our policies.

It is now before the House of Commons. It is not the process, not the manner of arriving, but the substance. What we must decide is whether in our heart of hearts the substance of what is being proposed is what we want for Canadians and what Canadians want for themselves.

● (1630)

The official spokesman for the Conservatives has said they want entrenched rights, but not by this process, even though he believes an entrenched charter of rights has popular support. This is a serious matter, but perhaps once in a while we can look at serious matters lightly. I could not help but think yesterday that I was rather happy the hon. member for Provencher was not around when Moses came down from Sinai because he would have said: "Of course, we are all in favour of the Ten Commandments, but we think Moses went up the wrong mountain, took the wrong path or should have had someone with him and, in any case, all of the tribes should be able to opt out." That is a lighthearted view. I see by his smile that the hon. member appreciates that, but the point I want to make is that it is the substance on which the House must now pronounce. It is the question of whether we want these rights made legally enforceable for Canadians.

Mr. Siddon: We have those rights.

Mr. Roberts: The hon. member for Provencher addressed himself seriously to those questions yesterday. He spoke of the inalienable nature of rights. He regretted the omission of a reference to the divine sanction for rights. The hon. member for Fraser Valley West (Mr. Wenman) raised the same point a few minutes ago. The hon. member for Provencher sincerely, but falsely, misrepresented the government's effort, and I personally feel strongly about this because I was the representative of the federal government during our discussions at the federal-provincial conference who argued as strongly as I could for the inclusion of a preamble to the Constitution with explicit reference to divine majesty.

Some hon. Members: Hear, hear!

Mr. Roberts: It was the intent of this government to have those exact references in our Constitution. That is a matter of public record. That intent was made known last summer—July 1, to be exact, and I want to take a moment to read it. It contains five or six paragraphs, but I want to read it because it makes that point clear and also makes clear the expression of the idea of the Canada we are trying to achieve in these constitutional proposals. I will cite the preamble which we urged upon the provinces to include in this Constitution.

We, the people of Canada, proudly proclaim that we are and shall always be, with the help of God, a free and self-governing people.

Born of a meeting of the English and French presence on North American soil which had long been the home of our native peoples, and enriched by the contribution of millions of people from the four corners of the earth, we have

chosen to create a life together which transcends the differences of blood relationships, language and religion, and which willingly accepts the experience of sharing our wealth and cultures, while respecting our diversity.

We have chosen to live together in one sovereign country, a true federation, conceived as a constitutional monarchy and founded on democratic principles.

Faithful to our history, and united by a common desire to give new life and strength to our federation, we are resolved to create together a new Constitution which:

shall be conceived and adopted in Canada,

shall reaffirm the official status of the French and English languages in Canada, and the diversity of cultures within Canadian society,

shall enshrine our fundamental freedoms, our basic civil, human and language rights, including the right to be educated in one's own language, French or English, where numbers warrant,

shall define the rights of our native peoples, and

shall define the authority of Parliament and of the legislative assemblies of our several provinces.

We further declare that our Parliament and provincial legislatures, our various governments and their agencies shall have no other purpose than to strive for the happiness and fulfilment of each and all of us.

Some hon. Members: Hear, hear!

Mr. Roberts: It was not the federal government which prevented the adoption of that preamble.

Mr. Siddon: You have the power to put it in right now.

Mr. Roberts: It was not the federal government which objected to a reference to divine majesty, it was provincial governments representing the party of hon. gentlemen opposite which rejected that view.

Mr. Siddon: That is a cop-out. Put it in right now.

An hon. Member: Listen and learn.

Mr. Roberts: I still want that preamble in the Constitution. The government still wants that preamble in the Constitution. We are determined in our further discussions with the provinces, and there will be continuing discussions with the provinces, to have that preamble in the Constitution. I hope they will take place soon, and I believe there will be that preamble in the Constitution.

Some hon. Members: Hear, hear!

Mr. Roberts: The hon. member for Provencher misrepresented our views even more fundamentally yesterday. He argued passionately for inalienable rights. I agree; we agree. He argued that rights are not created by governments. I agree; we agree. What we are saying is that rights are inalienable. They are the essential condition, the context, for the fulfilment of the human personality and the human potential, including the moral and religious capacities of men and women. They flow from the nature of man. We argue that rights are inalienable, and we also argue that the time has come to have the Constitution recognize that inalienability and to make that recognition legally enforceable.

Some people disagree that that is a proper approach. I will go on a little bit later to explain why I think it is the proper approach. However, I think the hon. member for Provencher honestly misunderstood and misunderstands our position on rights. I will go further and say quite frankly that I do not understand the view of rights held by the hon. member for Provencher. He argued eloquently and passionately for inalienable rights. How can he then, in virtually the next breath, argue that they should be subject to provincial approval and to provincial opting out? He wants a charter of rights but he does not want this charter of rights.

An hon. Member: We live in a federal system.

Mr. Roberts: He does not want this charter of rights because, although he wants inalienable rights, he wants the provinces to be able to alienate them. I do not know how anyone can make that argument consistently. It is not credible, I suspect, to very many members of this House.

Our great objection to an amending formula based on the Vancouver principle, which the hon. member supported so strongly yesterday, is, as is commonly said, that it could create a checkerboard of rights. I would not use the word "checkerboard". There is a certain consistency about checkerboards. It would be a "crazy quilt" of rights across the country. However, the hon. member said a checkerboard is acceptable. Why is it acceptable? Because we do not live in a unitary state? I suggest it is not acceptable, and the question has not to do with whether one is in a federal or unitary state. It is not acceptable because it transgresses exactly that ideal of inalienable rights the hon. member expressed and because it creates different categories of rights for Canadians living in different parts of Canada. It is an exact contradiction of what a right is.

I believe passionately, as does the hon. member, in inalienable rights. I believe strongly that they must be entrenched with legal protection for all Canadians and not be subject to the whim of acceptance by provincial governments nor, for that matter, the whim of acceptance by a federal government.

There are those who protest—this was a point the hon. member made yesterday—that protection by Parliament and by legislature has been a safe enough protection for individual rights in Canada. I do not think history bears that out. There have been infringements of those rights based on racial discrimination, and I refer to Japanese-Canadians. Rights have been infringed on religious bases, and I refer to those of the Jehovah's Witnesses. Language rights have been infringed. The rights of free expression have been infringed by padlock laws. I do not think those aspects of Canadian history we are not so fond of recalling would justify the view that always the protection of rights by parliaments and legislatures has been satisfactory. There is a good reason for that. It is that parliaments and legislatures are dominated by majorities. While it is important to protect the rights of majorities, it is most often the rights of minorities and the rights of individuals which are threatened by governments and require the protection of the rule of law.

In any case, even if one does hold strongly to the view that parliaments and legislatures are an adequate protection for natural rights, there is nothing in these proposals which prevents legislatures from respecting the rights of their citizens.

There is nothing which encourages them to infringe those rights.

● (1640)

What we have here is a safety net, an added protection, so that in case provincial legislatures or the federal government do not respect those rights, there is a recourse to the courts. An entrenched charter of rights makes assurance for Canadians doubly sure. I am sure Canadians want that kind of protection. If one were to ask the people of Nova Scotia whether they would like to have their rights protected by the majority government headed by Mr. Buchanan or by the courts, they would say, the courts. If one were to ask Quebecers whether they would like to have their natural rights protected by the Parti Québécois led by Mr. Lévesque or by the courts, they would say, the courts. If one were to ask the people of Ontario whether they wanted their basic rights protected by Mr. Davis and the Conservative government or by the courts, they would say, the courts. If one were to ask the people of Manitoba whether they would want their rights protected by Mr. Lyon and his majority or by the courts, they would say, the courts. And if one were to ask the people of Canada whether they wanted their basic rights protected by our Prime Minister (Mr. Trudeau) and his Liberal government or by the courts, they would say, the courts.

This concept of rights is something that does not flow from government. It cannot and should not be created by some contract or some deal between the provincial and national governments. This concept of rights is basic and reflects the idea that we have of Canada. Those rights are the common heritage of Canadian citizenship and they should be binding, regardless of the government's view, because they fulfil and express the common promise to all Canadians, wherever they may live in this country, that we shall have a country which provides rights, opportunities, equality of status and respect for the individual and the dignity of our citizens.

We are now entering the last phase of a long and earnest debate. Its conclusion will mark one further great step along that path which George Brown charted 116 years ago and which I cited at the beginning of my remarks. It is a great step, an historic one, and all those many members who have taken part in the committee's debates, those who have supported as well as those who have opposed, will have settled into a niche in our history. It is a great step in the continuing task of nation building, the building of a still new nation, the building of one united nation. We now have a unique opportunity to move forward. We have, too, the possibility of failure and the fundamental shock that would bring to our society.

I urge the House, as the only body which truly represents all Canadian citizens, to accept this resolution, imperfect as it may be in this or that detail, but on the whole, an imaginative and fair response to the challenges of our country. We have the opportunity to build and maintain the most civilized society in the world, civilized in our federal system of government, civilized in out tolerance and respect for the inalienable rights of humanity. Our past, the record of our federation, is a proud chapter in the life of our country. The best is yet to be. Let us go forward together on this surer foundation, this new Constitution, for the hoped-for country we all wish to build.

Some hon. Members: Hear, hear!

Hon. David Crombie (Rosedale): Mr. Speaker, first of all, I should like to express my appreciation for the opportunity to speak again on this matter. I have spoken three times in this House on the matter; in the fall before the matter was referred to the special joint committee and, of course, I have spent the last four months on that committee and have had the opportunity to address myself daily to the 59 sections contained in the government's resolution.

My colleague, the hon. member for Provencher (Mr. Epp), expressed, at the outset of his remarks yesterday, our appreciation of the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) who did such an outstanding job as co-chairman of that committee. I think every member of that committee should also thank the House and the respective authorities for the opportunity to participate, primarily because this has been an experience—I cannot recall having had any other such experience in public life and certainly not in my two and a half years as a member of the House—which has broadened our minds, taught us to listen to what people in other parts of the country have to say and directed our reading so we could understand a little better how this country functions.

I am one of those who recognizes, as I am sure all members of the House do, that the most important things which affect our constituents on a day to day basis are matters more immediate to the individual concerned, such as inflation, jobs, etc. Therefore I know there is a great number of my constituents who wonder why we spend so much time on the Constitution. I have never been backward about responding to that query because the Constitution is fundamentally what Canadians are all about. It tells us what are our values, our interests and our beliefs. It determines what our relationships with one another as individuals are and what the relationship between individuals and the government is. That is why I thought I might take this opportunity to look briefly at some of our history. I will try not to touch on the points raised yesterday by my colleague, the hon. member for Provencher. I will try not to touch on the points I have raised in my three previous interventions in the House.

I am glad to see the Minister of Justice (Mr. Chrétien) is here now because I can offer him my congratulations. I think it is important we recognize that when countries make their constitution, they do not think of it as being drawn up for lawyers. The Constitution is not something that comes from the sky. The Constitution comes from us, who we are and where we have been. My old friend and colleague, Marshall McLuhan, said that all of us go through life as if we were driving a car and looking through a rear view mirror. That is not a bad analogy. Perhaps that is what we should do when it comes to the Constitution, because while we are going down the road to the bright new future to which my friend, the hon. member for St. Paul's (Mr. Roberts), wants to take us, it is

also wise to see where we have been. That helps us to determine whether we will be surprised by what is coming from behind us.

Let me look briefly at certain historic events which determine what kind of a Constitution we must have. It is hard to know where to begin in Canadian history and I do not want to bore people with history, but I have always been fascinated by time machines. When I was a boy and I heard of H. G. Wells' time machine I was fascinated with it. When I found out there were none in my neighbourhood, and if there had been, I probably could not have afforded one, my mother explained to me that all she could do was to suggest legs and a library card.

My own reading preference is to look at the future and to look at the past. This helps me to adjust, like driving my car, to the present. Let me jump right into it and start at about 1750. At about that time Canada got into hot water in history. This country was formed as a consequence of the activities of two empires from about 1750 to the end of the century. At about that time the British empire and the French empire left. What was left was us and the original inhabitants of the land, the native and the aboriginal peoples. The first and most important document which came to us then was the proclamation of 1763. What it did was to define for the aboriginal peoples the basis of their rights. It was a recognition by the new visitors from Europe of what those rights would be. That is why a month, or some weeks ago, the whole burden of the argument by native peoples was to have the 1763 proclamation recognized again. History is useful to know; 1763 was important because of one group of people who said, "You have rights."

● (1650)

The next document which defined who we were was the Quebec Act of 1774, because two, three or four years before the British empire lost the rest of the American empire, it acquired what was left of the old French empire. Although they recognized rights for aboriginal peoples, they did nothing for the French-speaking population acquired under the Treaty of Paris in 1763. The Quebec Act was established to ensure that there was a restoration of the rights of French-speaking people in what was then geographically called Canada. It restored not only language rights, but also religious and legal rights.

Those two documents already put in perspective for Canadians the reasons for which Constitution and rights are important. The Constitution Act, 1791 divided the old province into two; Upper and Lower Canada, as they became. We acquired a new custom called "Good fences make good neighbours"; an instinct which we will find throughout our Constitution, by the way.

The first defence of the new country was in 1812. For those who want to read Bishop Strachan, the first Anglican bishop of Ontario or what became Ontario, it is interesting to note that he morally justified the war of 1812 on the basis that if Canadians did not defeat the Americans, there would be a holocaust visited upon native peoples. Bishop Strachan said that the moral justification for the war of 1812 was to defend native peoples from the Americans who had started to come across the Appalachians.

In 1841 we had the Act of Union. I will not go through them all, but I wanted to make a couple of points.

While we were dealing first of all with British, French and native peoples, there has always been an assumption in this country—badly taught history—that it was sort of consecutive—the native peoples, the French, the British and then others. But right from the start we had people from all over the world, in particular Germans and Dutch. Throughout the nineteenth century, as it wore on, we had people from all over the world.

There was a great poem written by F. R. Scott a couple of years ago, the first time he read Ed Pratt's classic poem on the building of the CPR. Pratt went through the entire building of the CPR without mentioning a single Chinese worker; quite a feat when one thinks about it. As F. R. Scott said to Ed Pratt in his poem, "Where are the Chinese in your poem, Ed? Where are the oriental gentlemen who swung picks at forty below?" We have had people from all over the world, not just the two founding cultures and the native people. They have made an impact on our understanding of who we are and what we are. They gave us three instincts as a people, and they are instincts which only we have; other peoples do not have them. They are born of that historical experience.

As can be seen in our history, it was absolutely essential for Canadians to learn one instinct, to allow for diversity. That is why in the history of this country, and today, one will find differences in education programs, language and religion. We had to learn the instinct of diversity in order to survive. It is not a thing we thought would be nice to do; it was in order to survive and to deal fairly with all the peoples who were here. We had to ensure that people could do what they needed to do in order to be who they were. That is what diversity really means on the street. It allowed us to nurture customs; it allowed Canadians to be new and to be old at the same time. It allowed them to acquire a new personality and to maintain an older one.

The second instinct we learned very early as a people was an instinct for rights. That mélange of people who required diversity brought with them the second instinct, the need for rights.

We have learned something very clear and specific about rights. As the hon. member for Provencher said yesterday, first we learned that rights do not come from governments. This is not to be sneezed at because it is a fundamental principle. Indeed, older Canadians understood that most bills of rights were limits on governments; that is the point.

Some hon. Members: Hear, hear!

Mr. Crombie: If one wants to go through 1215, Runnymede, 1628, all the British and the French stuff or whatever, one will find that rights limit governments. That is why citizens need rights. They need rights, and those rights are to limit the

power of government over them. That is what it was always about. Rights do not come from governments; rights limit governments.

Rights also always rested on the basis of some spiritual entity, a supreme being. This was not merely because it was a nice thing, which it was, but primarily because it had a very practical advantage. When law rests on religion, when legal orders relate to spiritual principles, it allows for diversity and dissent. The roots of democratic dissent have always begun with religious dissent; laws imposed by governments were always fought on the basis of an appeal to God. This is why we insisted in the committee that not only should there be a preamble respecting the supreme authority because it was in our hearts that it should be related to spiritual principles, but it had a practical democratic value as well. The way in which generations of western people have been able to overcome tyranny was by being able to appeal over the head of the government which oppressed them.

The third thing our forefathers learned about rights was that they were very often related to property. It is only people born wealthy who do not understand that to own something not only makes it better for you, but it ensures that you are protected.

The reason all those people came to this country from all those lands was in order to have the security which property gave them, and the freedom to acquire and enjoy it. When my friends in the New Democratic Party on the committee said that property was not for the kind of people they would like to represent, they did not understand. The poor people in this country know the importance of the enjoyment of property. They worry very much when the government of the day will not allow it in the Constitution.

The fourth thing our forefathers learned about rights was that their rights lay in the common law; not always kind, very often harsh, but there was something about it they understood clearly. What they understood was that their rights were to be assumed. They did not need to have their rights listed. In fact, the only listing came when those rights were reduced. As they used to say, "If they can write it down then they can take it away." They understood that right. The rights we have allow us to do anything we like, except what you would restrict. That is how they understood those rights.

● (1700)

The first thing they understood was diversity and the second was the instinct for rights. The third instinct they understood was how to deal with conflicts and differences of opinion. All that diversity, all those needs for rights could not be dealt with on the basis of unilateral action by anybody. The country could not afford it. That is why Canadians organized a way of dealing with conflict, a way of dealing with differences, on the basis of consensus and consent. Tolerance, civility and compromise, those are the tools Canadians used, not the drawing of lines, not compulsion and not unilaterally. The stability, the freedom and the security which brought them to this country, and which is still bringing them to this country, rests on the fact that in this country we deal with our differences on the basis of consensus and consent. That is why in 1867 the federal principle was adopted. It was not because somebody thought it up and said, "Let's give it to the Canadians." The Canadians sucked it up from their own roots. It is the only way this country can go. Federalism means those three things; diversity, rights and consensus. That is our history.

There were two or three items raised by some speakers yesterday on the government side with which I would like to deal. I think the hon. member for St. Paul's also mentioned them. He mentioned the question of the checkerboard or, as he calls it, the "crazy quilt". They say that somehow the government is opposed to a Vancouver Formula or, indeed, just generally opposed to anything that has different categories of rights. I think those are pretty close to the exact words of the member for St. Paul's.

Let us look at that matter for a second, since the diversity in this country has allowed us to do just that. We have adopted the checkerboard, or the crazy quilt, as the minister called it. I would like to show you one or two things, Mr. Speaker. The British North America Act lays out the checkerboard. It says there are certain powers given to the federal government and there are certain powers given to the provincial government. Section 92 gives the provinces their powers. The province can do as it will in relation to them, subject in some areas to the courts. When Newfoundland came into confederation it came under a different set of circumstances than the other provinces. Section 133, which deals with language rights, imposes on the province of Quebec different categories of rights than it does on any other province, a fact that still remains.

Does the crazy quilt pattern mean all provinces must have the same rights at the same time? If it does, if that is what the minister means, then we are in great difficulty, since most of the social programs in this country were adopted by provinces able to conduct their own social experiments, then later on having them generalized across the country.

Some hon. Members: Hear, hear!

Mr. Crombie: Today, the province of Quebec in its bill of rights offers rights which are not available to other Canadians. I do not know if the minister remembers that, but it is true. One of them deals with sexual orientation. It is included in their charter of rights in Quebec and not in any other province. That is the checkerboard. The province of Quebec wants to do that. Indeed, while I am dealing with the province of Quebec, it was because of that checkerboard, that crazy quilt, that the freedom to protect the language and the culture of the province of Quebec exists. Indeed, the language and culture of all the other people in this country results from the diversity which the crazy quilt allows.

Some hon. Members: Hear, hear!

Mr. Crombie: I do not blame the government for not wanting to remember those things, since it destroys the argument that somehow it is against an amending formula because it is against a checkerboard. At least, it should remember that

it created the checkerboard in its own resolution. It has now created four categories of language rights in this country; not one, but four. That is a checkerboard. Their own amending formula creates three classes of province. That is a checkerboard. I guess it all depends, Mr. Speaker, on whether it is the checkerboard you want or the checkerboard you do not want. But to raise the question of opposing an amending formula because it is a checkerboard is dishonest, not intentionally so, but dishonest.

Some hon. Members: Hear, hear!

Mr. Crombie: If the Victoria Formula had been adopted in 1968 there would be no medicare and no Canada Pension Plan in this country.

Some hon. Members: Hear, hear!

Mr. Crombie: Behind all of that is a philosophy which is alien to this country. As I indicated, this country has always required the necessity for diversity. This government only understands the pressure of one thumb—its own. The only thing the government seems to understand is that the power must be with it. If it is with other governments then that is a difficulty.

I would like to deal with the charter and make a few comments in respect of my own feelings about it. I talked of the rights that Canadians learned about in the eighteenth and nineteenth centuries and, indeed, also in the twentieth century. I also indicated in my wee story about F. R. Scott that there were thousands of people—nay, hundreds of thousands—who did not have the rights which British people had. There are a great many examples of this in our Canadian history. That is why I have always been one of those who support a charter of rights. I have great hopes for that charter.

The people who came to the committee over the past four months represent the sons and the daughters, the grandsons and the granddaughters, the great-grandsons and the great-granddaughters, of all the people here before who did not have those rights. They did not know how to deal with the culture which gave its fruit, the common law. That is why in my view a charter of rights is essential in this country.

The charter needs to be two things. It must be one which will work and one which does not destroy the essentials of the country at the same time. Let me deal with that. This charter does not include the Diefenbaker preamble. It ought to since we have few enough symbols in this country. Twenty years ago this year this House adopted the Diefenbaker Bill of Rights. The preamble included not only belief in the Supreme Being and the role of the family, but included a number of things which Canadians hold dearly. We put that to the committee and the government voted it down.

● (1710)

Some hon. Members: Shame, shame!

Mr. Crombie: I would ask what is the status of the Diefenbaker preamble? We do not know, but this charter of rights does not contain the Diefenbaker preamble.

Secondly, it does not include property, as I mentioned earlier. The right to enjoy property is essential to people's understanding not only of their rights but of their freedom and security. We put a motion to include privacy as a right; and it was voted down.

The government is always talking about how interested it is in freedom of information. Well, it voted that proposal down, too.

Finally, in dealing with the charter, what impressed me was the argument that somehow throughout this whole piece the provinces are narrow provincialists who do not guard other people's interests or needs; only the federal government would do that. I guess I spent too long as a municipal politician to accept that point of view. As I said in the committee, there are hundreds of thousands of women and men in this country who work for municipalities and provinces doing the actual work of delivering the rights contained in the charter. The day the government decides it does not care how many provinces oppose and, therefore, how many municipalities are not involved, that is the day they lose touch with space ship earth, because this federal government does not deliver services to the handicapped, to women, or to those who need care and comfort. In urban areas it does not deliver services; municipalities and provinces deliver services. The charter of rights may get the Liberal Party votes but it is not going to help the people who are in need.

Some hon. Members: Hear, hear!

Mr. Crombie: Finally, Mr. Speaker, let me deal with what we regard as the crucial problem. I indicated earlier the Canadian instincts for diversity, for rights, and for consensus were important. The government's resolution has no consensus. For the first time in our history we are forgetting how to go about change. We have always made change by consensus. The government now is going to move unilaterally.

They may regard that as simply a process which is not connected to the goal or to what is being done. The Prime Minister (Mr. Trudeau) says, yes, that is a bad process, hold your nose. The Minister of Justice (Mr. Chrétien) says, long after the process is over you will like the product and the process will be forgotten. The Leader of the New Democratic Party (Mr. Broadbent) said it is time for a decision, time for change. We have to act decisively in history. I always worry about people who are going to act on my behalf for their history.

Some hon. Members: Hear, hear!

Mr. Crombie: Mr. Speaker, the Canadian I would like to see in the future is one that still knows what is going on in the rear window, because this country is not like the Leader of the New Democratic Party's analogy of the United States and their civil war. The thing that has always impressed me about this

country is that we are not a people who solved problems and differences of opinion by civil war and revolution. Canada is unique, and that was really the burden of what I wanted to say when I was going through the historical development of the country. We are unique, we do not move unilaterally, one level of government against another; and we do not impose one level of government against another.

Some hon. Members: Hear, hear!

Mr. Crombie: In short, unilateralism is unacceptable because it is the exact opposite of the federal system. That is why we oppose it.

Let me deal finally with that old, old question of process. The government and the New Democratic Party are saying: Don't worry about the means, you will love the end. Every time human beings decide that the means will justify the end, that is the time ordinary people get hurt. All political questions at root are moral questions and anyone who has read history knows that the day you let a bad means attempt to achieve a good end, you will rue that day. This country will not then be looking to the future that the hon. member for St. Paul's talked about, it will be looking to a number of years of unnecessary bitterness and division. We would like to say to the government: Think one more time.

An hon. Member: Fifty-three more years.

Mr. Crombie: My friend from Toronto says 53 more years. I was reading a book called "Miracle in Philadelphia" which concerns the American bill of rights. It took them a long time, many years to adopt it. If things are worth doing, they are worth doing well. We have not had 53 years of failure. This country had grown and grown well over the last 53 years.

I am saying that what the government can do is go to Britain and say: Send it back, thank you very much. Everyone agrees on that. I think you can get some agreement on the amending formula. The charter needs some work, even the government will admit that. My friend, the hon. member for Lincoln (Mr. Mackasey) kept saying: we have three years before it is in practice anyway so we can tidy it up here, turn a spigot there. Well, he wants to pick up the votes now and pay later. I can understand that but I do not applaud it.

Let me conclude, Mr. Speaker, by saying that the process over the past four months has been a very important one for this country, and if the government persists in its course of action we will be in greater difficulty than it can imagine. The three instincts that Canadians had long before this government came along are diversity, rights and consensus. They will be here long after this government is gone. Thank you, Mr. Speaker.

Some hon. Members: Hear, hear!

• (1720)

[*Translation*]

Mr. Dennis Dawson (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I should like first of all to congratulate the hon. member, not only on his performance in the House today, but especially on the rather remarkable work that members opposite as well as government members have done in committee. On the other hand, I am rather disappointed to find that after many hours of work and sound suggestions by the hon. member for Rosedale (Mr. Crombie), he is not ready, at a rather crucial moment, to support a charter which has been improved, thanks to his co-operation.

Mr. Speaker, I was reluctant to speak at this stage of the debate on the government resolution because several points I raised in the first part of the debate last December have been discussed and amended by members of the Special Joint Committee on the Constitution of Canada, and also because some aspects of the constitution were not perfect. As was so aptly pointed out by the Minister of Justice and Minister of State for Social Development (Mr. Chrétien), nobody has to be perfect. In the speech I made in December, I drew to the attention of the House some weaknesses of the Canadian Charter of Rights and Freedoms. Today, in light of the report of the special joint committee, I note that several of those weakness have been corrected. For example, in Section 1 of the first resolution, the individual rights were restricted as follows: "It is subject only to such reasonable limits as are generally accepted in a free and democratic society within a parliamentary system of government." As a result of some amendments, the section now reads as follows:

> The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

I suggest that this change is consistent with the many requests made by human rights groups and will prevent any discriminatory action not only on the part of provincial governments—for the restraining effect of the charter does not apply exclusively to provincial governments—but also to the federal government. The new Section 15 which deals with Equality Rights is an improvement over the old Section 15 which dealt with Non-discrimination Rights and which read as follows:

> Everyone has the right to equality before the law and to the equal protection of the law without discrimination because of race, national or ethnic origin, colour, religion, age or sex. This section does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged persons or groups.

The section as amended is much more specific, because it adds discrimination based on mental and physical disability and states that every individual is equal before the law and has the right to the equal protection and equal benefit of the law.

If we may set the charter aside for a while, Mr. Speaker, I think that the patriation of our Constitution, the enshrinement of our freedoms and rights, as well as the new amending formula are truly the first steps torward an in-depth reform. This reform is that which was promised to Quebecers by the Prime Minister (Mr. Trudeau) himself on the eve of the referendum when he stated, and I quote:

> I know that I can solemnly promise that, should the No-side win, we will set in motion forthwith the mechanisms required for renewing the Constitution, and that we will not stop until we have achieved this goal.

I am convinced that the Prime Minister was at the time relying on the good will which most premiers had expressed during the referendum campaign to carry out the necessary reform through federal-provincial conferences. I, for one, was expecting a lot from the consultations which the Minister of Justice and Minister of State for Social Development had undertaken last summer, as well as from the federal-provincial conference which was held last September. Instead of witnessing people involved in negotiations to achieve the goal of a renewed constitution, we saw our first ministers discuss the power-sharing issue first, apparently neither too anxious nor concerned about the patriation of our Constitution and the inclusion of a human rights charter.

After something like ten such conferences in 54 years, I find that the Constitution has not moved an inch, because there have only been minor changes brought about and it is still locked-up in London. How then can we fulfil that promise to provide Canadians with a modern constitution attuned to the Canadian reality at the dawn of the twenty-first century? On the one hand, Mr. Speaker, from the very moment when the Government of Canada brought forth its proposed resolution, a strong opposition front has accused Ottawa of acting unilaterally, without the support of the provinces or of the population. Some people are wondering whether the action taken by the government is wise or legal.

By means of a vast offensive of advertised propaganda, the Quebec government is fostering confusion stating that Ottawa should come back to the table, negotiate and come to an agreement because "we are not to be fooled" as the slogan goes; also there are editors, columnists and intellectuals who call the federal Liberal Members of Parliament from Quebec sheep, traitors and voiceless. From their pulpit, Mr. Speaker, those high priests of the day even go as far as urging our members to ignore party line and to vote according to their conscience.

To hear them, Mr. Speaker, one would think that the proposed resolution means an end to the present federal system, that it comes to us overnight without notice and without consultation. Such is not the case, Mr. Speaker. Throughout last summer, the provinces were consulted; the Quebec caucus and the national caucus met several times to make sure that the proposals of the government and the provinces would meet with the approval of all hon. members, and among others, the Quebec Liberal members.

At that time, I witnessed the good will of the Prime Minister and the Minister of Justice in starting negotiations with the provincial premiers. There was no end to their efforts in making sure that at no point would hon. members on this side of the House be unable to support them. One thing is sure, much more was expected from the first ministers' constitutional conference of last September. I was disappointed, like some of my colleagues, to see that after so many hours of negotiations, the participants had failed to agree on a formula to amend the Constitution once patriated. I admit that more flexibility would have been desirable on the part of both the Canadian government and the provinces in order to achieve real agreement between the parties. But that conference having failed, are we to sit on our hands and just wait for another constitutional conference, or should we not, instead, accept the project through which the Canadian people can have a truly Canadian constitution, not in 54 years but much sooner, a project that bypasses the principle of unanimity which has caused first ministers' conferences to end in deadlock for some 40 years, Mr. Speaker?

[*English*]

Some people have asked me how a member who has a reputation for taking a more peaceful approach to negotiation based on consensus and not on confrontation, one who is known to some of his colleagues on the other side as a dove, can support this resolution. Sure, I will identify myself as a dove; sure, I do not like the situation we are in now; sure, I would rather we arrived at a negotiated deal, but we did try and we did not succeed. We now have a choice. We admit a partial failure in arriving at unanimity and take a chance on going back to the negotiating table with partners who cannot seem to agree among themselves and risk losing the progress we made, or we can support the resolution. I stand for supporting the resolution. It is an important step forward and a first step in obtaining the goal we all search for, and that is, constitutional change. If we give up now we are doomed to failure, and failure after 55 years of effort only favours support of the status quo. I am not one who supports the status quo, Mr. Speaker.

As a Quebecer who participated actively in the referendum I will not accept this resolution as the only change promised during that referendum. This is but one step. It will be our duty as members of the government caucus to assure ourselves that the constitutional changes continue to occur and that they occur with the full participation of members of this House.

The performance of the parliamentarians on the joint committee is proof that we should not leave constitutional changes to 11 premiers and their civil servants.

• (1730)

[*Translation*]

As a whole, Mr. Speaker, the resolution proposed by the Government of Canada has already gained support from the majority of members in the House, from two provinces—a third one is still sitting on the fence—from several provincial political parties, and from most of the groups which gave evidence at the public hearings of the special committee as a result of the amendments moved by the Minister of Justice.

We know that the people of Canada are asking for a change and the proposed resolution fulfils their expectations. That does not mean that the federal project is altogether perfect; it has to be seen as a tool which will enable us to break out of the deadlock. As for me, that tool meets two significant criteria. First of all, Mr. Speaker, I admit that the unilateral amending formula imposes a rhythm and new rules which do not suit all provincial governments. But one essential fact remains for us members from Quebec, namely, that the government of Quebec and all Quebecers maintain their right of veto and that in future no constitutional change can be made without their consent. I consider that this right of veto is a prerequisite condition for anyone who acknowledges the specificness of Quebec. We have seen that members of the opposition, not unlike the provinces, have so far failed to agree on an amending formula. Once we had the Vancouver formula, now we have Senator Tremblay's formula. Mr. Speaker, what can we say about the Vancouver formula? We can say that it is endorsed by the Parti Québécois and by several provincial Conservative governments. What is the formula? It allows opting out, one of its great qualities, according to the Quebec premier. For someone who is bent on opting out to the extreme and separate from his country, of course, he can find something interesting in a formula under which he can withdraw from all federal programs and reject certain constitutional provisions. But that is certainly not the wish of hon. members from Quebec.

With regard to Senator Tremblay's formula I am still quite astonished to realize that, for all practical purposes and depending on economic circumstances, Quebec would lose its rights of veto. If the final count were to be 70-30, for all practical purposes Quebec would be in an extremely embarrassing situation, whereas with the amending formula of the Victoria charter Quebecers, representing 25 per cent of the population, would be guaranteed that no change can be made without their consent. Naturally, Mr. Speaker, any formula which is criticized throughout Canada because it is overly generous to Quebec can indeed be an option to which the Parti Québécois would object. But, Mr. Speaker, I think it is our duty as Liberal members from Quebec to make sure that the Victoria formula is the strict minimum.

Second, I want to speak in favour of the charter of rights and freedoms, particularly the section about mobility rights, labour mobility, and the right to education in the language of the minority. As Parliamentary Secretary to the Minister of Employment and Immigration, I consider that enshrining those rights in the Constitution is essential if we want to make sure that all Canadians participate in the economic growth of the larger regions of Canada. We now hear the Quebec government advertise that this will take jobs away from Quebecers. In my opinion, it is quite clear that according to all the studies that have been made recently that there are more Quebecers leaving their province to find jobs elsewhere in Canada than there are other Canadians entering that province "to steal our jobs" as they say. When you think of the economic boom in the west and the development in Newfoundland and Labrador Quebecers will certainly not be penalized in being given the right to share these jobs which are the jobs of the future in our country.

The fact is that this must be associated with another factor; the access to French schools. You cannot ask Quebecers to leave their province and get stranded in another province where they will not have the right to send their children to French schools. I also think that this is a change that is perhaps not as far-reaching as one would have wished, but at least it gives assurance to those Quebecers that they will benefit from those jobs that will be created all across Canada. It is certain that if they did not have this right, they would be reluctant to go. Now at least they have the assurance that they will have access to French schools.

The same applies to the entrenchment of the principle of equalization which gives the economy an additional stability. It is the concept of sharing that is now recognized by most Canadians and which has enabled Canada to become one of the most prosperous countries in the world. I think that it should be entrenched in the Constitution. The equalization principle will force both levels of government to favor economic development in order to reduce inequality of opportunities and in order to provide Canadians with essential services that are of acceptable quality. By entrenching this concept of sharing we are ensuring the future of Canadians in keeping with a tradition which was established in the early days of this country.

In fact, Mr. Speaker, the proposed resolution is but one stage which will launch the renewal process for which we have been waiting for 54 years. After patriation, the provinces will have to come back to the table to negotiate and reach some agreement, as the Quebec government is so fond of saying in its ads. At that time, the premiers can put forward their proposals for an equitable division of powers. We must recognize, Mr. Speaker, that the provinces have several justifiable demands. Moreover, most of the requests made in the sixties were recognized by the Pearson government.

Also, the changes and reform called for in 1968, 1969 and 1970 were accepted by the present Prime Minister. Many people seem to have forgotten the progress made in the social field after the Victoria conference. What about the agreements

on immigration and the successful telecommunications agreements in the mid-seventies. During the next round of federal-provincial negotiations, we should adopt as a principle that every bit of progress made should be entrenched in the Constitution. Had this been done in the past when the first ministers agreed on six or seven items out of 12 on the agenda, we would probably be much further ahead now in the division of powers. Unfortunately, Mr. Speaker, they were out to get package deals.

Also, Mr. Speaker, the input by Members of Parliament in this constitutional renewal process should not, as I have said, be restricted to this particular debate. It must continue at all stages following the passage of the proposed resolution. I think that future constitutional changes must not come only as a result of discussions between the federal and provincial ministers but must involve Members of Parliament. I think we can be proud of the way in which the joint committee operated, of the resolutions and amendments proposed by both opposition parties and by government members, and I believe that all members have an important role to play. I can only hope that this will continue in the future.

During the first debate last December, some members on both sides of the House seemed reluctant to take a stand on the proposed resolution as a whole, or on part of it, such as the Charter of Rights and Freedoms. My advice to them at the time was to take part in the work of the special committee to suggest improvements or express their views so that the final resolution might be the best and the most perfect possible.

Those who suggested changes, Mr. Speaker, and who obtained that the original resolution be amended deserve our congratulations. To those who did not succeed in imposing amendments or having them accepted, I would ask this question: can we afford at this time in our history to miss this unique opportunity to recognize the bilingual character of our country and its respect of human rights? While I respect those who intend to vote against the resolution, Mr. Speaker, I believe that, as representatives of the Canadian people, we must accept this proposal so that the government may act immediately by taking a first step in the right direction and by taking this important initiative of patriating the Constitution.

This leads me, Mr. Speaker, to speak once again briefly of those who accuse federal members of Parliament from Quebec of failing to comply with the wishes of their constituents and call us grovellers or sheep. Mr. Speaker, I do not believe that we have any lesson to take from these people. The day before yesterday, I was listening to the Quebec premier in a radio interview. He was saying that he did not understand why the Liberal members from Quebec were not more independent of their party. He did not understand why they did not vote against the proposed resolution. For my part, Mr. Speaker, I fail to understand why the Quebec premier would make such comments. We all know that in the four and a half years that the Parti Québécois has been in power in Quebec, PQ members were never allowed to vote freely. How can those people suggest that we should not support our leader and our party when, for nearly five years, the great majority of PQ members have toed the party line as we have done ourselves. The Parti Québécois executive even decided after the referendum to change considerably its electoral platform by abolishing the principle of a referendum and pushing back the basic objective of that political party, namely, sovereignty, into the background among its priorities.

Where were those who now say that federal members have failed to protect the interests of their constituents, of their members and of the population? Where were those people who are now criticizing us? Why did they not protest when this decision was imposed by the Parti Québécois leaders? No, Mr. Speaker, we have nothing to learn from those people. They should know that in a parliamentary system like ours, the party line and party solidarity must be maintained and respected. If the personal views of a member are at too great a variance with the line adopted by his party, it is up to the individual member to take his responsibilities by accepting the decisions of his caucus or to consider the result a vote against it would have.

However, as a member has many opportunities to express his views at caucus meetings or in committee, he can reach an acceptable compromise by playing an active role. As I said earlier, perfection is impossible to attain and we should leave well enough alone. In the present situation, if I were to rely on the pundits, I could easily become a national hero. I would simply have to vote against the proposed resolution, and editorialists, Conservative and Parti Québécois members would congratulate me on my gesture. I would go back to Quebec City to a triumphant welcome by the people of my constituency who, in any case, probably never even voted for me. I would get all this because I would have gone against the wishes of the party which was elected by the population and against a leader who, for all practical purposes, is respected by Quebecers. By voting against it I would have prevented the federal government from imposing its will. There is nothing revolutionary in that. Those are things which have been claimed by the people of both Canada and Quebec for some time. The Leader of the New Democratic Party (Mr. Broadbent) stated in an interview published in last Saturday's edition of *Le Devoir*, and I quote:

> It is important that party leaders think of their country, and not only of their supporters. A true politician should be capable of entertaining such an attitude and of explaining it in the presence of his supporters. It will be difficult for my party, but it was necessary for the country.

It will be the same for the hon. members from Quebec. It will be the same for the Progressive Conservative members if they were against, and also for those who will have some reservations to make on the resolution. So where is the unfairness about the reform of the Constitution as proposed by the Government of Canada? Is it in patriation? Certainly not, since I know very few people who are against the idea of bringing back our Constitution, which is now in London.

● (1740)

[*English*]

We have seen some battles here in the past. We have seen all kinds of confrontations between Quebecers and English Canadians. When for years Quebecers were calling themselves French-Canadians or Canadiens, the rest of the people of Canada were calling themselves British subjects or British citizens. Maybe after so long Quebecers decided they wanted to identify themselves with something closer to them, and then started identifying themselves as Québécois. If we had not waited so long to adopt our Canadian Citizenship Act, and to start identifying ourselves as Canadians, maybe Quebecers would not have seen that necessity.

We have seen the fight for a Canadian flag when people on both sides of this House voted for or against it. We can remember that great flag debate when the Quebec caucus was fighting so that Canada would adopt its own flag, because after a hundred years, French Canadians could not identify themselves with a flag they did not relate to: the Red Ensign or the Union Jack. No, we have to wait a hundred years for our flag. Quebecers, after waiting so long, decided in the early fifties that they wanted their own flag because they needed something they could relate to.

During the referendum, Quebecers started flying the Canadian flag, and I think they have been flying it for a long time, because they realize that it is their flag and they have an attachment to it.

We have to ensure that this Canadianization continues. We saw the example last summer of our national anthem. Once again Quebecers had to be ahead. They had to sing "O Canada" long before the rest of Canada, which was singing "God Save the King" or "God Save the Queen". Quebecers were perhaps bored with that, and started singing national songs in Quebec. During the referendum, we saw that Quebecers wanted to identify themselves as Canadians.

[*Translation*]

Canadians had placed great hopes in the negotiations scheduled for the premiers' constitutional conference last fall. We all wished that those in attendance would reach a consensus on the different items on the agenda. After the failure of this conference, I would have liked to see the provinces try once more to come to an agreement with the federal government, to put forward a proposed resolution unanimously agreed to by all of them.

Unfortunately, Mr. Speaker, we found out that the provincial premiers were having some difficulty in coming to an agreement and, by the way they never even reached a consensus on anything. Whether it was about going to London, or the amending formula, or any formula at all, the only thing to which they agreed unanimously was their opposition to the federal proposal. Surely, this negative attitude of provincial "partisanship" will not help build a better Canada!

The Government of Canada is acting in the interests of the people of all Canada and in order to move foward along the constitutional path, they are seeking the authorization of Parliament, which represents the Canadian people. I want to give them that support and I urgently ask my colleagues of the Progressive Conservative Party to set aside their partisan views and join with the New Democratic Party and Liberal members in giving their unconditional support to this proposal, so that we may go ahead with the constitutional reform.

[*English*]

Mr. Knowles: Mr. Speaker, on a point of order, may I say there have been the necessary discussions, and I believe you will find that the House will agree to sit a few minutes beyond six o'clock if necessary so that our friend, the hon. member for Nunatsiaq (Mr. Ittinuar), can complete his speech.

Some hon. Members: Agreed.

Mr. Peter Ittinuar (Nunatsiaq): Mr. Speaker, I will try to be brief.

Mr. Knowles: Take your time.

Mr. Ittinuar: Mr. Speaker, my friend, the hon. Minister of Justice (Mr. Chrétien), likes to say, when he speaks of the natives in the Constitution, "together we will build a great nation". He said this yesterday, and I would like to follow up on his response and explain how we could build a great nation.

As we all know, this is a critical period in Canadian history. As usual, I am pleased and honoured to be a participant in the debate on the Canadian Constitution. I am particularly happy because this is a significant time in the long history of the aboriginal peoples of Canada. We have a responsibility to see that consideration is given to the interests of all Canadians, but I will be speaking specifically to the issue of entrenching aboriginal rights in the Constitution of Canada. The significance of this, as I said earlier, cannot be overstated.

When I spoke in the House last fall, I was fairly despondent about the future of aboriginal rights in Canada. The first draft of the constitutional resolution was a serious blow to us in our long fight for legal and political recognition of our rights as original inhabitants. It appeared that all our voices had fallen on deaf ears. A constitution without affirmation of our rights signalled the beginning of the end for us as distinct peoples within confederation.

At the time, Britain seemed the only avenue for change open to us. However, we pressed very hard to have our positions heard at the joint committee on the Constitution. I believe, for once, members of that committee listened. We owe a great debt to those people who came in good faith, facing what looked like impossible odds, to make the case they have tried to make so many times before.

When the Minister of Justice introduced amendments to the resolution on January 13, our hopes for recognition were dampened, dampened by amendments which fell disappointingly short of entrenchment. Native people were united in their belief that the amendments were not nearly enough to protect our cultures and lifestyles and to secure our future within confederation. We redoubled our efforts to achieve this last

chance for recognition because we always maintained that entrenchment would be impossible after patriation, given the views of most of the premiers in the provinces of Canada.

For once, native leaders from all parts of the country, Inuit, Indian and Metis, worked together in a process of intensive discussion, consultation and debate with members of all parties. My own party, and particularly the hon. member for Oshawa (Mr. Broadbent), who, in our language, we like to call the "Downright hon. member for Oshawa" played a large role in convincing the government to accept our amendments, which were won only after a long and hard process of negotiating with the federal government.

We would, of course, prefer that aboriginal rights were recognized because they were self-evident of a society where principles of simple justice prevailed. But I am sorry to say they were not aspects of that charter. Aboriginal rights were ignored in the first draft, whether by design or accident, and I prefer to think by design, but that does not matter now. The fact is that they were missing.

As I said in the committee, there have always been members in all parties who were sympathetic to our goals and who have worked on behalf of native peoples. The unanimous all-party agreement which recognized aboriginal rights on January 30 was a great accomplishment. It was not just a result of intensive work in the last week of committee hearings, but the culmination of years of struggle.

This marks the beginning of a new era for native people in Canada. The importance of this recognition of aboriginal rights lies precisely in its being a beginning. Our historical relationship with the federal, provincial and territorial governments has not been a happy one to date. Until January 30, we faced the prospect of a Canadian constitution being patriated without any positive inclusion of the rights of the native people of Canada. For us this could only lead to the erosion of our distinct native cultures through a gradual process of assimilation, which is a negative process. The true significance of the aboriginal rights amendments is that they guaranteed us freedom to follow our traditions and to speak our own languages within the greater Canadian society. The constitutional resolution before the House recognizes the principle of aboriginal rights, and the process of enumerating and defining these rights will follow in the post-patriation period.

● (1750)

Section 35 allows for native participation at constitutional conferences held during the two-year period following patriation and calls specifically for the agenda to include the matter of identifying and defining aboriginal rights. This section implicitly recognizes the principle that the aboriginal peoples of Canada must be involved in the process of defining exactly what their rights are and, more importantly, that only the native peoples themselves can adequately represent their own interests. Only through a process such as this can the paternalism which unfortunately has existed in the past be eliminated. I must say it is through the help of members in all parties who have worked toward this that we have achieved this end.

Some hon. Members: Hear, hear!

Mr. Ittinuar: I sincerely hope that when the native representatives sit down at the table with the first ministers, the first matter to be resolved will be agreement on the formula which permits the ongoing participation of native peoples at all future conferences and on all matters which affect their interests.

I believe the Conservative Party is in agreement with me when I say that the amendments with regard to aboriginal rights passed by the joint committee are not only fair and just but also long overdue. In fact, the hon. member for Provencher (Mr. Epp) put it rather well when he said:

> If justice is to be done in the country it must also be done first to Canada's aboriginal people.

Some hon. Members: Hear, hear!

Mr. Ittinuar: Members of the party to my right applaud, but I wonder if they are aware of the implications of patriation without the inclusion of the amendments on aboriginal rights. Let me explain. First we would not be represented at constitutional conferences and, second, the possibility of obtaining provincial agreement on these amendments is tenuous at best.

The amending formula at least recognizes the power of the provinces, but without the amendments which we have achieved the native peoples of Canada have nothing and face the prospect of never again seeing their rights recognized and affirmed by a Canadian constitution.

Unilateral patriation is not the most desirable route, as we are all aware, yet in spite of this I ask hon. members to consider seriously Canada's native people when the vote is taken. This would take justice out of the realm of abstract idealism and put it into the Constitution of Canada.

Section 33 of the proposed resolution recognizes and affirms the aboriginal and treaty rights of the Indian, Inuit and Metis peoples of Canada. The significance of this amendment is twofold, for it entrenches the collective rights of the aboriginal peoples while at the same time recognizes important distinctions within the broad category of aboriginal or "native" people.

Inuit, Indians and Metis cultures, languages, histories and traditions are very different from one another, and yet we share the right to identify ourselves as aboriginal. The recognition and affirmation of aboriginal rights at the constitutional level provides protection against the erosion of these rights. It means that federal government lawyers can never again argue against the existence of aboriginal rights, as they did in court against the Inuit of Baker Lake. The principle has been affirmed, and the long process of clearly defining the nature of such rights will follow. Entrenchment of aboriginal rights marks the beginning of a new era in which native people themselves will have a hand in shaping what those rights mean.

The limitation of rights through such indirect means as government programs and policies will be more difficult. Considering the level of distrust which presently exists, and has

always existed between native people and governments, the process of redefining the relationship between these parties can only lead to greater understanding and mutual respect.

Section 25 of the charter of rights and freedoms protects aboriginal rights from being gradually eroded by the assertion of other rights or freedoms in the charter. This is important historically, for many of the conditions faced by native people in Canada today are not the result of an assault on native rights but, rather, the indirect consequence of policies and legislation which had other purposes.

Section 25 also protects the sanctity of land claims settlements, as it holds the government responsible for upholding the guarantees obtained in settlements. It is my hope and trust that the federal government will fulfil the great moment of January 30 and move to settle all claims in this country.

The inclusion of the Royal Proclamation of 1763 is also very important. I believe it has the significance for native people that the Magna Carta has in the British tradition. I would like to quote from the Royal Proclamation of 1763, which I think explains why it is significant for us.

> And whereas it is just and reasonable, and essential to our interest, and the security of our colonies, that the several Nations or Tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our Dominions and Territories as, not having been ceded to or purchased by us, are reserved for them, or any of them, as their Hunting Grounds.

"Hunting grounds" today can mean any number of things. Aboriginal people have never relinquished their rights as the first inhabitants of this country. Aboriginal rights have always been ours. What is important about this resolution is that it recognizes those rights.

This is not to say this is the last word on aboriginal rights. It is simply the beginning. My friend Charlie Watt, president of the Makivak Corporation of Quebec, said before the joint committee, and I quote:

> All we are asking for is recognition that we are a distinct people, we live in Canada, and we are here to stay. If you recognize that principle, let us work out the details after patriation.

The amendments won on January 30 are an immense and dramatic improvement on the aboriginal proposal and are certainly worthy of our support.

There have always been differences among Canadians, and among native people too. We would be naive to expect otherwise, but it is our shared sense of pride in our unique identities and histories which gives us our strength. That is what makes consensus and agreement such a triumph.

I certainly have grievances about the charter of rights. I have grievances, for instance, about the section on mobility rights. The rights in that section do not accrue to the people of the north because they speak neither English nor French, and they have no desire to move anywhere else in Canada. However, the people of southern Canada can move into northern Canada at their leisure because that section benefits them. This is a likely prospect because of the potential development of those lands on which the Inuit of the north live.

I had an unfortunate argument with the Minister of Justice during the joint committee hearings. He agreed with my arguments but, because of party discipline, he could not agree to amend that part of the constitutional charter.

I would like to say to native people, to my fellow parliamentarians and to all Canadians that we do not need to deny our differences in order to acknowledge our achievements. As I said in my first speech in this House in Eskimo—and I would like to speak again in Eskimo in answer to what the Minister of Justice said yesterday—together we can make a great nation. The Eskimos would say:

> Atautikkut kisiani sanajunnaqpugut Canadattiavangmik.

Only together can we build a great nation.

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): It being six o'clock, and with the consent of the House earlier given, I now leave the chair until two o'clock tomorrow afternoon.

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Thursday, February 19, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

RESEARCH AND DEVELOPMENT

FIVE-YEAR FUNDING PLAN—MOTION UNDER S.O. 43

Mr. Gordon Gilchrist (Scarborough East): Madam Speaker, I rise under the provisions of Standing Order 43. Considering the misleading statement by the Minister of State for Science and Technology (Mr. Roberts) on January 19, 1981, in which he pretended to confirm the higher, but still inadequate goal of 1.5 per cent of gross national product spending on research in Canada by 1985, while in the same statement announcing that the government's share would be cut by some 7 per cent, to the serious and even critical detriment of the entire scientific and research community and to young Canadian students and would-be scientists on whom the country must depend for technological innovation, creativeness and scientific, economic and social development, I move, seconded by the hon. member for Cariboo-Chilcotin (Mr. Greenaway):

That the minister live up to the promise he made in this House to support fully the previous Conservative government's five-year funding plan for research, or admit his duplicitous statement and position that as minister responsible for science and technology he is unable to fulfil his responsibilities and obligations.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SMALL BUSINESS

INCLUSION OF VENTURE CAPITAL IN BOND PROGRAM—MOTION UNDER S.O. 43

Mr. Otto Jelinek (Halton): Madam Speaker, I too rise under the provisions of Standing Order 43. The Small Business Development Bond program introduced in the budget of the hon. member for St. John's West (Mr. Crosbie), as everyone knows, has since been watered down considerably by the Grits. In response to my request last week to expand the program in order to include venture capital, the Minister of Finance (Mr. MacEachen) said in this House, "Any extended provisions to the SBDB would be an expense we cannot bear."

In light of new information revealed in a study by the Canadian Federation of Independent Businesses that this program will contribute $77 million to the federal treasury in the first year alone, obviously dispelling the minister's excuse, I move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

That this House instruct the Minister of Finance to extend forthwith the provisions of the Small Business Development Bonds to include venture capital so necessary to the very survival of the small business sector.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENVIRONMENT

POLLUTION OF NIAGARA RIVER—MOTION UNDER S.O. 43

Mr. Joe Reid (St. Catharines): Madam Speaker, I too rise under the provisions of Standing Order 43 to raise a matter of urgent and pressing necessity. In view of the inability of local environmental groups in the Niagara area to halt SCA Chemical dumping into the Niagara River, and in light of the International Joint Commission's recommendation that such further dumping be discontinued, I move, seconded by the hon. member for Western Arctic (Mr. Nickerson):

That the Prime Minister be condemned for failing to follow through with his election promise made over a year ago that he would urge the U.S. government to deny SCA permission to dump into the Niagara River.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FITNESS AND AMATEUR SPORT

CANADIAN AMATEUR HOCKEY ASSOCIATION—PARTICIPATION OF FEMALE PLAYERS—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise pursuant to Standing Order 43 to move a motion which I

believe has the general support and, perhaps, the unanimous support of the House.

In view of the controversy occurring in Winnipeg over the recent suspension of three girls from their respective hockey teams and subsequent threats of suspension toward their coaches for playing them anyway, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House encourages the Canadian Amateur Hockey Association to be more flexible and, in all fairness, to allow girls like Heather Kramble from the Pirates Community Club in Transcona to play out the season with a view to sorting this problem out between seasons, and not now at the expense of the girls and their teams.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

An hon. Member: Who said no?

Mr. Paproski: Regan said no.

Mr. Collenette: The Tories said no.

Some hon. Members: Oh, oh!

● (1410)

Madam Speaker: There were noes, and I am the one who hears the noes.

An hon. Member: Who said no?

Madam Speaker: I would be grateful to the House if hon. members would let the hon. member for Athabasca (Mr. Shields) speak.

Some hon. Members: Oh, oh!

Madam Speaker: There is no point in indicating where the noes came from; I am the only one who knows.

Some hon. Members: Hear, hear!

* * *

ENERGY

FEDERAL AGREEMENT WITH PROVINCE OF ALBERTA—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the head of the Economic Council of Canada, Mr. David Slater, has predicted that, even with moderate growth in the demand for energy, Canada will need another five energy megaprojects in addition to Syncrude, Alsands and Cold Lake, in order to achieve oil self-sufficiency by 1990, I move, seconded by the hon. member for Prince George-Peace River (Mr. Oberle):

That this House direct the Minister of Energy, Mines and Resources to demonstrate, as the minister said, "some spirit of flexibility and compromise" so that an energy agreement can be reached in the very near future with the province of Alberta, thus allowing several important oil sands megaprojects to proceed immediately.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

FEDERAL GOVERNMENT'S SHARE OF OIL REVENUE—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise on a matter of urgent and pressing necessity. This week Mr. Robert Blair, president of Nova Corporation, declared in a speech given in Toronto that the federal government was entitled to a larger share of oil revenue. I move, seconded by the hon. member for London-Middlesex (Mr. Bloomfield):

That this House urge Mr. Blair to reiterate his wise statements at public forums in Alberta and in direct representation to the Premier of Alberta.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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POST OFFICE

DELAY IN DELIVERIES—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that problems of postal delivery have deteriorated to epidemic and crisis proportions, and in view of the fact that the Guernsey post office in the Channel Islands has stated:

We have, however, been warned by the British post office that the Canadian postal administration is not one of the most efficient in the world! We were advised that a reply could take at least six months, and this is in fact proving to be the case.

I move, seconded by the hon. member for Prince George-Peace River (Mr. Oberle):

That the Postmaster General make a statement on motions explaining his abdication of responsibility in this very important communications department, and also negotiate with the Minister of National Health and Welfare that post-dated pension cheques be mailed two weeks earlier than at the present time so that pensioners need not suffer because of late delivery.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ARTS AND HUMANITIES

TRIBUTE TO FRANK R. SCOTT—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, under the provisions of Standing Order 43, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles), I move:

That this House note the timely tribute that is being paid tonight and for the next two days in my home province of British Columbia, in Vancouver, to Frank R. Scott, a poet, lawyer and academic, born in the province of Quebec 81 years ago, who has constantly stood for human rights and justice and who has been a unifying influence in French and English Canada and who, in poetry, has dramatized our basic tensions in the Canadian tradition, and who in law, Madam Speaker, has expressed his strong social concerns.

Some hon. Members: Hear, hear!

Madam Speaker: I see that the House does want to pay tribute to this remarkable personality. However, this is not a motion that I can accept under Standing Order 43.

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FISHERIES

REFERENCE OF WEST COAST REGULATIONS TO STANDING COMMITTEE—MOTION UNDER S.O. 43

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, given the absence of objection from the Minister of Fisheries and Oceans (Mr. LeBlanc) to the new fisheries regulations for the west coast being considered in the Standing Committee on Fisheries and Forestry, on the basis of an order of reference, I am encouraged to believe that I shall obtain unanimous consent of the House to a motion of urgent and pressing necessity. In light of the adverse economic consequences of the new regulations on fisheries and the tourist industry on the west coast, I move, seconded by the hon. member for Richmond-South Delta (Mr. Siddon):

That the Standing Committee on Fisheries and Forestry be provided immediately with an order of reference to permit it to meet, examine the new west coast fisheries regulations, and report.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

DURATION OF UNEMPLOYMENT PERIODS FOR INDIVIDUALS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance. He will know that recent labour force figures show he now has one more economic accomplishment, namely, that more Canadians are staying out of work longer. The January figures showed that the number of Canadians unemployed for 14 weeks or longer was 18 per cent higher than last year. Most of those Canadians want to work. Will the minister tell us whether he intends any new measures to help them find jobs they can go to, jobs they can work at?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): No, Madam Speaker, it is not my intention to bring in new measures at this stage. Personally I have been impressed by the strength shown in the Canadian employment picture in the last year. The rate of unemployment is moderating and is less than it was last month. In those circumstances I personally do not intend to bring in any further measures in addition to those announced by the Minister of Employment and Immigration and the Minister of Industry, Trade and Commerce, which are directed toward skill training and adjustment programs. They seem to be the most appropriate response in present circumstances.

RATE OF UNEMPLOYMENT IN QUEBEC

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the minister has now set another record. He has shown that not only is he prepared to have more Canadians out of work longer, but he is prepared to stand up in the House and boast about it. It is an absolutely unacceptable position for a Minister of Finance of this country.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Clark: Madam Speaker, perhaps I should address my supplementary to the Minister of State for Finance as it is of particular concern to the province of Quebec where the permanent unemployment problem is much more serious than anywhere else in Canada. The figures published by Statistics Canada show that the rate of permanent unemployment in Quebec is more than double the rate in the rest of Canada. Is there a program that the minister would recommend to the government to assist Quebecers in finding the jobs that they want today?

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, the Leader of the Opposition should know that this government has always taken into account the region-

al implications of its policies. Whether in the fight against unemployment or in the area of industrialization, the government has always considered the particular concerns and problems of the regions, and this same policy was followed in the last budget. The problem mentioned by the Leader of the Opposition is of constant concern to the government.

[*English*]

INCREASED GROWTH IN RATE OF HIDDEN UNEMPLOYED

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, some preoccupation! It means that the rate of permanent unemployment in the province of Quebec and in much of Atlantic Canada is double the rate in the rest of the country. I suppose we can ask that the rest of the country be spared that kind of special preoccupation.

Let me return to the Minister of Finance. He will know that one other impact of his government ignoring the Canadian economic situation has been a dramatic growth in the rate of the hidden unemployed in the country. Statistics Canada indicated that the rate of hidden unemployed—Canadians who are simply giving up hope and stopping their search for jobs—rose 25 per cent last year. We have a situation where one agency of government has identified those people. I ask the Minister of Finance whether his department intends to do anything to help those people who are out of work and have lost hope to such a degree that they are not even looking for work.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I think the right hon. member's rhetoric must be put in perspective and in context. The context is that the employment situation in Canada over the year 1980 was such that we registered a drop in the level of unemployment in January, 1981. The number of persons unemployed in January, 1981, was less than it was in mid-1978. The over-all strength of the Canadian economy in producing jobs, despite the serious level of unemployment, was quite considerable in comparison with other countries, especially the United States. We are concerned about unemployment. That is why we have launched this special adjustment program, which I described earlier. We are not in a position like that of the Leader of the Opposition, who advocates new measures of spending one day, and restraint and a battle against inflation the next. We do not have the luxury of inconsistency which the official opposition portrays every day.

● (1420)

GOVERNMENT'S MONETARY AND FISCAL POLICIES

Hon. James A. McGrath (St. John's East): Madam Speaker, my supplementary question is for the Minister of Finance. I want to assure the minister that we are not engaged here in rhetoric. We are engaged in the potential tragedy and human suffering behind those figures. There are 1,300,000 people, given the real rate and hidden rate of unemployment, in Canada today, some 1,300,000 potential human tragedies.

In light of the lowering of real wages, the increase in the cost of unemployment insurance premiums, the lowering of the rate of unemployment insurance benefits as a result of continuing double-digit inflation, and the increase in the hidden rate of unemployment and the real rate of unemployment, I ask the minister, one year after he has assumed his responsibilities, will he now discharge the commitment he made when he was in opposition that the government should not be waging its monetary and fiscal policies on the backs of the unemployed and the poor?

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I am again surprised at the inconsistency in the attitude of the official opposition. Earlier in the week the member for St. John's West was advocating a strong stand against inflation and a strong stand against spending, as has been the case throughout the last several months. Today the hon. member takes a different course, like his leader, and suggests new expensive programs. I would ask him how he can balance these two contrary objectives, one day advocating spending more in the way of stimulation of the economy, and the next day advocating a reduction in the deficit by spending less. I do not have the luxury, as Minister of Finance, of speaking out of both sides of my mouth.

Mr. McGrath: Madam Speaker, I would suggest to the minister that if he wants guidance he should take a look at President Reagan's economic package which he presented last night.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. McGrath: The President of the United States made a commitment that there would be no decrease in social payments in the United States.

Some hon. Members: Oh, oh!

Mr. McGrath: What we are talking about in Canada is a change in priorities. Will the Minister of Finance rearrange his priorities so that he can discharge the commitment he made a year ago to the poor, the low-income earners and the unemployed of this country? We have seen during that year a total erosion of the $35 income supplement, which is all he has in his bag.

Some hon. Members: Hear, hear!

Mr. MacEachen: Madam Speaker, the statement made by the hon. member about the guaranteed income supplement is totally false. The guaranteed income supplement has not been eroded.

An hon. Member: It sure has.

Mr. MacEachen: It is fully indexed. It increases and maintains its real value in line with changes in the cost of living . That the value has eroded is one of the biggest falsehoods which has been put forward in the House of Commons. The guaranteed income supplement maintains its real value.

I want to tell the hon. member that I do not intend to take guidance, as he has suggested, from the message given last night by the President of the United States in terms of the reduction of expenditures. Shall I take guidance and reduce spending on the arts and humanities? Shall I take guidance and reduce expenditures on welfare, as the hon. member suggests? Shall I take guidance and reduce expenditures on meal aid subsidies to schools by a billion and a half? Shall I take guidance and cut medicare by a very substantial amount? That is the kind of guidance I am not taking from the Leader of the Opposition, from the hon. member for St. John's West, or from the President of the United States.

• (1425)

Mr. Clark: Tell us about the meals you have cut out, Jean.

* * *

THE MINISTRY

RESPONSIBILITIES OF INDIVIDUAL MINISTERS

Mr. Bob Rae (Broadview-Greenwood): My question, Madam Speaker, is for the Deputy Prime Minister. I would have thought one Regan was bad enough for this government without their having to choose to follow another one.

My question has to do with the announcement yesterday by the Solicitor General that the Prime Minister has appointed ministers to be responsible for constituencies throughout Canada including those not chosen by the people of Canada. When was the Solicitor General appointed as minister responsible for the riding of Broadview-Greenwood, and other ridings which he did not mention? What is the exact nature of his duties, and could the Deputy Prime Minister tell us what ridings he is responsible for now?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): First of all, Madam Speaker, I want to assure the hon. member that the Government of Canada does not believe that any minister has been given responsibility for representing, in this House of Commons, any riding other than the riding for which he has been elected. That is the view of the Government of Canada.

What I would like to tell the hon. member is that ministers for various regions of the country have special responsibilities within the cabinet for representing the interests of those regions.

An hon. Member: Handing out cheques is a tough job.

Mr. MacEachen: For example, for almost 17 years now I have had a special responsibility within the cabinet for representing the interests of my region, namely, the province of Nova Scotia. That is not to say that I usurp the rights of any other Member of Parliament from that province. The fact of the matter is that other Members of Parliament are not present at the cabinet table to represent the interests of their particular regions, and that is precisely the role that ministers in the Government of Canada perform as regional ministers. I believe it is an essential role, time honoured, and ought to be appreciated by members of this House.

Mr. Rae: Madam Speaker, what unmitigated nonsense from the Minister of Finance. It is totally contrary to the patronizing drivel we heard yesterday from the Solicitor General, and the Minister of Finance knows perfectly well that you do not have to be represented at the cabinet table in order to hand out cheques and to indicate to the constituents of a particular riding that a minister has been named responsible for that riding. Those are precisely the words the Solicitor General used in his letter to my constituents—

Madam Speaker: Order, please. I would urge the hon. member to put his question.

Mr. Rae: Those are precisely the words that he used yesterday in the House. The Deputy Prime Minister did not answer the first question. What are the duties as described by the Solicitor General yesterday, who is carrying out those duties, and will you table a list of ministers who are responsible for particular constituencies, as indicated yesterday by the Solicitor General?

• (1430)

Mr. MacEachen: Madam Speaker, I did answer the question.

An hon. Member: You did not answer it.

Mr. Crosbie: Slippery shoes!

Mr. MacEachen: As I understand it, it was a follow-up to the question of privilege which was raised yesterday to the effect that in some way ministers of the Crown were supplanting the proper role of Members of Parliament in the House of Commons.

Mr. Rae: Exactly.

An hon. Member: Now you are getting the point.

Mr. MacEachen: That is the question that I am answering, and the hon. member has agreed that it is the question. I am telling him that it is not the policy of the Government of Canada to usurp in any way the proper role of Members of Parliament in representing their constituencies in the House of Commons. Not at all. I would be the first to object to that procedure, but I think it is essential, in our system of government, that ministers be given responsibilities for representing in a special way the interests of their regions in the cabinet and around the cabinet table. That has been the tradition, and it is simply that tradition that is reflected in my answer and the responsibilities which the Solicitor General is carrying.

Mr. Rae: Madam Speaker, the Minister of Finance would try to pretend that he is the piano player in the brothel who does not know what is going on upstairs.

Some hon. Members: Oh, oh!

Mr. Rae: I can assure you, Madam Speaker, that it is not a very convincing part.

Let the Minister of Finance answer this simple question: what is the nature of the duties assigned to the Solicitor General of Canada with respect to my riding and with respect to other constituencies? Will he table the list of those ministers who are carrying out these functions, and will he please tell us what in God's name they are?

Mr. MacEachen: Madam Speaker, the hon. member knows about a lot of things but one thing he does not know anything about is cabinet government, and maybe he never will.

Some hon. Members: Oink, oink, oink!

Madam Speaker: Order, please. Order! Will the House come back to order? This only shortens the question period. The hon. Minister of Finance.

Mr. MacEachen: The hon. member has asked for the third time what the responsibilities of regional ministers are. I would be glad to go over the ground for the hon. member. The first point I want to make is that it is the special responsibility of regional ministers—

An hon. Member: Table the list.

Mr. MacEachen: —to represent the interests of regions within the cabinet.

An hon. Member: Table the list.

Mr. MacEachen: In my region—

An hon. Member: Table the list.

Mr. MacEachen: Hon. members are saying "table the list." I will come to that, but I want to answer the question first.

Miss MacDonald: You had three tries.

Mr. MacEachen: In my particular region, and I have discharged this particular responsibility long enough to know what it represents—

An hon. Member: Too long.

Mr. MacEachen: In my region it means around the cabinet table representing the interests of all the region, the 11 constituencies in that region. When it was a question of providing in the constituency of Annapolis Valley-Hants a very substantial program of assistance to Michelin, it was not possible for the hon. member for Annapolis Valley-Hants to come to the cabinet table and argue that case—

An hon. Member: What about Firestone.

Mr. MacEachen: —but it was possible for me, as the regional minister, to do that.

Some hon. Members: Hear, hear!

Mr. MacEachen: That is the main function of regional ministers. The hon. member has made a great to do about tabling the list. When the Prime Minister comes back I will be happy to recommend to him that he make the list available. I am sure that that list will be on the Table and will confound the hon. member and begin the process of educating him in the process of cabinet government.

Some hon. Members: Hear, hear!

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PETRO-CANADA

ACQUISITION OF PETROFINA—ALLEGED ADVANCE KNOWLEDGE

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, I know you will agree with me when I say it is very, very distressing for this House to watch a marriage break up before our very eyes.

Some hon. Members: Hear, hear!

Mr. Wilson: My question is for the Minister of Energy, Mines and Resources, and it relates to a letter which came from the president of Maison Placements, an investment firm in Montreal. This letter refers to what the writer calls clear signs of a major leak in connection with the Petrofina acquisition, resulting in illegal profits to many people. It goes on to observe that the price of Petrofina shares was around $60 when the first rumour came into the market place, compared to the price bid of $120. I should point out that a chart which I have shows that Petrofina skyrocketed during this period whereas BP Canada, which is the other candidate for acquisition, was flat, and probably is a little bit lower in price now than the shares were at the time of the first rumours regarding Petrofina.

I have raised this point in the House on a number of occasions. The clear reason for this is that these leaks have driven up the price and have caused the Canadian taxpayers and consumers to pay more money for Petrofina. My question is this. Upon receipt of this letter what action has the minister taken? Specifically, has he referred the letter to the Toronto Stock Exchange which is investigating this situation, and has he discussed the matter with the president of Petro-Canada? This question is similar to the one I asked the minister about a week ago, to which I got no answer.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member referred to a possible marriage break-up. I hope he will not be attending a divorce next Friday night.

Some hon. Members: Oh, oh!

Mr. Clark: Your wit is as good as your energy policy.

Mr. Lalonde: I could give a very short answer to the question, Madam Speaker. We have never received the letter in question. I suspect the citizen in question called the press before he managed to get the letter over to me.

An hon. Member: He sent it through the Post Office.

Mr. Lalonde: I can tell the House what I have told it before. This gentleman appears to be an investment broker, but if he knew his business he would already have gone to the Ontario Securities Commission or the Quebec Securities Commission if he has any information, and asked for an investigation or inquiry.

An hon. Member: You don't care.

Mr. Lalonde: If he has any evidence at all, that is the way things are done. My hon. friend was in the investment business so surely he knows that this is the way things are done. The securities commissions of the provincial governments are there to investigate exactly that kind of charge.

Mr. Clark: What are you hiding, Marc?

Mr. Lalonde: As to the general price, the settlement, the hon. member knows, and I would refer to the fact that partners in his former firm have already indicated this publicly, that the price paid by Petro-Canada was a fair price in the circumstances for both parties. I invite my friend to phone his former partners and get advice from them rather than from some individual who appears to be more eager to get letters to the press than to my department.

Mr. Wilson: Madam Speaker, I might point out that there are other responsible people in the investment business who have been quoted as saying this Canadianization policy, carried out in this way, is going to cost Canadian taxpayers an arm and a leg. I was in the investment business, Madam Speaker, and I was involved in a number of transactions similar to this. When there were any leaks I, or other people involved in the transaction, took fast action to find out where those leaks occurred and took fast action to make sure that they did not occur again. The minister has shown no concern, no sense of urgency—

● (1440)

Madam Speaker: Order, please. The hon. member used to be much shorter with his questions.

Some hon. Members: Oh, oh!

Madam Speaker: I think he is following the bad example of some other members on both sides in this House. The hon. member on a short question.

Mr. Wilson: Madam Speaker, this is an important issue. I am trying to make an impact on the minister who is clearly showing no sense of urgency at all.

In view of the fact that the amount of the premium in dollars is $700 million over the price in September, could the minister tell the House why he has taken no action to find out where those leaks occurred?

Mr. Lalonde: Madam Speaker, first I would remind the hon. member that the premium paid at the time of the transaction was lower proportionately than premiums paid at the time of transactions in takeovers all over North America the last year. The difference was about 37 per cent versus 56 per cent or 57 per cent as an average in the private sector. My friend should be aware of that.

As far as the other point raised by my hon. friend is concerned, I did invite him or anyone else who has particular evidence, or any evidence at all, about anything improper having taken place, to bring it to my attention, and I will transfer it with great pleasure to the Ontario or Quebec Securities Commission—

Mr. Clark: You will transfer it?

Mr. Lalonde: —or to go directly to those commissions. Under the law, as my hon. friend knows, having been in the investment business, the securities commissions are the agencies which investigate these matters.

Mr. Clark: You are responsible for Petro-Canada.

Mr. Lalonde: That is what the law provides for in this country.

Mr. Beatty: What is your responsibility?

Mr. Lalonde: These are the institutions to provide the investigations. In the meantime, I do not think it is responsible to level innuendo as my hon. friend has done, without any evidence.

* * *

NATIONAL ENERGY PROGRAM

NEGOTIATIONS WITH PROVINCE OF SASKATCHEWAN

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. Mr. Robert Blair, who just had a favourable resolution introduced in the House by one of his Liberal colleagues here, was in bad company yesterday; he spoke to the Toronto Liberal Association. Speaking about his company, Nova Corp., he said that it will have to cut back oil production in Saskatchewan, that the company is now losing about $1 on each barrel of Saskatchewan oil because of the minister's new energy program, that it does not have enough money to cover production costs—also as a result of the program—for 50,000 barrels of crude a day. He said that unless the provinces and the federal government have an agreement by April or May, he will have to follow his accountant's advice and shut down his operation. This will cost Canada about $400 million a year in additional subsidies for crude oil.

I say to the minister that this is not the Alberta government, so I do not want to hear silly excuses that they will not

negotiate. Has the minister entered into negotiations with the government of Saskatchewan—his friends in the NDP government of Saskatchewan—to resolve this pricing situation in Saskatchewan, particularly the question which may affect heavy oil production in Saskatchewan? If the minister has, at what stage are these discussions, and when does the minister expect a solution so as to save Canada this tremendous additional cost?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I would remind the hon. member that Husky Oil, a subsidiary of Nova Corp., has indicated that it is increasing its exploration budget this year rather than decreasing it, contrary to other announcements by some companies.

Mr. Wilson: How about its production?

Mr. Lalonde: Second, I have had discussions with my colleague in the government of Saskatchewan, something I have been unable to do with my colleague in Alberta, and there have been discussions at the officials level. We both recognize that the combination of the taxation provided under the National Energy Program and the very high royalties provided for under the Saskatchewan legislation make it difficult with regard to certain wells for some companies. Those negotiations are taking place. I have had a very fruitful meeting with my colleague from Saskatchewan, and I am looking forward to further discussions in the next while.

QUERY WITH RESPECT TO CHANGES IN PROGRAM

Hon. John C. Crosbie (St. John's West): Madam Speaker, my supplementary question is for the Minister of Finance. The hon. member for Annapolis Valley-Hants was the one who put "Hants in the minister's pants" to get action at the Michelin rubber factory.

An hon. Member: Try again.

Mr. Crosbie: I would not attempt to put ants in the pants of the minister of energy.

Some hon. Members: Oh, oh!

Mr. Crosbie: When the little red rump quietens down, I will go on with my question.

On October 28 the minister announced his new energy policy. Mr. Blair, a well-known Canadian nationalist, said yesterday:

—he is disappointed that the federal government has not yet substantially modified various provisions in the program that cut industry revenues and thus discourage exploration and development.

In view of that statement by a Canadian nationalist owning a Canadian-owned major oil company, is the minister now going to insist that this program be changed to meet these objections so that Canada can have some kind of an economic recovery in the 1980s? Will he overrule his colleague and bring in changes to the program?

Madam Speaker: Order, please.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, if I may be permitted to comment on the hon. member's preamble about Annapolis Valley-Hants and the member for that district, I congratulate him for understanding the process, but I wish he would take the hon. member for Broadview-Greenwood behind the curtain and explain it to him so that understanding would develop on all sides of the House.

Mr. Clark: That is your job.

Mr. Crosbie: He is in bed with you. You are not in bed with me.

Some hon. Members: Oh, oh!

Mr. MacEachen: Madam Speaker, on the question which the hon. member raised, we have already undertaken significant changes in the program in response to representations from the industry. I mention the change in the treatment of exploration expenses and a change in the treatment of incentive payments with respect to the income or cash flow of corporations. As the Minister of Energy, Mines and Resources has said, we are prepared to consider changes as representations and changes are made. That is the situation we face at the moment.

* * *

[*Translation*]

PENSIONS

NATIONAL CONFERENCE ON PRIVATE PENSION FUNDS—INQUIRY WHETHER ALL PROVINCES WILL PARTICIPATE

Mr. Jean-Claude Malépart (Montreal-Sainte-Marie): Madam Speaker, my question is for the Minister of National Health and Welfare.

Could the Minister tell the House whether the provincial governments have all responded to the invitation to take part in the national conference on private pension funds? If not, can she tell us which provinces have not responded or have refused to take part?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I am happy to report that no province has refused to take part in this conference. However, following the letter sent by the Right Hon. Prime Minister to the provincial premiers just before Christmas, the four Atlantic provinces, the province of Saskatchewan, the Northwest Territories and the Yukon have already appointed a minister responsible for pension reform, and I of course regret that the other provinces, especially Quebec and Ontario, have not yet found the time to do so. We hope that all those invited will be able to take part in this conference at the end of March in view of its importance for the pension funds of all Canadians.

[*English*]

LABOUR RELATIONS

B.C. TELEPHONE COMPANY DISPUTE—POSSIBLE TERMS OF SETTLEMENT

Mr. Sid Parker (Kootenay East-Revelstoke): Madam Speaker, my question is for the Minister of Labour. Would the minister be prepared to confirm that the B.C. Telephone Company has absolutely refused to sign an agreement worked out by his mediator, accepted by both sides, until such time as it receives a second increase from the CRTC? If this is correct, can the minister tell this House precisely what action he intends to take in order to ensure that the people of Canada are not blackmailed by these multinational corporations?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the factual situation is not exactly as outlined by the hon. member, but it is nearly as bizarre.

Our very able mediator, Bill Kelly, sent a telegram to me yesterday in which he indicated that after his mediation he had brought about an offer by the company, the substance of which was accepted in totality by the union. In effect, all differences between the parties have been resolved on clauses within the agreement.

● (1450)

However, the company's proposal contains the following preamble:

This proposal is made on the basis that it will not be implemented until a sufficient rate increase is approved by the CRTC to cover the additional costs.

I only want to say that, as Mr. Kelly reported in his document, such increases are totally outside the field of labour relations or of my department, or of the government, or of the parties. I am not aware, in my experience in industrial relations, of any occasion in history in which any of the many utilities that are subject to regulation in this country ever before sought to put such a provision in a collective agreement. I think it is unfortunate. I can only say, in relation to what action can be taken at this moment, that Mr. Kelly has mediated to the point and that there is agreement on the clauses of the agreement and the terms, except for this preamble. One can hope that upon reflection the company will recognize the impossibility of any union accepting the particular clause they propose, though I have had a lengthy discussion on the telephone with Mr. MacFarlane—

Madam Speaker: Order.

Mr. Regan: —and I was unable to notice much progress in that regard.

Madam Speaker: I know the minister has a lot of important things to say, but perhaps he will say them more concisely.

Mr. Parker: Madam Speaker, it is precisely what I said, that we are being blackmailed. What I would like to ask the minister, since his words do not seem to be strong enough is this: will the minister recommend to his cabinet colleagues that they use their statutory power to roll back the CRTC's increase recommendation until such time as this company is prepared to sign a contract with its workers?

Mr. Regan: Madam Speaker, the hon. member probably is aware that there can only be a review of the CRTC increase recently given to the B.C. Telephone Company if an appeal is registered within whatever is the appropriate time period. As I understand the situation, that appeal process is open to various citizens and organizations. However, I think that the productive course of action is for the company to accept the fact that, since they have been able to agree on terms, they should sign the agreement and then make whatever application they consider is appropriate, which is perfectly their right.

I had started to say that I spoke to the president on the telephone, and I was unable to make much progress with Mr. MacFarlane in that regard.

* * *

EXTERNAL AFFAIRS

CANADIAN POLICY WITH RESPECT TO EL SALVADOR

Mr. Walter McLean (Waterloo): Madam Speaker, my question is to the Secretary of State for External Affairs. The minister will know that yesterday press reports out of Washington confirmed the U.S. congressional support for increased military aid to the government of El Salvador, and also said that U.S. Senate Foreign Relations Committee chairman, Senator Percy, "will not rule out the use of U.S. troops in El Salvador."

Bearing in mind Canada's support for the United Nations declaration regarding non-intervention in El Salvador, and the representations the minister has had from the people of El Salvador, will the minister tell the House about his conversation with General Haig in Washington that gave him "reason to pause" in pursuing Canada's foreign policy toward El Salvador? Is the government now supporting a military solution to that tragic conflict?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, there has been no change with respect to Canada's policy concerning El Salvador. We have continued to protest, and protested again recently to the government there about what we understand are violations of human rights. With respect to the supply of offensive arms, our position has been that that should not be done, either by our country or by any other country, in a situation where there is internal discord. What I said was that I did not believe, however, that we should be leading a public crusade against the attitudes of the American administration which believes that it is acting in its own interest, and on the basis of information which it possesses and which it is beginning to share with its allies.

Mr. McLean: Madam Speaker, I notice on this issue a change from the usual expression of opinion on human rights

issues. My question, in supplementary form, to the minister is: in the light of our commitment in the declaration signed on May 27, 1980, between Canada and Mexico regarding non-intervention, has the minister been in touch with the Mexican government regarding joint pressure on the American government?

Mr. MacGuigan: Madam Speaker, no, I have not at this point discussed that with the Mexican government. I hope to have a chance of talking with the Mexican foreign minister soon, but I must say that I am not contemplating, at this point, any joint approach to the U.S. on that subject.

* * *

REGIONAL ECONOMIC EXPANSION

PURCHASING POLICIES OF FEDERAL INSTITUTIONS

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I wish to direct my question to the minister responsible for regional economic expansion. In his absence, and in light of what the Deputy Prime Minister said today, I do not know whether to direct it to him in his responsibility for paying out all the money to Nova Scotia, or whether I should direct it to the acting minister for DREE, the Minister of Public Works. Since it concerns him, I suppose I should direct it to the Minister of Public Works.

In view of the recent news release by the Department of Regional Economic Expansion that buyers for institutions of the government in the Atlantic region are purchasing an average of 9 per cent of their goods from sources outside the region, although comparable products made in the Atlantic region are available at the same or lower prices, I wish to ask the minister what steps will be taken to encourage the various sectors of the federal government, which have substantial buying quotas, to make their purchases for their needs in Atlantic Canada from manufacturers in the region?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I would be quite happy to take the representation of the hon. member under advisement and to bring it to the attention not only of the Minister of Regional Economic Expansion but, as well, other ministries that similarly may have some interaction in that particular region.

Mr. Crouse: Madam Speaker, I have one brief supplementary question because the minister himself may well be in a position to do something about this. Since the DREE survey discovered that 10 per cent of government purchases were from regional manufacturers while another 10 per cent could have been bought from Atlantic producers at a lower price than that paid, I would like to ask him why are locally produced products, priced below competition from outside the region, not being purchased, and as a suggestion for him and the rest of the government, will the government consider in future making these purchases from the lowest of public tenders, or have public tenders gone out of style under this government?

Mr. Cosgrove: Madam Speaker, again, without having notice of the question that is asked, I have indicated that I will bring the question to the attention of the minister. I assume that he is referring to the Ministry of Regional Economic Expansion in terms of purchasing. Without knowing the prices involved and the like, I feel I would have to bring it to the attention of the minister.

* * *

FISHERIES

TABLING OF MAIN ESTIMATES AND REFERENCE TO COMMITTEE

Miss Coline Campbell (South West Nova): Madam Speaker, my question is to the President of the Treasury Board. As chair person of the Standing Committee on Fisheries and Forestry, I am aware that some members of the committee are anxious to commence hearings on east and west coast fisheries matters. Can the President of the Treasury Board tell the House when the main estimates will be tabled in the House so the committee may get a reference to commence hearings?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I am pleased to advise the House I will table the main estimates on February 25. That is next Wednesday.

• (1500)

Madam Speaker: I see no other course but to extend the question period today for about ten minutes in order to make up the time lost on laughing and jeering. Much of it was in good fun, and I do not object to that from time to time, but there must be a reasonable number of questioners every day in the question period.

* * *

PUBLIC SERVICE

APPOINTMENT OF ROBERT TITLEY TO POST WITHIN MINISTRY OF TRANSPORT

Mr. Les Benjamin (Regina West): Madam Speaker, I would like to address a question to the Minister of Transport, who plays a piano in his office and may not know what is going on in his department. I would like to know if the minister can confirm that one Robert Titley, an executive with Voyageur Bus Company, has either been offered the position or appointed to the position of director of railway passenger service development in the Ministry of Transport.

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, indeed I am aware of it. The gentleman in question passed a Public Service Commission examination. There were seven or eight other candidates, and he won. That is the way the cookie crumbled.

I am surprised that the hon. member resents the fact that a person who has been occupied in trucking can then also be

interested in railways. I am particularly surprised because my hon. friend is known as a multi-modalist. He has been a defender of a multi-modal station in Regina, which seems to incorporate the best of multi-modal attitudes.

Mr. Benjamin: Madam Speaker, it would be great if Voyageur Bus Lines were in favour of co-operating with VIA Rail, but what the minister is doing now is like putting a coyote in charge of the chicken coop. This is a company which has roadblocked every move with respect to railway fares and with respect to co-operation with VIA Rail regarding schedules.

An hon. Member: Guess who owns it?

Mr. Benjamin: It is owned by Power Corporation of Canada.

Some hon. Members: Oh, oh!

Mr. Benjamin: One Paul Martin lobbied Members of Parliament because he thought VIA Rail fares were too low.

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

Mr. Benjamin: I want to ask the minister if he can find somebody, somewhere in Canada or anywhere else in the world, who knows something about high speed intercity rail passenger traffic to appoint to this important position and do something about strengthening and enlarging that branch of his department, since air transport has three pages of listings in the government directory and rail transport has one inch?

Mr. Pepin: Madam Speaker, a moment ago the Minister of Finance was trying to teach cabinet government to one of the hon. member's colleagues. I will now have to teach the hon. member something about public administration in Canada. I heard about this appointment this afternoon when I was coming here. This is done under law by the Public Service Commission of Canada. I am in no way influencing the choice which has been made.

* * *

ENVIRONMENT

POLLUTION OF NIAGARA RIVER—REPRESENTATIONS TO UNITED STATES AUTHORITIES

Mr. Joe Reid (St. Catharines): Madam Speaker, in the absence of the Right Hon. Prime Minister I would like to direct my question to the minister responsible for the environment of Canada.

Since the hon. member for Niagara Falls has thrown up his hands in his fight against the further pollution of the Niagara River and has indicated that it is now up to an exchange between high level authorities in the United States and Canadian governments to protect the quality of that river, will the minister indicate to this House what action the Prime Minister has taken or his government has taken to follow through on the Prime Minister's promise made a year ago that he would urge U.S. authorities to stop SCA from further dumping in the Niagara River?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I take issue with the first part of the hon. member's statement. There has been no member of this House and, indeed, no person I know who has been more active and vigorous in promoting the cause of the clean-up of the Niagara River than the hon. member for Niagara Falls.

Some hon. Members: Hear, hear!

Mr. Roberts: His record in that regard deserves the approbation of hon. members of this House.

We have consistently urged on American authorities that permits not be given for the SCA discharge until there has been a significant decrease in the present polluting activities with respect to the Niagara River. We are particularly concerned about the Niagara Falls, New York, sewage treatment plant. Our position on that has not been altered, and we have on a variety of occasions as vigorously as possible expressed our views to the American authorities.

Mr. Reid (St. Catharines): Madam Speaker, that response is such that I have to wonder why there was a negative response to my motion under Standing Order 43.

In view of the fact that the International Joint Commission has recommended a halt to the further discharge of chemical wastes into the Niagara River, do the minister and his government not now take the position that the International Joint Commission should be supported in its position and its recommendations followed?

Mr. Roberts: Madam Speaker, we have done so in the past, we do so now, and I am sure we will continue to do so in the future.

* * *

PIPELINES

DISCUSSIONS WITH UNITED STATES RESPECTING ALASKA HIGHWAY PROJECT

Mr. Gilbert Parent (Welland): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Now that the new administration in the United States is settling in, and in view of the fact that 80 per cent of the pipe which will be manufactured for the pipeline in Canada will be manufactured in the Welland constituency, I wonder if the Minister of Energy, Mines and Resources could tell us if he has had any contact with the American secretary in charge of energy or the pipeline with regard to the Alaska Highway gas pipeline project, and would he share whatever information he has with this House?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I believe I have already

informed the House of my conversation with Secretary Edwards on this issue and about the reaction of the Reagan administration, which is extremely supportive of the Alaska gas pipeline. I am advised that today my colleague in the other place, Senator Olson, as the minister responsible for the Northern Pipeline Agency, has released an exchange of correspondence between himself and Secretary Edwards in which Secretary Edwards reaffirms the very, very firm commitment of the Reagan administration to the completion of the Alaska gas pipeline and assures us that the American government is fully behind this great project.

* * *

INDIAN AFFAIRS

FINANCIAL ASSISTANCE TO BIGSTONE BAND

Mr. Jack Shields (Athabasca): Madam Speaker, my question is directed to the Minister of Indian Affairs and Northern Development. During a visit last fall to the Bigstone Band in Wabasca the minister promised financial assistance to Chief William Beaver of the Bigstone Band so that that band could continue with its sawmill operation and so it could continue with its band programs. This has not been forthcoming. Could the minister inform the House whether this will be forthcoming and whether he will be providing this assistance?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, as the hon. member indicated, I did convey to my department my concern about assistance to this particular band because of the very real need. I thought progress was being made in terms of offering assistance to this particular band. If that is not the case, I will check and let the hon. member know.

Mr. Shields: Madam Speaker, these promises were made five months ago, and at the present time the Bigstone Band is facing cancellation of its timber quota. Logs will be left in the bush to rot over the summer. All the employees of the sawmill have been laid off. The band office has been shut down and all employees laid off. Is this just an empty promise? Can the minister do something about it, or is this just a continuing public relations campaign being waged through statements like this by all ministers of the Crown in northeastern Alberta?

Mr. Munro (Hamilton East): No, Madam Speaker. As the hon. member knows, there is real concern with respect to the dire financial circumstances of Chief William Beaver and his band. I believe the House is aware of the unfortunate situation with respect to personnel involved in the bookkeeping and auditing arrangements. This has been brought to the attention of the department. There is a strain on funds for this fiscal year. It may very well be that we will try to provide funds budgeted for the fiscal year commencing April 1. I realize the urgency of the situation. I will check to see what progress is being made.

FUNDS FOR FITNESS AND SPORT PROGRAM

Hon. Steven E. Paproski (Edmonton North): Madam Speaker, I was pleased when amendments respecting aboriginal rights were passed by the constitutional committee.

Some hon. Members: Hear, hear!

Mr. Paproski: I was very impressed with "the Shawinigan Kid," the Minister of Justice, and also with the constitutional committee when they passed Sections 33(1) and 33(2) with respect to aboriginal rights. Because of this I would like to direct a question to the Minister of Indian Affairs and Northern Development. Why is the minister not giving the $1.2 million to the National Indian Brotherhood which was promised in the estimates with respect to fitness and amateur sport, which is now under the minister's department?

● (1510)

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, the money for this program was allocated under the estimates of the Department of National Health and Welfare as a preventive health measure, and that is where the money has always been. Our budget is voted by Parliament, as stated. Parliament has not authorized any category of expenditure in this area. If we were to spend money in this direction within my department, it would simply mean that we would take it from somewhere else voted for the Indian people by Parliament. The fact of the matter is that our total funds are committed. Perhaps the hon. member would be interested to know that a good portion of the funds we have is subject to direction to recreational activities, and it always has been. The money to which the hon. member referred is directed more to the area of excellence, but we are concerned with this area, and money is being spent in this area in my department.

Mr. Paproski: That is not true, John.

* * *

[*Translation*]

THE ROYAL ASSENT

Madam Speaker: I have the honour to inform the House that a communication has been received as follows:

Government House
Ottawa

February 19, 1981

Madam:

I have the honour to inform you that the Hon. W. R. McIntyre, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate chamber today, the 19th day of February, at 5.45 p.m., for the purpose of giving royal assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,
Edmond Joly de Lotbinière
Administrative Secretary
to the Governor General

Madam Speaker: Does the Minister of Fisheries and Oceans wish to answer the question of privilege raised by the hon. member for Skeena (Mr. Fulton) or does he wish to put it off to another day?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, my colleague, the Minister of Indian Affairs and Northern Development (Mr. Munro) and myself discussed the matter but he had decided to look at the file before deciding on whether or not to give an answer. I do not know whether he is ready to do so now. I do know he did not get to see the file until he got back from Whitehorse early in the week.

Madam Speaker: The question could remain in abeyance but I am against doing so for any length of time. That is why I wanted to know whether or not you intended to answer it today.

* * *

[*English*]

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Nielsen: Madam Speaker, I rise on a point of order regarding the usual announcement on Thursday. I assume that next week's business will include some economic measures to solve the desperate economic condition of the country and that these will be placed before us for consideration. Could the government House leader also inform us as to the business which he expects to be bringing in tomorrow and next week?

Mr. Pinard: Madam Speaker, the Standing Committee on Finance, Trade and Economic Affairs is now dealing with two or three important budget bills. As soon as the debate on the Constitution is completed, I can guarantee to my hon. colleague that we will bring some measures to the House dealing with energy and with the economy.

[*Translation*]

With regard to the legislative program for the next few days, may I say to the House that we shall devote the whole of next week to the constitutional debate, with the exception of Tuesday which will be an allotted day. Should there be any changes in that program, Madam Speaker, I shall so advise the parties of the opposition in due course.

[*English*]

Mr. Nielsen: Am I to understand that when the House leader referred to the whole week he did not include next

Friday, the 27th, respecting which the House now has an order?

Mr. Pinard: Yes, Madam Speaker, it has been agreed that the House will not sit next Friday, and obviously when I said that next week will be devoted entirely to dealing with the Constitution except for next Tuesday, next Friday was not included.

Mr. Knowles: Madam Speaker, with respect to the House business, may I remind the House leader of two or three items.

First, I hope he is keeping in touch with the Acting Minister of Veterans Affairs and will permit any legislation he produces to be dealt with without delay.

Second, may I ask him to pursue the matter I raised yesterday, namely, the possibility of our concluding the debate on the bill which would turn the Post Office Department into a Crown corporation. As hon. members are aware, there is some urgency about this. We certainly are prepared to deal with the matter in one day or, if we can avoid amendments which are contentious, it could be dealt with in an even shorter time than that.

May I also ask the minister, since he is the member of the cabinet responsible for the administration of the Public Service Staff Relations Act, whether he will take a serious look at the recommendation which the special joint committee made in 1967 when it reported that legislation. I refer to the recommendation that there be parallel legislation providing for collective bargaining on Parliament Hill. Will he give serious consideration at long last to the possibility of implementing that recommendation?

My last point has to do with the promised short debate on the report of the Standing Committee on Transport, on the understanding that there will simply be one short speech per party. What is the status of that report?

Mr. Pinard: The hon. member put four questions. In answer to the first one, I am still in touch with the Acting Minister of Veterans Affairs. In fact, I spoke to him today and I hope to have a clear reply in a short time.

On the second question about the Post Office legislation, as I said yesterday, I am certainly willing to consider dealing with the report and third reading stages of that bill as soon as possible if we can come to an agreement among the parties and the House leaders on a short time for the debate. I took note of the offer made by the NDP to spend a day or even less time to conclude the debate on that bill. I look forward to a House leaders' meeting in the near future to discuss this bill as well as to discuss the debate on the report of the Standing Committee on Transport, which was the fourth question put by the hon. member.

Finally, I will look at the recommendations of the joint committee referred to by my colleague in relation to amendments to the PSSRA.

Mr. Crosbie: On a point of order, Madam Speaker.

Madam Speaker: I will recognize the hon. member on a point of order if it is on government business. I have notice of a question of privilege in the name of the hon. member for York-Peel (Mr. Stevens). Is he prepared to discuss his question of privilege?

Mr. Stevens: Yes, I am, Madam Speaker.

Madam Speaker: I will recognize the hon. member now.

Mr. Stevens: Madam Speaker, I believe my colleague wants to make only a short comment. I would have no objection if you heard him first, Madam Speaker.

Madam Speaker: I received one notice before the other and I usually take them in the order in which I receive them. But if the hon. member for York-Peel wishes to defer to his colleague, I will hear the hon. member for St. John's West first.

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PRIVILEGE

MR. CROSBIE—NOTICE OF INTENTION TO RAISE QUESTION OF PRIVILEGE

Hon. John C. Crosbie (St. John's West): All I want to do, Madam Speaker, is to give you notice of a question of privilege today in connection with the Minister of Employment and Immigration (Mr. Axworthy). He is certainly not a member of the clerisy or of the intelligentsia and—

Madam Speaker: Order, please. I have received notice from the hon. member. I have it in writing. It is not necessary for him to give me notice in the House. I will hear him when he is ready to proceed.

Mr. Crosbie: What I want to tell Your Honour is that the minister is not here and I do not want to proceed today in his absence.

MR. STEVENS—MASSEY-FERGUSON REFINANCING—ALLEGED MISLEADING STATEMENT OF MR. GRAY

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my question of privilege arises from an exchange between myself and the Minister of Industry, Trade and Commerce (Mr. Gray) in the House on February 6. On that day I asked the minister the following question:

Madam Speaker, my question is for the Minister of Industry, Trade and Commerce. Has he any statement to make with respect to the present negotiations involving the Massey-Ferguson situation and, if so, could he tell us what form the statement will take? Will he be making a statement on motions, or how will this House first be informed as to what his conclusions are?

The minister replied:

Madam Speaker, I have no statement to make at this time, but the matter is under active review.

I stress the phrase "under active review." I then asked a supplementary question which reads as follows:

To the minister's knowledge, during these negotiations has the Government of the United States or the Government of the United Kingdom been asked for any assistance with respect to Massey-Ferguson similar to what the Canadian government was asked for in the case of Chrysler?

● (1520)

The minister replied:

Madam Speaker, I think that question would be easier to deal with when we are in a position to announce the results of the considerations we are undertaking at this time.

In my opinion, the answer I received on that date was a clear indication that the question as to what assistance might be given to Massey-Ferguson was still a matter under consideration. As the minister stated, it was actively being reviewed.

In short, as a result of matters which transpired subsequent to that exchange in the House and other information which has been drawn to my attention, I think we can show, if a proper reference is made to the Standing Committee on Privileges and Elections, that indeed the minister misled the House on February 6.

At a later point, if I may, I will get into the question whether or not he deliberately misled the House. I am aware of the precedents on that subject. If I am given the privilege of sufficient time, I hope to touch on certain precedents and on certain comments I wish to make concerning whether the minister intentionally or deliberately misled the House as a result of the exchange and the answers he gave on February 6.

Dealing with the specific facts, I would emphasize that the exchange I have just read into the record, according to *Hansard*, finished at exactly twelve noon on Friday, February 6.

We have found that subsequent to that a notice was posted in the Press Gallery calling for a press conference at three o'clock that afternoon, at which time the minister attended and made an announcement concerning what the federal government had agreed to do with respect to Massey-Ferguson. The press statement furnished to those persons attending the press conference at that time indicated there would be a "$200 million Guarantee for Massey-Ferguson Refinancing Package" and read as follows:

OTTAWA, February 6, 1981—The Honourable Herb Gray, federal Minister of Industry, Trade and Commerce, and the Ontario minister of industry and tourism, Larry Grossman, announced today that the Governments of Canada and Ontario have agreed to guarantee the capital risk of a new equity investment in Massey-Ferguson to limits of $125 million and $75 million respectively.

Massey-Ferguson has indicated that these government guarantees will enable them to complete their refinancing package totalling in excess of $700 million.

In return for making it possible for Massey-Ferguson to complete its refinancing plan, the governments have a number of commitments from the company. These include a commitment that an engineering and R&D base for new North American manufacturing activities will be located in Canada. Company plans call for increased spending for engineering and R&D and include creation within three years of a new base in Canada for advanced future products.

The final drafting of the agreement will be completed over the next two months. The agreement will be conditional upon completion of the legal agreements between the company and its lenders.

In reaching their decision the governments took into account the elements of the refinancing plan the company had already achieved, its willingness to upgrade the Canadian operations and employment, and the over-all benefits to

the Canadian economy of maintaining a full-line manufacturer of farm equipment.

Appended to that press release was a "Backgrounder" running for two pages and setting out the situation with respect to Massey-Ferguson. I will not read it into the record, but I emphasize once again we were told at twelve noon on Friday that this matter was under active review, only to find a notice was posted in the Press Gallery at 2.15 that afternoon that a press conference had been called, at which time the press release to which I have referred was distributed.

Subsequently I found out that Massey-Ferguson officials came to Ottawa on Tuesday, February 3. They met on repeated occasions with officials of various departments in Ottawa, including officials of the minister's department. I say these things in the urgent desire of satisfying Your Honour there is a prima facie case that this House has been misled, perhaps deliberately misled. Most importantly, I would point out that on Thursday, February 5, cabinet met and agreed in principle to the Massey-Ferguson support program. At that meeting it was decided to mandate four ministers to continue to overview the matter. Those ministers were the Minister of Industry, Trade and Commerce, the President of the Treasury Board (Mr. Johnston), the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) and the Minister of State for Economic Development, Senator Olson. I am informed that those four ministers—and this will be shown if a committee reference is approved by the House—met later that day. They met in the evening, and again they met in the early morning of Friday, February 6, at a meeting called for 7 a.m.

In the meantime, departmental officials met three times during Thursday with representatives of Massey-Ferguson, including a late night meeting which ran from 10 p.m., Thursday to 1.30 a.m., Friday. During this latter meeting a press release in the form I have read into the record was discussed, reviewed, finalized and agreed to. I emphasize again that the press release I have read into the record was finalized approximately 12 hours before we were told in the House that matter was still under active review and was under consideration.

Massey-Ferguson officials returned to Toronto early Friday morning, confident that they had an agreement. Again I emphasize, at the time Massey-Ferguson officials returned to Toronto, confident that they had an agreement, we were told in the House that the matter was still "under active review."

On Friday, between 1 p.m. and 1.15 p.m., the senior assistant deputy minister in the department of Industry, Trade and Commerce, Mr. W. R. Teschke, notified Massey-Ferguson representatives by telephone in Toronto that the department intended to go ahead with an announcement, including the press conference to which I have referred, at 3 p.m. that day. As I have indicated, they subsequently posted a notice in the parliamentary Press Gallery at 2.15 p.m. advising that the press conference was scheduled.

In the context of what I have referred to, I believe the minister has misled the House by stating, first, that the Massey-Ferguson situation "is under active review", and then by stating that he could deal with my supplementary question "when we are in a position to announce the results of the considerations we are undertaking at this time."

The minister made those statements, notwithstanding the fact the cabinet meeting held on Thursday, February 5, decided to go ahead with the Massey-Ferguson deal, that a committee of four ministers were asked to expedite the matter, that a press release was prepared covering the matter at least 12 hours earlier. In short, the minister has clearly misled the House in that, the decision having been made, he chose not to inform the House of the government's decision, stating that it was still "under active review." The minister may have taken this course for one of three reasons. The first is that he actually did not know what was going on in his department, which presumably is not so, as we have been given to understand he attended the cabinet meeting and the meetings of the "gang of four", if you like. In the first instance, I am indicating that the minister may tell us that he did not know this press release had been prepared, and if it had been prepared no final decision was made, notwithstanding the fact that the Massey-Ferguson people thought they had a deal. In fact, a press release had been approved, as had the deal been approved, by the cabinet.

• (1530)

Second, it may be that the minister knew what was happening but he thought he would take a chance on not being frank in the House. I hope that is not the case. If we get into a scenario where questions are asked in the House and ministers feel free to be less than frank, or feel free to mislead the House, we are clearly being impeded in our duties as members of this House and there is a contempt of the House. I suggest that, at least, a prima facie case on this has already been outlined, as I have indicated.

The third possibility is that the minister wanted to keep the matter kind of loose, if you like. He wanted to fudge the question so that he could skate by question period. If that is the case, if he was almost deliberately looking for an excuse to be able to say that the matter was not finally settled, I think he was less than frank. He misled the House on Friday because, clearly, the matter was settled.

The question whether the minister misled the House deliberately or not is, of course, one which I suggest should be dealt with finally by the committee, as I understand the existing precedents. If I may, I intend to refer to some of those precedents. As I understand them, I need only show that there is a prima facie case. If I show that, then the usual course is to have a motion put before the House and dealt with by the House. I will be proposing my motion later.

First, I would like to touch on the question of misleading the House and the contempt which is generally found as a result of misleading the House. I refer Your Honour to page 1856 of *Hansard* for December 6, 1978, when the then Speaker, after referring to circumstances put on the record by my colleague from Northumberland-Durham stated:

Does that lead us to the conclusion that, by virtue of an act or omission, the House, or a member, has directly or indirectly been impeded in the performance

of its function or his duty, or that there has been a tendency to produce such result? If I so find, then I really have no choice but to find, prima facie, that a contempt has been committed.

Granted, this is a rather nebulous, murky kind of an area, if you like. For example, there has been considerable debate in this House with respect to believing that someone has deliberately misled the House. There has been debate with respect to whether one can say it and not, in turn, be accused of unparliamentary language, in the context of wanting to use that wording in one's motion. As I understand the existing precedents, previous speakers have held that you do not use the words "deliberately misleading" in your motion or in your reference. That, of course, is something which the committee would naturally look into, if it is finally apprized of the situation.

I would like to refer to the precedent on page 1857 of *Hansard* for December 6, 1978. The Speaker said this:

Even beyond the precedents and the complex law of privilege, I cannot conceive that there is any one of us who would accept the argument that this House of Commons has no recourse in the face of such an attempt to obstruct by offering admittedly misleading information.

The Speaker then went on to say:

Having done so, I concluded that the motion put forward by the hon. member must therefore be given immediate priority and taken into consideration by the House at once. The House itself makes the decision on whether the motion shall carry, whether it shall be amended, or in any way altered and, in fact, whether there is a contempt. I do not make that decision; the House does.

I emphasize that in the information which I have put before you, Madam Speaker, with further information which I will be offering and witnesses who I suggest the committee should call, that a clear prima facie case exists in the context of the question of privilege dealt with in the precedents I have just cited. A prima facie case has clearly been made with respect to the exchange between the Minister of Industry, Trade and Commerce and myself on February 6.

I would like to touch on one other matter, Madam Speaker. This is a reference from February 28, 1978, and it deals with a question of privilege, again involving the hon. member for Durham-Northumberland. It is a question which dealt with the words "misleading" and "deliberately misleading". When those words may or may not be used was dealt with in this reference, quite conclusively, I think. Without actually reading those sections into the record, I refer Your Honour to pages 3294 and 3295 of *Hansard* for February 28, 1978. I think it is a confirmation that the motion which I will be proposing is the correct form of motion. If you should find that a prima facie case exists, as I suggest, then that motion would be quite in order to put to the House.

Should this matter be referred to the appropriate committee, I suggest that various witnesses be called before that committee. It is quite obvious that the four ministers to whom I have referred should be called to give their version of when a final decision was made respecting this matter. Officials from each of their departments could also be called. I could even submit a list of the officials I have in mind.

As far as Massey-Ferguson is concerned, I think it would be helpful if Victor A. Rice, chairman, president and chief operating officer of Massey-Ferguson, be called. Vincent D. Laurenzo, vice-president and controller of Massey-Ferguson should also be called. D. Brian Long, vice-president of strategic and production planning of Massey-Ferguson should be called. I believe that two financial advisers to that concern, who certainly have information touching on this matter, could and should be called. I refer to John Cairns and Susan Murray. Representatives of Wood Gundy and Company of Toronto and Pitfield, MacKay, Ross of Toronto should and could be called since they have pertinent information as to when this decision was made.

In short, Madam Speaker, if you find that there is a prima facie case that this House has, indeed, been misled, perhaps even deliberately misled, I would propose to move:

That the contempt for the House of Commons shown by the Minister of Industry, Trade and Commerce on Friday, February 6, 1981, in refusing to inform the House that negotiations had been finalized with Massey-Ferguson, while preparing to make a statement to a press conference later the same day with full details of the refinancing package confirming that the minister misled the House on that day, be referred to the Standing Committee on Privileges and Elections.

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, the only contribution I have to make to this question of privilege raised by the hon. member for York-Peel (Mr. Stevens) is that I was present at a number of committee hearings, as was the hon. member for York-Peel. I refer to the Standing Committee on Finance, Trade and Economic Affairs, at which the Minister of Industry, Trade and Commerce (Mr. Gray) to my recollection testified. Unfortunately, since I was not sure this item would be raised today I did not bring the minutes of the committee meeting with me. If my recollection is correct, it was the meeting of October 21, 1980, at which the minister indicated, in a response to a question from me, when I asked him quite specifically whether or not he would be making a statement on motions in the House with respect to any deal consummated between the federal government and Massey-Ferguson, that he would. His answer to that question was, yes. I indicated this to the minister on another occasion and I just wanted it to be on the record that he did state in committee that he would be making a statement as and when an arrangement was arrived at between Massey-Ferguson and the government.

● (1540)

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, this matter is before the House instead of the constitutional debate which hon. members opposite in the official opposition say should be more important than anything else—

An hon. Member: Honesty always is.

Mr. Gray: —and should not in any way be precluded.

On the date in question I answered a question by saying that I had no statement to make at that time on the Massey matter and that it was still under active review. I said that because at that time the cabinet had not yet reached a final decision on the Massey matter. It is quite true, Madam Speaker, that

throughout the preceding week there had been discussions with officials of Massey, but contrary to my hon. friend's suggestion, no final decision had been taken by cabinet on the Thursday he mentioned; the final decision was not taken until after question period, after I left the House, and shortly prior to the posting of the notice in the Press Gallery at 2.15 p.m.

An hon. Member: Question period was still under way.

Mr. Gray: Whatever impression Massey officials may have had when they returned to Toronto, they had no way of knowing, they were not in a position to know, what the discussions were at the level of cabinet, discussions in which they could not participate, and could not participate any more than could my hon. friend. They may have certainly wanted to have an optimistic feeling, but whatever their impressions were they were not based on the facts of the situation as they then existed.

It is quite correct that material was prepared on a contingency basis, but that material was not finalized until after I left the House. In fact, I directed certain changes be made in it shortly before the decision was taken to post the notice in the Press Gallery, a decision taken by myself only a few minutes before the notice was actually posted at 2.15 p.m. The decision to post the notice was made by myself. I gave that direction immediately after the cabinet decision was confirmed.

So whatever conclusions my hon. friend has attempted to draw from circumstances, some of which are public, such as what I said in the House, other impressions which, while well intentioned, I think are mistaken, these conclusions are not accurate when he says that one way or another I misled the House when I gave the answer recorded in *Hansard*. Because my answer was correct. At that time the final decision had not been taken; therefore I did not mislead the House intentionally or unintentionally. I therefore suggest to the House that the hon. member's motion must fall simply on the basis of the facts of the situation.

If I might add one or two other comments, I would certainly be quite pleased if the House leaders work out a suitable time to make a statement in the House. I would also point out to my hon. friend that the other matter, which was the subject of the second question I received on the date in question, was put to me in the question period of the following week; that is, the question with respect to the participation of other governments, and I answered the question without any complaint by the House as a whole.

So I would repeat, Madam Speaker, that whatever impressions some may have received, the final decision had not been taken until after I left the House; and it was only after that decision was taken that I personally directed the notice be posted, a notice which was not posted until 2.15 p.m., and the press conference then ensued, leading to the issuing of the press release, making public the press release which my hon. friend read into the record.

Hon. Erik Nielsen (Yukon): My intervention will be very brief, Madam Speaker.

An hon. Member: I hope so.

Mr. Nielsen: I hear shouts over there of "I hope so". They would like to muzzle and do away with this nuisance opposition, as was done in Ghana.

I merely want to emphasize that the Chair has heard a statement of fact by the hon. member for York-Peel (Mr. Stevens); it has heard a statement of fact by the minister. I strongly submit that your task is not to determine the truth or untruth of those statements; your only task, I submit with great respect, Madam Speaker, is to determine whether or not, on the basis of the facts submitted by the two hon. members, a prima facie case of privilege has been made. Surely there must be sufficient doubt in your mind, Madam Speaker, based simply on the affirmation of the minister, with respect to the posting of the press release at 2.15 when it must have been prepared well in advance of the cabinet meeting that he asserts subsequently took place.

Mr. Gray: The notice was posted at 2.15.

Mr. Nielsen: The notice was posted, correct, but the release itself was on the Press Gallery bulletin board at 2.15. Am I incorrect in that?

An hon. Member: You are. Forty-five minutes after.

Mr. Nielsen: At three o'clock. There must be sufficient doubt in your mind, Madam Speaker, about the relationship between the timing of the posting of the press release, even accepting the minister's statement of fact, as to lead you inevitably to the conclusion that a prima facie case does indeed exist and that you should accept the motion of the hon. member for York-Peel.

May I suggest, because of the importance of the matter, that the Chair, perhaps out of sheer prudence, would want to read both those submissions very carefully before coming to a decision. I suggest, Madam Speaker, that you might take the luxury of having a look at it for whatever time is deemed essential, and then render your decision at a subsequent date.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): There are a few facts I would like to bring to the attention of the House, Madam Speaker. First of all, on the point just made by the hon. member for Yukon (Mr. Nielsen), he should realize the day we were talking about was a Friday. Question period is at eleven o'clock on Friday, so I think the hon. member has his timing as well as his facts mixed up.

Secondly, the hon. member for York-Peel (Mr. Stevens) cited two examples of precedents in this House concerning use of the words "deliberately misled". I am not sure that I followed the logic of his argument and he was seeking guidance from Your Honour about whether he could go ahead and use those words.

Committee Report

● (1550)

It is clear that the decision made by Mr. Speaker Jerome on February 20, 1978, as reported at page 3294 of *Hansard* regarding the use of the word "deliberate" in terms of misleading the House, has no relevance whatsoever to the debate this afternoon.

The other example quoted by the hon. member for York-Peel reported at page 1856 of *Hansard* for December 6, 1978, again had no relationship whatsoever to the alleged question of privilege that is before you. That instance, which I remember well as I was in the House at the time, concerned testimony given by former RCMP Commissioner Higgitt and a subsequent letter by the then solicitor general which was made available to the House. It was deemed by Mr. Speaker Jerome that that information misled the House. In no way has that any bearing on the debate today, which I submit is just that—an attempt to debate a subject. What we have here is a statement of the facts by the hon. minister. We have a dispute of those facts by hon. members opposite and clearly the honourable intention in this House is that one takes a minister and an hon. member at his word. The minister has outlined his position very clearly, I think.

Finally, Madam Speaker, I am sure that I do not have to bring to your attention the fact that Standing Order 15(3) gives a minister of the Crown the option of making a statement. Specifically it states that a minister of the Crown may make a short statement. The option is clearly with the minister.

I would also draw Your Honour's attention to Citation 264 of Beauchesne which states as follows:

The option of a minister to make a statement either in the House or outside it may be the subject of comment, but is not the subject of a question of privilege.

Finally, I should like to point out that for the second day in a row we have wasted one hour on spurious or alleged questions of privilege. I wonder what the intent of the opposition is in pursuing this course of action day after day.

Mr. Stevens: The minister was not here before.

Madam Speaker: I will take this question under advisement and rule on it later.

ROUTINE PROCEEDINGS

[*Translation*]

JUSTICE AND LEGAL AFFAIRS

Second report of the Standing Committee on Justice and Legal Affairs—Mr. Dubois.

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

[*English*]

CANADA DEPOSIT INSURANCE CORPORATION ACT

MEASURE TO AMEND

Mr. Joe Reid (St. Catharines) moved for leave to introduce Bill C-629, to amend the Canada Deposit Insurance Corporation Act.

Some hon. Members: Explain.

Mr. Reid (St. Catharines): Madam Speaker, in very brief form this is a bill to amend the Canada Deposit Insurance Corporation Act to increase the amount of the guarantee from $20,000 to $50,000 and would apply to the financial institutions which receive deposits.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 668, 1,900 and 2,028.

[*Text*]

SODEVCO

Question No. 668—**Mr. Cossitt:**

1. Was any business carried on by the government or any of its agencies prior to May 22, 1979, with a firm called SODEVCO and, if so (a) what is a complete list of all such business (b) what is the address of the firm (c) what was the amount and date on which all funds or contracts were paid and the reason for such funds in each case (d) what was the total amount of contracts or funds paid to the firm?

2. What are the names of all persons who have acted as officials with SODEVCO and in particular, what are the details and names of individuals who have negotiated or in any way furthered such government business?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): In so far as the Canada Employment and Immigration Department is concerned:

1. (a) No. However, prior to May 22, 1979, two Canada Manpower Industrial Training Program contracts were negotiated. These two contracts were subsequently authorized on June 18, 1979.

(b) 120 Promenade du Portage

Hull, Québec

J8X 2K8

(c) The Canada Manpower Industrial Training Program contract No. 2430-9-021 was authorized in the amount of $1,583.87. To date, $854.34 has been paid for the training of one employee in a trained-skill shortage field.

Payments: August 13, 1979 $241.02
September 4, 1979 $322.80
October 25, 1979 $290.52

The Canada Manpower Industrial Training Program contract No. 2430-9-022 was authorized in the amount of $1,133.60. This contract is terminated and the full amount was paid for the training of two employees.

Payments: August 13, 1979 $371.87
October 3, 1979 $761.73

(d) $1,987.94.

2. Departmental officials: Mrs. Nicole Darveau
Mr. Gaston Plourde

Sodevco officials: Mr. Laurier Trahan—President
Mr. Hughes Albert—Vice President

In so far as the Canadian International Development Agency is concerned:

Contract signed with SODEVCO International Ltée Address: 120 Promenade du Portage
Hull, Quebec

Date of Contract	Project Number	Contract Limit	Contract Purpose	Payments		Signing Officials
12-3-76	784-00703	53,904.16	Services contract for an economist in transportation to CILSS (Comités inter-états de lutte contre la sécheresse au Sahel)	(76/77) (77/78) Sub-Total	46,709.14 7,195.16 53,904.30	J. M. Guilmette (PM 7)
15-10-76	448-00507	15,000.00	Contract for the administration of four Hondurian trainees in Canada	(76/77)	11,617.71	J. S. Quesnel (PM 6)
20-11-75	326-00502	9,618.75	Project identification mission in Benin	(75/76) (76/77) Sub-Total	3,000.00 6,618.75 9,618.75	G. Dubuc (PM 6)
20-8-76	918-00122	150,000.00	Services contract between Benin and SODEVCO signed by Benin authority against CIDA loan	(76/77) (77/78) (78/79) Sub-Total	48,480.88 30,712.96 21,126.61 100,320.45	Republic of Benin
2-8-78	295-00703	50,000.00	Recruiting of cooperants for the Republic of Zaire	—	Nil to date	J. M. Métivier (PM 7)
	Recap of Payments Made		CIDA/SODEVCO	75/76 76/77 77/78 78/79	3,000.00 113,426.48 37,908.12 21,126.61	
					$175,461.21	
Not yet determined	380-00707	Not yet determined	Supplies of basic products Upper Volta, Senegal, Zaire (Under negotiation)	—	—	A. Barrieau (PM 5) (Chief Negotiator)

SODEVCO officials: Mr. Laurier Trahan—President
Mr. Robert Garneau—Vice President

In so far as the other departments and agencies: none.

MACKENZIE KING TRUST ACCOUNT

Question No. 1,900—**Mr. Stewart:**

1. On what date was the Mackenzie King Trust account established and what are its aims and purposes?

2. What was the initial funding in the account and what is the present amount?

3. (a) How are funds disbursed from the account (b) to whom have funds been disbursed and for what reason?

4. Who are the trustees of the account and what remuneration, if any, is paid to each?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the Public Archives that the reply to the above question is as follows: 1. Mackenzie King Trust account was established in 1952 and the interest is used to assist in the maintenance and care of Laurier House as a place of historic interest. The property is situated at 335 Laurier Avenue East in the city of Ottawa.

2. The initial funding was $225,000 and the present amount is $270,274.74.

3. (a) In accordance with section 3(4) of the act and by P.C. 1969-22/531, March 18, 1969, the Dominion Archivist is authorized to expend an annual sum not to exceed 70 per cent of the interest earned on the

Mackenzie King Trust account in the previous fiscal year for the maintenance and upkeep of the buildings on the Laurier House property as well as an annual sum not to exceed 30 per cent of the interest earned on the above account for the maintenance of Laurier House as a museum and study centre and for the provision of sundry purchases therefrom, and that the unspent balance of the interest earned be returned at the end of the fiscal year to the Consolidated Revenue Fund.

(b) An annual payment to Public Works Canada not to exceed 70 per cent of the interest earned on the Mackenzie King trust fund and the balance of interest earned for the maintenance of Laurier House as a museum and study centre.

4. The Public Archives is the Trustee of the account and there is no remuneration.

STUDY OF CONNECTION BETWEEN WEATHER AND MIGRAINE HEADACHES

Question No. 2,028—**Mr. Clarke:**

1. With reference to the announcement on January 21, 1981 of an Environment Canada study which has verified a connection between weather and migraine headaches (a) over what period of time was the study conducted (b) what was the purpose of the study (c) what was the total cost to the Canadian taxpayer of the study (d) what percentage of the total cost of the study was funded by the Migraine Foundation (e) under the auspices of which branch of the Department of the Environment was the study funded (f) what follow-up study is being made in this area?

2. Does the department engage in studies of the co-relation between the environment and health on an ongoing basis and, if so, under what auspices is this undertaken?

3. Does the government donate financially to the Migraine Foundation for independent research?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment):

1. (a) Migraine data were collected for the period April 29, 1979, to December, 1979, inclusive. Analysis followed on a part-time basis during 1980.

(b) The purpose of the study was to determine which atmospheric conditions might be involved in the triggering or aggravating of migraine headaches.

(c) Total cost to the Canadian taxpayer was $4,600.

(d) 35 per cent or $2,600.

(e) Atmospheric Environment Service.

(f) None.

2. The Atmospheric Environment Service is not currently involved in such studies on an ongoing basis.

3. No.

[*English*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. D. M. Collenette (Parliamentary Secretary to President of Privy Council): Madam Speaker, if questions Nos. 538 and 1,612 could be made orders for returns, those returns would be tabled immediately.

[*Text*]

DEPARTMENT OF SOLICITOR GENERAL—CONTRACTS FOR PROFESSIONAL SERVICES

Question No. 538—**Mr. Orlikow:**

1. For the fiscal year 1978-79, what contracts for professional services were let for studies, surveys and analyses into (a) present or future policies, programmes or information analysis and their efficiency and effectiveness (b) the examination of the administration or internal operation of the Department of the Solicitor General?

2. How much was committed on each contract and to whom?

Return tabled.

HOSTAGES—PRISON GUARDS OR STAFF

Question No. 1,612—**Mr. Skelly:**

1. Since 1960, how many prison guards/staff were taken hostage and what were their names, the dates and the locations of the incidents?

2. Since 1960, how many died in a hostage taking incident and how many were killed by (a) inmates (b) penitentiary staff and, in each case, what was his/her name, the date and the location of the incident?

Return tabled.

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure of the House that questions Nos. 538 and 1,612 be deemed to have been made orders for return?

Some hon. Members: Agreed.

[*English*]

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

[*Translation*]

Madam Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada, and on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton) that the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the schedule consequential thereto.

Mr. Serge Joyal (Parliamentary Secretary to President of the Treasury Board): Mr. Speaker, I rise before you today to take part in this debate somewhat like those enthusiastic and fervent pilgrims in the Middle Ages who were returning from Mount Saint-Michel, from the Ganges or from Mecca. During the sittings of the Joint Committee on the Constitution which lasted three months and a half, I had the opportunity to listen, to consider and to ponder on each and every point and objection; I did reconsider freely whether or not I should belong to this country. The witnesses who appeared before the committee did us an invaluable service by allowing its members to get out of their cities and of their villages to learn during all those sitting hours about our historical difficulties and advances, about the many facets of the people of different cultures who inhabit this huge land of ours. How could we thank the 314 individuals who, on behalf of their group, came to openly state their grievances, their expectations, their vision of this country which they would like to see fairer, more generous and more tolerant? The members of the committee had a common characteristic: they were hard working people with a keen sense of responsibility. During the 300 sitting hours the public could appreciate to what extent the members of the committee discharged to the best of their ability and in all honesty, their responsibility to assist the House in making an historic decision. I am grateful to each of them for having shown us the frustrations of Western Canadians as well as the expectation of our founding people that this country will again become a land of brotherhood and sharing. I am deeply grateful to my colleagues in Parliament and to the honourable senators for having entrusted me with those privileged duties which was essentially to help them to the best of my ability discharge their responsibilities.

[*English*]

I should like to thank especially the hon. member for St. John's East (Mr. McGrath) who is in the House today and, of course, the hon. member for Lincoln (Mr. Mackasey), both of whom, on behalf of their parties, have maintained that confidence and that trust in the chairmen. I think if we are in a position today to debate such a proposed resolution, it is due in most part to their respect, their trust and their ability to

express their opinions in a way which helps the Canadian people.

Some hon. Members: Hear, hear!

• (1600)

[*Translation*]

Mr. Joyal: I should now like to share with the House what lessons I have learned. This country, Canada, Mr. Speaker, was not built in ease and euphoria. The French settlers who came in the seventeenth century had to fight against a hostile environment at the cost of hardships difficult to imagine today before taking root in this land. In the eighteenth century, confrontation with a new occupant was a constant source of political tensions.

The rebellion of 1837 and the struggles for a responsible government took up the nineteenth century until confederation. Since 1867, Canada has witnessed a slow and lengthy process of political evolution. Step by step, it has won its autonomy, its independence, its sovereignty. Today, we have come to the last stage of the old era and the start of the new. We now face a choice, a fundamental one. We must decide what kind of country we want to build. That choice cannot be easy or devoid of growing pains. No country in the world has ever won its official independence without difficulty, without debate, without emotion, without passion. Those who would imagine that the Fathers of Confederation conceived the federal union of this country in easy discussions, in social gatherings at Charlottetown or at Quebec should read again those pages of our history. Those who would believe that the people took an active part in the efforts that led to the birth of Canada are totally mistaken. In fact, the public was almost completely excluded.

On November 7, 1864, Antoine Aimé Dorion, the hon. member for Hochelaga, my predecessor in this House, denounced before his electors the secret nature of the confederation debates saying, and I quote:

> You already know that a conference was held in Quebec City . . . The highest interests of the country were discussed at meetings held in camera . . . The lack of any official statement on the proceedings of the conference, the complete silence of the ministers of Lower Canada about the details of the coming conference seem to indicate that this measure is to be rushed through without consulting the people, without even giving them time to study its provisions and evaluating its bearing, its effects.

Today, as we debate this resolution, after 300 hours of proceedings under the light of television cameras, after inviting Canadians from every part of Canada to share their views and opinions with us, we certainly cannot make serious comparisons with the procedures followed by our predecessors.

[*English*]

I might add that during the 106 committee sessions the opposition spoke for two thirds of the time as follows: the official opposition used 43 per cent of the time; the New Democratic Party 22 per cent; the Liberal Party 34 per cent.

The mandate of the committee was twice extended at the request of the opposition; first until February 6 and then until February 13. Second, the opposition agreed that this was sufficient time for the committee to complete its work. Lastly, at least three million citizens were able to watch the debates, live or taped, on television.

[*Translation*]

The decision we are about to make for the future of our country after more than five months of sustained political debates will appear very clear to all Canadians. What does it involve? Its first objective is to correct historical anomaly, the last remnant of an obsolete colonial status. Canada is one of the seven most important countries in the western world. Next June, it will host the annual conference of the big seven and will sit with the United States, Japan, France, Great Britain, Western Germany and Italy. However, it has less control over its constitution than Vanuatu, the Seychelles or Santo Domingo.

[*English*]

Those who do not believe what I have just said or who think it is far-fetched only have to read the conclusions in the report of the foreign affairs committee of the British parliament to realize that all imperial pretensions are not dead.

I am referring, of course, to the view of a few hon. members and not to the view of the British government. Yet the fact remains there are a few who believe that Canada remains at the mercy of the Parliament which is not responsible, directly or indirectly, to the citizens of this country.

[*Translation*]

Several people, when the present move was initiated, concluded that it was meaningless and would not significantly alter the status of Canada. If the purpose were only to rid once and for all the minds of some parliamentarians of our colonial past, it would still be worthwhile. But we cannot reject all the responsibility for our present state on our mother country. It is because of our failure to agree on the means to control the fundamental changes in our Constitution that Westminster retained its colonial trusteeship. As a matter of fact, in 1931, when the Parliament of London, through the Statute of Westminster, wanted to grant its former colonies their constitutional independence, Canada, and Canada only, asked for that power to remain in London, since it could not agree on an amending procedure for the Act of 1867. This is what Mr. Ernest Lapointe, the then minister of justice, confirmed in the House on May 11, 1931, and I quote:

In that matter the imperial parliament is not really a dominating power; it acts as a trustee and as a guarantor, and merely gives effect to the will of the Canadian people.

And let us not think that the 1867 Constitution has never been amended. Quite the contrary. Since 1867, Westminster has brought in 21 amendments. How were these amendments made? In three cases, 1893, 1927 and 1931, Westminster amended the Constitution on its own to allow for a technical reform. In all other instances dealing with major changes, a request was presented either by the Canadian government, as in 1871 and 1875, or, since then, by the Canadian Parliament. Never has the British parliament refused an amendment on the basis that provincial consent had not been obtained. On the other hand, never has the British parliament accepted an amendment requested by a province. Thus in 1868, when Nova Scotia wanted out of confederation in accordance with a unanimous resolution by its assembly and a petition by 36 of the 38 assembly members, Britain replied that the Government of Canada was the only representative of the interests of the confederation before the imperial parliament. Only in one instance, in 1907, did the British parliament modify the terms of a resolution passed by the Canadian Parliament. The Canadian amendment was to increase federal subsidies to the provinces as a final and unchangeable rule, but London removed that condition because in the opinion of Sir Winston Churchill, then parliamentary under-secretary for the colonies, it seemed totally inappropriate in the legislation since Parliament could not relinquish its sovereignty and its power to amend acts.

Since 1931, spokesmen for the British government have always considered that Westminster was duty bound to agree to the requests of the Canadian Parliament. Thus, in 1940, when the unemployment insurance amendment was debated in London, the British Solicitor General stated, and I quote:

[*English*]

We square the legal with the constitutional position by passing these acts only in the form that the Canadian Parliament require and at the request of the Canadian Parliament.

My justification to the House for this bill—and it is important to observe this—is not on the merits of the proposal, which is a matter for the Canadian Parliament; if we were to embark upon that, we might trespass on what I conceive to be their constitutional position. The sole justification for this enactment is that we are doing in this way what the Parliament of Canada desires to do.

● (1610)

Some hon. Members: Hear, hear!

Mr. Joyal: He continues:

I do not know what the view of the provincial parliaments is—It is sufficient justification for the bill that we are morally bound to act on the ground that we have here the request of the Dominion Parliament and that we must operate the old machinery which has been left over at their request in accordance with their wishes.

[*Translation*]

In 1943 when Quebec objected to the adoption of the amendment aimed at redistributing the seats in the House of Commons, the Secretary of State for Dominion Affairs, Mr. Atlee, declared, and I quote:

[*English*]

I have no information as to any province objecting, but, in any case, the matter is brought before us by an address voted by both Houses of Parliament, and it is difficult for us to look behind that fact.

[*Translation*]

Again in 1946, when Quebec objected to an amendment to change the principles of representation in the House of Commons, former Canadian prime minister Viscount Bennett stated before the House of Lords, and I quote:

[*English*]

Canada is the only one of the Dominions in which a party majority can amend the Constitution. They cannot amend it directly but they do it indirectly, because we have agreed that we will consent to pass any legislation that they may petition to have passed by this Parliament.

[*Translation*]

Similarly, in 1949, when an amendment enabling our federal Parliament to amend its own constitution was moved, no mention was made to the British Parliament that certain provinces were fiercely opposed to that amendment. The Secretary of State for Commonwealth Relations said, and I quote:

[*English*]

The bill is cast in the terms of the address adopted by the federal Parliament of Canada and, of course, we are all ready to do what they desire.

[*Translation*]

When in 1960 we had before us the amendment providing for compulsory retirement of Superior Court judges at age 75, the Secretary of State for Commonwealth Relations declared, again I quote:

[*English*]

—legislation by the United Kingdom Parliament is still necessary where the subject of the amendment is one which affects the interests both of the federal Parliament and the provinces.

We are therefore to all intents and purposes acting in what is a formal capacity for the Canadian Parliament in a matter which is solely its concern. In accordance with long-established precedent, we refrain from discussing the merits of a Bill submitted to us amending the British North America Acts when this Bill has been introduced in consequence of Addresses to Her Majesty adopted by both Houses of the Canadian Parliament.

[*Translation*]

Clearly, Mr. Speaker, the position expressed on many occasions by spokesmen of the British government cannot be misunderstood. Indeed, it is crystal clear. On 21 occasions, or each time it was asked to do so, the British Parliament agreed to a request of the Canadian Parliament without concerning itself with knowing whether the provinces had been consulted, whether they had expressed their agreement or whether they had disagreed.

Indeed, the Canadian Parliament is not required to consult the provinces and get their agreement before submitting a request to the British Parliament. The Chief Justice of the Manitoba Court of Appeal explained this quite well and substantiated it in an elaborate judgment given on February 3 last. In any case, long before this judgment was given, Canadian experts had already recognized this fact. For instance, in 1935, Professor Kennedy appeared before the Special House Committee on the Constitution of Canada and said the following on this subject:

I do not believe that the Parliament of Canada has the least legal obligation to consult the provinces in the process. This might be very good policy, but policy is not law. I believe that the Canadian Parliament can submit any request to the British Parliament.

This view was shared at this time by Professor Norman Rogers. It was also repeated before committee members by Professor Gil Rémillard, who had been invited at the suggestion of the official opposition, and by Professor Gérard Laforest, invited at the suggestion of the government party. This same view was expressed in the House by the Hon. Ernest Lapointe in 1940, by the New Brunswick premier, the Hon. Mr. McNair, in 1950 at a federal-provincial conference, and more recently, in 1978, by the Hon. Ron Basford and the Hon. Marc Lalonde. There is therefore no obligation for the government or the Canadian Parliament to consult the provinces or to obtain their consent before making a request to the British Parliament. The Manitoba Court of Appeal confirmed this once again on February 3 last. In the present context, to amend the Canadian Constitution, the Canadian Parliament can therefore submit a request to the British Parliament which, on 21 occasions since 1867, has always agreed to such requests without taking a position on their contents. Mr. Speaker, some people have thought, quite wrongly, that until now, the rule of unanimity applied. Again this week, hon. Senator Tremblay, whose integrity and commitment I respect, stated on the state-owned network that unanimity is the rule for amendments to the Constitution. According to the general impression, the provinces are better protected by the status quo which would be guaranteed by the so-called unanimity rule. According to this rule, all provinces must agree to any constitutional change. Unfortunately, as we have seen, this belief is not substantiated by our political history or the constitutional precedents.

In fact, we now have a constitutional amendment procedure which does not require the unanimous consent of the provinces, but a simple majority vote of the members of both Houses of the Canadian Parliament. Such are the teachings of history and jurisprudence. But, in my opinion, this cannot last if we want to truly really and thoroughly reorganize our federal institutions and adapt our Constitution to our present needs and future aspirations.

The Canadian Parliament must not retain this unlimited power to amend the Constitution of Canada by itself.

The rule of unanimity is an illusion behind which the provinces have taken refuge, Quebec in particular. It was not realized that this protection was a myth. Through its rejection of the amending formula in Victoria in 1971, Quebec has laid itself bare and is now shouting "rape!" That is what we must correct. The present resolution is doing just that by writing into the new Constitution the provinces' formal right to express their views on all future amendments. What this resolution sets out to do is take away from the federal government the power to amend the Constitution on its own by going to Westminster and giving the provinces the right to propose and

approve any change that might affect their power. Far from taking anything from the provinces our action will confirm the partnership status of the provincial governments. The level of government that is actually losing the most power in this process is the federal Parliament.

The resolution under consideration also contains a provision that is quite fair and reasonable. In the present circumstances, as we have seen, when the federal government and the provinces disagree, the federal government alone may decide to act. From now on it will no longer have that power; it will have to come before the Canadian people which will settle the question following a national referendum.

Many people have raved about the newness and originality of that proposal. Here again, our history shows that this idea was put forward, at least since 1864, by none other than one of my predecessors in Hochelaga, the Member of Parliament, Antoine Aimé Dorion. He wrote the following in 1864, and I quote:

When it is a matter of doing nothing less than rebuilding the Constitution, laying down a new foundation for the political structure, the people, whose interests and prosperity are affected by such changes, must be consulted.

Dorion was already calling for a referendum. Later, in 1927, the Canadian League suggested the same solution before the Special Committee on the Canadian Constitution, and I quote:

[*English*]

That no repeal or alteration of any of the provisions of Sections 91 and 92 or of the basis of representation in the House of Commons or of the Senate shall be valid unless approved by the legislatures of a majority of the provinces or by a referendum supported by a majority of the total vote and by a majority of the voters in a majority of the provinces.

[*Translation*]

Two years later, in 1929, Brooke Claxton, who was to become a minister in the cabinets of Mackenzie King and St. Laurent, took up the same idea anew, and I quote:

[*English*]

Keeping in mind these considerations, it is suggested that power be given to the federal government to amend the BNA Act by Federal Act with the consent of the legislatures of five provinces or alternatively at the option of the federal government, a favourable vote on a referendum of the majority of votes in the country and in at least five provinces.

[*Translation*]

That was in 1929, Mr. Speaker. That same year, the *Manitoba Free Press* took a stand and published the following:

[*English*]

The Dominion parliament, we suggest, should, subject to limitations covering the rights of minorities, have the power to pass legislation amending the BNA Act; and this should come into effect unless a certain number of provinces, by their governments, ask for a vote of the people. In that event a national referendum should be held, ratification being contingent upon a majority vote over the whole Dominion and in five of the nine provinces.

[*Translation*]

The suggestion that the Canadian people should be called upon to take decisions in difficult situations is not new. In 1916, the Manitoba legislature intended to enforce its legislations by way of referenda. Newfoundland joined confederation in 1949 following a referendum. In May of last year, Quebec held a referendum when it tried to change the nature of its ties with the rest of Canada. Last fall, the Alberta government introduced a bill to authorize, if needed, the holding of a referendum. Whoever claims that the concept of a referendum is entirely foreign to the Canadian constitutional reality is ignorant of our tradition, both past and present. Who can object to the Canadian Parliament holding a referendum to decide upon a basic issue when the provinces intend to use such a mechanism either to join or leave the Canadian federation? Who can object to the Canadian people deciding, when the 11 first ministers fail to agree on the basic changes which our institutions and legislations require? Britain itself, when it considered joining the Common Market in 1971, held its own referendum.

The suggestion that such a mechanism is inconsistent with our tradition is absurd. In today's world, a referendum is the only way to associate the will of the people with changes which have become necessary. That is obvious. In holding a referendum, the Canadian Parliament is asking the Canadian people to exercise the power to decide upon whatever changes are wanted. Theirs will be the last word. Those changes, Mr. Speaker, have become imperative. As a matter of fact, Canadians have for a long time deplored the colonial status of their Constitution. In 1931, Henri Bourassa made the following statement in the House, and I quote:

It is not without a certain amount of shame that I realize that in this year 1931, Canada is still lagging behind all the other dominions in the exercise of unreserved autonomy.

In 1949, the then Prime Minister of Canada, the Right Hon. Louis St. Laurent, made the following statement at a dinner given in his honour at the Royal York Hotel by the mayor and council of the city of Toronto, and I quote:

We Liberals also feel that we should find a way to amend our Constitution right here in Canada. This will not be easy. We do not want a Constitution that is too rigid, however we want to be sure that our Constitution includes the most complete safeguards for provincial rights, the rights of both official languages, and all other historical rights that are the sacred heritage of our national union.

Such, Mr. Speaker, is the purpose of our efforts. We want to fulfil now the hope expressed for so long by ensuring that our Constitution protects the rights and freedoms of all Canadians. Canadians generally have a feeling that the basic rights and freedoms are very well protected in Canada. However, even though Canada maintains a good record as compared to other nations, our history is not beyond reproach. The period before confederation shows many instances of discrimination, often violent. Some of the more obvious cases were the genocide of Beothuk Indians in Newfoundland, riots between Orangemen and Roman Catholics in Bytown in 1848 and, in the Toronto of 1858, anti-French and anti-Catholic prejudice, the acceptance of slavery, as well as obvious prejudice against negroes later on.

In 1857, the attitude prevailing then was reflected in the Ontario legislature when Colonel J. Prince described the

Negroes as follows, and I quote from his remarks in a Canadian legislature:

—the greatest calamity ever known in the two evil counties I have the honour of representing.

The immigration policy of the new Canadian nation in 1867 was also discriminatory in nature favouring as it did the British and Europeans as opposed to Orientals and others. The thousands of Chinese who came to British Columbia in the 1880s were slaves to all practical purposes, to the extent that Chinese companies literally sold them under contract to Canadian mining and railway companies. Their living conditions and the general manner in which they were treated were simply not human. Let us not forget that the Dominion Elections Act of 1885 provided, and I quote:

The expression "person" means any male person, including an Indian, and excluding a person of Mongolian or Chinese race;

No later than in 1975, there were 20 Canadian immigration officers scattered across the United Kingdom whereas there were only four in the New Delhi office to deal with all the applications filed by Indian applicants. In 1955, the Minister of Immigration stated the following, and I quote:

I do not believe that any immigrant, wherever he comes from or whatever his skills, is worth a Canadian baby because the former must learn to be a Canadian whereas the latter is a Canadian from the very beginning.

During the depression years, the Ku Klux Klan was strongly rooted in some parts of Saskatchewan, Alberta and Ontario. The Regina riot in 1935 and the general strike in Winnipeg provided many cases of violation of civil liberties. Later on, during World War II, 23,000 Canadians of Japanese origin were interned in various parts of Canada under the War Measures Act, even though 75 per cent of them had been born in Canada and many of them had been genuine Canadians for several generations. At about the same time, Jehovah Witnesses were outlawed; in 1940, 29 members of this sect were sentenced to one year in jail.

In 1953, 1955 and 1957, the Quebec Padlock Act, the regulations restricting the distribution of religious literature, were challenged before the courts. Not so long ago, in 1974, in the Laval vs Bédard case, the Supreme Court ruling clearly emphasized the weakness and flimsiness of the Canadian Bill of Rights which everybody thought was adequate protection. That is what must be prevented today. Our own history is not beyond reproach. Our statutes are not stringent enough. We know about the Indian Act and its discriminatory provisions regarding Indian women; that must be kept from happening in our Canada of the future and that is what the proposal before us is all about.

In Manila, in the Philippines, Pope John Paul II said on Tuesday and I quote:

Nothing can justify a breach of human rights even in exceptional circumstances.

Governments are there, he said, to serve the people and protect their dignity. They cannot pretend to serve the people's interests when they do not respect basic individual rights.

Human rights are paramount.

—strongly claimed the Pope.

What does the official opposition suggest? That the charter of rights and freedoms be referred to the provinces? But this would simply kill our proposal. Let us recall again the statements made last fall by the premiers: seven of them strongly opposed the entrenchment of a Canadian Charter of Rights and Freedoms in the Constitution of Canada, and now this is what the Premier of Manitoba had to say:

● (1620)

[*English*]

—while Manitoba actively supports the protection of human rights it opposes the entrenchment of a charter of rights on principle.

[*Translation*]

The Premier of Saskatchewan, the Hon. Allan Blakeney, a man whom every member in this House would have thought to be all out in favour of human rights has said and I quote:

[*English*]

Saskatchewan is not in favour of entrenching in the Canadian Constitution the human rights which are ordinarily referred to as fundamental rights or legal rights or as the case may be. I share with Premier Lyon this view—

[*Translation*]

The Premier of British Columbia has said:

[*English*]

B.C. believes that individual rights and fundamental freedoms must be protected but we remain satisfied that the most appropriate method is through the exercise of the authority of the legislatures of the provinces and the Parliament of this nation.

[*Translation*]

The Premier of Alberta has stated and I quote:

[*English*]

So we come down to a conclusion that the better way to protect the rights of the citizens of our province . . . is . . . to leave that responsibility to the elected representatives.

[*Translation*]

The premiers of Quebec, Prince Edward Island and Nova Scotia have expressed exactly the same views, that within their provincial borders rights are not threatened. There lies the Achilles' heel, the weakness of the provincial position. Everything is seen, gauged, weighed, thought out, in a strictly limited perspective confined to the territory of one province.

[*English*]

Canada is more than the sum of its ten provinces. Ten provincial flags will never make a Canadian flag. Ten provincial charters of rights are not a Canadian charter of rights and liberties. Two provincial charters which protect the rights of the handicapped will never protect the rights of all the handicapped in Canada.

Canada is more than the sum of its parts. Canada is a society whose citizens have equal rights and liberties wherever they live, wherever they move or wherever they want to live.

Canada is a dream; a dream of equality, a dream of liberty, a dream in which the right to be different is guaranteed in the basic law, in which the rights of Canadians as Canadians, because they belong to this country, are the same everywhere, whether they are men or women, native or from mother countries, or whether they are immigrants full of hope who have just arrived dreaming of liberty and justice.

● (1630)

[*Translation*]

Quebecers had a unique opportunity to proclaim their unswerving loyalty to this country and their faith is this resolution on May 20. My generation of Quebecers believes in Canada because they are convinced this country can be a society where the freedom to be, the right to be different, the opportunity to develop one's potential can be guaranteed in the fundamental law of the country. There are not ten Canadas, there is only one whose new foundations it behooves us to define. We do not want to retreat behind our differences, or use our French cultural identity as an excuse or a plea to refuse to join in and partake of this great Canadian endeavour which may require some adjustments in our liberties but which, in the long run, will be beneficial to more people. Sir Wilfrid Laurier understood that very well. In 1897, in Paris, he recalled the decision that Quebec politicians had had to take after the 1837 rebellion. He said and I quote:

> Those of my fellow citizens who when confronted with this double provision believed in isolating themselves and not taking any part in the national development were not few. Mr. Lafontaine who, at the time, in the absence of Mr. Papineau then in exile, was the most competent man among us, was more highly inspired. I agree entirely with his way of thinking. He thought that to isolate oneself was always an error and that, for us, particularly, to isolate ourselves would be to bury ourselves in mediocrity.

That, Mr. Speaker, is our option, my option: As we enter the first stage in the reform of our institutions and legislation, I strongly believe that this resolution deserves the support of all Canadians because it provides essential safeguards for the preservation of their identity and the best way to achieve their ideal of a freer and more just country.

[*English*]

Hon. James A. McGrath (St. John's East): Mr. Speaker, I am very pleased and honoured that I was able to be in the House today to hear the speech of the hon. member who just took his seat, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal). Those of us who sat in the committee for any length of time were very much aware of the difficult task of the chairman in having to preside over the committee, especially for somebody of the character and personality of the hon. member for Hochelaga-Maisonneuve who has the reputation in this place for being somewhat of a maverick, and I say that as a compliment. He had to sit there and not say anything; but indeed, in sitting there he presided over that committee with a degree of fairness, impartiality and dignity that I have not seen around here for a long time.

Some hon. Members: Hear, hear!

Mr. McGrath: I am, I will say, a little sad that the hon. member, in finally getting a chance to have his say, has said a number of things with which I would find myself fundamentally and basically in disagreement. I thought he and I were philosophical soul mates. Indeed, I suspect, Mr. Speaker, that if he searched deeply within his soul, he would probably find—and I am not accusing him of intellectual dishonesty—if he came from a province which did not enjoy the veto which the province of Quebec does under the amending formula proposed in the bill before us, that the procedures are as abhorrent to him as we on this side of the House find them to be.

Some hon. Members: Hear, hear!

Mr. McGrath: I want to pay tribute to my leader, the Right Hon. Leader of the Opposition (Mr. Clark), the former prime minister of Canada, who stood alone without an opportunity to consult his colleagues on October 2 and went against what seemed to be at that time the popular wisdom in the country when he said, "Hold on, it is our duty to oppose this." He was the one at that time to identify what the referendum procedure would do to this federation and this country, today and in the future. So we wish to express a debt of gratitude to the Right Hon. Leader of the Opposition because it was that opposition which touched off the debate which took place, first in the House, then in committee, and which today is back in the House. That opposition is very important, and the hon. member for Hochelaga-Maisonneuve would be the first to agree that it is a very essential part of the process which is taking place here today.

I should also like to join with others in paying tribute to my colleague, the hon. member for Provencher (Mr. Epp), who has carried out the responsibility of being the chairman of our committee on the Constitution with a great deal of dedication, devotion and patience, and I thank him. I am grateful to have the opportunity to thank him publicly for the leadership he has provided us in that committee.

I should like as well to pay tribute to the hon. member for Yorkton-Melville (Mr. Nystrom), who unfortunately is not in the House at present, for the outstanding work he has done in the committee as his party's chief spokesman. Believe me, I do not do so because the hon. member has announced he is going to split with his party. I would have taken the opportunity to do so anyway because we were all impressed by the very constructive and difficult role performed by him. We knew, those of us who worked with him, that he did not subscribe to the position of his party, and yet he put that position forward, as was his responsibility and duty. I congratulate him and his three colleagues—and especially I congratulate the hon. member for Yorkton-Melville because he is his party's spokesman on the Constitution, so the decision was perhaps more difficult for him—for announcing that they cannot support this package. That, of course, is consistent with the position which the hon. member for Yorkton-Melville took when this measure first came before this House.

Perhaps I might as well put on the record that just a few hours ago the Premier of Saskatchewan held a press conference at which he announced that he could not support this package. He was provincial premier number eight to do so. That means there are eight provinces today in this country which are opposing the process and the substantive parts of what is in this measure before us. The Premier of Saskatchewan said:

I was disturbed because I felt his action would widen the divisions in Canada.

Then he went on to say:

I was disturbed because while the September first ministers' conference failed, agreement on a compromise package of reforms had been so very close.

● (1640)

That was the message all premiers brought to us as they appeared before the committee.

The government can talk all it wants about the second phase of these negotiations. There are very important matters to be dealt with in the second phase. For example, we have been told that a preamble to the charter of rights is something which must come in the second phase of negotiations. We have been told that offshore rights, fisheries jurisdiction and a number of other questions must come in the second phase. But let us think for a moment about the climate which has been created for that second phase of negotiations. Realistically it is not a climate which is conducive to productive agreement on the second or third phase of the Constitution. The government will be sitting down with ten premiers, eight of whom feel that the process is illegitimate, to say the least, and that the government has violated the pact of confederation with its charter of rights and amending formula which transgress areas of provincial jurisdiction. They will do an end run around provincial legislatures, relegating them to nothing but mere municipal councils. This kind of atmosphere would not be conducive to agreement on anything. So, there will be no second phase for some time to come, and that is a tragedy.

I could talk about the charter of rights. A number of my colleagues spoke with a great deal of compassion about the most important and basic right of all—the right to life—and the impact the charter of rights could have on the question of abortion. What will probably happen is that the abortion question will be decided in the cold, harsh, cruel light of the interpretation of the exact wording of the law, not in an atmosphere where human dimensions and social pressures of the time will be brought to bear on that very important question.

Somebody said before the committee that there are two parts to the law. There is the bare bones of the law, but then there is convention and practice which clothe the law in flesh and blood. The flesh and blood element is not a part and, indeed, should not be a part of the judicial process; but it should be and has been up to now an important part of this legislative process.

The right to hold property is basic in a free and democratic society. It was denied us in committee. It had been promised us, then it was denied us. I could talk about property rights and what they will mean. I know how a grandson of an immigrant in Saskatchewan would feel if his grandfather had come to this country looking for land and the freedom which land provides, if he had cleared that land with his bare hands, if that quarter section or whatever was his. How do we explain to that gentleman that his Constitution denies or does not recognize his right to hold and enjoy property?

Mr. Blaikie: You are full of it.

Mr. McGrath: I heard the interjection of the hon. gentleman. It is worthy to note that the opposition to the right to hold property came from the province of Saskatchewan, which has that very right written into its own charter of rights.

Some hon. Members: Hear, hear!

Mr. McGrath: Now, how is that for a double standard? I suspect my hon. socialist friends find that the truth hurts.

I could talk about the rerouting of the charter. The hon. member for Hochelaga-Maisonneuve said, "How are you going to get agreement from the provinces if you reroute the charter?" If we agreed to reroute the charter, we would be creating a better climate of co-operation in the country. Because in so doing, we would be recognizing what the provinces have been saying, that is, that under the balance of power of our federation there are two jurisdictions in Canada, and we must respect both jurisdictions. This process of unilateral action and this entrenchment of a charter denies the rights of the provinces to have their jurisdiction protected, protection which I submit is accorded to them under the provisions of the Constitution.

Also the hon. member for Hochelaga-Maisonneuve talked about the importance of the charter of rights in protecting human rights and fundamental freedoms. I happen to hold very strongly the opposite view. I would say, with respect to my hon. friend, that the entrenchment of a charter of rights in

the Constitution will not by and of itself protect human rights and fundamental freedoms. I give him proof of that statement. What about the Japanese Americans who were the first to be interned? What protection did they have under the United States constitution with its entrenched charter of rights? They were the first to violate and take away the civil and human rights of the Japanese citizens of that country. Indeed, it was pressure from them which forced Canada to do the same thing.

My colleagues have talked about the constitution of the Soviet Union and the rights enshrined in it. I should like to give a better example. India is one of the few countries in the Commonwealth which has maintained the parliamentary system and entrenched a charter of rights. We can take a look at the record of civil rights and fundamental freedoms in India. At the present time it has suspended its constitutional rights for a year. We know what happened during the previous regime of Madam Gandhi when people had no fundamental rights or freedoms, notwithstanding the glowing terms of the entrenched rights contained in the constitution of India.

Then I look at the few countries in the Commonwealth which have not entrenched charters of rights and I find they have one significant thing in common. These are the countries which have the best record of protection of fundamental rights and freedoms of all the countries in the world. I will name them: the United Kingdom, Australia, New Zealand and Canada.

Some hon. Members: Hear, hear!

Mr. McGrath: I believe we will live to regret what we are doing here today. When the fathers of our country 113 years ago put together the present Constitution—in its written form, the British North America Act—they opted for the British tradition. As we know, there are two traditions for constitutions. There is the written tradition. For example, after a bloody civil war or a revolution, the Americans decided to sit down and write a constitution, as did the French. Then there is the British tradition where there is an evolution of a constitution based on the historic rights and privileges of a people as they develop and are transgressed. The ultimate protection of fundamental rights and freedoms is contained in the Parliament of the United Kingdom or up to the present day in the Parliament of Canada.

We are setting up in this country a parallel legislature because the Supreme Court of Canada, as it is faced with questions based on the charter of rights, will eventually have to legislate; we all know what happened and what is happening in the United States of America. I personally think that will be a regrettable day for Canada. But that is not the majority view and, in a democracy I prescribe to the majority view, and will reluctantly go along with the charter. I believe it is a better charter because of the deliberations of the committee. I do not want to suggest that because I participated in that committee, because we participated in that committee, or because we were successful in getting six or seven amendments. I do not want to suggest for a moment that in any way legitimizes the process. We were merely carrying out our responsibilities as legislators. How often do we deal with bills in the House upon which there is fundamental disagreement? As parliamentarians what do we do? Do we wash our hands and merely walk away? That is not the tradition of Parliament. We must sit and try to make a bad bill into a better one. That was the attitude we took in the committee. We had to sit and try to make a bad charter into a better one. As a result, I believe we have a better charter of rights today.

● (1650)

The famous Kirby document has a number of things to say. What is interesting about the Kirby document is that it has consistently recommended the government's game plans. It said this:

> The probability of an agreement is not high. Unilateral action is therefore a distinct possibility. In the event unilateral action becomes necessary, ministers should understand that the fight in Parliament and the country will be very, very rough. For, as Machiavelli said:

It is very interesting that the document should quote Machiavelli.

> It should be borne in mind that there is nothing more difficult to arrange, more doubtful of success, and more dangerous to carry through than initiating changes in a state's constitution.

What we propose to do here today is deny the federal concept, the federal character of Canada. I hear hon. members asking what the ultimate resolution of this argument will be. One would say that that argument would lead you to separatism. I was one who fought against my province joining Canada. I would fight today against my province separating from Canada.

Some hon. Members: Hear, hear!

Mr. McGrath: I would fight equally hard for my province to maintain its political entity and its sovereignty within the federation we call Canada.

The Minister of the Environment (Mr. Roberts) in a good speech to the House yesterday said something which has been said before by other ministers. I quote:

> I urge the House, as the only body that truly represents all Canadian citizens, to accept this resolution—imperfect as it may be in this or that detail, but in whole an imaginative and fair response to the challenges of our country.

The minister says, "as the only body that truly represents all Canadian citizens." What about the legislature of the province of Newfoundland, does it not represent Canadian citizens? What about the national assembly of the province of Quebec, does it not represent Canadian citizens? What about the assembly of the province of Alberta, does it not speak for Canadian citizens? What about British Columbia? The government has a role to play, but for it to suggest that this is the only legislative body in the country which can speak for Canadians as a whole is to adopt a unitary concept of Canada and deny *ipso facto* its federal nature. I regret that.

Some hon. Members: Hear, hear!

Mr. McGrath: I reject that, Mr. Speaker. I believe the federal nature of Canada will ultimately be destroyed if we persist.

I have a few minutes left, Mr. Speaker. I have had to search my soul, as have we all, because whether we think the process is legitimate or not, we are involved in it. We must ask ourselves what is the bottom line? We must ask ourselves what is the least we will accept? All right; the government refuses to reroute the charter back to the provinces where the atmosphere, because of the climate in the country, I suggest is such that you would get agreement. The government refuses to do that and I must live with that. I hope my children's rights will be protected.

It bases the amending process on the Victoria formula, so it will not budge from that. It must go into the package. There is one part of the package that, as a Canadian having a dedication to my country as a whole and a responsibility to my province as a unit, I reject outright, and that is the concept that the Government of Canada can at any time declare a deadlock and do an end-run around the provincial legislatures of this country.

Some hon. Members: Hear, hear!

Mr. McGrath: I reject that because it denies my province the rights we thought we were enshrining in our Constitution in 1949; that is, while we could be part of the greater nation of Canada we could still continue to maintain our political and cultural institutions within the federal system of Canada. That is the point which must be made. That is what is being denied us today.

There are none of us in the House who have an edge on patriotism or love of country. Indeed, somebody can say patriotism is the last refuge of this country. I make no excuse for the fact that I love this country. But equally, I love my province. I believe I have a responsibility to my province and if I fulfil and carry out that responsibility I am being a good Canadian and a good member of this federal nation of Canada. We must all carry out that responsibility to our provinces.

I say to you, Mr. Speaker, that my bottom line—and I say this to the people of Newfoundland and I will probably find myself in disagreement with the Premier of Newfoundland—is that if this package goes out of this Parliament with all its objectionable features I will suggest to the British Parliament, as a Canadian, "Hands off!"

Some hon. Members: Hear, hear!

Mr. McGrath: The British Parliament has had its study. It knows what its constitutional position is, and it knows what are its constitutional responsibilities. But it has no business in examining a measure placed before it under a constitutional amending formula by a sovereign, independent and proud country. I will say this, Mr. Speaker; they did not ask for it. We have no right to send this package to Britain until the Supreme Court of Canada has had an opportunity to rule whether it is constitutional.

Some hon. Members: Hear, hear!

Mr. McGrath: To do so would run the risk of the national shame and embarrassment of having the Parliament of Great Britain reject a measure placed before it by the majority of the votes of the Parliament of Canada.

Finally, I say to you, Mr. Speaker, that if the government's majority has its way and obtains its amending referendum formulas, which will make the provinces and legislatures mere municipalities in terms of their relationship to the federal government, no province in Canada which holds to the position that the process is illegitimate and, hence, unconstitutional, and that the amending formula is ultra vires of the provincial constitutions, should have to accept this package. In my opinion any province could legally hold that the Government of Canada which tries to do an end-run around any provincial legislature could say, "No dice, it does not apply to us."

Some hon. Members: Hear, hear!

Mr. McGrath: That is the kind of Canada, the kind of division and the kind of future this government, by its unilateral action, has mapped out for itself. I hope this debate will be allowed to continue, Mr. Speaker.

I had a woman come to see me today because she discovered that the section protecting the denominational schools does not protect private schools in British Columbia.

● (1700)

As long as we can keep this debate going we can find and correct anomalies in the bill. My God, what is six months or a year compared to a constitution that is supposed to last us a lifetime? Remember, what we are doing here today is for the future of Canada. We must be very careful that what we do is done as well as we can to protect Canada, to protect the federal nature of Canada, because if we do not, Mr. Speaker, then the country is in for a long period of trauma, discord and chaos. For a country like Canada with such promise, with such a future, with so many important economic questions facing it today, that in my view would be a tragedy in the extreme.

Some hon. Members: Hear, hear!

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows:

the hon. member for Parkdale-High Park (Mr. Flis)—The Environment—Niagara River source of Great Lakes pollution; the hon. member for Saskatoon West (Mr. Hnatyshyn)—Fitness and Amateur Sport—Ottawa *Citizen* indoor games—Alleged payments to participating athletes; the hon. member for Calgary North (Mr. Wright)—National Energy Program—Financial effect of proposed oil industry nationalization.

It being five o'clock, the House will now proceed to the consideration of private members' business, as listed on today's Order Paper, namely, notices of motions, private bills and public bills.

PRIVATE MEMBERS' PUBLIC BILLS

[*Translation*]

The Acting Speaker (Mr. Blaker): It is at this point that I would ask the House to agree to stand all items under the heading notices of motions. We have, however, a point of order which has been raised on several occasions by the hon. member for Vaudreuil (Mr. Herbert) and I think it would be consistent and a courtesy to him that prior to requesting hon. members to stand all items preceding order No. 43, we deal with the point of order raised by that hon. member. I want to do that with as little interference with the private members' hour as possible.

[*English*]

I hope I am consistent with the hon. member's views when I say that the point of order he raises relates to the matter of private members' public bills which have been accepted under our system called the draw and drawn on the basis of title. There are, I think, some 300 private members' public bills in the draw and something over 200 have no text or bill, if I may use that expression for the moment, and I will come back to that.

The question raised is whether or not the House can continually proceed by unanimous consent or by request of the government to stand private members' public bills when in fact no bill exists. That is the essence.

It is appropriate to remind hon. members that under this system the practice has been to permit hon. members to submit only the title and not the entire bill, therefore the Chair is in the peculiar position of attempting to proceed in a way, according to the bill of the House, that private members' bills can be given second reading, and at the same time try to deal with this fiction which exists, the very point raised by the hon. member for Vaudreuil, who points out that it is rather difficult to stand a bill if no bill exists.

I would indicate briefly that all other arguments and considerations having been reviewed, there still remains the simple and basic problem the hon. member raises: how can we stand a bill if no bill exists?

It is the conclusion of this occupant of the chair that we cannot do it. Accordingly, the objection raised by the hon. member is accepted.

It follows from this point on, with an exception I will mention in a moment, the House will not be asked to stand non-existent bills. Because of the practice of submitting titles for the draw, that kind of decision would place hon. members in a very difficult situation, particularly those whose titles have been brought to the attention of the House and therefore the Chair.

Out of courtesy and consideration for hon. members, there ought to be a period of time during which some adjustment can be made. Consequently, for the next 30 days, those hon. members who wish to submit the text of their bills through the Clerk of the House, will have their bills printed and those bills will follow the normal course and be attributed the normal rights to be printed, and dealt with in private members' hour. Those hon. member who do not see fit to pursue the drafting of their bills and to provide the House with a text will lose their position on the Order Paper.

That raises a question as to whether or not this in fact is the best expression of the will of the House. The responsibility of the Chair is simply to examine the facts and come to a conclusion. Hon. members may very well wish to find some better method of dealing with private members' bills and the fact of there being hundreds with no text. That is not a matter for the Chair to decide but one for the hon. members to review and decide for themselves.

The decision I am now making is not made alone, and I would want to express the view of other occupants of the chair and the Table to the effect that we understand quite well that this raises some difficulty for hon. members fortunate enough to have the titles of their intended bills brought before the House; however, the conclusion I have reached is that this is the business of hon. members to deal with as they see fit, and the Chair will co-operate in every way possible to assist the members in finding a satisfactory solution.

I will now deal with Standing Order 19. Standing Order 19(2) reads as follows:

> Orders not proceeded with when called, upon the like request, may be allowed to stand retaining their precedence;

Therefore, one wonders whether or not this ruling goes against the will of the House as expressed in the Standing Orders. The only argument I can present to hon. members is that it is difficult enough for the Chair to apply the Standing Orders from time to time and to try to understand the will of members, but if we go past that and proceed on the assumption that the Chair is going to further the fiction referred to earlier, I think the Chair is in an impossible position. It is the opinion of the Chair that the hon. member for Vaudreuil is quite correct in his view that unless the text of a bill has been submitted to the Clerk it cannot continue to stand on the Order Paper. I said, as a convenience to hon. members the ruling will be put in abeyance for a period of 30 days to give hon. members an opportunity to reorganize their titles in such a fashion as to provide a text with them.

• (1710)

Mr. Herbert: A point of order, Mr. Speaker.

Mr. Nielsen: Mr. Speaker—

The Acting Speaker (Mr. Blaker): The hon. member for Yukon (Mr. Nielsen) rises on a point of order as well. Perhaps it is appropriate that I ask the hon. member for Vaudreuil to give the hon. member for Yukon an opportunity to comment on the ruling, which I think is what he wants to do.

Mr. Herbert: Mr. Speaker, I rise not so much to comment on the ruling as to try to remove a difficulty from the Chair because I firmly believe the problem is one that should be resolved by hon. members themselves. As a result, if hon. members saw fit, I would move:

That the question of only the title of many private members' public bills being included in the draw and so introduced and the problem of determining the procedural acceptability of all bills contained in the draw and introduced be referred to the Standing Committee on Procedures and Organization.

If the House is in accord I would be prepared to so move.

The Acting Speaker (Mr. Blaker): We are dealing with matters procedural and I have to observe to the hon. member for Vaudreuil that he has put forward a motion on a point of order. Our Standing Orders do not permit him to do so but we will find a way around that in a moment, if, in fact, it is the will of the House to proceed in the manner which the hon. member for Vaudreuil chooses.

I actually wanted to recognize the hon. member for Yukon.

Mr. Nielsen: I knew you did, Mr. Speaker. I do not want to comment on your ruling. That is a habit I never indulge in, commenting on rulings from the Chair. I assume the officers of the House have had some discussion with the Printing Bureau and have some reasonable assurance that the number of bills without texts, perhaps 200 or 300, I do not know, can be printed within the 30-day time limit suggested by the Chair. I assume the Chair has that assurance.

While the Chair did not directly state in its ruling that the bills would remain standing on the Order Paper in the order in which they now appear for that 30-day period, I drew the inference that that was so by the inclusion in the ruling of the statement that unless the text of the bill was provided within the 30 days it would not stand.

If the Chair could assure me on both points I think the procedure suggested in the ruling would be acceptable. It would be protective of private members' rights with regard to the measures they have on the Order Paper.

The Acting Speaker (Mr. Blaker): Perhaps I ought not to enter into an assurance on a one by one basis. But I think the two points raised by the hon. member are very well raised and I shall deal with them right away so that other hon. members who may have a problem in this regard may feel relieved.

On the question of whether it is feasible to print, in the first instance I am assured it is, and in the second instance I tend to be rather old-fashioned and think that nothing shall impede the will of hon. Members of Parliament when they act and state in concert their wishes. Whether it is a problem or not is irrelevant; it has to be fixed if that is the wish of the hon. members, that is not a problem; neither in practice nor in theory.

The second question the hon. member raised is whether in the 30-day period private members' public bills would continue to be stood or not. I have not dealt with this for the simple reason that it is a matter of the will of the House. I will be putting that question to hon. members. In so far as it may be of assistance to the hon. member for Yukon, I would certainly recommend, as I did, that during the 30-day period no members' rights would be adversely affected. That is the question I will shortly be putting, whether orders prior to No. 43 shall in fact be permitted to stand. I would assume it is the wish of the House that during the 30-day period, no member would lose any rights he has at the present time.

Mr. Nielsen: Mr. Speaker, on behalf of the rights and privileges of all members, certainly that would be acceptable to us but we would need some prior indication before the question you are about to put is put, that it meets the general wishes of the House. If it does not, then I believe, since we are rather sparse in numbers this afternoon, perhaps more adequate and reasonable notice might be given so that members would be present in greater numbers to express their wishes on a matter as important as this. I think this would be required under the rules.

Your Honour referred to some discussions which took place. I am unaware of those. It may well be that there have been discussions with House leaders. If there is some indication that the question Your Honour is about to put is going to be accepted, then I have no problem, but, if there is any indication that it is not going to be accepted, then I think more reasonable notice should be given with respect thereto.

The Acting Speaker (Mr. Blaker): I must be expressing myself badly. I am going to put the normal question to hon. members as to whether they agree that by unanimous consent certain orders in this case all orders numbered prior to No. 43 should stand. That is done in every private members' hour. I have no idea whether it is the will of members that they stand or do not stand, but it is the will of members and not the will of the Chair that will affect the decision. We can proceed without difficulty in that regard.

As is normally the case, in the event there is not unanimous consent then they can stand in any case at the request of the government. I do not see that as a problem.

Mr. Knowles: Mr. Speaker, I see no difficulty with the latter point, namely, the order in which bills stay on the Order Paper. That is for the House to decide, but I think all of us would agree that any rights members had when the draw was made under the practice that then obtained should not be altered, in the present process, at least during the 30-day period.

The second thing I would like to say is, I assume what is meant by 30 days' grace is that within that 30-day period the

member files his text with the table; whether it is printed or not is a mechanical problem that should not bother us.

The other point I want to make is to the effect that if there are 100 or so such bills on the order paper, I am sure that many of them are in the names of members who are not here—they may read *Hansard* or not—I think it would be a matter of courtesy, if this is put into effect, that a letter be sent from the Chair or the table to each member who has a bill on the Order Paper that has not been printed because he has not supplied the text. I may have eight or nine bills there but they are all printed, so Your Honour does not have to write me a letter.

The Acting Speaker (Mr. Blaker): The hon. member has expressed himself, from the point of view of the Chair, perfectly. I think the suggestion that hon. members be advised by some form of letter or notice is an excellent one and that will be done.

I want to underline again, so that there can be no question, that no rights of any hon. member will be in any way reduced or affected over the 30-day period. That is why this has been put in, so that hon. members can come to the conclusion whether or not they want to proceed and to provide the text.

Mr. Collenette: On a point of order, Mr. Speaker. There are a couple of things that I want to raise. I am very glad you made this decision. I think all members realize we are not commenting on your decision, we are merely seeking clarification. That is what has gone on in the last few minutes so that we cannot at some future stage say this decision of the Speaker was being questioned. It is merely clarification of how this is going to work and we on this side are perfectly happy with it.

A few minutes ago the hon. member for Vaudreuil indicated that if he got consent he might proceed with a motion to refer this entire subject matter to committee. The reason I am speaking now is to point out that if he seeks leave to put that motion, it is not debatable. He must have the leave of the House and if someone says no, then I cannot say what I was about to suggest. I would ask the indulgence of the House on this point.

● (1720)

It is well known that the government in the speech from the Throne talked about electoral and parliamentary reform in general. I would say that consent would not be forthcoming from one, as a member, on the grounds that this matter should be dealt with in the general context of parliamentary reform. We hope to be dealing with that later on in the session. I hope the hon. member for Vaudreuil will take this into account. It is not a question of stalling, it is a question of propriety; of perhaps not putting references to standing committees in isolation, of the general approach all parties will be anxious to see taken later on.

Mr. Nielsen: It is a question of members being given notice.

Mr. Herbert: Mr. Speaker, hon. members have admonished me for trying to put a motion on a point of order. I was only suggesting what the motion could be, and I hope you realize that.

The important point is that the Standing Committee on Procedure and Organization, as far as I understand it, has not met within the last three years. It might be just as well to give it a little bit of work to do. That is why I suggested, instead of this subject being debated here, where we could go on at considerably length that it be removed from this debating period and sent to a committee for study. At some future date the report of the committee will be brought to this House. I think the problem should be taken out of the hands of the Chair because I do not think it has anything to do with the Chair. The members themselves are the ones who will have to decide in the final analysis how they want to operate their own private members' hour.

Mr. Nielsen: Mr. Speaker, there are far too many members who are not here, members who have bills on the Order Paper and who would like to have notice of any such suggested procedure. On that ground alone, in the absence of so many members who have bills on the Order Paper, I do not think that procedure would be appropriate today.

The Acting Speaker (Mr. Blaker): The remarks of the hon. member for Yukon and the Parliamentary Secretary to the President of the Privy Council make it clear, as between proceeding by way of unanimous consent to send the matter off to the committee on procedure and organization or by another method or consultation among House leaders or something of that nature, that there is not unanimous consent to put a motion before the House to refer this entire subject to the committee. I will take that as the situation in view of the comments made. I do not think it is necessary to put the question. One presumes those members who have pursued an interest in the subject today will want to communicate with one another in some fashion in order to discuss more fully the entire question of hon. members' rights in private members' hour and the question as well of private members' public bills.

I think we have now covered the matter and we should go on with private members' hour, of which 23 minutes have now passed. I am advised there will be royal assent at 5.45 p.m. I do not know whether the hon. member for Winnipeg North Centre will want to proceed with his bill. However, before he does I will revert to the normal practice.

[*Translation*]

Is there unanimous consent that all orders preceding No. 43 shall stand?

Some hon. Members: Agreed.

BRITISH NORTH AMERICA ACT

[*English*]

AMENDMENT RESPECTING ABOLITION OF THE SENATE

On the Order: Private Members' Public Bills.

Second reading and reference to the Standing Committee on Justice and Legal Affairs of Bill C-243, an act to amend the British North America Act, 1867 (abolition of the Senate).

The Acting Speaker (Mr. Blaker): In that case we will proceed, until I receive notice that the Gentleman Usher of the Black Rod is here; we will proceed on the basis that so much time has gone by and that perhaps the hon. member for Winnipeg North Centre (Mr. Knowles) might not want to proceed.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, you raise an interesting question. I have always found it difficult to get the Senate abolished in an hour. When that hour is cut down to about 20 minutes, I think that it puts quite a handicap before me. I do know that usually the Gentleman Usher of the Black Rod is late—he never gets here on time, but that I suppose is a point of order. I would not mind settling for the House having a half an hour to debate my bill today, but if the Gentleman Usher of the Black Rod does arrive at 5.45 p.m. and we have not had much time on this bill, maybe the House would consent to it being at the top of the list of bills the next time for another half hour? My suggestion is put with the condition that it depends on when the Gentleman Usher of the Black Rod arrives.

Mr. Collenette: Mr. Speaker, from our point I think this would be agreeable. Quite often on Thursdays on notice of motions for the production of papers private members' hour does end prematurely. Perhaps we could stipulate that when and if we arrive at this situation in the future on a Thursday, namely, instead of calling it six o'clock we may proceed with the balance of the minutes outstanding on the bill in the name of the hon. member for Winnipeg North Centre (Mr. Knowles)?

Mr. Knowles: Mr. Speaker, that arrangement is satisfactory to me. I am glad the hon. member assumes that I will be here.

Mr. Nielsen: Mr. Speaker, we will agree to that procedure today. As for the future, perhaps it should be a matter to be discussed as suggested by the Chair.

Mr. Herbert: Mr. Speaker, I am agreeable to that procedure. However, we should go on notice now as having a point of order in connection with this bill which we are leaving aside because of the limited time at our disposal. I assume the hon. member for Winnipeg North Centre (Mr. Knowles) will be prepared to argue the particular point in question the next time the bill is called.

Mr. Harquail: Mr. Speaker, on the same point of order, I am seeking information as to whether or not we can delay recognizing the Gentleman Usher of the Black Rod at the door of the House until such time as the half hour in today's debate has expired. The hon. member for Winnipeg North Centre (Mr. Knowles) would have had his opportunity and there would be a portion of time to get some response to his proposal before we recognize the call at the door for us to go to the other place.

The Acting Speaker (Mr. Blaker): The House can do as it wishes. It is somewhat similar to God; there are no limitations on the will of the House. There are a lot of limitations on the Chair though so I am not in a position to unilaterally declare what the House ought to do. I can only attempt to further the will of the House. If some hon. member, including the hon. member for Restigouche (Mr. Harquail) wishes to raise a motion of that nature, I suppose I will have to deal with it. In the meantime, my sense of the House is that that may not be the case, and I see the hon. member for Winnipeg North Centre rising. I suspect what will be proposed is what has already been proposed namely, that we get on with Bill C-243 otherwise we will be all night just debating procedure.

Mr. Knowles: Mr. Speaker, I was not proposing that we keep the Gentleman Usher of the Black Rod waiting at the door. I merely suggested that what we do another day be determined by how many minutes we have today.

The Acting Speaker (Mr. Blaker): That is understood.

I now have to deal with the point raised by the hon. member for Vaudreuil (Mr. Herbert) who made a point but did not explain it. I think what he was alluding to was a question as to the admissibility of this bill. I am waiting to see whether that is the case.

Mr. Herbert: Mr. Speaker, in the remaining time of about 15 minutes it might be just as well to come to the point right away, and at least some of the arguments will have been presented. Essentially the bill to be discussed in private members' hour is a bill which, as a result of past rulings, and I refer to a ruling which came from the Supreme Court of Canada, is no longer subject to passage through this House of Commons.

If a bill cannot come to a vote, then I suggest it is equally not admissible for discussion. I could elaborate at length, but I suggest to you—and I was not wanting to get a ruling today for the obvious reason—that I was prepared to listen to the speech of the hon. member for Winnipeg North Centre as I felt that was appropriate in the circumstances. I still hope he will have the opportunity, if not today, at least the next time the bill is called, which may be as early as next week, to present his point of view, repetitious though it may be, because I have listened to him give the speech on this subject on several previous occasions and, undoubtedly, it is not likely to contain much new material. Nevertheless, since all of us are most interested—

● (1730)

An hon. Member: You never know.

Mr. Herbert: Since all of us are interested in the composition of the Senate in varying degrees—in fact, I discussed this subject on the floor of the House just a few weeks ago—I

would be prepared to hear if there are any new arguments in view of the Supreme Court ruling.

The point is that under these circumstances I would certainly oppose such a bill ever coming to a vote in this House, and the object of presenting any bill—even in the private members' hour, where so little ever comes to a vote—is to attempt to get people to make up their minds and decide an issue by a vote on the floor of the House. If the Chair will eventually rule that that is not possible then, theoretically, there should be no discussion.

As I say, I did not want to argue this procedural point today, because I wanted to hear from the hon. member for Winnipeg North Centre. However, possibly what we will do now is discuss the procedure until Black Rod appears; hopefully, not putting you in a position of having to make any ruling. Next week we can listen to the hon. member present his arguments on Senate reform, or "abolition" as he puts it. At the end of that period of time, we will probably hear from the Chair that because this matter cannot come to a vote, it should be dropped and the bill itself will be dropped from the Order Paper.

Mr. Collenette: Mr. Speaker, I had some knowledge that this subject might arise, and for a number of reasons I am in complete disagreement with my colleague, the hon. member for Vaudreuil (Mr. Herbert) on the admissibility of Bill C-243. First of all, the Supreme Court decision on Bill C-60 in the Thirtieth Parliament concerned a bill of this House which was advocating a change in the Senate. I believe it did not receive second reading, and I stand to be corrected, but there was agreement on all sides that the bill be referred to the Special Joint Committee for pre-study. There was a division in that committee, calling on the federal government to make a reference to the Supreme Court of Canada on the ability of this House to introduce and pass a bill dealing with the change in the Senate.

As you may recall, it was not in Bill C-60, to abolish the Senate, as the hon. member for Winnipeg North Centre would have, it was merely to change the method of appointment, election or nomination of senators, based on the proportional representation formula: Appointments were based half on the strength of the various parties in the House of Commons, and half on the strength of the various parties in the legislatures.

The Supreme Court ruled as a matter of law, that passage of that legislation was outside the ambit of this House. However, the Supreme Court of Canada has no right to pronounce judgment on what we may or may not discuss. It has only the right to interpret the statutes, the laws that are passed in this House, or it may give an opinion on what would be the result of a law passed by this House if the Government of Canada made a reference to the Supreme Court for that purpose. Alternatively, as we are seeing now with the Constitution, I believe the various provinces could challenge this in their courts, and then it could come up to the Supreme Court by way of appeal. It is my contention, and I may be wrong, that what the hon. member for Vaudreuil is asking you, Mr. Speaker, is really outside the purview of the Chair. I do not want you to take this as though I am lecturing the Chair. I am trying to be helpful.

The Acting Speaker (Mr. Blaker): Go ahead.

Mr. Collenette: I am trying to point out my understanding that the Chair has to administer the House in accordance with the Standing Orders. The consequences of legislation passed by the House, or any discussion thereof, is not a matter of the Chair to decide.

I will draw your attention to a ruling that Madam Speaker made last summer. Unfortunately, I do not have the reference at hand, but I am sure members opposite will remember it. I am sure the hon. member for Yukon (Mr. Nielsen) will remember it. It concerned the tabling of a ways and means motion by the Minister of Energy, Mines and Resources (Mr. Lalonde) last summer, when it was argued by some members in the House, including the Leader of the Opposition (Mr. Clark), that that ways and means motion was illegal.

I argued in the very lengthy procedural case that we had, and this argument was substantiated by Madam Speaker, that the Chair did not have the right to rule as to whether a particular piece of legislation or document tabled in this House was legal. That was for the courts to decide. The sole role of the Chair is to decide on the admissibility of motions or bills in accordance with the Standing Orders of the House.

I would say in this particular case there is no question that we are talking about a bill which has not been passed and, therefore, the Supreme Court has no jurisdiction. It is a proposed bill. It is up for second reading—

An hon. Member: Unless they have a reference.

Mr. Collenette: The Supreme Court has no jurisdiction to pronounce upon the bill by the hon. member for Winnipeg North Centre—

Mr. Nielsen: Unless they have a reference.

Mr. Collenette: Unless it has a reference from the Government of Canada. I feel this bill should proceed in the normal way. By the same token, I feel it is not within the ambit of the Chair to decide whether or not this bill is in order, because my hon. friend from Vaudreuil was asking you, Mr. Speaker, to pronounce on the legality of this legislation, if passed. First of all, it has not been passed. Secondly, I say that the Chair has no right to express itself on the legality of the legislation.

From time to time, the Chair does make certain pronouncements in private members' hour concerning the Royal prerogative. I think we all accept that because the Standing Orders of the House clearly state that only the government can introduce bills dealing with the expenditure of money or the raising of taxes. In that case, the Chair can obviously enter a caveat as the Speaker often does at the beginning of private members' hour, that the bill might exceed the Royal prerogative, but he or she might allow discussion to continue.

It is my contention that what we are talking about here does not fall into that category. We are not talking about the procedural aspects of Bill C-243, which was accepted, I might say, by the officers of the Table and was printed. This has not been the first Parliament in which this bill has been introduced; I remember making my maiden speech on this very bill.

An hon. Member: You are not the only one.

Mr. Collenette: Many have done so, because the hon. member for Winnipeg North Centre has been trying very valiantly, through the years, to get this piece of legislation passed by the House of Commons.

I would argue that on precedent alone, this bill has been admitted in other Parliaments, and it should not now be cited as inadmissible because the Supreme Court of Canada made an interpretation of a bill that was not, to my knowledge, and I stand to be corrected, given second reading. Bill C-60 was simply introduced and it went to committee for preliminary study. I stand to be corrected. I should know because I was on that committee, but all the things we have to remember sometimes become clouded. In that case there was no onus on the government to make a reference of Bill C-60, but the government accepted the wishes of the majority of members on that committee to make such a reference, and the Supreme Court of Canada ruled. But that was only on the eventuality that Bill C-60 would pass, and it dealt only with those sections relating to a change in the composition of the Senate.

• (1740)

I understand the concerns of my friend, the hon. member for Vaudreuil. I hope we do not make what I would say would be an improper decision, and rule this bill out of order after it has been introduced. It has been on the Order Paper. It has been debated in other years. I hope we do not take that decision for reasons which are really outside the control of this House and outside the Standing Orders of this House.

Mr. Knowles: Mr. Speaker—

The Acting Speaker (Mr. Blaker): I presume the hon. member for Winnipeg North Centre (Mr. Knowles) is rising on the same point of order rather than to debate the bill.

Mr. Knowles: That is right, Mr. Speaker. If Black Rod comes on time, I shall not have to talk very long. If he is late, as he usually is, we shall fill in the time.

The Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) said he made his maiden speech on this bill. Others have done so as well. It is quite true that I have been trying to get rid of the Senate for a long time. Some members have said to me, "Shouldn't you give up? You have been trying all these years, and it is still there." At least I can say that of those who were in the Senate when I first came here, only two are still there, so I have almost got rid of the Senate as I knew it. The trouble is that there are too many willing volunteers who are ready to go over and take the places of those who pass on.

Mr. Nielsen: I know one who is not.

Mr. Knowles: Yes. You are looking at him.

This question falls into at least two parts. One relates to the responsibilities or prerogatives of the Chair in a case like this. The other is the question which my friend, the hon. member for Vaudreuil (Mr. Herbert), raised, and he rather surprised me. I thought he was a democrat. Obviously he is not a New Democrat, but I thought he believed in free discussion and so forth. However, I shall come to that in a moment.

So far as the Chair is concerned there are a couple of very clear citations in Beauchesne's fifth edition, as they have been in all editions. This one appears on page 38. It is citation 117(6) and reads as follows:

> The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

So my friend, the hon. member for Vaudreuil, had the right to raise the point, but I am afraid the citations are very clear, that you, Mr. Speaker, do not have the authority to rule on a constitutional question.

There is another one in the book on another page, but actually it is the same citation. It is in the same words exactly, except it is based on a different occasion when the Speaker so pronounced.

I put it to you, would the Chair not be in an impossible position if every time a bill were introduced, whether it was by a private member or by the government, the Chair had to decide whether it was legal, whether it was constitutional or whether, if both Houses of Parliament passed it and the Governor General agreed to it, the courts would strike it down?

As I say, that is such an impossible position I am not surprised the citations in Beauchesne's fifth edition are as short as they are.

I know I went over all this at the beginning of this session. Last April or May when I filed the bill, there were those in certain positions who thought I should not even be able to put the bill into the draw because of the Supreme Court of Canada ruling on Bill C-60. I discussed it with officials concerned with this sort of matter. I discussed it at length with Madam Speaker and, in the end, she seemed to agree with me. She is not here to confirm what I am saying, but I think it is fair to say that she seemed to agree with me that she did not have the right to stop me from putting in the bill. I know that when bills were given first reading there was the caveat with respect to all of them that points of order could be raised at second reading. At any rate, we went over all this argument, as I say, last April or May, as to the right of a member to put in a bill. I submit that that is a clear right and it is not in the hands of the Speaker to say, no, this bill must not be proceeded with because it touches a constitutional question.

On the question of the rights of the courts, it has been pretty well indicated by the Parliamentary Secretary to the President of the Privy Council and by the hon. member for Yukon (Mr. Nielsen) that the courts can interpret our legislation. The

courts can give an opinion if one is asked for by the government. The courts can also strike down a bill which has been passed by Parliament on the ground that it is unconstitutional. I cannot recall that happening very recently. I remember one a while ago which might have been, but the government changed it to avoid that trouble. Of course, way back before the memory of quite a few members now here, the Bennett government passed a package of reform legislation, in 1934 or 1935, just before the election of that year. The Liberals, who were in opposition, questioned its constitutionality. Nevertheless, the Bennett government had that Parliament pass those bills.

Mr. Nielsen: Unemployment insurance.

Mr. Knowles: Unemployment insurance, and there were one or two others at the same time, all in the social field. Mr. Bennett had picked up some ideas from Roosevelt. He had a conversion in his fifth year and became a Tory, moving to the left. He brought in all that social legislation. The courts struck it down, afterwards, not before.

If I seem to be dragging this out, I hope the House will give me credit for doing so because we are waiting for Black Rod. Where is he when we need him?

The Acting Speaker (Mr. Blaker): Order, please.

Mr. Herbert: I think the hon. member for Winnipeg North Centre has convinced me with his argument.

The Acting Speaker (Mr. Blaker): For the benefit of the hon. member, I might indicate—if he is dragging this out, as he himself indicated, in order to fill the time until we hear the rap on the door—that I do not propose to take the matter under consideration. I propose to give a ruling immediately, because in my mind it is crystal clear that it touches upon the rights and privileges of Parliament. I do not have any difficulty in doing so. What is the wish of the hon. member, that he fill the gap or I fill the gap? It is irrelevant to me.

Mr. Knowles: Perhaps we could share the gap, Mr. Speaker.

It is awfully nice to know before the Chair rules that the ruling will be in your favour, but I do want to say a few words to my hon. friend, the hon. member for Vaudreuil, almost to chide him. We are good friends. We discuss these things. I was shocked he took the position today that because the Supreme Court of Canada made that ruling on Bill C-60, Parliament is denied forever the right to bring in a bill to change the set-up of the Senate or to abolish it.

It is bad enough, and I will deal with that when I get to debating the bill next time, that the government took Clause 44 out of the constitutional package and left the Senate with the veto it has always had over bills and over joint parliamentary resolutions, but for the hon. member for Vaudreuil to suggest that because of that Supreme Court of Canada ruling, which was only an opinion of what it would do with that bill if it got passed, because Parliament can never vote on and, therefore, must never discuss a bill dealing with the composition or the existence of the Senate—

Mr. Herbert: I am convinced.

Mr. Knowles: Well, that is good. My friend is convinced, the Speaker is ready to give a ruling our way, but where is Black Rod? At least today I am being a prophet who knows what I am saying. The other day I predicted what would happen on the first day of the debate on the constitutional package, and I turned out to be dead wrong. Today I predicted that Black Rod would be late, and he is.

I think this is serious. I think it has been useful that the hon. member for Vaudreuil has raised the point and that we have had this discussion. I think it is useful that the Parliamentary Secretary to the President of the Privy Council spoke as he did. Hon. members may not like my proposal to abolish the Senate, hon. members may not like various proposals that are put before the House, but we have the right to discuss them.

● (1750)

I remember on one occasion when Mr. Auguste Choquette, a former Liberal member of Lotbiniere, proposed in a bill that the monarchy be abolished. It would be no surprise to hon. members, especially to hon. members over here, that the hon. Gordon Churchill was horrified at the suggestion and raised the very point the hon. member for Vaudreuil has raised just now; that is, that such a bill could not be introduced, that it is not in order. The Speaker of the day said that members might not like the idea but they had the right to discuss it.

I remember when I brought in bills to make income tax information public so we could see what was being done. That was a long time ago. Hon. members said it could not be done and they tried to vote me down on first reading. I remember Mackenzie King leading the vote in favour of it and saying that, whether or not they liked the idea, the member has the right to present the idea before Parliament.

I hope I have won on both counts. I hope I persuaded the member for Vaudreuil that these matters should be discussed, whether we like them or not, and I hope that Mr. Speaker will now, if we have time before Black Rod arrives, give a ruling and make it seem as if we were still talking when Black Rod arrives. As I have said before, this place reminds me of a verse in the Book of Revelation which says that there was silence in heaven for the space of half an hour. That is something we cannot do here. We cannot sit here silent and wait; we must either be talking or go. I am told that Black Rod is here. So I hope I have left you time, Mr. Speaker, to make the ruling which you have already indicated, and I trust that on another Thursday I will be able to proceed with the debate on the substance of this important bill.

Mr. Dionne (Northumberland-Miramichi): I just want to say, Mr. Speaker, that, like the add for Clairol, the hon. member for Winnipeg North Centre (Mr. Knowles) is not getting older, he is getting better.

The Acting Speaker (Mr. Blaker): I see that the Black Rod has appeared, but my understanding of history is that he and his office have been made to wait as a practice for several centuries. So we will dispose of the matter raised by the hon. member for Vaudreuil (Mr. Herbert) at a rapid pace.

The ruling is very simple. Parliament is supreme and it can discuss what it wishes. It cannot be limited in what it chooses to discuss, whether by court order or otherwise. I think it might be worthwhile to indicate that the sub-thought to that is that the House from time to time expresses its will and limits itself, and the usual format of that is the Standing Orders. The Chair's responsibility is simply to understand and interpret and, through the will of the House, to apply the Standing Orders. The arguments presented by the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) and by the hon. member for Winnipeg North Centre are well taken, and regardless of court rulings it is, in my view, not only the privilege—and I refer to the law of privileges—of hon. members to raise such subjects as they see fit to debate, but it also is a right of the House of Commons and of hon. members to seek to debate such topics as they in their wisdom see fit.

Consequently, we will consider that the hon. member's Bill C-243 has not been debated and that at the next opportunity for private members' hour it will occupy the entire normal period given to debate of this bill. The hon. member looks as if he might have a problem in this regard. May we recognize Black Rod?

Mr. Knowles: No, Mr. Speaker, I was simply going to ask for what you just decreed. That is fine.

ROYAL ASSENT

[*Translation*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Madam Speaker, the Honourable the Deputy Governor General desires the immediate attendance of this honourable house in the chamber of the honourable the Senate.

Accordingly, Madam Speaker, with the House, went up to the Senate chamber.

● (1800)

And being returned:

Madam Speaker: I have the honour to inform the House that when the House went up to the Senate chamber, the Deputy Governor General had been pleased to give, in Her Majesty's name, the royal assent to certain bills:

An act to amend laws relating to fiscal transfers to the provinces.

The Constitution

An act to correct certain anomalies, inconsistencies, archaisms, errors and other matters of a non-controversial and uncomplicated nature in the Revised Statutes of Canada, 1970, and other acts subsequent to 1970.

It being six o'clock, I do now leave the chair until 8 p.m.

At 6.07 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Leonard Hopkins (Renfrew-Nipissing-Pembroke): Mr. Speaker, this is one of the most important Parliaments that has been convened for many years. It is important because this Thirty-second Parliament is one of the most issue-oriented sessions that the members who presently hold seats in the House of Commons and, indeed, those who have been appointed to the other place, could be called upon to face at this time.

But as we debate these issues, and particularly the one before us today, we must at all times remember we are a very privileged people to be Canadians. In these days of great world upheaval, uncertainty and turmoil we are a very privileged Parliament and nation to be able to debate in strong, but hopefully rational and constructive terms, the constitutional future of this great country of ours with which God has blessed us so richly. I think it also presents us with the opportunity to use the various personal talents which He has given to us.

I am sure most of us, as we take this Canadian Constitution debate seriously, are fully aware of the great importance of this measure.

As we discuss the Constitution we realize what we are as Canadians is really God's gift to us and what we become, or how we use our talents of understanding, breadth of mind, and spirit of brotherhood, is our gift to Him. Like most members of this chamber, I consider it a distinct honour and privilege to have the opportunity to represent a large number of Canadians and, hopefully, to be able to relate in some way to all Canadi-

ans from coast to coast, because that is becoming very important to this Parliament. That, indeed, as we all know, is a formidable task.

[*Translation*]

The constitution of a country covers everybody. It is the source of great emotional reactions on the part of serious citizens because it forces us to take into consideration the future and the full political independence of our nation and give them prominence.

● (2010)

[*English*]

As a fourth generation Canadian from Northern Ireland I have always leaned very strongly toward the true spirit of Canadian nationalism. I had the distinct privilege of growing up on a small farm in the western end of Victoria County in the central part of Ontario. I had an uncle who went west and became one of the campaign managers for the late right hon. gentleman from Prince Albert—

Mr. Epp: Hear, hear!

Mr. Hopkins: —who, when I came into this House, asked where I happened to go astray. My father and mother in Victoria County, like many of yours, were hardworking, honest and kindhearted with the very limited resources available to them. I need not tell you after whom that particular county was named.

My wonderful mother, whose first name is Victoria, is well into her eighties and still going strong. Other names in that community called Argyle were Ross, McFadden, Currie, McAlpine, McEachern and McArthur, McPherson, Burton, Moore, McLeod, Campbell, McIntyre and I do not know how the Irish got in there.

I moved at an early age to eastern Ontario and found myself in the middle of an almost totally German-speaking community in Renfrew County. I was faced with a small grade one class that spoke only German and I spoke only English, and the grade three's were the interpreters between the teacher and the grade one class, so I knew what a language barrier was long before I came to Parliament. Just a short distance away was a large area settled by Canadians of Polish descent who spoke Polish in everyday conversation, and most still do. The little hamlet of Wilno in the northern part of Renfrew County is the oldest Polish settlement in Canada, about 116 years old.

Therefore, my experience with Canadians from origins other than English and French came very early in my life, and added experiences since then have given me a tremendous impression of our multicultural groups in Canada. They are proud Canadians and are a national force for cementing Canadian unity. The Polish Alliance of Canada was founded in 1907 and, while I stand to be corrected, I think it is the oldest ethno-cultural minority organization in the history of Canada. Clause 27, which is of interest to all multicultural groups, says:

This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

Along with other members of this chamber, it has been my privilege to meet and get to know on a very personal basis, loyal, sincere and hardworking Canadians from all walks of life who have enriched Canada with their multicultural talents and contributions.

[*Translation*]

As a long-time resident of the Ottawa Valley I have met people and developed personal friendships with thousands French-speaking Canadians. Since I first came to this House I have enriched my life by joining several francophone members and senators and working with them. They have always been very understanding and very patient with me.

[*English*]

It is obvious to every Canadian that the writing and amending of a constitution does not come easily. The two volumes written by Donald Creighton on Sir John A. Macdonald illustrate many of the difficulties he had in those early days. We have only to look at the Americans who had to revise their constitution 12 years after they wrote it.

We know as time goes on life becomes more complex, and it becomes more difficult to amend constitutions. It is fair to say that only those who take major steps in history get things done. They are embattled and criticized, but conviction and a deep desire for achievement is worthless unless acted upon.

There are many who will say we are breaking new ground. That is not really so in this debate. The history of Canada, since day one, is dotted with constitutional debate of one kind or another. It should not be considered a remarkable achievement that the provinces and the federal government decided in 1931 to leave our Constitution in Britain without an amending formula. It is very easy to agree to do nothing. Our desire to bring the Constitution home today is a real challenge, and anyone who says that simply bringing it home without an amending formula and a charter of rights and freedoms is taking the easy way. They are correct, that is the easy way, but that does not come to grips with the key problem of the amending formula and charter of rights and freedoms. Those who suggest this are simply postponing the provision of an amending formula until a later date and that battle could drag on for many weeks or months.

The proposed resolution provides that for a period of two years from patriation, amendments will require unanimous consent of Parliament and the provinces until an amending formula is agreed upon using one of three methods and, while these are well known to the members of this House, I wish to put them on the record.

If, during the next two years, federal and provincial governments can reach unanimous agreement on a formula, it will be adopted. To facilitate agreement, a first ministers' constitutional conference will be held each year until a formula is implemented.

If the provinces and the federal government fail to agree unanimously on a formula, but seven or more provinces, representing at least 80 per cent of the total population of all the provinces, agree within two years after patriation on an

amending procedure that meets the requirements set out in the resolution, this formula and a formula similar in principle to the Victoria formula will be put to the people in a referendum. The federal government will also have the opportunity, at that time, to put forward a formula of its own choice instead of the modified Victoria formula.

If the provinces do not present an alternative formula, the modified Victoria formula will automatically come into effect two years after patriation. In general, that formula would require that amendments to the Constitution be approved by Parliament and by either the legislative assemblies or, in a national referendum, a majority of voters in a majority of the provinces, including: every province that has or has had a population of at least 25 per cent of the population of Canada; at least two Atlantic provinces, at least two western provinces with combined populations of at least 50 per cent of the population of all the western provinces.

• (2020)

The argument being used that we are asking Britain to amend our Constitution instead of doing it ourselves surely does not hold water. The proposed resolution before us is a product of Canada's Parliament. Before it reaches Britain it will have passed through both Houses of our Canadian Parliament. Many dedicated MPs and senators from all political parties have sat for days and weeks in a joint committee of both Houses to hear briefs and representations from many Canadians and particular experts. I join other members of this House in commending them and thanking them for their work.

I say to all Canadians that the proposed resolution which will be going to Britain is indeed a made-in-Canada product. As an English-speaking Canadian brought up, and having lived, in the atmosphere which I earlier described, I have always been a Canadian nationalist. I believe in a strong federal government, one that has the nation's regional interests at heart and one which is ready to sit down and exchange constructive views on a two-way street basis with the other regions of the country.

I am a Canadian federalist who, I think, has some understanding of all Canada and who wants to understand even better this great nation from coast to coast, this nation that is God's gift to us as Canadians. In this same context I say to this House and to all Canadians that a poor man is not he who is without a cent; a poor man is he who is without a dream. Our dream is to patriate our Constitution and have an amending formula.

Our daily thoughts should be elevated above the ceiling of this room. The secret of success is consistency of purpose. Even the woodpecker owes his success to the fact that he uses his head, and keeps pecking away until he finishes the job he starts.

Mr. Stevens: Look at what he does to the tree!

Mr. Hopkins: I do not know whether that was the woodpecker or the tree.

It has often been said that the measure of success is not whether you have a tough problem to deal with, but whether it is the same problem you had last year. Surely that is the essence of this whole exercise we are going through. This is the story of the patriation of our Canadian Constitution. We have made great strides in recent times regardless of diversity, which we hope is always a healthy process in our democracy.

The government is off to a good start with this proposed resolution and I appeal to the members of this House to give this plan a fair trial. I repeat, there will be first ministers' conferences after the Constitution has been patriated and is truly Canadian. Without having the Constitution home, time will continue to lapse. Do not forget that we as Canadian federalists, and we were proud that night from coast to coast, made a commitment to the federal supporters in the province of Quebec in last year's referendum, that we would bring in reform. At the same time, we must carry on some very sound and realistic talks with our western Canadian friends. A good two-way street must be built for that purpose and that must be an objective of all parties concerned.

I strongly believe that in this great issue surrounding our nation's Constitution we should take from the past its fires and not its ashes.

If we cannot join hands in a positive way for Canada and Canadians; if we cannot find common ground without weakening the federal government; if we cannot tackle successfully the completion of a 113-year old Constitution for Canadians and our wonderful home and its great potential, then we must learn a lesson from the author, L. P. Jacks, who said: "The pessimist sees the difficulty in every opportunity; the optimist sees the opportuntiy in every difficulty." If we are going to see the opportunity in every difficulty in this debate, then we cannot help but succeed.

In order to answer some of the questions from those Canadians who have requested information about the impact of the proposed resolution on our parliamentary process in Canada and the Queen as head of state—because every time some changes come up, we in English Canada are asked questions about the place of the Queen and our government institutions—I am going to take a direct quote from the introduction of the explanatory notes:

"When these proposals come into effect, they will signify the passing of the last vestige of Canada's former colonial status. The fundamental nature of our political system will not be changed: Canada will remain a parliamentary democracy with a federal system of government and the Queen as Head of State. However, now, after 113 years, we will finally have a constitution that is completely our own and that can be amended entirely within this country. The changes are also momentous in that, for the first time, Canadians will have basic rights and freedoms enshrined in and protected by the Constitution."

Let me also state there is one thing that has bothered me as a Canadian nationalist from English-speaking Canada and as one who believes in a healthy federal state, and that is that Canada is the only sovereign country in the world which still has to turn to the Parliament of another country to amend its own Constitution.

Mr. Stevens: Why are you doing it?

Mr. Hopkins: We are doing it because the R. B. Bennett government never changed that at Westminster in 1931.

Mr. Andre: You flunked history at night-school.

Mr. Hopkins: If more initiative had been taken at that time we would not be debating this in the House today.

Canada is an influential middle power in the world and there is no way we should allow this situation to continue and, in all reality, I am sure that our friends in Britain will be glad to see this matter cleared up once and for all.

I and other members and senators have received comments to the effect that a reference to God has been left out of the Constitution. I want to make it very clear that this is not the case and that anyone who is spreading this is inaccurate in their statements.

On June 10, 1980, this government, headed by the Right Hon. Pierre Elliott Trudeau, tabled in the House of Commons, a preamble which was entitled "A Statement of Principles for a New Constitution." It was one or more of the provinces who asked that this preamble be set aside and discussed at a later date. It is one of the items which will undoubtedly be taken up at the first ministers' conference following the patriation of the Constitution from Great Britain.

I will cite the preamble which we urged upon the provinces to include in this Constitution, as follows:

> We, the people of Canada, proudly proclaim that we are and shall always be, with the help of God, a free and self-governing people.
>
> Born of a meeting of the English and French presence on North American soil which had long been the home of our native peoples, and enriched by the contribution of millions of people from the four corners of the earth, we have chosen to create a life together which transcends the differences of blood relationships, language and religion, and willingly accept the experience of sharing our wealth and cultures, while respecting our diversity.
>
> We have chosen to live together in one sovereign country, a true federation, conceived as a constitutional monarchy and founded on democratic principles.
>
> Faithful to our history, and united by a common desire to give new life and strength to our federation, we are resolved to create together a new Constitution which:
>
> shall be conceived and adopted in Canada,
>
> shall reaffirm the official status of the French and English languages in Canada, and the diversity of cultures within Canadian society,
>
> shall enshrine our fundamental freedoms, our basic civil, human and language rights, including the right to be educated in one's language, French or English, where numbers warrant, and the rights of our native peoples, and shall define the authority of Parliament and of the Legislative Assemblies of our several provinces.
>
> We further declare that our Parliament and provincial legislatures, our various governments and their agencies shall have no other purpose than to strive for the happiness and fulfilment of each and all of us.

● (2030)

Unlike the hon. member for St. John's East (Mr. McGrath) who spoke this afternoon, I do not believe Canada will break up because we have many solid Canadians out there. Let me say to all my colleagues on both sides of the House that storms make oak trees take deeper roots.

Mr. Andre: Unless the woodpecker gets to them.

Mr. Hopkins: After our constitutional provisions are complete, we in Canada will probably have the best oak trees with the deepest roots in the world, united and intertwined together in one closely woven family, because today we are looking at this debate in the middle of conflict. When we look back, it will look quite different to us as we go ahead to full nationhood.

To all people across Canada and to my friends on both sides of the House, there are three lines to a poem written by John Boyle O'Reilly, which I think sum up what should be the aims of each and every one of us in this House and which should be the aim of all Canadians across Canada. In part, the poem reads:

> First across the gulf we cast
> Kite-borne threads, till lines are passed,
> And habit builds the bridge at last!

It is going to be habit in Canada, after we patriate the Constitution and after we have the first ministers' conference, which will hopefully weld this nation together, to build the bridge that will take us on to greater nationhood in years to come.

Some hon. Members: Hear, hear!

Mr. Gary Gurbin (Bruce-Grey): Mr. Speaker, I join the debate on the Constitution with a great deal of respect and humility. I have respect for this as one of the greatest national issues of all time, an issue for which the time has come. I enter the debate with respect for the politicians who have taken part so far. I would like to identify with respect the efforts of members made on behalf of all of us, particularly those who took part in the committee debates. I enter the debate also with respect for this institution of which I am a member and the opportunity and the vehicle it gives us to take part, allowing us to participate in the democratic process.

My humility stems from being a part of this issue which is of such fantastic importance to the future of Canada. I think Canadians must have some feeling of ambivalance about this issue because we have been dealing now for weeks and even months with an issue which, in some ways, lacks a sense of priority in terms of national issues; things such as the economy and all the economic factors making life difficult for people throughout Canada today. Surely they must wonder what we are doing spending the amount of time and effort we are on the Constitutional issue. At the same time, I think each one knows in some vague and unclear way that the constitutional issue and the results which come from our deliberations now will come to play a dramatic role on their futures and the way their lives are conducted in Canada in the future. I think particularly about the province of Ontario.

I want to spend a few moments talking about Ontario's position because I come from Ontario. One of the things that needs to be clear about Ontarians, and about people like myself who try to represent people in Ontario, is that we need to look at this issue in a clear and careful way. We need to look at it with a long view, not with a short, a narrow or a political view. We should take a look at the long-range effects

of the way our deliberations now will have an impact on our relationship with the rest of the partners in confederation on issues such as energy, and even with the way industry in our own province will develop. The relationships we establish now and the types of arrangements we make with different governments across the country will be important. In my opinion, it is important that politicians in Ontario look at that, and it is something important for all of us to think of as we go on and as we develop this process.

Our current Constitution has many origins. It comes from the Crown, from common law and from British statutes. All of our amendments to the British North America Act are British statutes. Our Constitution comes from orders in council, the judicial committee of the Privy Council and its deliberations. It comes from Canadian statutes, such as the Bill of Rights and the Dominion Act of 1875. It comes from Canadian and British treaties. It comes from parliamentary procedure and rules. It comes from the British North America Act itself. It comes also from conventions, such as having elections every four years or so, sometimes sooner.

Our nation's history has been a success story against many odds. One of the most important of these odds is the diversity we have in geography, in climate and in resources. Another difficulty we have is the diversity of our population and our cultures. We started off with two founding cultures. We now have a variety of cultures all of which contribute to the Canadian mosaic.

I would like now to go back in time and take a look at the legal processes which have brought us to where we are today in our constitutional discussion. There are a number of places where we could start, but the most appropriate place in looking at this is the Royal proclamation of 1763. This resulted in Canada being designated as a colony of the British empire. With this proclamation we were promised the early establishment of English law and also representative institutions. Another significant factor in this proclamation was the guarantee it gave aboriginal and treaty rights to natives. Following this was the Quebec Act of 1774 which recognized the Catholic church and the French law, which was given its proper place in respect of civil matters. The Quebec Act gave an identity to the French culture in Canada.

● (2040)

In 1791, we had the Constitutional Act. With this, the colony was divided in two parts: Upper and Lower Canada. Both were given a structured government. Both had a governor, an executive council, a legislative council and an assembly that was elected every four years, and this was the first time Canada had elected representation.

After the rebellion of 1837, Lord Durham brought forward his report with three major recommendations: the union of Upper and Lower Canada, the establishment of responsible government in Canada, and also his concept of a federal union. This was followed, in 1841, by the act of union which created Canada.

In 1864, the Macdonald-Cartier union government failed, and this led to our series of constitutional discussions and conferences, first in Charlottetown, and then later in Quebec. From those discussions came the British North America Act of 1867, the piece of paper we are looking at today and trying to patriate to Canada. The federal bicameral system, modelled after Westminster, was thus established in Canada. The British traditional system of government was brought to Canada, and was modified to meet Canada's needs.

In 1890, Sir John A. Macdonald said to his assembly, and I quote:

> If I had influence over the minds of the people of Canada, any power over their intellect, I would leave them this legacy: Whatever you do adhere to the union. We are a great country, and shall become one of the greatest in the universe if we preserve it; we shall sink into insignificance and adversity if we suffer it to be broken! God and Nature made the two Canadas one—let no factious men be allowed to put then asunder!

We know that in 1867 we had union in four of the provinces: Quebec, Ontario, New Brunswick and Nova Scotia. This was followed in 1871, by British Columbia, Manitoba in 1881, Alberta and Saskatchewan in 1905, and finally Newfoundland in 1949. From here, until World War I, there was very little activity; but at that time we started to develop what was a sense of Canadian nationalism. With the Borden government, in 1917, this flowed into the Imperial Conferences of 1923, which gave Canada control over its foreign policy, and then the Balfour Declaration of Sovereignty in 1926. From these Imperial Conferences came the 1931 statute of Westminster.

We have heard many references to the statute of Westminster, and the fact that we were not able to reach agreement in Canada. As a result of that lack of agreement the statute of Westminster was altered, from Lord Balfour's original declaration, to mean that Canada did not agree with what he was trying to say in his declaration. I quote from Section 71 of that act:

> Nothing in this act shall be deemed to apply to the repeal of the British North America Acts of 1867 to 1931.

By that provision, Canada was excluded from the Balfour declaration.

In spite of the fact that we excluded ourselves from what might be considered to be our sovereignty, and what many are reacting to now, in 1939 Canada did what I consider to be the ultimate act of sovereignty: it declared war on its own behalf in World War II.

During the 1960s, we had a hectic time with constitutional reform. Indeed, up until recently, we had at least six first ministers' conferences and 11 constitutional efforts. In 1964 we had the Fulton-Favreau efforts. In 1968 we had the Toronto conference with Robarts-Johnson. In 1971 we had the Victoria formula, which we are considering now.

The Victoria formula requires some comment. The key things in the Victoria formula are that the provinces seem to be unequal. Some provinces are indeed more equal than others. This formula seems to be quite appropriate, if you happen to come from one of the central provinces, which now, or at some

time in its history, had 25 per cent or more of the population; if you do not, then you are a second-class citizen.

I believe the hon. member for Rosedale (Mr. Crombie) mentioned yesterday, in the House, that if that amending formula had been in place now, Canada would never have had medicare.

Following the 1971 Victoria formula came the Vancouver formula. With the Vancouver formula, which many of us support now, we found that the federal government, along with support of seven provinces representing approximately 50 per cent of the population, could provide a constitutional amendment. This was initially agreed to by all provinces, but at the last moment, it failed to be consumated.

In 1976 we saw a Parti Québécois government elected. It stood for political independence and economic association. It really focused Canada on a referendum debate rather than a constitutional discussion. In 1980, thanks to a good deal of support from members opposite, we saw the results of the referendum in Quebec showing magnificent support for Canada. However, implicit in the result of this was a perceived need for federal renewal. Last year we saw an unfortunate turn of events, for the unrest that was seen in Quebec, has now been transferred to western Canada.

Now, in 1981, I stand here discussing this in the constitutional debate on the proposed constitution act of 1981, and I would like to comment on several parts of the process that have taken us to this point. Some of these matters are obvious, and I am sure they are repetitive to members opposite, but I think they are worthy of mention. The most important of these factors is that nation building, as we have it in Canada today, is a dynamic and evolutionary process that is changing and it has taken us, over a period of time in a number of ways, to the position where we are, and that process can be expected to continue.

Along with the evolution of our legal constitutional position, we have had a concurrent and similar evolution in many of our cultural and social attitudes. The attitudes of people have changed over a long period of time. Their morals have sometimes changed; the way that they conduct their personal and governmental affairs themselves has changed. Many changes have been dramatic, and have been brought on by conflicts both within and without our country.

These conflicts which started with the Plains of Abraham, continued and included the American Revolution, the war of 1812, the rebellion of 1837, the U.S. civil war, Boer War, World War I, World War II and the Korean war and then even to a conflict without arms in the Quebec referendum and the discussions that are going on out west today. All of these confrontations have resulted in changes, many of which have been happening at the time we found we had adapted changes in our legal position.

The third major point is that all of these factors have occurred today with the background of a federal co-operative consensus system, which I think is a key factor. What is important today is that we recognize the evolutionary nature of the institutions and the cultures of this county, that we establish at once the proper process basis to deal with inevitable conflicts that will come as we continue to experience growth, that we relieve these areas of potential conflict by anticipating the needs and the aspirations of regions and integrate them through just and honest process, and that we recognize the strengths of regions as assets on which to build our future.

● (2050)

The hon. member for Hochelaga-Maisonneuve (Mr. Joyal) spoke this afternoon about Canada being a creation which is greater than the sum of its parts. There is no question about that at all. The question need not even be asked, but the fact that he identifies it and the way it is identified concerns me somewhat because it implies there is misunderstanding of the way Canada can be a strong whole. There seems to be an inherent difference in the way hon. members opposite view a strong Canada and the way hon. members on this side view a strong Canada.

If I can use a medical analogy, I think each part of us as human beings is an important and integral part of a whole human being and that the whole human being can be no stronger than each one of its parts. We can borrow strengths from each of our parts to make the whole survive, but that is a limited process. Indeed, as each one of our parts is strong, so too will the entire body be that much stronger. Above all, today I believe our efforts must be to establish a constitutional process which has the confidence of the people of Canada.

As he was making his initial presentation, the Minister of Justice (Mr. Chrétien) implied that after 50 years we have nothing to show in Canada. There was an effort to make a correction, that what he really meant to say was it was only in constitutional reform. I was listening that day, and that is not the inference I took from hearing him. The implication was that we should do something now in haste because after 50 years we really have nothing to show for our efforts. This attitude has left him in the position where he says that in spite of not liking unilateral action and in spite of doing what he thinks people do not want done, he will go ahead with this process because he thinks it is important and because he thinks we have not done anything in 50 years. The irony is that while he has an understanding of the need for reform, I believe he has a misunderstanding of the type of action and process we need.

The error may be fatal. The people who will suffer are now led, through simplistic advertising, slogans and some brilliant political speeches, to believe that the problems will be resolved by the proposed constitution act of 1981. Perhaps, so far, the only casualties are federal-provincial relations among eight of the provinces and the federal government. So far the only casualties are the relationships between Canada and Great Britain. So far the only casualties are the relationships of trust between the government and two thirds of the people of Canada who do not believe the federal government should act in a unilateral fashion. This is all that has suffered so far.

Federal-provincial relationship are being changed. The consensus nature of federalism is being changed now. The co-operative nature of federalism is being changed. We have unilateral action now. When will we have unilateral action again in the future? The permanent referendum system is a permanent amendment to override provincial authority. The hon. member for St. John's East this afternoon called it a run around the end, and that is a good expression. We are seeing moves now which take us from a co-operative federalism toward a unitary state. We ask the British government to accede to the convention of granting our parliamentary package, while we fail ourselves to respect the convention of sending Britain requests which already have provincial consensus. We are forcing Britain to become involved in our affairs. We are trying to force another country to amend that which we argue we are mature enough to deal with ourselves. The incongruities are enormous.

The Minister of Justice has included a permanent referendum formula, while arguing we cannot have a referendum now because it would be too divisive. The amendment the Conservative party brought forward in this House asks that this be removed. The amendment states, and I quote:

> That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Acceptance of this amendment would do much to restore the confidence of the people of Canada, the respect of the federal government for process, and federal-provincial relationships would certainly improve. I join the hon. member for Provencher (Mr. Epp) in asking the government to drop the permanent referendum clause.

We have heard much talk of entrenchment. The essence of this discussion is the question of what will be supreme, Parliament or the Supreme Court of Canada. There are many good arguments on both sides. In fact, this has resulted in some of the best political debates I have heard in my short political life.

If we look at the different countries around the world, the different commonwealth nations, countries which have entrenched charters of rights and freedoms, and those which have not, and if we try to compare them, we will see that in the end it really does not matter. It does not make any difference whether or not rights are entrenched. There is no consistency in the effect of entrenchment. Some countries which have entrenched charters of rights are clearly abusive to their citizens. One of the best charters of rights is that of the U.S.S.R., and there are other examples.

What really matters is not whether rights are entrenched but the health of the system which supports rights. How healthy is our system? How healthy is our parliamentary system? Is the Supreme Court of Canada effective and responsive? I suggest there is some question about the health of this parliamentary system. This is a parliamentary system which will use closure. This is a parliamentary system in which even this afternoon people talked with utter disregard for the rights and privileges of Members of Parliament. Ministers of the Crown disregard the individual rights and freedoms of Members of Parliament and their responsibilities to their constituencies.

Mr. Fox: Baloney. Even Benno doesn't take that seriously or believe that.

Mr. Friesen: You better believe I do.

Mr. Gurbin: The other thing I would like to mention in this same reference is the question of the tone of the Charter of Rights and Freedoms. The tone of the Charter of Rights and Freedoms at this time is that the government gives its people rights; it deeds them out to people and allows them to do certain things. The point has been well made by others, as well as by myself, that really a charter of rights and freedoms and the designation of specific rights are limitations on governments. The rights and freedoms of people are there inherently by birth. Charters are in fact necessary in some cases to limit the actions of governments. The whole tone of this charter is repulsive.

Mr. Diefenbaker had a preamble which we tried to include in the Charter of Rights and Freedoms. I was interested in the last speaker's reference to its being included or not, and the fact that this should be a second stage of the constitutional discussions. I am not sure who is the supreme reference in the current Constitution. If there is a blank spot at the top, I wonder who occupies that position. I wonder who has that ultimate authority.

Mr. Shields: Pierre Elliott Trudeau.

Mr. Friesen: Fast Eddy.

Mr. Gurbin: If it is not God, or if God is to be put to the second stage, that is an interesting move. But if it is not God, I wonder who it is. If God is at the second stage, I wonder what that means. I wonder what it means if God is second on the list of priorities.

There were some major amendments proposed, but they were refused. Others have spoken about this as well, but the most important single one is the right to property. We brought forward an amendment which was part of the Diefenbaker preamble. The interesting thing about this, of course, is the fact that when this was first presented it was accepted, and then for obvious political reasons it was no longer acceptable. This is an extremely important factor to most of the citizens of Canada. It was already a fact, and I find it unusual and very curious that the government would choose not to include it. I understand some of the difficulties the NDP members have with this, but I think that is consistent with the difficulties they have with anything that makes sense.

Some hon. Members: Hear, hear!

• (2100)

Mr. Gurbin: As an example of what others are doing with property rights, I would say that the United States protects its property rights in the fifth and in the fourteenth amendments;

that Australia's constitution allows for just compensation when private property is expropriated federally; that Belgium stresses just compensation according to law; and that there is a UN Declaration of Human Rights which states that the right to own property is a fundamental human right. Canada has already signed this, and yet we will not include it in our constitutional amendments.

One of the great difficulties with the Charter of Rights and Freedoms as it now exists is its application to native groups. Although the native groups, through their representations to the constitutional committee, have indeed been able to have their amendment included, the difficulty is that this amendment allows for the provision and the guarantee of aboriginal rights, but these are undefined aboriginal rights. Aboriginal rights mean many things to many people, and this will be, as time goes on, one of the major sources of friction and difficulty the native people and the government will have in Canada. This should be clarified.

This is another indication that the constitutional discussions which we are having now, the amendments to and the consideration of the Charter of Rights and Freedoms, should be considered carefully over a measured period of time.

The control of natural resources is a key issue, and there have been some efforts to deal with it, but the efforts made have not really dealt with the primary issues and concerns, particularly of the resource rich provinces, the tone, mood and style which has been developed thus far leave us with pessimism about the opportunity, as time goes on, for the government to deal with these issues effectively. There is very little reason for those provinces which feel threatened to feel comfortable with the attitude and the form the federal government has now established.

A major additional point in the Constitution which has not been dealt with in this act, but which has seriously been considered by most who have looked at constitutional reform, is Senate reform. I will spend one moment on that subject, particularly because of the proposal made by Senator Roblin in April of 1980. He looks at a new Senate as having four main functions, and I think these should be recognized because they are important for people who are looking at these constitutional debates and at the opportunities which might arise.

First, he thinks a new Senate could be established to protect regional interests against a too aggressive central government. I think that might help, in particular, people in western Canada. Second, he looks at it as a sober second thought, a legislative revising body. Third, he looks at it as an effort and an ability to initiate committees of review and investigation in matters of important public concern, and fourth, he looks at it as providing a reservoir of cabinet representation when necessary if regions are not well represented in the House of Commons.

Senator Roblin suggests that a Senate could be elected, and this is indeed an attractive idea. It is a golden opportunity to provide relief if many of the strains on the future governing of our country are to be avoided.

There has been much discussion about what members on this side of the House feel and what they really support so far as the Charter of Rights and Freedoms is concerned. There is no question that members on this side and myself personally support a charter of rights and freedoms. We have never had any argument as to that. I do not know of a parliamentarian who does not in some way support this concept. There are reservations about the form, about what things are to be included, but there is no question about having a charter of rights and freedoms, even if we went only as far as the Bill of Rights, brought forward by the Right Hon. John Diefenbaker. If everyone did not support it, that is good evidence to show that it is not a required basis for securing rights within a democratic system, if that argument need be made. The point is that the efforts of the opposition to what the government is now doing are not based on opposing a charter of rights and freedoms but rather to having it included in another country as an amendment before the BNA Act is returned to Canada.

All members I know support patriation of the BNA Act. I do not know of anyone who does not feel that can be done without difficulty. There are those who might say it need not be done, but I know of no one who feels that it cannot be done. Indeed, Canadians in general support this move.

The third part of the government's package is the amending formula. We have a great deal of difficulty with the amending formula and the arrangements being made by the government to allow amendments to be made to the BNA Act when it is brought back. I think there could be provincial agreement on an amending formula.

At one time, in 1974, there almost was agreement, and with the climate in the country today I think the opportunity clearly exists, if efforts were made to agree on an amending formula that was acceptable to all the provinces and the federal government agreement could be achieved.

The essential point, after considering each one of these three concepts, is that as a unit and with the process that has been established by the federal government now, they are unacceptable separately. However, with patriation, and an amending formula which had been agreed to by the provinces and the federal government, these concepts are entirely acceptable and could be implemented in the near future. But there must be a separation, a splitting of the Charter of Rights and Freedoms and any other amendments to the BNA Act before we ask the British government to return the act. The rest can be developed in Canada by Canadians as represented by provinces and territories, by individuals and by special interest groups. We can only gain by seeking the co-operation of those we pretend to govern. The federal system can only gain by encouraging an environment which fits its provinces and people in the most acceptable fashion. A solution cannot be imposed because it cannot be understood without a dialogue which leads to agreement.

I suspect, Mr. Speaker, that each Member of Parliament, if not each person in the country, has his or her national vision. It is the range of visions which gives strength to our existence,

allows practical and idealistic ideas to compete, to co-operate and to contribute to nation building.

I am a very positive and constructive person, Mr. Speaker; this is my nature. But, although I take part in this debate, this moment of history passes me and many parliamentarians by, not because we think less of our country, not because we do not believe in most of the substance of the proposal, but because we believe the process for the evolution of our democratic system must be established on the basis of consensus if it is to work at all, and because a process established otherwise would be divisive instead of unifying.

I cannot vote for this act. The government has no mandate for and no consensus on this act. The act denies the very essence of successful federalism. In the end, the people and the country will survive and history will judge us all. We will be a great nation, depending on the will of the people to overcome the barriers thrown up by the perhaps well-intentioned but certainly misguided politicians.

● (2110)

Mr. Jim Manly (Cowichan-Malahat-The Islands): Mr. Speaker, I appreciate the opportunity to take part in this historic debate on Canada's Constitution. We all know this will be a long debate. Our party wants as many members as possible to take part in it, to speak and to express their views, so I will be brief and I will commend my example to my colleagues.

When I spoke on the initial proposal last fall I said, that while I supported many features in the constitutional package, I deplored the inadequacies in the charter of rights and its failure to recognize the rights of women and of Canada's native people. Today I am happy to say that most of my earlier objections have been removed. This is a good package. It is not perfect, but it is a good one. Through the work of the joint committee the original proposal has been improved beyond all measure.

In this respect I want to pay tribute to all members of the committee. They worked long, hard hours; they gave their dedication and sincerity to that process. In particular I wish to single out the hon. member for Yorkton-Melville (Mr. Nystrom) and the hon. member for Burnaby (Mr. Robinson).

I regret that the government and the Tory opposition were not willing to accept the amendment moved to Section 15 by the hon. member for Burnaby which would have protected people from discrimination on the grounds of marital status, sexual orientation or political belief. The hon. member for Yorkton-Melville said he cannot support the proposal in its present form. I regret that, but I want to say it was largely because of the work of the hon. member for Yorkton-Melville that today I can support the package. I very much appreciate his work.

Before I move to the question of aboriginal rights, which I think is central to the Constitution, I want to look at some of the other positive features of this package. In addition to the Charter of Rights and Freedoms, it enshrines the principle of equalization so that all Canadians will have equivalent access to social services. It has a resource clause which gives provinces greater control over their resources, and it gives them the right to indirect taxation. The proposal includes an amending formula which I believe is reasonable and fair, considering the diverse nature of our nation. This amending formula requires the consent of each of the four regions.

There has been an attempt to whip up opposition in the west to the fact that Ontario and Quebec have veto power. We need to remember that the west also has veto power in this respect, as do the maritimes. When we look at the population of the four different regions—the maritimes with two million people, Quebec with 6.5 million, Ontario with 8.5 million and the west with seven million—apart from the maritimes, which is much lower in population, the other three regions are more or less equally balanced. What other formula could give the needed flexibility and still protect the interests of each region?

Surely we do not want to endorse the need for unanimity. This has been the hangup for the last 50 years. We do not want to have a situation where Prince Edward Island, with half the population of Vancouver Island, would have a veto.

The Tories have advocated the Vancouver consensus. This would give each province the right to opt out of such fundamental provisions as the charter of rights. This is the kind of amending formula which would have warmed the hearts of the confederate states back in 1860; it denies our basic unity as a nation. I believe the present amending formula is reasonable and fair, and I speak as a member from British Columbia. Above all else, I support the constitutional package because at long last it recognizes the rights of aboriginal peoples of Canada. We cannot overestimate the symbolic significance of this step.

In the pre-Confederation history of Canada, Britain and France entered into relationship with various Indian nations; they looked upon one another as allies. They formed pacts of peace and friendship. The Royal Proclamation of 1763, which recognized the rights of aboriginal people, indicated that an historic relationship of trust had to be maintained. At the time the British North America Act was passed in 1867, this relationship was not considered, it was completely forgotten. The Indian people were not consulted about their place in the new nation. The federal government protected their interests only to the extent of reserving to federal jurisdiction "Indians and lands reserved for the Indians" under Section 91-24 of the BNA Act.

In the 114 years since that time the aboriginal peoples of Canada had no constitutional standing. The Indian Act has not been a helpful act as far as Indian people are concerned. It is something which has been imposed upon them. Legislative changes in the act over the past century have robbed Indians of their right to determine the course of their own lives, the form of their own government and the shape of their own societies.

When the government brought out its original proposal to patriate the Constitution last October, it did nothing to improve that situation. The rights of aboriginal peoples were not recognized, except in a negative manner. The historic

covenant relationship between Indian people and the Crown was completely ignored. When I and other members of my party objected to this denial of rights, the government answered that it was impossible to recognize such rights.

On November 7 I asked the Prime Minister (Mr. Trudeau) about this. He answered as follows:

—I think the simple claim of aboriginal rights, without anyone knowing exactly what it means, is not a matter which one can convincingly argue should be put in the Constitution at this time.

When I asked the Minister of Justice and Minister of State for Social Development (Mr. Chrétien) about aboriginal and treaty rights, he claimed their rights would be protected through the old section 24, which everyone knew was inadequate. All Indian, Metis and Inuit people across the country said it was not worth anything. He implied that nothing more was either needed or possible.

When the Tories brought out their amendment to the Constitution, they went even further than the government in denying the rights of aboriginal peoples. Their suggested amendment did not even mention these people. Their amendment would have read as follows:

The guarantee in this charter of certain rights and freedoms shall not be construed as denying the existence of any rights or freedoms that may pertain to any cultural community or any other rights or freedoms that may exist in Canada.

This is what the Tory party was willing to offer the aboriginal people of Canada; this was their amendment. The facts are very clear and may be found by anyone who cares to read the record of the constitutional committee.

All members of the committee listened very attentively when representatives of the Indian, Metis and Inuit appeared before the committee. We listed and asked questions, but neither the Liberals nor the Tories were prepared to take any positive action. I am very proud of the role the New Democratic Party played in forcing the government to make a positive recognition and affirmation of aboriginal rights. In this respect I should like to pay tribute to the leader of my party who was involved in some very difficult negotiations with the government. These negotiations were successful and I would like to commend the government for its willingness to move on this important issue. I would also like to commend members of the Conservative Party for giving the amendment their unanimous support when it was put forward to the committee. I invite them now to join with us in supporting this package so that recognition and affirmation of aboriginal rights will become a constitutional reality, and not simply a dead letter in the constitutional report.

• (2120)

Some hon. Members: Hear, hear!

Mr. Manly: When we bring the Constitution home we will be saying to ourselves and to the world that we are no longer a colonial people. By recognizing the rights of the aboriginal peoples we are also saying that we no longer want to be a colonizing people. We do not want to look upon the Indians, the Inuit or the Metis simply as subjects to the colonized and as a people who have lands which can be exploited. We want these people to take their full place and their full stature as members of Canadian society.

For this to happen we need a change of attitude, as well as a change in the Constitution. Without the political commitment to see justice done for the aboriginal peoples, our new Constitution will remain only a scrap of paper. Through their experience with a long series of treaties, negotiations and agreements the aboriginal peoples know how empty and hollow our promises can be. Right now the James Bay Cree, who received many assurances a few years ago in exchange for the surrender of their rights, are finding that the Government of Canada and the government of Quebec are going back on their word. These people are suffering a serious health problem and our government says it is powerless to do anything about it because of the agreement.

This is why some of the Indian people are a bit uneasy about the wording which says their rights are hereby "recognized and affirmed." They would like a stronger wording which says that those rights are sanctioned, ratified and confirmed. They would like to see additional protection for their rights in the amending formula so that no changes could be made in those rights without their consent. We would support any strengthening of their rights in the amending formula.

But even without this we recognize that Canada has taken an important step forward, which now needs to be ratified by this House. Constitutional recognition of aboriginal and treaty rights must be backed up by serious negotiations which will give these people an economic base on which they can build. The future actions of the government will indicate how serious it is in the recognition of these rights.

One major problem needs to be faced by us all. We are concerned about Section 12(1)(*b*) of the Indian Act which discriminates against Indian women on the basis of sex. If an Indian man marries a non-Indian woman she is entitled to Indian status. However, if an Indian woman marries a non-Indian man she loses her status. In both cases women take their status from their husbands. I remind this house that the Indian Act was imposed upon the Indian people. This discrimination was not of the Indian people's making. However, many Indians have come to accept it, as all people sometimes accept discrimination which does not directly affect them. I think the time has come to change this situation.

I would like to throw out two challenges. First, I challenge the federal government to develop a program of land entitlement and financial entitlement which will make it possible and attractive for bands to receive Indian women back into membership, without these women becoming an additional burden upon communities already struggling with poverty and very meagre resources. Let us have some positive action on the part of the federal government to make it possible for bands to receive these people back into membership.

Some hon. Members: Hear, hear!

Mr. Manly: Second, I challenge Indian bands themselves to develop their own procedures for membership; procedures

which do not discriminate on the basis of sex. In this regard I was very pleased to receive a copy of a telex from the Aboriginal Council of British Columbia, which represents many different tribal federations and many different bands. I believe this telex indicates that Indian society is not static, chauvinistic or a relic of the past, but that it is dynamic, moving with the times and that Indian people themselves are committed to fairness. I would like to read the telex. It is from George Watts, chairman of the Aboriginal Council of British Columbia. It reads:

> The Aboriginal Council of British Columbia meeting in full delegation Saturday, February 7, 1981, gave unanimous approval to the following resolution:
>
> Moved by Ray Jones (Gitksan-Carrier Tribal Council) seconded by Leonard Tanner (Okanagan):
>
> That all tribal groups in the province of British Columbia actively seek legislative change to the membership section of the Indian Act before the next quarterly meeting of the Aboriginal Council, and
>
> That the tribal groups endorse the reinstatement of people of our nation not recognized as being Indian, and
>
> That the chairman on behalf of tribal group representatives forward a telegram to the Minister of Indian Affairs informing him of our position.

This telex indicates that the Indian people are serious about removing discrimination. They do not want to be discriminated against by non-Indian society: they do not want to discriminate within Indian society. By recognizing their rights we will make it possible for Indian people to remove this kind of discrimination. By recognizing their rights in the Constitution we will make it easier for them to gain recognition of their economic and their political rights so that once again they can take their full place as members of the Canadian society.

I want to conclude, Mr. Speaker, by saying that I believe this is a good Charter of Rights and Freedoms. I believe this is a good Constitution. I am proud to give it support.

Some hon. Members: Hear, hear!

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, I take pleasure in participating in this debate. I had hoped to be able to do this last October when the debate began. As events proceeded, the government made certain not too many of us would be able to participate in the debate at that time. Thus, the speech I planned to make at that time had to be postponed.

I am pleased to follow my countryman from British Columbia who just concluded by saying this is a great Constitution and a great bill of rights. In the next few minutes I will be examining them to see whether they are as great as he says. Maybe he has very selective vision. We will see.

We must keep in mind as we debate this issue that it is an important issue for the House only because it is on the Order Paper. It is not an important issue before the country. I think members on both sides of the House will agree that the people across Canada believe it is the economic issues that ought to be debated in the House at this time. It is the inflation which we are facing in our country and the robbing of the low income group of 20 per cent of their pay cheques which should be before us for consideration.

• (2130)

An hon. Member: Two supporters have just arrived.

Mr. Friesen: Mr. Speaker, I hope after all this applause you credit me with a few extra minutes, and then some.

An hon. Member: Three more just arrived.

Mr. Friesen: While every other western nation is debating the problems of energy supply and security, we debate the Constitution. It seems to me it is evident all across Canada that this Constitution, or any other, will not put one extra slice of bread on the table.

I spoke to a Liberal member from the eastern townships and asked how much he was getting on the constitutional issue and he said zero; yet we have the Prime Minister (Mr. Trudeau) and the Minister of Justice (Mr. Chrétien) saying we have to pass this package now because the people of Quebec are demanding it. The people of Quebec know the important issue facing us today is the economy, and if this package addresses the referendum in Quebec, why do the three party leaders in the province of Quebec oppose it? We understand why Mr. Levesque might oppose it, but why does the Liberal leader in that province oppose this package if it is the answer to the referendum?

This package has the highest priority on the Order Paper only because the government controls the Order Paper.

I want to begin my remarks by paying tribute to my leader who on October 2 was given 90 minutes by the Prime Minister to study the text, analyse the issues, look at the problems and then address the people of Canada; 90 minutes, Mr. Speaker, in that short time he homed in on the critical issues facing the country now and in the future if this proposition passes in its present form.

Some hon. Members: Hear, hear!

Mr. Friesen: He did all Canadians proud. I was proud of him, and I know the people of Canada now recognize that it is because the Right Hon. Joe Clark assumed the leadership that night and it is because of his perceptions, his honesty and his willingness to put his future on the line, that we have an open and honest debate in the House of Commons.

Some hon. Members: Hear, hear!

Mr. Friesen: I also want to pay tribute to my colleague, the hon. member for Provencher (Mr. Epp) whom I watched very carefully during the debate in October and in the proceedings of the committee. I observed his skill, his patience and his statesmanship, and I want all members of this House, all the people of Canada, to know that I am proud to call him a brother.

Finally, I want to pay tribute to the hon. member for Hochelaga-Maisonneuve (Mr. Joyal). I came to this House at the same time as he, and I remember very well that he was the mover of the Speech from the Throne that year. I recall listening to the conservations of other members in the government benches at that time when they said this is a young man

who bears watching, and he has done this chamber proud. I watched him during the proceedings of the committee in which I participated several times. I saw his fairness, his incisive intellect, his respect for the institution, his respect for the people who appeared before the committee, for the people on the committee, and I was proud to call him a colleague and a friend.

Some hon. Members: Hear, hear!

Mr. Friesen: Mr. Speaker, probably one of the most frequent words used in this debate is the word "entrenchment". The hon. member for Davenport (Mr. Caccia) in his "Householder" to his constituents last fall used that word and defined it as meaning "to dig deep" and "put into place" so that something will be immovable. It is a word taken from construction, and that is a good definition. If that is what entrenchment means with respect to the Constitution, then it is imperative that we be careful of what we entrench. If it is going to be immovable or difficult to change then we have to be careful what we put in.

I think it is recognized that a charter is a statement of an understanding of what we as a people perceive to be right or wrong in our society, and is designed to address those perceptions. It is only those ingredients we want which must be there, otherwise the foundation will crumble. I would ask, particularly my colleagues from the province of Quebec, suppose in 1867, the Fathers of Confederation had entrenched in the British North America Act, a bill of rights based upon the mores, perceptions, bigotry and lack of understanding that existed in the Quebec community of that time. I wonder if today the people of Quebec would be enjoying the flowering of their culture and their language. Would we be where we are as a nation; would the French-speaking Canadians be where they are had we entrenched such a bill of rights?

The difficulty with entrenching a bill of rights is that none of us have that omniscience whereby we can anticipate the future; none of us are that wise. I repeat, we must be careful of what we entrench. In the jargon of the construction trade, there can be no lumps of clay, there can be no raw dirt mixed in with the concrete. And I believe we are entrenching in this Constitution some materials that make for a crumbly foundation.

● (2140)

One of those foreign ingredients, one of those lumps of clay, one of those ingredients that will cause the foundation to fall apart, is the amending formula. Any formula which makes of some provinces second-class citizens and indeed of some, third-class citizens, is a foreign object to that aggregate in the foundation. It is something we do not want.

While the Prime Minister talks about a charter of rights, at the same time he talks about second and third-class provinces because of the very nature of the formula he is imposing. The difficulty with this charter of rights is that we are entrenching not only good things, we are also entrenching unfairness into our Constitution.

Some hon. Members: Hear, hear!

Mr. Friesen: If the hon. member for Davenport is right when he says that entrenching in a constitution means to dig deep, then we ought not to be entrenching unfairness in this Constitution.

Let me show what I mean, Mr. Speaker. The amending formula is what is called the Victoria formula, now reduced to seven provinces but 80 per cent of the population. Clause 45 provides that a province which at any time has had 25 per cent of the population has a permanent veto in the amending of the Constitution. That means that two provinces, Quebec and Ontario, have a permanent veto. In 1971 Quebec had 27.9 per cent of the population of Canada; in 1981 it has 26.4 per cent. In other words, the percentage is going down; in one decade it has dropped by 1.5 per cent. Using the same ratio, by 1991 the population of Quebec will be 24.9 per cent. But, under the 25 per cent limit, Quebec will still have a veto on constitutional amendments.

British Columbia has a population of about 2.5 million and it increases by about 500,000 or just under 1 per cent each decade. In 1971 the population of British Columbia was 10.1 per cent of the total Canadian population; by 1981, it had risen to 11 per cent. This means that by 1991 it will be 11.9 per cent or 12 per cent.

With the progression we have today, in order for British Columbia's population ever to reach 25 per cent of the population of Canada, and for the province therefore to enjoy veto power, it will take 14 decades; it will take 14 decades for British Columbia to become equal to the province of Quebec. That means that in the year 2120 British Columbia will become equal with two other provinces, even though the population of the province of Quebec by that time may have dropped to 20 or 18 per cent. One hundred and forty years from now British Columbia will have made it.

The hon. member for Cowichan-Malahat-The Islands (Mr. Manly) says this is a great Constitution. How long is British Columbia supposed to wait to become an equal partner in confederation? The proportions I have given hold true only if the rest of the population remains constant. If the population in other provinces grows, however, then British Columbia will have to wait another 25 or 40 or 50 or 200 years. So, by the year 2180, assuming that all provinces experience growth, British Columbia will become an equal.

I say to my colleagues who come from the province of Quebec, it took you 114 years to achieve the kind of equality you want to enjoy, and I applaud the fact you are achieving that—I am happy for you—but British Columbia has been waiting 110 years. Do you want us to wait another 140 or 200 years under this amending formula? Is that your concept of fairness?

Members of the New Democratic Party applaud the Constitution even though my friends from British Columbia have been called upon to represent the interests and needs of that province and to make sure it enjoys the full benefits of confederation, as does any other province. They are saying this

is a good deal for British Columbia, even though we will have to wait 200 years. My friend, the hon. member for Kootenay East (Mr. Parker), laughs but I wonder if his constituents who are waiting for full partnership are laughing. British Columbia wants to be a full member of confederation.

The proportions I have given tonight rest on the assumption that population growth remains stable in the rest of Canada. British Columbia does not want full partnership at the expense of the other three western provinces. Under this amending formula British Columbia can form 50 per cent of the western population with one other province but no other western province can do that.

Under this amending formula Prince Edward Island, with a population of 120,000—which is less than in my own constituency where there are about 175,000 people—is now an equal with all the other maritime provinces. I am happy about that, but in the process Prince Edward Island with 120,000 people has gained more power than the 900,000 people in Saskatchewan and more power than the 900,000 people in Manitoba.

An hon. Member: One million.

Mr. Friesen: One million. Is this fairness? Alberta has over two million people and Prince Edward Island with 120,000 people has a power equal to or greater than the province of Alberta. Members opposite say this is a fair Constitution? My friends in the New Democratic Party say this is a good Constitution.

● (2150)

An hon. Member: Not all of them.

Mr. Friesen: That is the New Democratic Party.

An hon. Member: Minus four.

An hon. Member: That is socialist justice.

Mr. Friesen: I took both a sense of pleasure and pain when I watched the news conference on television last night conducted by four members of the New Democratic Party. I applauded and I felt the anguish they felt. It was not an easy thing for them to do, to maintain party loyalty and to stand for principle. I do not belittle that at all. I admire the stamina and the integrity of these four people. In the news release one of them said this:

I want to turn for a moment to the amending formula. It is a particular denial of co-operative federalism when the amending formula now before Parliament includes two key features that have never been discussed at federal-provincial constitution conferences within the past decade.

I admire that kind of integrity and that kind of honesty. I wish to God we had 12 members of the New Democratic Party from British Columbia who had that kind of integrity. What about the hon. member for Vancouver-Kingsway (Mr. Waddell), the hon. member for New Westminster-Coquitlam (Miss Jewett), the hon. member for Mission-Port Moody (Mr. Rose), and the hon. member for Comox-Powell River (Mr. Skelly) and the hon. member for Burnaby (Mr. Robinson)? Where are these British Columbians who are supposed to be looking after the interests of British Columbia? They have been voted for and called to this House to look after the interests of the people of British Columbia.

Mr. Blackburn: No, the people of Canada.

An hon. Member: They are in bed with the Liberals.

Mr. Kempling: Make a speech, Blackburn.

Mr. Friesen: I said at the outset that the ingredients in the foundation have to be consistent and they have to be clean.

Mr. Andre: Western Canadians don't count.

Mr. Friesen: The amending formula is bad because we are entrenching unfairness into it. It is wrong.

Second, the unwelcome ingredient we do not need, the ingredient which will destroy the foundation, is such that we are entrenching an illusion. I recall that the representative from the Canadian Civil Liberties Association who came before the constitutional committee said the charter of rights in that form, admittedly somewhat amended and improved now, was a verbal illusion. That was what he called it, and that is what it is. When I first read the Constitution and looked at the charter, I looked at the provision. Seemingly it had all of the ingredients of a charter of rights as we usually think of them, and as we read them the French or the American charter, for example, but something was bothering me about it. I could not understand what it was, but I had a gnawing feeling that something was wrong. Then I began to look at the language of the charter, in other words, the grammar of it. Whether or not there is a direct speaker, every writer has a speaker. Every writer, whether the speaker is identified, puts a speaker into that piece of writing. If the speaker is not identified, you find the speaker in the style of the writing. As an example, let us take the American bill of rights, the first amendment passed ten years after the original constitution was written. We find in Amendment I:

Congress shall make no law respecting an establishment of religion,—

Let me repeat that: "Congress shall make no law." Who is being addressed? Who is being spoken to in that amendment? It is the Congress, it is the government who is being spoken to. Who is speaking to the government? The people are speaking to the government.

Some hon. Members: Hear, hear!

Mr. Friesen: The language of the American bill of rights indicates clearly that the people are the ones who have all the rights, all the privileges and all the power except those that they assign to the Congress. They have the residual powers.

I might add there is another aspect of this style in the American bill of rights. In Amendment VI we find the following:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial,—

Notice the emphatic form of the words "shall enjoy."

Let me turn to the proposed charter here in Canada. I read in Clause 2:

Everyone has the following fundamental freedoms—

Who is spoken to? The citizens are the ones being spoken to. If the citizens are the ones who are being addressed, who is doing the speaking? The government is doing the speaking. It is the government, the state, that is giving the powers to the individual, except those it wants to keep to itself. That is just the opposite to the American bill of rights.

Notice the passive form of the verb "has" in the Canadian charter whereas. The American one says "shall enjoy." What is so important about this? The one who is extending rights is the real owner of those rights. The one extending those rights has the real power. If he has real power, he can take the rights away.

The people have the power in the United States. They can also take away the power. That has been done. The U.S. has worked a formula into the Constitution itself by which the American people can take powers away from the government. This is known as initiative and referendum. The one extending the powers owns them and can take them away. The Canadian charter by the very wording of it, means that the central government, which says it will assign certain enumerated rights and privileges to the people, can also take them away.

Someone mentioned the Russian constitution. I have a copy here. The language in it is in the same passive form: "every citizen has the right." We know that the citizens of the Soviet Union have had their rights taken away, because the government enjoys all the rights anyway.

An hon. Member: The Canadian and the Russian are the same.

Mr. Friesen: I heard the hon. member. I wish he would repeat it.

• (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

[*English*]

THE ENVIRONMENT—NIAGARA RIVER SOURCE OF GREAT LAKES POLLUTION

Mr. Jesse P. Flis (Parkdale-High Park): Mr. Speaker, I rise concerning the question I posed in this House to the Parliamentary Secretary to the Minister of State for Science and Technology and Minister of the Environment (Mr. Simmons) on Monday, February 16, 1981, regarding the Niagara River as one of the greatest sources of Great Lakes pollution.

This deadly problem concerns not only those in the Niagara River vicinity, but all Canadians, and it must be dealt with immediately.

I should like to congratulate the hon. member for Niagara Falls (Mr. MacBain) who is listening to this debate and who was one of the first to raise this troubling matter during this session of Parliament on November 19, 1980. At that time the hon. member asked:

Will the Government of Canada ask the government of the United States to take the necessary steps to reopen the recently completed SCA hearings, in light of the new evidence concerning quantities of TNT recently located on . . . the Niagara River from Niagara Falls, Canada?

I know the efforts the hon. member for Niagara Falls has made and is continuing to make to keep on top of this issue. His representations to the Prime Minister (Mr. Trudeau), to the Minister of State for Science and Technology and the Minister of the Environment (Mr. Roberts), to the Secretary of State for External Affairs (Mr. MacGuigan), and to the IJC are commendable. Indeed the hon. member recognized, as we all must, that a problem of a severe nature exists in the Niagara area, which must be solved.

An editorial which appeared in the Toronto *Sunday Star* on February 15, 1981, prompted me to raise my question with the minister, as it too had seen the urgency of this matter. Indeed, the International Joint Commission which oversees the Canada-U.S. Great Lakes water quality agreement stated that the Niagara River remains a dangerous cause of pollution in the Great Lakes.

The commission in fact urged governments on both sides of the border to give this problem top priority, to try to eliminate the known sources of contamination—organic, chemical, and metal wastes—which are being dumped into the system, as well as preventing future contamination.

There are deep concerns over the amounts and variety of pollutants which are being dumped into the system daily, including such toxic substances as lead, arsenic, copper, mercury, PCBs and many others. The major contributors are the chemical and industrial sites along the banks of the river, as well as the added absorption of sewage wastes from both New York State and Ontario.

A New York State sewage plant on the upper Niagara, for example, is currently dumping vast amounts of sewage directly into the river and has been doing so for some time. It is this type of blatant action which must be curtailed. There are some fears that contaminants from many of the chemical waste sites along the river, such as from the Hooker Chemical Company, are seeping into the soil and creating further dangers. The *Star* reported, and I quote:

SCA Chemical Waste Services is currently before the American courts in a battle to continue dumping millions of gallons of chemical wastes into the Niagara yearly.

The Niagara River system provides drinking water to the cities and citizens along its banks. Also it provides water for irrigating crops which produce much of the fresh fruit and

produce marketed to Canadians in all parts of the country. It has now been shown to be in danger of a disastrous overloading of various highly toxic wastes, many of which are known to be lethal to man.

One must stop to think what long-term and short-term effects these chemicals and contaminants will have on the health of the people who now live near the Niagara and future generations who will continue to make their homes there. Stronger measures must be taken now in order that we may protect these Canadians and preserve that which we will hand down to our children in future generations. We must ensure that the Niagara is not subjected to these great amounts of pollutants in the future, in order to preserve and protect our children's futures.

● (2205)

What can the Canadian government say it is doing to solve this problem and to protect the wellbeing of its citizens? It is imperative that all levels of our government work together in a concentrated effort to clean up these sources of pollution to the river and prevent further disintegration of the system from new sources.

But this is not enough. The Canadian government must work with the government of the United States in a joint venture and in a bilateral effort in order for any serious changes to work. Canada and the United States, as signatories to the Great Lakes water quality agreement, have the tools for co-operation and must continue to work together toward reducing the influx of pollutants into our Great Lakes. Without this joint concern and co-operation, all of our efforts are fruitless.

It is surely not too late for us to act upon these problems. Surely we can reverse the present levels of contamination into the Niagara River and subsequently into the Great Lakes.

I should like to congratulate the Toronto *Sunday Star* for drawing this serious problem to the attention of Canadians. Its editorial motivated me, as a Member of Parliament, to raise this issue in the House of Commons. No government can ignore these problems or their effect on our society and we, as concerned Canadians, must endeavour in every possible way to eliminate such destruction of our natural resources.

Canadians have a right to know what constructive action the governments on both sides of the border have taken and plan to take in the future to clean up all sources of contamination along the Niagara River and the Great Lakes.

I am a little disappointed that opposition members on the Conservative side are poking fun at such a serious problem. Shame!

Mr. Hnatyshyn: It is a good thing you don't read the *Toronto Star* comics.

Mr. Kempling: He is on the comic page anyway.

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker, first I want to congratulate my good friend, the hon. member for Parkdale-High Park (Mr. Flis), for raising this issue and also my good friend, the hon. member for Niagara Falls (Mr. MacBain), for having pursued the issue over a number of months. This is an issue which concerns all of us in this House.

The International Joint Commission report on pollution in the Niagara River contains quite a number of specific recommendations for joint U.S.-Canadian programs. These recommendations include the establishment of a comprehensive and co-ordinated study of the total Niagara River system, including the identification of sources of contaminants, implementation of control programs and monitoring their effectiveness.

These major recommendations have already been acted upon for some time. Environment Canada has had a comprehensive surveillance and monitoring program in the Niagara River for many years. This program was strengthened in 1979, with the result that the Niagara River is the most intensively monitored portion of the Great Lakes system today. As a result of this effort, a federal-provincial report on the environmental quality of the Niagara River was released in 1980. I am pleased to note that the IJC has relied heavily on the data compiled by Canadian agencies in its report.

As early as last April, Canadian federal and provincial officials met with officials of New York State and the United States Environmental Protection Agency to work jointly on identifying specific sources of contaminants to the river and on the development of controls and monitoring requirements. More recently this co-operative effort has taken shape, as the Niagara River Toxics Committee is charged specifically to map direct and indirect discharges to the river and waste disposal sites suspected of having an impact in the area, to undertake an over-all assessment of the total pollution to the river, to advise on reported controls and to evaluate their effectiveness.

The International Joint Commission is also concerned about any additional discharges to the river which would increase the input of contaminants not only to the river but also to Lake Ontario. This has been our concern for some time now, and it is for this reason we have urged that SCA discharges not take place until its existing problems upstream have been adequately resolved. The Minister of State for Science and Technology and the Minister of the Environment (Mr. Roberts) has addressed this issue with American officials on a number of occasions.

Finally, Environment Canada is paying particular attention to the difficulties being experienced on the U.S. side of the river. We are actively encouraging investigations into past disposal practices and into resolving existing discharge problems, especially with respect to the Niagara Falls, New York, sewage treatment plant.

Once again I thank the hon. member for Parkdale-High Park for bringing this matter to the attention of the House.

Adjournment Debate

FITNESS AND AMATEUR SPORT—OTTAWA "CITIZEN" INDOOR GAMES—ALLEGED PAYMENTS TO PARTICIPATING ATHLETES

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, I am very interested in the fact that the hon. member for Parkdale-High Park (Mr. Flis) raised his question. All of us in this House know the reason for our having the late night show is dissatisfaction on the part of hon. members with the responses they receive from the government or with the actions of the government respecting the issues in question.

● (2210)

I fully understand why the hon. member for Parkdale-High Park would be irate at the fact that the government is not taking any action on this issue. It is on the same basis that I am now raising my question because I was very dissatisfied with the response I received from the Minister of Labour (Mr. Regan), who is responsible for amateur sport in this country.

The background is simply this: there have been reports in the press with respect to payments by the Ottawa *Citizen,* the one newspaper remaining in Ottawa, our national capital, to amateur athletes participating in the Ottawa *Citizen* Indoor Games.

There are two aspects which have caused me some serious concern. One is the whole question of where we are going in terms of amateur sport, and the other is the reports which have been forthcoming, and not denied by the newspaper, about an attempt to suppress the reporting of this particular story by a reporter employed by *The Citizen.* This is a matter of great concern in Canada today. The Kent commission is investigating the monopolistic tendencies of the newspapers in our country. The one-newspaper town is becoming a reality in more and more cities across Canada, and this is a very delicate issue to which we must address ourselves.

We should discuss in Parliament whether there is going to be a proper balance in terms of reporting and whether one-newspaper towns will have that balance where there will be freedom of reporting and disclosure of information, regardless of whether the newspaper involved is what I consider to be a commercial enterprise.

I know the management of the Ottawa *Citizen* has indicated that this event is not a commercial endeavour. There have been reactions to the fact that I raised this matter in the House of Commons and suggested that the Ottawa *Citizen,* according to the editor, lost something like $80,000. But let us face it, this particular indoor track meet, which is very popular and successful—and I hope it will continue—is a promotion by the Ottawa *Citizen* the same as the promotions one finds in the brewery business or the cigarette business, and the fact that the *Citizen* does not break even and loses money is a price the newspaper pays for this promotion. To suggest that it is not a commercial endeavour is, I think, not as close to the actual facts as one would hope, in view of the response from the editor of the Ottawa *Citizen.*

The Minister of Labour, who is responsible for fitness and amateur sport in Canada, said he will not investigate this matter. I find this to be a curious business. I do not wish him to be the policeman of amateur sport. That was not my purpose in asking him to look into this matter. But the minister responsible for amateur sport is the person in cabinet designated to disburse a substantial amount of money to amateur athletics across Canada. It seems preposterous for the minister to say he is not going to look into the matter at all, that he is not responsible for this and has no interest in it, when I am sure the taxpayers of Canada would be very interested to know who is in receipt of these funds.

● (2215)

In terms of the minister's properly administering his department, it would seem to me that he would want to know exactly the nature of guidelines set by the organizations which are funded by the department. I suppose that was the point I was making to the Minister of Labour. It is his responsibility as a custodian of taxpayers' money to find out exactly what is happening in terms of the organizations and associations to which he is disbursing funds. That question remains unanswered by the minister.

I was more satisfied with the response of the Minister of State for Multiculturalism (Mr. Fleming), to whom the Kent commission is reporting. He responded in the House that the matter would be brought to the attention of the Kent commission. Subsequently I received a telephone call from his office assuring me that this matter was brought to the attention of the Kent commission, that is, the whole concern of suppressing news stories by the Ottawa *Citizen* or newspapers involved in commercial enterprises. The Minister of State for Multiculturalism has assumed his responsibility to have this matter looked into and to ensure that this aspect is investigated so that there will be a balance in Canada and we will not have a one-newspaper town subjected to coercion, or whatever one wants to call it, by the publisher or the editorial staff, as apparently took place, on the face of it, in this particular instance.

I should like to refer to an article by Julia Turner which appeared in last Saturday's edition of *The Globe and Mail,* in which she pointed out that Tim Harper, a reporter for the Ottawa *Citizen,* made a telephone call to follow up on a tip he received about these payments and was told by the senior editor that the matter was to be dropped. In a meeting on Thursday to explain why the story was dropped the sources said that the newspaper admitted to the payments.

I should like to conclude on this note: the Minister of Labour has a responsibility to find out whether this is an isolated incident or whether it is widespread in terms of the disbursement of funds. I simply ask the parliamentary secretary if he will respond by indicating why the minister is refusing to take any action in this regard.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, the Ottawa *Citizen* Indoor Games are organized and sponsored solely by the Ottawa *Citizen.* They have been held annually for the past four years at the Civic Centre, which is located in my riding of Ottawa Centre. Quite frankly, the games have been a great success. Whether or not they have been a profit-making ven-

ture by the Ottawa *Citizen*, I think they have contributed greatly to the ability of my constituents and others who visit the national capital region to see first-class amateur athletics. The meet about which we are talking tonight was sanctioned by the Canadian Track & Field Association, the national governing body for track and field in Canada.

As to the question of payments to some athletes which the hon. member for Saskatoon West (Mr. Hnatyshyn) raised, both Canadian and foreign athletes who have participated in these games or in similar games in Canada have received a great deal of attention in the media over the past week or so. The Ottawa *Citizen*, the sponsor of the games, and the Canadian Track & Field Association, the national governing body, have both stated publicly that any expense payments were made in accordance with established practice and were for expenses only.

The responsibility for the matter of the amateur status of Canadian athletes rests with the Canadian Track & Field Association. It is not intended to have departmental officials investigate these allegations, as it is not the responsibility of the department.

● (2220)

NATIONAL ENERGY PROGRAM—FINANCIAL EFFECT OF PROPOSED OIL INDUSTRY NATIONALIZATION

Mr. Bill Wright (Calgary North): Mr. Speaker, on January 20, I rose in the House and asked a short question of the Deputy Prime Minister and Minister of Finance (Mr. MacEachen). The essence of my question was what it is costing Canadians to buy oil companies and, second, whether there is a saving to Canadians. Unfortunately, the Minister of Finance was not able to answer me at that time. Hopefully, the parliamentary secretary will be able to do so tonight.

I would like to review some of the financial aspects from which I drew my question. The national energy policy states that the dividends paid to foreign countries in the past year has been approximately $600 million. We also know from the national energy policy that the government wishes to reduce foreign control from 70 per cent to 50 per cent. That means 20 per cent of $600 million is $120 million in dividends which Canadians will save each year. That is all they will save, and no more. With my background in investments it is not hard for me to calculate what we are really talking about in share prices.

I am sure the parliamentary secretary will confirm my figures when I say that the average oil company in Canada trades at 50 times its annual dividends. It is simple to take $120 million and multiply it by 50. You get $6 billion, which is the initial cost to Canadians. So, we will save $120 million a year but will have to pay a minimum of $6 billion. Unfortunately, this is only the start of my story.

When we look at Pacific Petroleums, we see it was bought at 50 per cent above its market value. When we look at Petrofina, we see that it was bought at over 100 per cent above its market value prior to take-over rumours. If you take these figures and start breaking them down, you come up with some very startling conclusions. To begin with, we have a figure of $6 billion as a minimum amount, which will be the cost to the Canadian people. But we have Pacific Petroleums, for which we paid a premium of 50 per cent over the market value, which brings us up to $9 billion. Then we have Petrofina, for which I said we paid a 100 per cent premium, which now brings us up to $12 billion. I would like to go on a little further and then come back to this, since a strange thing comes out of it.

We know from the National Energy Board that we consume approximately 1,850,000 barrels of oil a day in Canada. We know that the Canadian ownership account will tax us up to a maximum of $4 a barrel. If you multiply the barrels of oil per day by the number of days in a year, you come up with a figure of $2.7 billion for which the Canadian government can tax Canadians. This money could go out of the country. No one can stop it from doing so. You and I know, Mr. Speaker, that if we have X dollars to buy something—and we know what the current interest rates are—we can calculate how much we will pay for a product.

I would like to come back to what I said before. If we pay $6 billion for these oil companies, the cash flow which Canadians will be taxed on, which is money leaving the country, will be $1.1 billion. Part of my question dealt with that matter. If the amount we pay is $9 billion, it will go up to $1.7 billion in cash flow that Canadians will be taxed on each year. But what if the cash flow is $2.7 billion upon which we are taxed? How much can we buy with that? Knowing current interest rates and knowing that Canadian National, to use an example, can borrow at 14 per cent, with probably a 20-year bond issue, with that cash flow of $2.7 billion we could afford to purchase Canadian oil companies up to the amount of $16 billion. I have been trying to find out what it will cost Canadians. I am now saying it will cost Canadians a minimum of $6 billion and probably up to $16 billion. Anyone who wants to buy any firm or industry should know what they are prepared to pay for it. I want to know from the parliamentary secretary what the government is prepared to pay. How much money is the government prepared to export just to get a state-owned oil company? What will it cost Canadians? How will the government stop these funds from leaving the country? I would like the parliamentary secretary to answer that.

● (2225)

Of all the money involved, not one dollar will improve our oil situation. The government says it wants self-sufficiency by 1990. In 1974 the Prime Minister (Mr. Trudeau) stood in this House and said we will have oil self-sufficiency by 1980. We do not have self-sufficiency, and the province of Alberta is saying by 1990 we will be importing three times the amount of oil now imported. Somebody is not telling the truth.

We know what the Prime Minister said in 1974, we know what the Alberta government said in 1974 and only the Prime Minister of Canada can be proved wrong, certainly not the province of Alberta.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, it was very interesting to listen to the analysis of the hon. member for Calgary North (Mr. Wright), especially with regard to his estimation of the value of securities and how they achieve their value. He seemed to imply, and I think *Hansard* will indicate this, that it is the value of current dividends that determine the value of shares. I hate to disillusion the hon. member, but I used to teach people like himself who were in the investment business—

An hon. Member: There goes his credibility.

Mr. Evans: —and at that time the value of shares was based upon the present value of future dividends, not current dividends, and if you talk about future dividends, you are saying that the cash flow of the firm in the future determines its value.

The hon. member asks how much we are prepared to pay. It depends on the estimate of the future cash flow and dividends. And when he says we cannot stop money from flowing out of the country in a nationalization or Canadianization program, whatever he wants to call it, he is right. When we or a Canadian company buys the assets of a foreign multinational, certainly there is always the chance those funds will leave the country, but the alternative is that if foreign ownership is retained, then dividends will flow out of the country in perpetuity, and if the system works as the hon. member and I both agree it should, then the present value of the dividends leaving the country will equal the present value of the money that is leaving the country as the purchase price.

All we say is that by improving Canadian ownership we are getting a bigger control of our own resource base in Canada. Canadians should participate more in the control and management of resources in Canada. That is the purpose of the Canadianization program, and the price being paid for those assets, as it was with Petrofina, is a fair price, as analysts have indicated, and reflects the value of the benefits that Canadians will receive from those assets in the future.

An hon. Member: Nonsense. State control; no benefits at all.

Mr. Evans: Thank you very much, Mr. Speaker, for the opportunity to respond to the hon. member.

Mr. Deputy Speaker: Order, please. The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 11 a.m.

At 10.29 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Friday, February 20, 1981

The House met at 11 a.m.

● (1105)

ROUTINE PROCEEDINGS

[*English*]

THE CONSTITUTION

SUGGESTED RECONSIDERATION OF GOVERNMENT PROPOSALS—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. The bad news for the government is that 64 per cent of the Canadian people have been joined by the Premier of Saskatchewan and four members of the NDP in opposing the government's constitutional package. But the good news for the government is that Russia's *Pravda*, the official voice of the Communist party, has come to the Liberal party's rescue and lashed out at those who oppose the Liberal party's constitutional policy as reactionaries. I move, seconded by the hon. member for Halton (Mr. Jelinek):

That, in this case, the government listen to us so-called reactionaries and reconsider both the process and the substance of its constitutional proposals.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENERGY

SUBSIDIZATION OF UNITED STATES MOTORISTS BUYING CANADIAN PETROLEUM—MOTION UNDER S.O. 43

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, I rise under the provisions of Standing Order 43. Given the latest figures which show the number of American motorists crossing the Canadian border to buy Canadian gas has risen to the point where some 24,000 cars crossed into Canada in a single day over the Peace River bridge at the Fort Erie-New York border crossing, and that these trips have increased by 60 per cent over 1980, I move, seconded by the hon. member for Huron-Bruce (Mr. Cardiff):

That this House call on the Minister of Energy, Mines and Resources to determine what the total cost to the Canadian taxpayer is for subsidizing the U.S. motorists gassing up in Canada, which must be in excess of $100 million a year, and that he make a statement as to what action the government will be taking to correct this situation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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CITIZENSHIP AND IMMIGRATION

TREATMENT OF RAMNARINE FAMILY—MOTION UNDER S.O. 43

Mr. Derek Blackburn (Brant): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. On February 18 the Ottawa *Citizen* published an account of the treatment accorded a Canadian citizen, Mr. Ramnarine, a resident of my constituency, whom I have been trying to assist in bringing his wife and family to Canada since 1978. Immigration officials have managed to delay and bungle this attempted reunion so often that the family of seven are now on their fourth set of medicals. I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That this House order the Minister of Employment and Immigration to provide all facilities necessary to ensure that this family be granted visas prior to the expiration of their fourth set of medicals, and that immigration officials responsible for the grossly incompetent manner in which this case has been handled be severely reprimanded, and full disclosure of the details of this mess be provided to this House.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL ENERGY PROGRAM

SUGGESTED WITHDRAWAL OF BILL C-48—MOTION UNDER S.O. 43

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I too rise under Standing Order 43 to propose a motion. Having regard to the fact that the government's energy policy, as outlined in Bill C-48, now before the standing committee, is already showing serious dilatory effects on further exploration and development of new resources, and since provisions of Bill C-48 are clearly in contravention of certain

international agreements under GATT, I move, seconded by the hon. member for Western Arctic (Mr. Nickerson):

That the government withdraw the present bill and immediately replace it with legislation, clearly designed with the aim of achieving energy self-sufficiency, and with sufficient safeguards to assure not necessarily government but Canadian ownership and control, without the Draconian measures contained in Bill C-48.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1110)

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Len. Gustafson (Assiniboia): Madam Speaker, I rise under the provisions of Standing Order 43. Given the fact that the government accepted the responsibility to pay farmers for profit lost due to the embargo on grain to Russia amounting to over $60 million, I move, seconded by the hon. member for Kindersley-Lloydminster (Mr. McKnight):

That the Prime Minister direct his minister to pay the farmers immediately.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PROVINCIAL AFFAIRS

STATE CONTROL EXERCISED BY ALBERTA—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact the Alberta government has moved heavily into state ownership with such grabs as Pacific Western Airlines and Alberta Energy Corporation from the private sector, and has now put Neptune terminals of Vancouver, 1,000 hopper cars, and three large inland grain terminals, under Alberta Tory state control, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the creeping socialism and state control exhibited by the Tory-Lougheed administration be heralded by this House as a prerequisite for nomination to the Socialist International, and that these actions set the stage for Grant Notley to be the next premier of Alberta.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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STATUS OF WOMEN

SPEAKING ENGAGEMENT OF SECRETARY OF STATE FOR EXTERNAL AFFAIRS—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The Secretary of State for External Affairs (Mr. MacGuigan) is going to Britain in March to press the government's case for a charter of rights which purports to guarantee equality between men and women in Canada, yet the principal forum in which the minister intends to speak on the issue is the Canada Club in London that bars women from membership. Therefore, I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That the Secretary of State for External Affairs recognize such total inconsistency and cancel any speaking engagement which takes him to a forum that treats women like second-class citizens.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

PRESERVATION OF HUMAN RIGHTS IN LATIN AMERICA—MOTION UNDER S.O. 43

Mr. Douglas Roche (Edmonton South): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the reports today in El Salvador that the United States is intervening in the affairs of that country in an effort to cut off political opposition to the present government, and in view of continuing grotesque violations of human rights within El Salvador, I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That the Prime Minister impress upon U.S. President Reagan, during his visit to Ottawa in March, Canada's strong support for the preservation of human rights in Latin America.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

LABOUR RELATIONS

ACTION TAKEN BY ONTARIO HOSPITAL BOARDS—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Broadview-Greenwood (Mr. Rae), I move:

That this House deplores the vindictive action of a number of Ontario hospital boards in suspending 2,500 hospital workers and firing 28 unionists, an action completely out of line with modern management labour practices and one that is inimical to the provision of health services, and that this House calls for the immediate reinstatement of all of these workers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

EL SALVADOR—POSSIBLE UNITED STATES MILITARY INTERVENTION—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, in light of reports from the United States Congress that it now has bipartisan support for increased military aid to El Salvador; in light of the statement by Senator Charles Percy, chairman of the Senate foreign relations committee, that he will not rule out the use of United States troops in El Salvador; and since Canada is a signatory to the United Nations Human Rights Declaration and a partner with Mexico in seeking non-military means to resolve the situation in El Salvador, I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That this House direct the Prime Minister, during his meetings with President Reagan, to explore every opportunity of settlement of the El Salvador situation without involving military intervention by the United States armed forces.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1115)

ORAL QUESTION PERIOD

[*English*]

NATIONAL ENERGY PROGRAM

QUERY RESPECTING MINISTER'S MEETING WITH AFFECTED INDUSTRIES

Mr. Harvie Andre (Calgary Centre): Madam Speaker, my question is for the Minister of Industry, Trade and Commerce.

In a submission to the National Energy Board last week major consumers of energy, such as the Canadian Manufacturers' Association, the Canadian Pulp and Paper Association, the Canadian Institute of Public Real Estate Companies, and a number of other associations stated they recognize that the number one problem with the government's National Energy Program is that it jeopardizes our security of supply. They also made the point that the industries they represent are being seriously hurt by the National Energy Program in two ways. The first is, because of the slowdown in exploration and development of the major projects, which is hurting them now and will hurt them more as the year progresses. Second, they say that their future security of supply is in jeopardy with serious consequences for industry.

Since the minister is responsible for the industries represented by these associations, has he had a meeting with these industries to determine first-hand their concern so that he might better represent their interests around the cabinet table when changes in the energy program are discussed?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, last week I met with a delegation from the Canadian Manufacturers' Association and reviewed this aspect with them, along with a number of other aspects. I am satisfied the program we have put forward is directed in a way which is in the best interests of the Canadian manufacturing sector and Canadians generally, strengthening our industrial base and developing self-sufficiency in energy. If there is to be further adjustment in this area I think that while we are certainly ready to have discussions, if there is a slowdown in activity one must also look for the appropriate response from the government of Alberta, as the Minister of Energy, Mines and Resources has pointed out.

Mr. Andre: Madam Speaker, the Minister of Industry, Trade and Commerce, along with the Minister of Finance and the minister of energy, basically dismisses the entire Canadian business community which says that this program is damaging, and damaging now. It is the view of the associations which represent industries primarily located in Ontario and Quebec that the economies of those provinces will be seriously hurt this year as a result of the National Energy Program and that they will be put in serious jeopardy in the future because security of supply will not be met by this program. Has the minister at least discussed this possibility with his counterparts in the governments of Quebec and Ontario to ascertain if, in fact, there are other people besides himself who share the view that the entire industry is wrong? Will he take the initiative to discuss this with his counterpart in the province of Ontario so that he may be apprised of the real situation?

Mr. Gray: Madam Speaker, I am certainly looking very carefully at what the Canadian Manufacturers' Association has said. I am always ready to have an exchange of views on these matters with my provincial counterparts, although our counterpart in Ontario is rather busy right now in another area of activity.

But I certainly touched on this, and a number of areas of joint interest, for example, when I was in Winnipeg earlier this week with my Manitoba counterpart. I am very interested in the potential for industrial development which I am convinced is there to be achieved through the implementation of our National Energy Program. Along with our own willingness to discuss the situation I think there must be an equivalent willingness on the part of the government of Alberta, since they are the ones refusing to proceed with major projects. It is not the federal government which is refusing to proceed.

Some hon. Members: Oh, oh!

ROLE PLAYED BY GOVERNMENT OF ALBERTA

Mr. Harvie Andre (Calgary Centre): Madam Speaker, my supplementary question is also for the Minister of Energy, Mines and Resources. Is the minister telling the House that he feels the government of Alberta is primarily responsible for the health of Canada's manufacturing industries and for the concerns of the industries represented by such organizations as the Pulp and Paper Association of Canada? Is that what the minister is telling the House? Would the minister please explain how it is that virtually the entire business community in Canada, not just the oil and gas industry but all of those who make daily investment decisions with regard to their future, has reached the conclusion that the energy program is disastrous? Could the minister tell me on what basis he reaches a contrary view?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, it is the hon. member who has reached certain conclusions. I am certainly prepared to consider very carefully what these organizations have said. But the most interesting point in the hon. member's question is the implication that he believes we should be taking a position of leadership, in terms of management and direction of major projects, rather than the government of Alberta. I hope he will explain that to his colleagues in Alberta.

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● (1120)

PETRO-CANADA

PREMIUM PAID ON ACQUISITION OF PETROFINA

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. Yesterday, in answer to my question concerning the premium paid on the Petrofina acquisition being lower than the North American average for similar types of transactions, he said it was 37 per cent as against 56 per cent on similar transactions. In saying that he made the point that I have been trying to make over the past two or three weeks; he has established the premium of 36 per cent on the price of $87.50 which was the price at the time of the takeover and not the price at which the shares had been trading before all the leaks over the past few months began occurring.

In view of the fact the price was $60 when rumours of a takeover occurred, and I remind him of the chart I showed him yesterday, how does he justify a 100 per cent premium in comparison to the 56 per cent North American average referred to in his answer?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, when I referred to the 56-57 per cent premium, it was a premium paid over the price of the shares at the time the takeover took place, and I compared apples with apples, contrary to what the hon. member is trying to do. I would invite my hon. friend to consider the facts. The important thing is what is the company's worth.

The overwhelming consensus of investment analysts who have commented on this is to the effect that Petro-Canada paid a fair price and no more, and that has been substantiated by outstanding analysts right and left in the investment community.

An hon. Member: Mostly left.

Mr. Lalonde: The decision taken by the management of Petro-Canada was based on information gathered from expert consultants they hired, so it was a good business decision, as were the decisions taken in the last two takeovers which were also condemned at the time by the Conservatives and which proved to be excellent deals for Canadians on all counts.

Mr. Wilson: Madam Speaker, using the minister's own figures, the 100 per cent premium that is clearly there, I show the minister the trading range of BP Canada, another candidate for acquisition, and the trading range of Petrofina which has gone through the roof as a result of the rumours resulting in the clearly exorbitant premium of 100 per cent compared to the minister's normal figure of 56 per cent. In view of that will the minister now acknowledge that the leaks which forced the price up to $87.50 when the deal was completed, have cost Canadian consumers and taxpayers up to $300 million in added costs, and will he also cease being so defensive about this matter and order the management of Petro-Canada to report to him on how they are going to act in the future so that these leaks do not recur and cost Canadians these large amounts of money?

Some hon. Members: Hear, hear!

Mr. Lalonde: Madam Speaker, frankly, I do not feel any need to be defensive about this deal.

An hon. Member: It is not your money.

Mr. Lalonde: It has been and will prove to be an extremely good deal for Canadians, and I think my friend is in a very small minority in carrying on the old war of the Tories against Petro-Canada without any justification, and without support from the public.

As far as that particular deal is concerned, my friend should stop being so offensive in his innuendoes and implications. If he has evidence of leaks from Petro-Canada, let him state the facts and they will be investigated by the proper authorities. If he has evidence of leaks from Petrofina, then he should bring them to the attention of the securities commission concerned, and I am sure they will want to investigate them. That is the rule of the game, that is the law in this country. Once more, Madam Speaker, as far as this particular deal is concerned, I think Canadians support it and certainly the government does.

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• (1125)

AUTOMOTIVE INDUSTRY

APPLICATION OF REBATE PROGRAM FOR BENEFIT OF CANADIAN CONSUMERS

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, in the absence of the piano player my question is for the Minister of Industry, Trade and Commerce. It concerns the rebate program which is currently being carried on by General Motors, Ford, and Chrysler in the United States. Rebates of up to $1,800 are being offered on cars, many of which are produced in Canada. The president of Chrysler, Mr. Iacocca, known as the Ayatollah Iacocca, is reported as making a remark to the effect that March will be "a great month for car buyers. We're really going to hype the market." I should like to ask the minister why are GM, Chrysler and Ford not going to be "hyping" the market in Canada, particularly in view of the fact that just a week ago the minister made a deal with Chrysler. Can he not see that the benefits of this kind of arrangement should go to the consumers of Canada as well as those in the United States?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, I will seek further information about the way this rebate program is being applied. When I looked into similar matters in the past I found that similar or equivalent concessions were being offered in Canada but in a different form than those in the United States. I will check to see if this is the case in this instance.

It is interesting to note with respect to the announcement made about Chrysler, that the United Auto Workers issued a statement in which they endorsed the new operating plan proposed to the federal government by Chrysler Canada and agreed to by us last week. I think it is very important to recognize in this House that the workers, those whose jobs are most fully involved, support the agreement we announced last week.

Mr. Rae: Madam Speaker, that has nothing to do with the rebate program. I asked a very specific question with respect to rebates. Rebates have been going on for some time, and the minister comes to this House and says he will look into the matter. By the time he finishes looking into the matter the rebate program will be over. Rebates are only planned for the months of March and April.

INVESTMENT BY AUTOMOBILE COMPANIES IN CANADA

Mr. Bob Rae (Broadview-Greenwood): My supplementary question, Madam Speaker, is this: since the minister took over the portfolio of industry, trade and commerce and responsibility for the riding of Windsor West, he has promised the renegotiation of the Auto Pact, on which nothing has happened and he has promised other initiatives with the Japanese, and apparently nothing has happened on those. What exactly is he doing to ensure that Canadians will have a fair share of the new investment that will take place by GM and Ford in the years ahead? Can he give us a guarantee that we will have investment in Canada equivalent to our market share and that the marketing practices of the auto companies will be the same in Canada as they are in the United States, since they are getting such great benefits from the government and the taxpayers of Canada?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, my hon. friend should spend less time worrying about playing the piano and more time concentrating on the information provided to this House and the country about our efforts in the areas about which we are talking. We did begin with the previous United States government, as we promised, formal consultations on the operations of the Auto Pact. These discussions have continued and we will be pressing them forward with the new administration. As a result of our discussions with Japan, we have had responses from the Japanese industry in terms of major buying missions as well as the response from the Japanese government that it would be encouraging Japanese industry to respond positively to the type of action we want from the industry in terms of greater Canadian content here.

In our discussions with Canadian-based industry and through formal action we have taken steps which will lead, in the case of Ford, to the restoration of 1,300 jobs in the Oakville plant and the investment that is necessary there to have assembled in the Oakville plant a new front wheel drive fuel-efficient car. We have commitments by way of information from General Motors—

• (1130)

Madam Speaker: Order. Ministers, too, should try to keep their answers brief.

Mr. Rae: Madam Speaker, the minister said he would make a statement in the House on Chrysler. He has not done that. He said he would make a statement in the House on Massey-Ferguson. He has not done that. He holds press conferences. He is the minister for press conferences. He is not a minister responsible to this House telling the House what is going on here.

Some hon. Members: Hear, hear!

Mr. Rae: I do not need lectures from the minister telling me how to do my job. I have been in the House waiting for him to make statements.

Madam Speaker: Order, please. I must remind the hon. member this is question period. Would he ask a question, please?

Mr. Rae: My question to the minister is this: when is he going to make a statement in the House of Commons indicating what firm steps will be taken to guarantee Canadian shares, and to guarantee that Canadian consumers and Canadian workers will reap the benefits of the Auto Pact, rather than simply making statements outside the House as to what his intentions are over the next 25 years?

Mr. Gray: Madam Speaker, through answers similar to the one I was giving a few moments ago, I was giving this House concrete, definite information on the action we have taken to bring a fair share of investment to this country, to preserve and to add to jobs for Canadian workers. If my hon. friend would spend less time on mock indignation—

An hon. Member: Sit down.

Mr. Gray: —and more time listening to what concrete action we are taking, and what action we are going to take, he will be doing a better job than the one he claims he is doing for the people of Canada. At least, in doing what I am doing—

Madam Speaker: Order, please.

Some hon. Members: Hear, hear!

Mr. Gray: —I can demonstrate concrete action for Canadian workers, and that is more than he can do.

Madam Speaker: Order, please.

Some hon. Members: Hear, hear!

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PROVINCIAL BOUNDARIES

MAINTENANCE OF LABRADOR AS PART OF NEWFOUNDLAND

Hon. James A. McGrath (St. John's East): Madam Speaker, my question is for the Minister of Justice and Attorney General of Canada. The minister will know from today's press that a consortium has been formed in the province of Quebec called La Société de Développement Quebec-Labrador-Rigolet Inc., with the acronymn LABEC. That consortium has asked the government of Quebec for permission to claim much of the mineral, forest, oil and gas resources of the province of Newfoundland.

If you will bear with me, Madam Speaker. The government of Quebec, would seem to be tacitly approving of this claim based on an anomaly in the law whereby, for example, they claim the government of Quebec did not agree to the privy council boundary definition of 1927. They base that claim on the amendment of the Constitution of 1871 and the amendment of 1898, which gave to Quebec very much of the territory which is now part of the province of Newfoundland.

My question, Madam Speaker, is simply this: is the Minister of Justice and the Attorney General of Canada prepared to state in the House and reassure me, as he did in committee, that as the Attorney General of Canada he would be prepared to argue on behalf of Canada that the boundary between Newfoundland and Quebec, as defined by the privy council, of 1927, is and will remain the boundary between Quebec and Newfoundland?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I had to deal with that problem in committee. The government's view is that Labrador is part of the province of Newfoundland. Labrador is not part of the province of Quebec as it was established in 1949 when Mr. St. Laurent unilaterally accepted Newfoundland into confederation and recognized, in so doing, the border according to the Canadian Constitution. Probably Mr. Peckford would be well advised to look to the federal government as his friend. He should not stay in bed with Mr. Lévesque all the time.

Mr. McGrath: Madam Speaker, first, the minister should not try to deceive the House by saying that Mr. St. Laurent accepted Newfoundland unilaterally in 1949, because he knows that provision was made for Newfoundland's entry into confederation in 1867, and that it was agreed to by the partners at that time.

Some hon. Members: Hear, hear!

Mr. McGrath: There was no unilateral action. All the minister has to do is read Section 148 of the British North America Act.

An hon. Member: Read the Constitution.

Mr. McGrath: I notice the clowning Minister of Energy, Mines and Resources—

Madam Speaker: Order, please. I would ask members to co-operate with the Chair and please ask their questions. We are having too many speeches and lengthy preambles before the questions.

Mr. McGrath: Madam Speaker, perhaps it might be easier for us if ministers did not try to mislead the House during question period.

Some hon. Members: Oh, oh!

Mr. McGrath: The minister did mislead the House. However, my question to the minister is this. Is he prepared to state that the boundary established by the terms of union of 1949 shall remain? Just so there is no doubt in anyone's mind, is the minister now prepared—and this will go out as a signal of the position of the Government of Canada to this consortium in Quebec—to say to Newfoundland that you will exercise, as the

government, your constitutional authority and establish a corridor through Quebec so that Newfoundland's hydroelectric power can be transmitted to markets in New York? The minister has refused to grant that up to now, and he knows it.

Mr. Chrétien: Madam Speaker, we said we are willing to do for Newfoundland what we have done for any other province wanting to export natural gas, oil and so on to any other province using our federal power. In a letter signed by the Prime Minister of Canada to Mr. Peckford we said that we want to do that when there is a real contract and a real need. We all recognize it would be better for Mr. Peckford to try to make a deal with Mr. Lévesque, they are so friendly these days, but I am pleased to see that the premier and the hon. member know that we need a strong federal government to protect the interests of Newfoundland.

Some hon. Members: Hear, hear!

* * *

THE CONSTITUTION

QUERY RESPECTING TELEGRAM FROM BRITISH COLUMBIA ECCLESIASTICS

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, my question is for the Minister of Justice. The minister has received a telegram from the archbishop's office of the Archdiocese of Vancouver signed by all the bishops of British Columbia and the Yukon. It points out that the present proposed charter focuses almost exclusively on the rights of the individual as an existential entity and very imperfectly recognizes groups in relation to society. One sentence from the telegram reads:

In our opinion the imbalance between individual and collective rights in the proposed Canadian charter poses a threat to many groups and societies including the church and church related societies such as schools, hospitals and social agencies.

Does the minister share these concerns expressed by the archdiocese in British Columbia? If so, is he willing to stake his reputation, without qualification, on the statements he made in committee on this subject that the charter would protect group rights, such as churches, independent schools, hospitals and social agencies?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, these questions were answered in committee dozens of times. The Canadian charter guarantees rights and freedoms, but it also protects group rights. We made sure that the rights entrenched in the Constitution, for example, in some provinces the right to have confessional schools, will be well protected. We have also recognized in the Constitution the principle of muticulturalism in Canada. We have recognized the collective rights of the Indian people. I think that during the proceedings of the committee the three parties gave their unanimous approval to each of those items. We have maintained a very good balance between individual and collective rights.

[*English*]

QUERY WHETHER CHARTER OF RIGHTS COVERS UNBORN CHILDREN

Mr. Douglas Roche (Edmonton South): Madam Speaker, my question is for the Minister of Justice, to whom I sent notice, because I think all members in the House will be interested in the precision of his answer.

In the proposed charter of rights, Section 7 reads:

Everyone has the right to life—

Section 15 reads:

Every individual is equal before and under the law—

Could the minister clarify the meaning of those two sections with respect to the abortion question? When the government uses the words "everyone" and "every individual", does the government include the unborn child? Will the government take steps to ensure there is no ambiguity concerning constitutional protection for the rights of the unborn child?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, we dealt with that problem extensively in the committee. I hope the hon. member read the committee's report. We said that the question of abortion in Canada will not be affected by the charter of rights, that the question of abortion will be dealt with, as it has been in the past, through the Criminal Code. The Criminal Code has a provision about it. It is clear, and it is enforced by the provinces. The situation will remain the same. We do not intend to change the legal situation in Canada with regard to abortion. It will remain as it is now.

● (1140)

REPRESENTATIONS WITH RESPECT TO STATUS OF WOMEN

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I wish to direct my first question to the Minister of Justice. The minister has been meeting with representatives of the ad hoc committee on women and the Constitution as a result of their conference in Ottawa last weekend which was so successful. Has the minister given serious consideration to some of the improvements they would like to see made in the charter, for example, the use of the word "person" where "individual" is now used? Will he advise which particular improvements or additions it might be possible to introduce in the charter?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, following the representations made by the different women's groups at the committee stage, Clause 15 was amended to meet some of these requirements. They made other suggestions. As we are now in the final stage, the possibility of any change is not great. Some aspects were dealt with in committee and some of those were disposed of by the committee. We have already met many of these points but, as I told them, we will see whether it is

possible to make any further improvements. It is not possible to have a perfect charter. I repeat, I believe we met most of their points. If there is a possibility of more improvements, we will do our best to study all aspects of them. However, we are at the third stage of the resolution and the possibilities of amendment are quite limited.

VIEW OF MINISTER ON RECOMMENDATIONS RESPECTING STATUS OF WOMEN

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, the minister knows that the Prime Minister said these were probably worth-while additions. I will address my supplementary to the minister responsible for the status of women who has also been meeting with representatives of the ad hoc committee. Does the minister think these are worth-while additions that are being proposed and, if so, which ones is he pressing upon his colleagues?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, we are always pleased to meet with representatives of any women's group to talk about different positions and different points of view. Also, I am very pleased to pass on their representations to my colleagues in cabinet, which I will be prepared to do in these circumstances.

STATUS OF OPPONENTS OF GOVERNMENT'S CONSTITUTIONAL PROPOSALS

Hon. Jake Epp (Provencher): Madam Speaker, I would like to ask a question of the Minister of Justice. Is it the position of the government that Canadian citizens and Members of Parliament who oppose the government's constitutional proposals are citizens with less commitment to freedom and justice than those who support it?

Some hon. Members: Oh, oh!

Mr. Munro (Hamilton East): What a silly question.

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, that is a matter of debate. I would just say that I find it unusual for hon. members opposite to talk about being in favour of a charter of rights only if all the first ministers agree, when they know that in the case of the hon. member for Provencher the premier of his province said he will never accept any charter of rights in Canada. I therefore find that the hon. member is speaking out of both sides of his mouth, something I cannot do.

Mr. Epp: Madam Speaker, the Minister of Justice has not answered my question. The points he raised today have been matters of debate. I am asking him about a statement that arises directly from the Prime Minister's statement yesterday. The Minister of Indian Affairs and Northern Development says it is a silly question. Maybe it was a silly statement on the part of the Prime Minister. What I am asking the minister, for the integrity of Parliament is this: does the government support the position of the Prime Minister that those Canadians, Members of Parliament and members of the other place, who feel there is a better way to have constitutional amendment are not just as Canadian and do not want to protect freedom and justice equally as those who indicate they support the government process, and justice, freedom and liberty?

[*Translation*]

Mr. Chrétien: Madam Speaker, I have not read the Prime Minister's statement. I suggest the hon. member's question is a matter of debate. I agree that hon. members are anxious to take action, but I wonder why the hon. member is so sensitive to arguments, since members opposite claim that we are bent on dividing this country and question our motives. If one believes in a charter of rights, one must believe also that it should apply to all Canadians. And I do not understand why the hon. member, although he claims to be in favour of a charter of rights, will not make sure that all Canadians enjoy the same rights. In this connection, I think that if he has firm convictions, he should see to it that all Canadians enjoy equal rights.

* * *

[*English*]

EXTERNAL AFFAIRS

EL SALVADOR—FOOD AID SUPPLIED THROUGH INTERNATIONAL RELIEF ORGANIZATIONS

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is to the Secretary of State for External Affairs. CBC reports last night indicated that the assistant secretary for European affairs in the Reagan administration is visiting various European countries to ask them to suspend food aid which they propose to supply to the people of El Salvador through relief organizations such as the International Red Cross. I know that yesterday the minister said he would not lead a crusade against the attitude of the American administration. I wish to ask him whether he will immediately let the United States state department know that Canada disapproves of any attempt by the United States to influence the cutoff of much needed food supplies to the people of El Salvador, particularly when those food supplies are being distributed through highly respected international relief organizations.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we are certainly not considering any cut-off of food aid in the manner described, nor am I aware that we have even been asked to do so. Emissaries from the U.S. government visited my department this week concerning El Salvador. To the best of my knowledge at the present time, and I will check further, the conversation had to do exclusively with information concerning the supply of arms to the rebel forces in El Salvador. I repeat, I am not aware of any such request.

Miss MacDonald: That was not the question, Madam Speaker. I asked the minister if he would bring to the attention of the American authorities the disapproval of Canada as to the way they are proceeding to try to influence other countries, particularly now in Europe, to cut off food supplies through international agencies. It is my understanding that Canada has been asked to make a very modest contribution to the International Red Cross to assist with food aid in El Salvador. Has a decision been made to supply that modest contribution? If not, how quickly will it be done to help out in this humanitarian effort?

Mr. MacGuigan: Madam Speaker, any decisions that we make with respect to food aid in El Salvador or elsewhere will be made on the basis of normal principles. My answer to the previous question did answer what the hon. member asked. I stated I was not aware that the United States was making any such representations. It would surely be gratuitous for us to make a protest against something we do not believe has happened.

* * *

● (1150)

[*Translation*]

OFFICIAL LANGUAGES

INQUIRY RESPECTING PROVINCIAL ACCOUNTABILITY FOR FORMULA PAYMENTS

Mr. Eymard Corbin (Madawaska-Victoria): I thank you, Madam Speaker, for recognizing me once again. My question is for the Secretary of State. In view of the lack of monitoring mechanisms at the federal level concerning the ultimate use of formula payments to the provinces under the official languages program for minority language education, can the Secretary of State assure me that he will try to do better than his predecessors in this regard so as to make the provinces accountable to the Canadian people, and that he is not planning on hiding behind the argument that he can do nothing as education comes under provincial jurisdiction? I ask this question, Madam Speaker, in view of the report of the FFHQ, which severely condemns the lack of monitoring mechanisms and which even hints at misappropriation within provincial jurisdictions, and also because of the appeal by the people of Vonda, Saskatchewan, which has been rejected.

Some hon. Members: Order.

Mr. Corbin: They are not interested over there. Shame on them!

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, in reply to this very important question, which is of major concern to my colleagues representing francophone constituencies outside Quebec, I would like to say first of all that I have arranged a meeting with the president of the FFHQ and members of her executive Monday afternoon. I imagine that she will want to discuss this question.

I also want to add, Madam Speaker, that at my last meeting with the Council of Ministers of Education of Canada held in Fredericton two or three weeks ago, I discussed this matter with the ministers of education of the various provinces when we renewed for the fiscal year 1980-81 the statutory transfers for minority official language education and also for second language instruction according to the provinces. I indicated for my part that the federal government would not be willing to renew automatically a new five-year agreement unless we could come to an agreement on the matter of accountability mentioned by the hon. member. The ministers of education agreed to form a task force which would look into the matter and report to the Council of Ministers of Education in September.

* * *

[*English*]

TRANSPORT

FREIGHT ASSISTANCE PROGRAM FOR RAPESEED PRODUCTS

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is for the Minister of Transport. Can the Minister of Transport assure the House that the interim freight assistance program for rapeseed products will be extended beyond March 31, and could he also indicate whether there will be any modifications to the existing program to cover the full differential between the minimum compensatory rate and the frozen rate? I ask this as a matter of importance to the rapeseed industry, which is contemplating export and domestic markets at the present time.

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I am very sorry, but the question should be addressed to the Minister of Industry, Trade and Commerce. The rapeseed product subsidy is one which falls under his department.

Mr. Mazankowski: Madam Speaker, I thought the Minister of Transport had some responsibility for matters pertaining to transport. Perhaps he could elicit the answer from his colleague.

May I then direct the question to the Minister of Industry, Trade and Commerce and ask him if he could assure the House that the interim freight assistance program for rapeseed products will be extended beyond March 31, and may I also ask him whether there will be any modifications to ensure that the full differential will be taken into consideration? I refer to the differential between the minimum compensatory rate and the statutory frozen rate.

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, this matter is being worked on at this time, and I hope it will be possible for us to make an announcement very soon.

* * *

INDIAN AFFAIRS

ALLOCATION OF EMERGENCY FUND

Mr. Jim Fulton (Skeena): Madam Speaker, my question is directed to the President of the Treasury Board. On February 11, 1981, the Minister of Indian Affairs and Northern Development, and Senator "Bud" from the other place, announced the establishment of a $1 million emergency fund to "enable Indian groups to protect themselves against adverse social and economic effects of major natural resource developments in or near their communities". As of February 11, was that $1 million emergency fund allocated by the Treasury Board and, if it was not by February 11, has it been allocated as of today?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, approval in principle had been given to the existence of such a fund. I do not recall whether all the details with respect to the specific areas of allocation have yet been established.

COST OF IMPACT STUDIES

Mr. Jim Fulton (Skeena): Madam Speaker, my supplementary question is directed to the Minister of Indian Affairs and Northern Development.

An hon. Member: He is not here.

An hon. Member: He was here a second ago.

Mr. Fulton: He was sitting here just a second ago. Perhaps in the absence of the Minister of Indian Affairs and Northern Development I will put my question to his parliamentary secretary.

The Minister of Indian Affairs and Northern Development has identified 126 major projects involving billions of dollars which will impact upon Indian communities in Canada. I wonder if the minister, his parliamentary secretary or someone responsible in this House for Indian Affairs and Northern Development could indicate whether $8,000 per impact study is viewed as adequate by the government.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I shall see to it that this question is referred to the minister, and I wish to assure the hon. member that he will obtain a reply in the very near future.

POST OFFICE

INQUIRY RESPECTING PASSAGE OF BILL SETTING UP CROWN CORPORATION

Mr. André Maltais (Manicouagan): Madam Speaker, my question is for the Postmaster General. For some time now, we have been considering the bill to turn the Post Office into a Crown corporation. Does the Minister intend to bring the bill back to the House in the near future, that is to bring it in for third reading, and if not, why the delay? Also, can the Minister tell us when he intends to proceed with third reading of the bill?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, it is my hope that our House leader, together with his counterparts in the other parties, will find some available time so that the House can pass this bill. As hon. members know, this legislation has long been awaited by Post Office employees and management, and I hope that it will be passed in the very near future.

* * *

[*English*]

HAZARDOUS PRODUCTS

INVESTIGATION OF FIREPLACE GLASS PANELS

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. It has to do with exploding glass panels on fireplaces. In view of at least ten reported cases—known to his department—of potential injury and death from red hot glass missiles from all makes of exploding heat circulators, I wonder if the minister could give us a progress report on the investigation now under way by the product safety branch of his department.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, one of the reasons why these panels explode is that unfortunately some consumers fail to clean and maintain them. I thank the hon. member for bringing this case to my attention. I know that my officials will be taking a closer look into this matter, but I do not think we would be justified at this time in labelling them as dangerous products.

[*English*]

Mr. Scott (Hamilton-Wentworth): Madam Speaker, I have a supplementary question. I have another list I could bring to the minister's attention. Apparently these glass panels can break or explode if rolling logs hit them, if there is water on the glass, if hot embers should hit the glass, or if cold air rushes from chimneys. The list goes on and on. I was amazed to learn that the product safety branch knew a full three weeks to a month after the first reported incident before letting the

public know about this serious situation. I ask the minister, please, to investigate why his product safety branch sat on this red hot situation for almost a month and did not live up to its mandate to issue a very strong warning to consumers. Will the minister look into that inexcusable delay, particularly at this time of year?

[*Translation*]

Mr. Ouellet: Madam Speaker, products of this type have been on the market for years. A few such incidents do not necessarily mean that it is a dangerous product and I suggest the hon. member is wrong in being concerned about the quality of that product.

* * *

[*English*]

MUNICIPAL AFFAIRS

APPLICATION OF GRANTS IN LIEU OF TAXES PROGRAM

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I have a question for the Minister of Public Works. As the minister knows, municipal taxpayers in the Ottawa-Carleton region are facing municipal tax increases ranging from 12 per cent to 21 per cent this year. Strong doubts are being expressed as to whether the federal government is paying its way, notwithstanding the changes made, by the agreement of this House a little while ago, to the grants in lieu of taxes program. Would the minister personally review this matter, in view of the fact that there was unanimous approval in this House, to see if the program is being applied fully, fairly and without discrimination in this area?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I am happy to report to the hon. member because of his natural interest in his constituency and this area.

● (1200)

My officials have reviewed the matter. In fact the additional $5 million payment which the federal government has estimated will be paid this year over last year to the city of Ottawa is made on the same basis as payments to other cities, not only in Ontario but across the country. I regret that I must inform the House that the claims made by the city of Ottawa for three times as much as anyone else is getting really do not support a reasonable case or a reasonable review. We think their claims are highly unrealistic, and the way in which they have gone about it has brought little credit to the city and to the council.

Mr. Baker (Nepean-Carleton): Madam Speaker, the question of transmitting the true situation is very important. It can be done in terms of this House of Commons as the minister has tried to do, and I do not fault him for doing that, but I think it could best be done if the minister would arrange to meet personally with the elected officials of the city and, if necessary, of the region, to clear the air with respect to the matter because, as I said to the minister, this bill was approved by all parties in the House of Commons. Would the minister undertake to do this and explain, so that we and the officials can be absolutely sure that there is no shortfall as they are claiming?

Mr. Cosgrove: Madam Speaker, I have already had the opportunity to discuss this matter with the mayor of the city—

Mr. Nielsen: On the telephone.

Mr. Cosgrove: I must admit that the confusion, or however it is described, in the situation at present was certainly not brought about by the actions of the federal government. The problem, in my opinion, is one that has to do with the assessment of the value of the property, which is prepared by officials of the province of Ontario and not by the city or the federal government. Our officials, who have reviewed their estimates, have said that technically there are adjustments to be made because there are miscalculations. I do not think this is a matter which politicians can solve, but rather a matter on which officials are working at present. I hope it will be resolved and that reason can prevail in this situation.

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PRIVILEGE

MR. RAE—NOTICE OF INTENTION TO RAISE QUESTION OF PRIVILEGE

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, since the Minister of Finance (Mr. MacEachen), who answered my question yesterday, is not in the House, and since the Solicitor General (Mr. Kaplan), who is the minister responsible for the riding of Broadview-Greenwood, is presumably either in the riding of Broadview-Greenwood or thereabouts or somewhere else, I should like to wait until they return to the House. Since I will not be in the House until next Wednesday, I give you notice, Madam Speaker, that I intend to raise this matter on Wednesday.

* * *

POINT OF ORDER

MR. FULTON—QUESTION RESPECTING EMERGENCY FUNDING

Mr. Jim Fulton (Skeena): Madam Speaker, I rise on a point of order. It was my understanding that the Minister of Indian Affairs and Northern Development (Mr. Munro) was going to be in the House, and he was. This is an important question. Now that he is in his place could I get a response from him, because I have a very important and urgent question regarding emergency funding. The question to the minister was regarding the $1 million emergency fund to native people for socio-economic—

Madam Speaker: Order, please. The hon. member presented his question of privilege the other day, and possibly the minister has read it in *Hansard*. Is the minister prepared to answer that question of privilege today, or does he want to

wait until both ministers are here? Is the hon. member for Skeena (Mr. Fulton) asking a question? The question period has concluded.

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I rise on the same point of order. The point of order of the hon. member for Skeena (Mr. Fulton) has nothing to do with the question of privilege. It has to do with the fact that at the beginning of the question period the Minister of Indian Affairs and Northern Development (Mr. Munro) was in the House. If the minister was in the House at the beginning of the question period, can we not assume that that same minister will be here when the time comes to ask a question? That is a fundamental question—

Madam Speaker: Order, please.

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, I ask the indulgence of the House, but I was talking to the hon. member just a couple of minutes ago before he asked the question and then had to slip out of the House for a few moments. I am aware of the question which the hon. member asked and I would indicate to him that this $1 million fund—

Some hon. Members: Order.

Madam Speaker: Order, please. My loudspeaker was not working and I did not quite hear what the hon. member for Skeena said at the beginning. I thought he was referring to his question of privilege the other day. This is no time to ask a question or even to answer one once the question period is over. The hon. member can ask his question on another day when I will be glad to hear him.

ROUTINE PROCEEDINGS

[*Translation*]

PUBLIC ACCOUNTS

Fourth report of the Standing Committee on Public Accounts—Mr. Clarke.

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

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[*English*]

STATISTICS ACT

MEASURE TO AMEND

Mr. Hal Herbert (Vaudreuil) moved for leave to introduce Bill C-630, to amend the Statistics Act.

Some hon. Members: Explain.

Mr. Herbert: Madam Speaker, this bill will permit a person who objects to answering Statistics Canada questions to do so without penalty, except in the census of population or census of agriculture.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,273, 1,426, 1,547, 1,698, 1,708, 1,830 and 1,893.

[*Text*]

SALE OF CMHC-OWNED UNITS

Question No. 1,273—**Mr. Greenaway:**

1. For each year from 1975 to date, by province, how many (a) homes (b) apartments (c) commercial properties did Canada Mortgage and Housing Corporation (i) put on sale to the public and what was the market value of such properties (ii) sell at market value (iii) sell below market value and what was the dollar differential involved (iv) rent out and what revenue per annum was obtained from such rentals (v) leave standing empty and for what reasons (vi) enlist the co-operation of real estate boards to handle and what boards were involved at what cost or fee to the corporation?

2. For each year from 1975 to date, by province, how many (a) homes (b) apartments (c) commercial properties did CMHC offer incentives to purchase on, and (i) what was the nature of such incentives (ii) what was the cost involved (iii) what percentage of the costs were CMHC responsibility?

3. For each year from 1975 to date, by province, how many (a) homes (b) apartments (c) commercial properties did CMHC advertise for (i) sale (ii) rent and what media was used for such advertising and what was the cost of the advertising, in each case?

Hon. Paul J. Cosgrove (Minister of Public Works): A reply to this question would require the tabulation of financial details relating to the sale and/or rental of more than 50,000 properties. The labour costs involved in such a task would be prohibitive.

ZENITH TELEPHONE SERVICE

Question No. 1,426—**Mr. Halliday:**

For the past two years for which statistics are available, what was the cost of the Zenith telephone service for citizens to contact the local offices of (a) the Department of National Revenue (b) Air Canada (c) the RCMP (d) the Department of Consumer and Corporate Affairs?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): In so far as the Department of National Revenue is concerned:

(a) Taxation	1978-79	$2,274,794.85
	1979-80	$2,856,947.36
Customs and Excise		Nil

In so far as the management of Air Canada is concerned:

(b) Charges for Zenith toll-free telephone facilities, provided for customers in offline cities, are included in total billings to each reservations office where the lines terminate. To determine these specific charges would require excessive time and cost.

In so far as the Royal Canadian Mounted Police is concerned:

(c) 1978-79 $290,132
1979-80 $282,026

In so far as the Department of Consumer and Corporate Affairs is concerned:

(d) Nil. CCA does not utilize Zenith telephone service.

TRIDENT AIRCRAFT LIMITED

Question No. 1,547—**Mr. Munro (Esquimalt-Saanich):**

1. Since January 1, 1980, did the government advance any money to the Trident Aircraft Limited in British Columbia and, if so (a) in what amount (b) were guaranteed loans for the corporation underwritten by the government (c) for what purposes?

2. Was Mr. Derrick Lock attached to the corporation and, if so, was he paid from public funds and in what amount?

3. Is Mr. Lock listed on the public service payroll for purposes of seniority, superannuation or for other public service privileges?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of Industry, Trade and Commerce and Regional Economic Expansion as follows:

1. (a) Since January 1, 1980, IT&C has paid to Trident $2,408,908 in the form of a repayable contribution.

(b) and (c) Under the Canada-British Columbia Industrial Development Subsidiary Agreement, DREE has agreed to cost share with the province a low interest loan in the amount of $2.9 million to the British Columbia Development Corporation (BCDC) to finance the construction of 110,000 square feet of manufacturing space for Trident Aircraft Limited at the Victoria International Airport. This loan to B.C.D.C., who will build the space for Trident on a lease-back basis, has as one of its conditions the requirement that Trident must have all its financing in place before any disbursement will be made on the loan. As the condition precedent has not been met, no DREE funds have been disbursed to date under the terms of the agreement with BCDC for the Trident facility.

2 and 3. Mr. Derrick Lock is employed with Trident under the Public Service Commission's Interchange Canada Program. Mr. Lock's salary is paid by the Crown, with the company reimbursing the Crown for the full amount; Mr. Lock of IT&C is in the commerce officer category at level 2, salary range $26,509 to $37,556.

PRIME MINISTER'S TRAVELS

Question No. 1,698—**Mr. Cossitt:**

With reference to the Prime Minister's visit to Saudi Arabia, the Yemen Republic and Arab Republic of Egypt between November 15 and November 22, 1980, what are the names of all persons who will accompany the Prime Minister including public servants and their job designations and the reason for their presence?

Right Hon. P. E. Trudeau (Prime Minister): The Prime Minister was accompanied by: Master Sacha Trudeau; Mr. James Coutts, Principal Secretary to the Prime Minister; Mr. Michael Shenstone (Riyadh, Jeddah, San'aa, Luxor, Cairo), Assistant Under-Secretary, Department of External Affairs; Mr. L. H. Smith (Riyadh, Jeddah), Assistant Under-Secretary, Department of External Affairs; Mr. Robert Fowler, Assistant Secretary to the Cabinet, (Defence and External Relations); Mr. Ted Johnson, Executive Assistant to the Prime Minister; Mr. Patrick Gossage (Riyadh, San'aa, Cairo), Press Secretary to the Prime Minister; Miss Nicole Sénécal (Cairo), Asssistant Press Secretary, Prime Minister's Office; Mr. B. V. Johnstone (Jeddah, Cairo), Visits and Conferences Services, Department of External Affairs; Mr. Ralph Coleman (Riyadh, San'aa), Special Assistant, Prime Minister's Office; Inspector George Carter, RCMP Liaison Officer.

The descriptive titles of the individuals indicate the reason for their presence.

DND—CONTRACTS FOR FRUIT AND VEGETABLES

Question No. 1,708—**Mr. McKinnon:**

1. For the past year, what was the number and value of Department of National Defence contracts for fruit and vegetables?

2. How many of the contracts were placed in (a) British Columbia (b) Ontario (c) Quebec (d) Nova Scotia and, in each case, what was the total value of the contracts?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. For 1979/80 the total number of contracts were 678 at a value of $3,701,468.84.

2. (a), (b), (c) and (d):

The breakdown of the contracts for the four provinces asked for in the question is:

Province	No. of Contracts	Value
British Columbia	80	$553,210.00
Ontario	138	$784,686.50
Quebec	134	$398,097.68
Nova Scotia	100	$572,112.62

LANG, MICHENER & CO. TORONTO

Question No. 1,830—**Mr. Cossitt:**

With reference to the answer to question No. 1,489 which states in part, that Lang, Michener & Co. of Toronto received payment in the amount of $8,124.34 for government legal work (a) what is an exact outline of all work done (b) on what dates was the work performed (c) on what dates was the firm paid for the

work involved and, if in instalments, what was the date and amount of each instalment (d) what are the names of the lawyers who performed specific work?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): The reply to Mr. Cossitt's question No. 1,489 stated, in part, that the firm of Lang, Michener & Co. of Toronto were paid $8,124.34 for work performed as legal agents. In researching the answer to question No. 1,830, it was determined that Lang, Michener & Co. did not act as agents of the Crown but rather they acted as the solicitors for the plaintiffs (the expropriated owners). The $8,124.34 was in fact a payment by the Crown of legal costs reasonably incurred by the expropriated owner in asserting a claim for compensation under the Expropriation Act. As a result of a clerical error, the $8,124.34 was incorrectly recorded as an agent's fee.

Consequently, the answers to the above question are:

(a) Nil;

(b) Nil;

(c) Nil;

(d) Nil.

PUBLIC SERVANTS' RETIREMENT PENSIONS

Question No. 1,893—**Mr. Herbert:**

How many public servants retired with pensions in (a) October (b) November (c) December 1980, and how many are eligible for a pension increase of 9.7 per cent on January 1, 1981?

Hon. Donald J. Johnston (President of the Treasury Board): Preliminary data indicate that the numbers of public servants retiring with pensions in October, November and December of 1980 were as follows:

(a) October—466;

(b) November—549;

(c) December—1,937.

All of the foregoing would be eligible for the 9.7 per cent increase commencing in January, 1981, under the terms of the Supplementary Retirement Benefits Act.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 586 could be made an order for return, that return could be tabled immediately.

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure of the House that question No. 586 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

GOVERNMENT USE OF PRIVATE COURIER SERVICES

Question No. 586—**Mr. Stewart:**

During each year (a) 1978 (b) 1979, did the government make use of private courier services and, if so, by department, what was the (i) name of the courier (ii) amount paid to each?

Return tabled.

[*Translation*]

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

Madam Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, last night at ten o'clock p.m. I was in mid-flight in my speech. I was making the point that if we are going to entrench rights in the Constitution, the very fact that we are entrenching them makes it imperative that we be careful what we entrench. I was trying to make the point that one of the ingredients which we are, perhaps unwittingly but nevertheless actually, entrenching is the principle of unfairness because of the kind of amending formula contained in this charter and what it does, for example, to the province of British Columbia, in that it makes us wait at least 140 years, and perhaps 200 years, before our province can find equality with two other provinces. That is an unfair principle, and you cannot entrench a charter of rights and expect it to last if it embodies a principle of unfairness.

Some hon. Members: Hear, hear!

Mr. Friesen: The second point I was trying to make is that we are entrenching in this charter an illusion that while the charter talks about entrenching human rights, citizens' rights, the language of the charter really reverses that. When you look at the language of the charter and you see who is

speaking and to whom that speech is addressed, you find that we are not at all entrenching citizens' rights because the language of the proposed charter says that the speaker is the government, and the government is saying that every citizen shall have the following rights. The government is the speaker. If the government is the speaker and citizens are the audience or the recipients, it means that the government has the real power and all the rights, except those which it enumerates or out of some gratuitous impulse extends to citizens. The government is presenting a proposed charter which purports to give rights to citizens. It is presenting an illusion; it is a fraud. It is not entrenching the rights of citizens; it is entrenching the power of the state.

● (1210)

Time does not permit me to develop the following point, but I should like to indicate that the charter is entrenching memories of rancour and dispute. Members on the government benches are trying to say that this is just another flag debate, that given ten or 15 years all ill-will will dissipate and people will be thankful for the government presenting its charter. I want members to know that this is not an ordinary flag debate. Parenthetically I would add that there are many thousands of people across Canada, particularly those who fought under the Red Ensign in two world wars, who still regard it as their flag, even though they have accepted the present one. All the rancour from that debate has not dissipated. But, the flag is a symbol; the Constitution is the fabric of our country. We are not talking about symbols here; we are talking about what will make our country function. When a level of dispute and division is stimulated by this proposal, both in its text and in its method, we cannot but expect that memory will stay for the entire life of the Constitution; it is entrenched in the Constitution.

I should like to refer to a story which appeared in this morning's edition of *The Citizen*. This banner story gives an indication of the level of rancour and ill-will. The article by Mr. Iain Hunter is entitled "Patriation dividing Canadians, PM admits", and in part it refers to a statement made by the Prime Minister (Mr. Trudeau) while he was in Vancouver. It reads:

> The NDP, he said, were split between "those who like freedom and justice more and hate the Liberals less," and "those who hate the Liberals more and like freedom and justice less."

Ideologically I am poles apart from the NDP. Those who heard my remarks last night will know that I am poles apart from them and their position; but far be it for me ever to say that they are less patriotic in having taken that position. For the Prime Minister to go around the country making the statement reported in *The Citizen* results in that attitude being entrenched in the Constitution; it is now entrenched in the Constitution.

In the two minutes remaining I should like to refer to the wording of the Constitution. One of my colleagues said that there was a similarity in the wording of this proposed charter and the existing one in the Soviet Union. This is right, it is the same passive mood; it is the same enumeration of rights to citizens, while government holds all powers. The structure of the two charters is identical, the hon. member for Northumberland-Miramichi (Mr. Dionne) said that the Canadian and Russian are the same. I want all the constituents in Northumberland-Miramichi to know what their member holds as an ideal comparison to our country, and that he seems to believe this is an endorsement of our Constitution rather than an anathema to our country.

The constitutional proposal is opposed by four western provincial governments, by 70 per cent of the members of Parliament from those provinces, and by 67 per cent of the population of Canada. With such opposition we can hardly assume that the Prime Minister has a mandate for this charter of rights or the resolution. If judgment is reserved for those who tamper with weights and measures because it oppresses the poor, how much more judgment will be meted out on us in this chamber if we endorse the injustice of this proposition?

Some hon. Members: Hear, hear!

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Mr. Speaker, it was almost with a sense of humour that I listened to the remarks of the hon. member for Surrey-White Rock-North Delta (Mr. Friesen). To try to equate in the Canadian Parliament such a fundamental matter as the entrenchment of the charter of rights and freedoms with anything analogous to what goes on in the Soviet Union indicates such excessiveness as to be almost totally irrational. It is indicative of the desperate situation in which some members of the official opposition find themselves in opposing this resolution in the first place.

There is no doubt about it. I have talked with many of my fellow Canadians, and I believe that we should exhibit a sense of pride in the process of patriation. It is long overdue. If one puts any confidence in polls, I think the polls would indicate that the vast majority of Canadians are in favour of the entrenchment of a charter of rights and freedoms to ensure equity and justice for all of us in the country.

But in terms of my special responsibilities as Minister of Indian Affairs and Northern Development, the hon. member would be wise to note the significance and impact of the charter of rights and freedoms upon the aboriginal peoples of this country. It is the greatest single advance in 100 years in terms of the protection of those rights. There are many citizens who are original peoples in all four western provinces. I dare to say that if you speak to those Canadians, those first Canadians, with respect to what they feel about the necessity for the enhancement of those rights now entrenched in this declaration of rights and freedoms, you will find quite a different response from the first citizens in western Canada. If there is any doubt perhaps the hon. member would wish to speak to some of those Indian leaders who have fought so long and hard to achieve the very objective which is now before us.

● (1220)

These rights and freedoms have a double significance, if you like, for all Canadians. They reinforce the desire for the

entrenchment of aboriginal and treaty rights in the Constitution. It now makes their position in Canada a secure one. I might say it no longer equivocates with respect to what those rights are. No longer are those rights ambiguous as far as the aboriginal peoples of this country are concerned. They now know that those rights are part of the fundamental laws of Canada. It symbolizes their uniqueness as Canadians. At last it does away with the paternalism that they have often felt relative to other Canadians and Canadian institutions. So it means a great deal to them.

Indeed, it is a critical milestone they have achieved. I am confident it will lead to a much better understanding of Canadians and Canada by the aboriginal peoples of this country. Those people do have a very unique type of concern for Canada which has not always been understood by Canadians. As I have said, they have been trying for 100 years to achieve this. They regard it as a special commitment by the Parliament of Canada with respect to the passage of this resolution. Analogous to this special type of commitment they have always had for Canada is their commitment to the preservation of our political integrity in this institution.

I would like to indicate a personal experience of mine with respect to this special type of commitment that the aboriginal peoples have for Canada. I travelled to northern Quebec before the referendum to speak to Charlie Watt, the head of the Inuit people in northern Quebec, and Billy Diamond, head of the Cree people there, to find out what their position was with respect to the referendum and, indeed, if it was warranted, to encourage their support for the no side. They did not need any encouragement from me. They were committed to voting no because of their deep sense of commitment to this country.

They are looking to this national institution, Parliament, to entrench the bargain which they fought so hard to attain. We must realize that there has always been a special relationship between a recognition of the culture of our aboriginal peoples and their commitment to this country. Because of what this Parliament has done and because of what the committee on the Constitution has done in terms of recommending this proposal to Parliament, the link between their culture and their commitment to this country has been strengthened. That is no mean achievement which they have attained.

I congratulate the committee for the work they have done. As the hon. member from the eastern Arctic said in his speech, which I read with considerable interest, he felt that now that these principles have been established in this resolution, Canada's original peoples can work with the rest of us together to build a great country. He emphasized the aspect of togetherness in terms of achieving this objective. The Inuit, the Indian people and the Metis have a right to feel a great sense of satisfaction with respect to what has been achieved.

I think, too, that some special recognition should be given to the members of the committee on the Constitution, and they would be the first to agree. What the members of the committee have done is fundamentally change the relationship between Canada and the aboriginal peoples. They did it in a real sense of non-partisanship. The hon. member for Provencher (Mr. Epp), my predecessor, played a critical role. The hon. member from the eastern Arctic—

Mr. Knowles: Nunatsiaq.

Mr. Munro (Hamilton East): The hon. member for Nunatsiaq (Mr. Ittinuar) represented his people with skill and commitment. The Leader of the New Democratic Party, the hon. member for Oshawa (Mr. Broadbent), displayed his commitment to the enhancement of aboriginal rights throughout, and to the desperate desire of the original peoples of this country to attain this type of equality. The Minister of Justice (Mr. Chrétien) in all his work has shown a dedication to the same objective. My hon. friend, the hon. member for Notre-Dame-de-Grâce (Mr. Allmand), who has fought diligently and valiantly for months to achieve this objective, deserves the recognition of all of us in this House.

Some hon. Members: Hear, hear!

Mr. Munro (Hamilton East): The list goes on and on, including the hon. member for Lincoln (Mr. Mackasey), Senator Austin who, when this final entrenchment took place in the committee, had tears in his eyes, and others who were part of that constitutional committee, such a fundamental breakthrough was this provision.

Again, I do not think there would be a member in this House who would take away the justifiable credit which is due to the Inuit and Metis people themselves for this achievement. They have done extensive work. It is the beginning for them of a new period of accomplishment. Since 1971 they have had endless meetings. They have lobbied and researched time and time again. Sometimes the meetings were heated and sometimes there was confrontation. But gradually there was increased understanding and, I think, increased mutual respect. Many of us, including myself, have learned to listen a little better. Thus, we must give credit where credit is due, and that is to the aboriginal peoples of this country for what they have achieved.

Not so many months ago, in December, the Indian people came by the hundreds to Ottawa. The way in which they conducted themselves showed wisdom and sagacity which was, perhaps, the envy of many of us here in public life. They did not go in for confrontation but rather to win support through reason. It is indicative of the strength of their culture and the wisdom of their elders that they have been able to achieve this remarkable feat.

Some of the leaders are here with us, in the gallery, and I would like to recognize them. We have Sykes Powderface of the NIB and Saul Sanderson of the Saskatchewan Indian Association. We have Indian members of the minister's office and staff. We have many who must feel a great sense of elation at the achievement of this unique feat. George Manuel, who used to be president of the NIB and is now head of the British Columbia Union of Chiefs, is here. It must be with some considerable satisfaction that they see Parliament has at last entrenched these rights. Charlie Watt of the Indian com-

munity and Mr. Daniels of the Metis deserve a great deal of credit. Their expectations cannot be disappointed now.

If the resolution were not approved and if the entrenchment of these rights were to be omitted, as members of the official opposition indicate, then the aim of entrenchment of aboriginal rights would become just a token in the negotiating process and all this achievement would be lost. It would be intolerable to the original peoples of this country.

That is why, as Minister of Indian Affairs and Northern Development, having talked to them about their absolute determination to achieve this objective, it was very disappointing last night to learn of the position of Premier Blakeney. The vast majority of the federal members of the NDP have led in the entrenchment of these rights, and it seems strange for Premier Blakeney, in light of the significant native population in his province and what has been achieved in terms of that entrenchment, not to support the resolution at this stage. It seems to me a remarkable letdown for this jealously guarded right they now wish to see preserved.

● (1230)

One must recognize at the same time that they are the first citizens of his province, and as premier he has extolled the necessity for the entrenchment of these rights. So I can say with considerable confidence, as Sol Sanderson, president of the Federation of Saskatchewan Indians, has said, that if they say they do not have support in western Canada for entrenchment of these rights, they do not speak for the Indians of Saskatchewan and neither does Premier Blakeney; rather it is the federal Members of Parliament who have fought so long and hard behind the Indian people to gain this entrenchment.

Can we now talk about some of the general provisions rather than the special provisions respecting aboriginal rights. We know these rights for all Canadians will include basic democratic rights, fundamental legal equity, the elimination of discrimination based on race, religion and sex. But they have a special significance for the aboriginal people in our cities; these anti-discriminatory provisions will mean that they will have protection against discrimination in the cities and job markets everywhere.

Their equity in our legal system will be guaranteed; Indian women will be protected against discrimination both as Indians and as women. The discriminatory provisions of the Indian Act, intolerable to Indians, as they are to other Canadians, will be eliminated and the government and Indians will have time to work together to find new membership provisions that will be just, equitable and appropriate to the Indians' cultural interests.

Furthermore, let me talk about the special rights achieved for our aboriginal people. Aboriginal and treaty rights are now recognized and affirmed in a special part of the Constitution Act devoted solely to this subject. The inclusion of these provisions was the occasion of the most spontaneous expressions of satisfaction in the committee that any parliamentarian can recall. I believe members of that committee felt they had arrived, together with the aboriginal people, at a turning point in the status of native peoples in this country. I agree it is a turning point, perhaps a new starting point.

Second, the aboriginal and treaty rights and freedoms established by the Royal Proclamation of 1763, as well as land claims settlements, are protected by the rights and facedowns accorded by the charter. This is a unique protection based on a unique heritage.

Third, the Constitution Act will ensure that constitutional questions of interest to aboriginal peoples, together with the question of which rights should be included, will be discussed by their representatives with first ministers. This guarantee symbolizes, indeed formalizes, the commitment of the Prime Minister (Mr. Trudeau) to the aboriginal peoples in October 1980, that in the next phase of constitutional negotiations issues such as an elaboration and definition of what those aboriginal rights are will be discussed. Internal native self-government, representation in political institutions and the responsibilities of federal, provincial and territorial governments for the provision of services will all be discussed, and with good will we can define precisely what we mean when we entrench these fundamental rights.

An hon. Member: Where is the good will coming from?

Mr. Munro (Hamilton East): I would like to indicate that as far as the Leader of the New Democratic Party is concerned, I understand that during the course of this debate he will be proposing the inclusion of a provision affirming aboriginal and treaty rights in Section 54 of the Constitution Act. The government will support this amendment. This is a significant acknowledgement of the importance of aboriginal and treaty rights in Canada. The result of such amendment will be the entrenchment of aboriginal and treaty rights in the same manner and degree as other fundamental provisions of the Constitution, including the office of the Queen. The Charter of Rights and Freedoms and aboriginal and treaty rights will be subject to change only through the general amending formula that applies to all other key provisions.

There is, then, added symbolism in this amendment which I believe will not be lost on the aboriginal peoples. They have always regarded the Queen as the symbolic protector of their rights and freedoms. The role of the Queen is not changed by the resolution, and protecting aboriginal and treaty rights in the same clause as the Queen's office demonstrates the significance of the proposed amendment.

In addition, the government acknowledges a need for other processes to discuss and respond particularly to the special needs of Indians. Therefore the government is prepared to discuss with them in coming months ways of formalizing discussions between ministers and Indians that will promote the long-term development of a more responsive and effective relationship with the federal government. I am personally prepared to take a leadership role in the establishment of that process. So let us not underestimate the importance of this charter of rights and the Constitution Act. This act establishes once and for all the basic principle that aboriginal and treaty rights are recognized and affirmed.

This basic fact will apply to all governments at the next stage of constitutional renewal in the discussion on the refinement and elaboration of these principles, and this is extremely important. This fundamental law of the nation will bind the federal and provincial governments to respect and support these aboriginal rights. To do otherwise would be to perpetuate and, indeed, permit potential inequity and arbitrary actions in our relations with our native peoples. To endorse a concept such as the Vancouver formula with its checkerboard effect would mean some provinces would have these rights and some very possibly would not.

And so, Madam Speaker, the government acknowledges the great need for approval of this charter and this Constitution Act. I, along with others, am prepared to renew my commitment to the native peoples as to their involvement in a very real way in the future process. I cannot emphasize that enough. Regardless of the outcome of the discussions on the Constitution. I believe, because of the provisions of the proposed charter, no government or individual will again be able to put aside or disregard the rights of Canada's original peoples.

● (1240)

For this reason, among many others, I believe sincerely that this House must, and indeed should, approve this resolution. If we were not to do so at this time we would be breaking faith with Canada's Indians, Inuit and Metis, who came together with representatives of this House and the Senate to develop the words that have been included in the resolution now before us for consideration.

May I again indicate to members on all sides, despite the rhetoric we have heard expressed in recent days, my appreciation of the non-partisan support they have afforded and the very real effort they have extended. There should be a great sense of pride in what has been achieved. Surely if the native peoples, the original peoples, the aboriginal peoples of this country, have anything to say about it, we will no longer denigrate the charter and what it means to Canadians, more especially the first citizens of this country.

Mr. Walter McLean (Waterloo): Mr. Speaker, it is a privilege to take part in this historic debate. I wish to join with others in the House in expressing appreciation to the committee, to those members from all parties who gave leadership at committee stage, bringing us to this stage of discussion.

I am one who could identify with the minister as he spoke of our native and aboriginal people and the importance of ensuring their rights. I am interested that as he speaks on behalf of the government and in his portfolio, he does not speak about Indian women and does not address the representations made to the government and to him by the conference which was held in Ottawa last weekend.

Mr. Munro (Hamilton East): I did.

Mr. McLean: At that conference the leaders of women's movements across Canada questioned whether we were approaching the charter in the right way. They affirmed the importance, as did the minister, of the charter and came down squarely on the side of the charter, but they said, "Do it right." They said—and many of them are brilliant lawyers—"We believe that the charter as it now stands will entrench discrimination against Indian women." While sharing the minister's commitment to human rights, I would point out to him that I hold a commitment that when we act in this symbolic and real way, then our charter should do what we and all Canadians want.

In my opening comments, Mr. Speaker, I should like to reflect for a moment on comments made in 1948 by Canada's first Canadian-born Governor General, Vincent Massey, when he spoke about his dream for Canada. I should like to share with this House, and through this House with my riding of Waterloo which I have the honour to represent, indeed with all people across Canada, my concerns about what is happening to my Canada as we move too quickly to do something that we all want.

Speaking about his love for the nation that we all love and which we wish to serve in this Parliament and through this action, Massey said:

> I believe in Canada, with pride in her past, belief in her present and faith in her future;
>
> I believe in the quality of Canadian life, and in the character of Canadian institutions;
>
> —I believe that Canada is one, and that if our minds dwell on those things which its parts have in common, we can find the unity of the whole;
>
> I believe that with sound work, the spirit of a team, and an awareness of ourselves, we can look forward to achievements beyond our imagining.

That imagery and devotion that Massey expressed is not present in the component parts of our country. Increasingly the spirit of a team, the spirit of a partnership, is being threatened by proposals put forward by the government to change the nature of, and fundamentally remove from, component parts in the Canadian experience, rights which have been ours and are ours constitutionally.

Canada is a federation which has developed through a spirit of co-operation and consensus throughout its history. What we now have before us is a constitutional proposal which undermines this historic reality. We find in this unilateral action, the intention to move outside Canada to take decisions about the rights of all Canadians. We find something which does not lead to a sense of team spirit or a sense of partnership.

I am more and more tempted to think of the analogy of a marriage breakdown or divorce, or a family relationship in which one of the partners decides to rule the roost. Without the necessary accommodations we seem headed toward divorce. In order for people to hear each other it is sometimes wise to have counselling, but this takes time. Today I plead with the government to give us the time we need in order to do this thing properly. Let us bring the Constitution home. Let us agree on the amending formula and then together, within an agreed time frame, let us look at the package of rights and reach agreement in this House. We want to be supportive but the process is wrong in terms of nation-building and in terms of human dynamics.

We must look at the manifestations of this action across the country and hear what the groups are saying. Let us not be led to believe that it is merely a matter of the provinces versus the nation; let us hear the people through their groups and institutions as they speak to us as Members of Parliament.

Let us remember that as a nation we have lived by consensus and that we have agreements. The quality of life that we celebrate is the result of consensus. The provinces have been a part of important agreements which allow our country to operate. We can think of the Old Age Pension Act in 1927, the depression years and the series of annual relief acts, the hospital insurance plan, the Canada Assistance Plan, medical insurance, unemployment insurance and the Canada Pension Plan. In each case the federal government and the provinces reached consensus and found ways to accommodate their differences.

I serve one of the most unique and rewarding ridings in the country, the new riding of Waterloo which takes in Kitchener-Waterloo. I have had the opportunity to live and work in Prince Edward Island and Atlantic Canada and to serve as a civil servant in Manitoba. I have worked in Saskatchewan and I was raised in British Columbia. As I look at this country from coast to coast, I see the resources and the differences and I celebrate them. I crave a process which will allow us to hear one another more fittingly and more fully.

In my own riding I see the need for consensus in order to accommodate the great and exciting diversity of the area. The Pennsylvania Dutch Mennonites settled the region. They were followed by German craftsmen whose heritage is kept alive by the German clubs and the annual celebrations of Oktoberfest. The 1971 census showed that 32 per cent of the population of Waterloo is of German origin, as is 27 per cent of the population of Kitchener. In recent years this area has led the country in receiving the boat people. Across the community, in the universities and in the workplace we find the Germanic and Asian groups coming together with a diversity of peoples and interests which range from the farming communities to small business to the electronics industry, the rubber workers and the insurance industries. They have different agendas, yet find the forums to hear each other in order to build a community with pride, one for another. The process of finding consensus in moving ahead, in terms of our seeking a national constitution, is wrong.

• (1250)

The complexities are many. But we must take the time, as we do in our communities, to understand the issues and to listen to them. As this debate goes on, and through the televising of the committee hearings, people realize the confrontational style of "Here is the package; you must do it". This attitude is bringing more resentment than unanimity.

From the government benches we hear the argument raised from time to time that this country is difficult to govern. Someone has said it cannot be governed. I believe that Canada can be governed. I believe that our pluses far outweigh our minuses. Canada has today, which it did not have in the past, an excellent network of communications and of transport. We can meet each other. We can talk to each other, often via electronics. We can communicate.

I had the opportunity to serve Canada while living abroad in Nigeria for some five years. I think of the difficulties that young nation had in nation building. I think of the major cleavages and the strong feelings among tribal groups and among major religious groups. Initially, that nation's historic pattern was to try a unitary system. That was unsuccessful. But then the nation's builders listened to all parts of the country. A constituent assembly was formed which enabled the diverse sections of the country to be heard. As people began to talk again after the tragic civil war, they began to find structures which would accommodate their diversity. We now find a modern day Nigeria moving ahead. It is made up of 19 States. Its system of government had gained and is gaining strength through the recognition of its diversity.

On the matter of rights, we come to a question of philosophy which is important for Canadians to address, both in terms of personal worth and in terms of the focus by which they approach life in our nation.

Let me suggest that the discussion around whether or not our charter will include a reference to God is one which goes to the nub of the issue in terms of the point where we begin. Do we begin with inalienable rights or do we begin with rights which are somehow granted by the government?

In committee, representatives of the Progressive Conservative Party suggested in a motion that a preamble be added to the charter of rights. It was rejected by the committee. However, the preamble would have affirmed that the Canadian nation is founded on principles which acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and institutions. Individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law.

As the record will show, this motion in committee was opposed by the hon. member for Burnaby (Mr. Robinson). The argument was that many people do not believe in God; therefore, the reference should not be included, that any such inclusion would diminish their rights as a consequence. There was some discussion that this ought to be in the preamble instead of Clause 1 of the charter, and if so, it could be approved by the provinces. We should remind ourselves that our Judeo-Christian roots have had a reference to God as part of the building process of this nation and its values. Immigrants coming to Canada came for the freedom to express their concepts of God as they saw fit, so the Mennonites, the Hutterites and the Soviet Jews came.

God and the motivation of that belief has played an important part in the building of our nation. Take, for example, hospitals, agricultural development and transport. These roots come from the premise that God gives life and gives rights, and governments perform under God. God grants rights, not governments. Governments are there to see that rights are maintained. The charter we agree upon is to serve that func-

tion. It seems to me very arrogant to leave out a reference to God.

For those who say our society is changing, let us look at our multicultural mosaic today. Let us be reminded that those who come from the Islamic, Buddhist, Confucian or other religious backgrounds bring with them a concept of God which is not strange to their culture. Surely as we look at our roots and try to imbed our determination to protect rights, we need to go back. We need to go more slowly to see that the premise on which we build is still maintained in the charter, in its preamble, or wherever.

When we resume in the time remaining I wish to continue discussion about our rights. I want to reflect upon a most significant meeting, held here in the nation's capital last week when over 1,000 women were present. I want to reflect on the charter proposal and to reflect upon whether or not it will serve their interests. I want to reflect upon the proposals put to the government by the women of this nation. I want to reflect upon the growing concern of other groups across this country, including questions which have been raised in the media this day by the Canadian Council for Social Development, and as other groups begin to say "Slow down, do it right, do what you want to do."

If I may, Mr. Speaker, I will call it one o'clock.

The Acting Speaker (Mr. Blaker): As suggested by the hon. member for Waterloo (Mr. McLeah), we will call it one o'clock.

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

At 12.58 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

Mr. Deputy Speaker: When the House rose at one o'clock the hon. member for Waterloo (Mr. McLean) had the floor.

Mr. McLean: Mr. Speaker, before the lunch break, I was suggesting to the House that there is a need to recognize our Canadian tradition of dealing by consensus rather than unilateral action. We have a rich diversity which needs to be respected in all of its variations in the process of developing our charter. It is argued that Canada is difficult to govern under our federal system, that we need this unilateral action in order to become a changed nation. That flies in the face of modern technology, communication and transportation. Compared to other parts of the world, this nation is much more governable and these are not the problems they are painted.

• (1410)

I was also suggesting that the very essence of the proposals put forward is that they put the supremacy of government over and against the supremacy of the individual and the inalienable rights we have, and that the omission on the part of the government of any reference to God is symbolic of that shift toward the tendency of the government to decide rights rather than rights being given as a gift to us as part of our humanity.

I stated also that I wished to talk about the importance of the charter. We on all sides of the House should begin to realize that there is concern with respect to seeing that human rights are protected. At the moment the government has before it well-thought-out and articulated proposals which are the result of the conference held by the ad hoc committee of Canadian women here in Ottawa on February 14 and 15. We will be waiting to hear how the government will respond to the proposals and amendments recommended for inclusion.

Today another council, the Council on Social Development, said publicly that the charter of rights could be used to deny access to social services. This is another group which should be heard, and the concerns which are raised should be addressed in order that we can have a sense of unity with respect to the proposals before us.

In the context of this debate and as we deal with human rights, I want to say that our charter and package on human rights must do what we want it to do. The outcome of the committee meeting of women this past weekend was a clear signal from women that the entrenchment of human rights is something they want and affirm; but it should be done properly and the proposals now before the House and the nation are not good enough.

It is interesting that today in the question period the Minister of Justice (Mr. Chrétien) confirmed that very few additional proposals will be included. He seemed to indicate that the government intends to ram through its proposals regardless of the opinions of large sections of our nation and regardless of the opinions of the provincial governments.

Women have sent representatives to Parliament Hill to speak to every member of Parliament, despite the discouragement of the Minister of Justice. Over 1,000 were here for two days, and they want their views known. They are concerned that the Constitution committee did not travel and that women who do not have the financial base men across the nation have are handicapped and disadvantaged again in the matter of their ability to travel, to speak and to articulate their concerns.

The committee heard four or five representations or groups and received other submissions, but many of the 1,500 or more women's groups across the nation are only beginning to be aware of the implications of what is before us, as is the nation as a whole.

It is very interesting to me as one who was able to attend that meeting for two days, along with my colleagues, the hon. member for Vancouver Centre (Miss Carney), the hon. member for Kingston and the Islands (Miss MacDonald) and the hon. member for New Westminster-Coquitlam (Miss

Jewett), that there was not one person from the Liberal government benches who was there throughout the meeting, and there were no women from the Liberal Party.

The proposals in the charter before this House and this nation were prepared by a cabinet of which one woman is a member. They were prepared by a bureaucracy which is headed by men in almost every case. It is small wonder that the women present were very concerned as to whether their concerns will be met.

Mr. Corbin: Mr. Speaker, I rise on a point of order. The hon. member who presently has the floor noted the absence of women members from the Liberal side at the weekend meeting of women from across Canada. I point out to the hon. member that this party was represented, not by one but by many members in the constitutional committee, and they listened to the requests of women from across Canada. The party opposite was not represented by one.

Mr. Deputy Speaker: The hon. member for Waterloo has the floor. This appears to be an exchange.

Mr. McLean: The conference raised the question whether the transitory majority will impose its will. Will it not hear the concerns of 51 per cent of the Canadian population? Women have not yet ruled out whether they, along with other concerned groups, will find themselves having to lobby overseas. The importance of this meeting cannot be underestimated because it was a reminder that no longer can decisions be made in Canada without women being part of them.

When questioned clearly as to whether the provisions as they now stand in the human rights charter are acceptable, a panel of women lawyers thoughtfully commented that there are no guarantees that women will be any better off than they are now. The words in the charter are too ambiguous. You either have equality or you do not. It is hard to have a little bit of equality. Those women lawyers went on to suggest that there are other dangers, such as the danger of entrenching discrimination on the basis of culture, and that these concerns need to be addressed. It is small wonder the conference found itself anxious about the time-frame and the limited opportunity.

Women are also unsure where the government stands. A headline in the Ottawa *Citizen* on Thursday, February 19, reads: "Women unsure where Axworthy stands". The former president of the Advisory Council on the Status of Women, Doris Anderson, took exception to the comments of the Minister of Justice in his opening remarks in this debate. She objected on Wednesday to the minister's quoting her as saying that the changes are a major step forward. According to the Ottawa *Citizen:*

> Anderson said at a news conference that the government has come a long way toward meeting the needs of women in its proposed charter of rights, but that doesn't mean it has come far enough ... "to make it absolutely clear that Canadian women have equality in this country ... changes should be made."

Changes are recommended in the thoughtful brief which is presently before the government and the minister for consideration. The resolution of that conference was that it endorsed in principle the concept of an entrenched charter of rights as per the recommendations made on February 14, 1981, and that unless the charter reflects the amendments suggested, it should not be included in the submission to the British government in order to provide time to incorporate these amendments.

I know that the House and the women of Canada will be waiting for the minister responsible for the status of women to comment on this thoughtful submission which has been given to him.

In their resolution the women went on to say that, failing the full adoption of these amendments, incorporation of a charter of rights should be accomplished by a constituent assembly, the membership of which should be 50 per cent women. They went on in their review of the charter to say, for example, that there should be an amendment to Clause 1 of the charter so that it will include a statement of purpose providing that the rights and freedoms under the charter are guaranteed equally to women, and with no limitation. What they are saying is "Do it right."

They go on in another thoughtful recommendation, which is before the government, to suggest that Clause 7 be amended to include the right to equality of economic opportunity. Why are women so concerned about economic opportunity? Economic opportunity has not been incorporated in this document, and that reflects the reality of the discrimination. In a pamphlet published by the Advisory Council on the Status of Women the following facts are outlined:

● (1420)

> 51 per cent of working-age Canadians are women.
>
> 47.8 per cent of all women are working or looking for work, compared to 37.1 per cent in 1968.
>
> 38.9 per cent of the labour force are women: an increase of more than 6 per cent in the last 10 years.
>
> 1,635,000 women have joined the labour force since 1968, compared to 1,296,000 men.

They go on to write about employment discrimination in these terms:

> For every dollar a man earns, a woman earns only 60 cents—
>
> Women have to work more than eight days to earn the same money that men do in five days.

And so the litany goes on. They remind us that:

> 4.9 per cent of working women are in managerial-administrative positions.
>
> 62.7 per cent of all women working for pay are in clerical, sales or service jobs: 36.9 per cent in clerical, 9.4 per cent in sales, and 16.4 per cent in service.

The discrimination is known and the facts are becoming more and more part of our thinking, but the process of meeting these concerns and the time required in order to see that these injustices are addressed in our Constitution, as in so many other areas, have not been provided. I want to suggest that not only has the women's conference focused on injustice, on deep concern and a rising awareness—small wonder that the minister was not anxious that that meeting should be held in terms of its comments on the proposal that the women are determined to move quickly with as much understanding as possible at the grass roots level across the country—but at the conclusion of the conference the women said that the process of

creating our Constitution was too hasty and that it does not adequately reflect the needs of women. Their resolution stated that the Women's Conference on the Constitution insists on a full and fair debate in Parliament on the constitutional package before it, and opposes any closure of debate.

We are beginning to see a new form of closure. We find fewer government members speaking, shorter speeches by members on the government side, a tendency to say, "We will let opposition members talk it out as quickly as they can and we will try to get it through before the nation understands what is happening to the fundamental nature of the nation"; and we will have a package to boot, if they have their way, which does not do what we want.

Mr. Baker (Nepean-Carleton): You are hitting home.

Mr. McLean: Let me suggest, Mr. Speaker, about the process of indecent haste, that in the arguments which I have heard in my 44 years as a Canadian, through my schooling years, through eight post-secondary years and at university, I do not recall any discussions in the classrooms and in the coffee shops about the nature of our country. I have to say that the discussion which is now taking place is going in the right direction and is healthy, but to attempt to terminate the debate at the point when people are becoming informed and are discussing the nature of the nation is beyond belief.

How do we learn, Mr. Speaker? We learn not just because somebody publishes an article or a speech is made. We learn through the conversations that have gone on, through the networks we have, through the groups and organizations where we test our values, we look at what we believe in, at what we think is important and where we rehearse our history. This process takes time. If you take, as an example, the women's network in Canada, you find that in many cases it is just beginning to develop. It takes time for them to begin to address what these things which are alleged to protect their rights are and whether in fact they will do so. When the time comes for a charter to be written which we can all support, I want to see the Constitution brought home with an amending formula. I want to vote for it, and, at a later period, after there has been time for consensus-building, after there has been time for consultation and recognition of our diversity, I want to join in supporting human rights, as does every member of the House.

A process which is wrong illegitimizes the entire Constitution and it creates, as we have seen, ill-will and suspicion throughout the nation. As my colleague, the hon. member for Rosedale (Mr. Crombie), said, every time the government decides that the means justify the end, ordinary people are hurt, and in this process ordinary people are being hurt as they feel disillusioned in their country and disaffected.

If the hon. member who shakes his head would spend more time in the various regions of this country, he would know about that suspicion. He might say that it makes it worse to talk about it, but that is not so. As one who has roots in the west as well as in central Canada, I grew up knowing and always being aware of what it costs to be from western Canada as compared to being from other parts of the nation. Perhaps it has taken 54 years to discuss this from time to time, but let us by all means carry on the discussion in an organized and systematic way, not with indecent haste. So far there has been little chance for our 22 million people to be involved and to give expression to their concern.

The process is leading to hostility. It is alleged that we are too concerned with the process. We are concerned with the process because the process brings a fundamental change to the nation and to its conceptions upon which we wish to build our sense of justice and our rights. There is a saying that justice not only must be done but must be seen to be done. In the process which takes place across the nation at this point, whether it involves women, whether it involves councils on social welfare, or whether it involves other groups which have appeared before the committee, people have not yet recognized the validity of what we are doing in this place.

At the beginning of my comments I spoke about Vincent Massey's dream for Canada, his belief that one Canada is possible if our minds would only dwell on those things that we have in common. He said he believes that with sound work, a team spirit and an awareness of ourselves we can look forward to achievements beyond our imagining. I suggest that at the moment the spirit of the team is missing in the nation. The spirit of the team is built when we communicate, when we share our beliefs, our convictions, our history, our background and our hopes for the future. The spirit of the team is not built when the captain of the team says, "You run this way and that and do what you are told; I do not mind what you think."

I have alluded earlier in my remarks to a marriage breakdown. A marriage can be saved if there is wisdom to listen, to conciliate and to begin to recognize the yearnings. There is a great love of our nation across this land; there is a great resource of human spirit. At present, the rights we want to be preserved will not be preserved. We are hearing increasingly often from those we wish to serve, and therefore I support the amendment that we bring the charter home, as we want to do on all sides of this House.

We should come to an agreement on an amending formula and deal with the whole process within a certain time-frame. We should not push aside the reaching of a consensus on the right package. Mr. Speaker, I thank the House for giving me the opportunity to make this intervention.

Mr. David Berger (Laurier): Mr. Speaker, on February 8 last, the New York *Times* published an international economic survey. I looked through it, as is my custom, to see if there was an article there on Canada, and sure enough, on the last page, appropriately positioned, was an article entitled "Canada, Poor Prospects and Fragile Unity". Datelined Calgary, the article began:

● (1430)

It was the start of an evening of car races here not long ago when the track announcer asked the spectators to rise for the recorded playing of the national anthem, "O Canada."

Not five seconds into the solemn song there was a jarring scratching sound as the record needle was lifted. "You all know the rest", the announcer said, dispensing with the national formality. "Now, on with the races."

We can contrast that with referendum night in a constituency in east end Montreal in which I worked. It was a seat held by a PQ member of the National Assembly. We managed to win by 1,000 votes—52 per cent to 48 per cent. A number of speeches were made, and then they asked me to say a few words. I had the feeling that quite enough had been said and said, "I only want to hear one thing; I would like to hear our national anthem". One can imagine a hot committee room packed with 200 people. They belted out "O Canada" louder and with more feeling than I can ever remember.

During the referendum we discovered two things. We discovered our flag and we rediscovered our national anthem. The contrast between the referendum night and the Calgary race track could not better illustrate the necessity to reform our Constitution without delay. It is clear that we are at an impasse. It is most evident in the disagreement about the amending formula. Members of the official opposition cannot accept that Ontario or Quebec have vetoes, ignoring their populations which still make up over 60 per cent of Canada, ignoring the vital reasons of Quebec for retaining such a power. They also ignored the formula that met with the approval of all provinces in 1971.

Members of the official opposition also find the referendum proposal equally offensive. They invariably choose to ignore that in order to pass a referendum would require a double majority—a majority throughout Canada as well as a majority in all regions of the country. They choose to conjure up visions of the most outrageous circumstances one could imagine—expropriation of resources and the change of provincial boundaries—which they know would never secure the required majorities in any event. They ignore the fact that referenda have produced very conservative results in a number of federal states where they are in use, including Australia. In that country 16 constitutional referenda have been held since 1900, some dealing with several subjects. Of the 36 proposals put to the people, only eight have obtained the required majority.

The official opposition likes to pretend that the federal government could tilt a referendum in its favour with a heavy advertising campaign. However, I believe that this demonstrates a lack of credit in the inherent wisdom of the Canadian people. They choose to forget that in spite of a heavy propaganda campaign conducted in every conceivable manner over three and a half years and a question designed to meet with the maximum approval, the Parti Québécois lost the historic referendum last May.

I suppose the strongest objection raised by hon. members opposite is to the unilateral nature of our action. This is where the differences between our parties are most fundamental. There is no recognition by the official opposition that the national government may have any overriding responsibilities.

I think this is well illustrated in an exchange which took place in the committee on January 8 between the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) and Professor Maxwell Cohen who was appearing as an expert witness. The exchange revealed that in a reference case the federal government can go directly to the Supreme Court, whereas provincial governments must initiate their cases in courts of appeal. This offended the hon. member's view of the "necessary symmetry and balance" between the two levels of government. In his response, Professor Cohen stated:

It would be a pity not to see a very positive side to the federal Parliament and federal parties. After all is said and done they are part of the national system.

He put a series of questions to the hon. member:

Are you not unhappy with the over-use of the theory of equality of the two levels of government because in fact are they really equal? Do you conceive of the provinces? Yes, they have jurisdiction, they have exclusive rights in a particular area but are we really talking about equality in the ideological, over-all, political, historical sense? Do you not want to retain the sense of there being an overriding Canadian national identity and interest?

We in this party believe there is an overriding Canadian national identity and interest. The federal NDP feels the same; members of the Official Opposition do not. We in this party believe that we have responsibilities which must be exercised now, for the good of the country as a whole.

[*Translation*]

How did we ever reach that conclusion, Mr. Speaker? Some members of the official opposition and certain newspapermen would have us believe that our actions are dictated by what they think is the personal obsession of our leader. Not only is that an insult to our leader but it is an insult as well to my intelligence and to the intelligence of all members of our party.

I would like to say to our critics that the members of this party share a vision of Canada which reflects that of the great majority of Canadians. Each one of us has his or her own reasons to arrive at that conclusion and to share that vision of Canada. We have all followed our own line of reasoning.

I would like to explain today some of the reasons why I took this position. First of all, I grew up here in the city of Ottawa and although I was raised in an anglophone environment I number among those Canadians who are of neither French nor English origin. When I studied Canadian history I had no prejudices or preconceived ideas, but I have always felt sympathy for the underdogs. I recall a certain sadness when I read about the defeat of Montcalm on the Plains of Abraham. Over the past eleven years I have had the privilege of living in Quebec and I like to think that I understand the aspirations of French Canadians. How many times I sat at a lunch table and heard about the ups and downs of French Canadians trying to go into business 30 years ago!

Mr. Speaker, let us imagine the difficulties, the hesitations and the doubts experienced by any young man going into business. And on top of that francophone businessmen had to express their hopes and their dreams before bank managers who did not speak a word of French. That explains the popularity of the PQ slogan *d'égal à égal* during the referendum campaign, even among those who voted no. As they

renewed faith in Canada, their Canada, the people who voted no expressed a feeling which underpins human dignity—the wish to be treated as equal, the will to lead a productive life in which their opportunities are as good as those of other Canadians.

The time has come to keep our promises. Since 1963 when Lester Pearson commissioned a report on bilingualism the constitutional debate has widened. Those who were born in 1963 are now 18 years old. Many of them attend university or join the labour force. They are a full generation behind us, however, today still, certain Canadians fight for their fundamental rights.

[*English*]

I heard the hon. member opposite who preceded me speak about the fact that it takes time to come to a consensus about what our rights are. But I would ask him: how long does one wait when people in the country are deprived of rights which ensure their basic human dignity? We may disagree about the method but I think that we can unite around the charter. I have no doubt but that the vast majority of Canadians uphold the rights set out in the charter. I believe it is a noble statement and a noble expression of our commonly shared values and can become a powerful force for unity.

● (1440)

Professor John Humphrey, president of the Canadian Human Rights Foundation, gave me the following definition of a bill of rights. He said:

> A bill of rights is, or should be, the concrete legal embodiment of the national consensus as to what minimum rights belong to individual men and women in their quality as human beings, that is, because they are human beings and for no other reason. That is why they are called "human" rights. And because there can be no human dignity without them they should be the same for all Canadians in all parts of the country wherever they live.

Surely, the rights that allow us to live in dignity go right to the heart of our existence as a nation. Surely, this is what the groups who appeared before the committee on the Constitution meant when they said that the same basic rights and freedoms should apply uniformly to all Canadians, whether in British Columbia or Newfoundland. It seems to me this is the exercise we have been engaged in over the past several months. We are defining those basic minimum rights which we feel should exist from coast to coast and without which this country cannot survive. We have heard the submissions of groups and individuals representing millions of Canadians. We have considered the representations of the provinces and we are doing it from our perspective as parliamentarians who represent every corner of our country. It is an exercise which cannot be done from the perspective of a provincial capital and which surely cannot be done from Westminster.

I would like to say a word or two about the rights which we have included in the charter. There are rights which are called "fundamental", as if to suggest that the other rights are any less fundamental. I reject any such distinction. I believe that all the rights set out in the charter are fundamental human rights of equal value, without which there can be no human dignity, in the words of Professor Humphrey.

Having said that, it is probably difficult for many Canadians to conceive of a Canada where we could not enjoy the basic rights set out in Section 2 of the charter, the so-called fundamental rights. Those who were born after World War II, like me, have enjoyed greater liberty than any other generation in history. At times we may take our freedoms of thought, religion, expression, assembly and association for granted. However, the committee was reminded of occasions in Canadian history in which such rights were infringed. To prevent such abuses and to remind ourselves of the importance of such freedoms, they should be entrenched in the Constitution today.

Other rights in the charter, though equally fundamental, are more difficult to secure in practice.

[*Translation*]

Since coming to Parliament, Mr. Speaker, I have realized that every Canadian needs to have a charter of rights entrenched in the Constitution. Like any other member of Parliament, I have had the opportunity, through meetings with my constituents, to realize the problems faced by those whose rights are not respected, who cannot find a job become they are considered too old or because they are handicaped or simply because they are women.

As Gordon Fairweather, the president of the Canadian Human Rights Commission, said before the constitutional committee, the purpose of the charter of rights and freedoms is to protect the weak from the strong and those who are powerless from the powerful. Mr. Fairweather also said that in his three years of experience with the commission, because it has been in existence for only three years, he has come to realize that many Canadians are completely powerless.

Mr. Speaker, human dignity for the people in my riding of Laurier, is the right not to be told at age 40 or 50: you are too old to work. Human dignity for a textile worker is the right to not be paid under the minimum wage just because that worker is a woman. Human dignity for a handicapped person is the right to work and to lead a productive life. And as I said in my maiden speech in October, 1979, human dignity is the right for all Canadians to work anywhere in Canada.

While doing door to door campaigning in my riding I met many construction workers who used to work in Ontario when there was a slowdown in the building industry in Quebec. This freedom of manpower movement is vital, I think, and I find it unfortunate that it ceased because of the building war between Quebec and Ontario. When I say that this issue seems vital to me, I am sure it seems much more vital to those people who find themselves without any means of livelihood because of economic barriers erected during the last few years.

[*English*]

An entrenched charter of rights will allow the courts to play a much more important role in the protection of human rights in Canada. Any student of constitutional law can tell you that

the courts have treated the Canadian Bill of Rights as what it is—ordinary legislation—and have interpreted it as not to invalidate conflicting legislation.

A result of this interpretation is that a Canadian, Sandra Lovelace, has been forced to seek remedies outside Canada by going to the United Nations Human Rights Committee. It is a scandal that she should not be able to find justice and equality within Canada. Imagine, Mr. Speaker, how Canada will look in the eyes of the world community if a judgment is rendered by the United Nations Human Rights Committee declaring that the particular provision in the Indian Act discriminates against Indian women.

One of the main criticisms of the constitutionally entrenched charter is that Parliament and not the courts should be the final arbiters in matters relating to human rights. In the British tradition this function belongs to Parliament. However, every Member of Parliament knows that on a day to day basis courts can best protect an aggrieved individual. Parliament has little time to concern itself with the personal problems of the man or woman at the corner of Peel and St. Catherines, or Portage and Main for that matter. It is true that at the allotted time a Member of Parliament can put a question to the government in power, which may result in an investigation, or even in new legislation. But what guarantee do you have that you will be able to catch a minister's attention or that he will listen to you? An individual acting alone has very little clout, and even less if he happens to belong to a minority. He has a much better chance of bringing his case before the courts, and if he has a good case he will obtain a remedy, a remedy which may not only benefit him but all others in the same situation.

Entrenching a charter of rights does not mean that Parliament can then sit back and do nothing. The committee was reminded of this by Dr. Noel Kinsella, chairman of the New Brunswick Human Rights Commission. I will loosely paraphrase what Mr. Kinsella said. He said that the courts are but one institution for the protection of human rights and that there are many others. The other two major institutions are the legislatures and Parliament, and also the people through public opinion and the voluntary sector. He said that we in Canada, in terms of the enhancement of human rights, must not come to the conclusion that a bill of rights in the Constitution is the final guarantee of human rights, since the great advancements in race relations in the United Kingdom have been made following upon the race relations act, in the United States following upon the civil rights act, and in Europe following upon the European convention.

The courts, the public, the press, Parliament, the legislatures—each and every one of us has a vital role to play if we are to continue to enhance human rights in modern Canadian society and to meet the needs of a modern Canada. That is the message we heard in the committee and that is why I urge this House to adopt the resolution.

● (1450)

Some hon. Members: Hear, hear!

The Constitution

Mr. Lloyd R. Crouse (South Shore): Mr. Speaker, I welcome the opportunity to speak on the government's resolution respecting the Constitution of Canada. I do so because I consider it my duty and responsibility to speak out on behalf of the more than 68,000 people that I represent in my riding, who have consistently returned me to this House for 24 years through ten federal elections.

An hon. Member: You cannot last forever!

Mr. Crouse: Don't you bank on it, my friend. I have pretty good staying power!

Since this proposal was first introduced October 15, 1980, I have received hundreds of letters from my constituents expressing their fears, anxieties and concerns for the future of Canada. I share their opinion that our Constitution should be a unifying document, one which brings joy and pride to the hearts of all Canadians. Unfortunately, this has not been the case, and many of us now realize that some of the unwise decisions made by this government in its constitutional proposals may well create a backlash which could inflict mortal wounds from which our confederation may never recover.

If Canada is strong enough to endure the blows already dealt to our national unity, we still could be confronted with constitutional provisions which, unless amended, will be permanent causes of regional alienation and dissent. We are all well aware, Mr. Speaker, of the long series of efforts to reach agreement on constitutional reform. On at least two occasions agreement was reached, but when the time came for ratification someone always lacked the energy or initiative or political will required to take the final step.

The long series of efforts and failures reached their climax at the last meeting of first ministers. However, I am not all that certain that meeting ever had a chance to succeed. I say that because of the unrealistic time constraints and objectives laid down at that time by the Right Hon. Prime Minister (Mr. Trudeau). Both the pre-conference committee and the conference itself tried to reach agreement on much too broad a spectrum of reform, thereby opening up too many areas of disagreement. It is my opinion that if the committee and first ministers had concentrated on reaching agreement on an amending formula and patriation, I am confident it could have been reached. The way would then have been open for immediate patriation and impetus given to resolving the issues in an atmosphere of co-operation and good will.

I believe the time constraints placed on the committee and the conference were unrealistic. Negotiations of this type are, of necessity, slow and laborious; they require much patience, time and perseverance; they simply cannot be hurried. You cannot expect to plant an acorn today and sit under the shade of the oak tree tomorrow, and this seems to be one of the Prime Minsiter's problems. With the Prime Minister insisting on unrealistic deadlines, the prospects for success are practically nil.

Another cause of failure was his almost total rejection of the viewpoints and concerns of the ten provincial premiers. In his philosophical approach to what he regards as Canadian nation-

hood, he held that Canada is more than the sum total of its provinces, that the federal government, rather than being a partner with the provincial governments, is a power above and apart, representing national interests which transcend those of the ten provincial governments combined.

While attaching great importance to his so-called people's package, including the charter of rights, the Prime Minister was unresponsive to the equally important concerns of the provincial premiers in matters which affect not merely their regional interests but the well-being of the nation as a whole. The Prime Minister's attitude is a viewpoint that I cannot accept.

The provincial governments, Mr. Speaker, exercise on behalf of the people of those provinces the powers given to them by our present Constitution. Practically every part of this country today is adversely affected by unresolved jurisdictional disputes involving the ownership and management of natural resources, including offshore mineral rights. When the premier of my province states that he does not believe the natural resources of Nova Scotia should be wrestled from the grasp of Nova Scotians, he is only saying what the people of that province want him to say and, by virtue of the Constitution, have the right to expect him to say on their behalf. This is what he must do. If he did not take that stand he would be false to his duty and negligent in the responsibilities imposed upon him by those who elected him.

As one of the first Canadian provinces to have its own flag, Nova Scotians hold their traditions high. We are a proud people, proud of our heritage and proud of the fact that our forebears came to Nova Scotia from many lands across the sea; from Scotland, Ireland, England, France, Germany, Norway, Switzerland and Sweden, to name but a few. Some of my forebears came from the Rhenish Palatinate and some from Hanover in 1753, before Germany existed. All of these people came for one reason or another, to escape religious persecution, to establish new homes on their own lands where they could sink their roots and seek a new way of life free from harassment and persecution.

As Nova Scotians, we believe that the rights accruing to us before confederation are still ours. In fact, the British North America Act states that whatever the provinces had before confederation, such as mineral rights, they were to retain after confederation. This is spelled out in Section 109 of the BNA Act.

The first seed of ownership was planted in 1605 by the commission given to De Monts, that gallant and adventurous French explorer. It was further strengthened by the Royal Charter of 1621 given to Sir William Alexander. Then there were the treaties of Utrecht and Paris in 1713 and 1763. Our claims were expanded by the commissions of Cornwallis and other governors, as well as by the creation of the legislative assembly in 1758 and legislation passed by the government of Nova Scotia between 1758 and 1867.

From these facts it should be noted that our claims as Nova Scotians to our province and our mineral rights go back over many centuries, and I say to you, sir, that we are not about to give them up because of a unilateral decision made to gratify the ego of one man. Our claims to offshore mineral rights are now threatened by this government, and I cite this example to indicate that the solution to our problems does not necessarily require constitutional amendments; what is required is a recognition that often the national and regional interests of the country are inseparably related.

The provincial governments must, therefore, be treated as equal partners of the federal government in the policy-making process through which solutions to these problems must be found. However, when the provincial governments made it clear that any amendments to the Constitution should guarantee their rights to the ownership of natural resources and that the priority of provincial economic policy should be reaffirmed and entrenched, the Prime Minister responded that he was not prepared to bargain, in his words, freedom for fish or fundamental rights for oil. Is it any wonder that under these circumstances the first ministers' conference ended in failure.

• (1500)

The proper thing to do at that point, in my opinion, would have been to temporarily set aside all issues other than patriation and agreement on an amending formula which even then, in all probability, could have been reached. However, this course of action did not suit the Right Hon. Prime Minister who, instead, decided to embark upon a course of unilateral action to both repatriate and amend the Constitution despite warnings from most of Canada's premiers that such action would have dire consequences for confederation.

Patriation per se is not a matter of disagreement among the Canadian people. Practically all are agreed that our Constitution should be our own statute, passed by our own Parliament and enshrined in this Parliament. I agree with that. It is equally true to say that patriation of our Constitution is not a matter of widespread public concern even after this Liberal government spent millions of dollars on television advertising to tell Canadians that life would be uncertain if the British North America Act did not return to Canada.

Mr. Ouellet: That is not true. We did not spend millions of dollars on that. That is totally untrue.

Mr. Crouse: The hon. gentleman says that is totally untrue. He is in cabinet so he would have the figures. When he makes a speech he can put the true figure on the record. Perhaps I have understated the amount and, if so, he can set the record straight.

I was saying the people are not as much concerned as we would have liked them to be. I say that to you and to the government, sir, because of the facts made known as a result of a recent Gallup poll taken among Canadians in which they answered that they regarded different matters as having urgency. Patriation would seem to have a very low priority. Canadians seem to believe that the really serious and urgent problems are inflation, unemployment, energy, balance of payments and budget deficits. I say to the government,

through you, sir, it is high time it took some action on these urgent economic problems.

Unfortunately, these problems do not seem to concern the Right Hon. Prime Minister. In my view, today he is a man on a mission, on a crusade to change if not the world, then at least Canada, in order to assist in reflecting his ideological and philosophical preferences, with never a thought for the wishes of the Canadian people. This man is on the last lap of his political career. Whether that lap takes one year or another election does not make any difference. He sees what he thinks is best for Canada and, with the single-mindedness of the true believer, is determined against all odds to achieve it. Call it what you like, disguise it as you will, what he seeks for Canada today resembles a socialist dictatorship in my view. If you do not like that term we can call it a centralized paternalistic system, where free choice is limited and where state control is excessive. He proposes that the collective should replace individualism, all in the name of the common good of the average citizen. I say to this House, that the common man's individual liberties will be the casualties.

As the Right Hon. Prime Minister points out in all his writings, his background and leanings do not favour British parliamentary democracy nor a constitutional democracy. He knows better than the average Canadian that if he succeeds in getting human rights and language rights entrenched in the Constitution in the manner he proposes, parliamentary democracy in this country is dead, as will be the monarchy.

Inevitably, Canada will become a republic with a presidential system under the Prime Minister's plan. Make no mistake, the constitutional proposal is entirely that of the Prime Minister, no one else, and he is pushing this proposal with all the force at his command.

What do we see from this side of the House? We see an uncritical group of Liberals blindly following the Pied Piper who blows the flute and leads them over the cliff to their destruction. Occasionally one will surface like Moby Dick and blow his spume into the air, then disappear below the surface, never to be seen again until he somehow reappears in his place to vote as his master dictates.

The over-all effect of this action and this resolution will be that the federal government will intrude ever deeper into our daily lives. There may be some who will claim I am being too critical of the Right Hon. Prime Minister, but I am merely stating truths as he has publicly recorded them. In fact, when Mr. Trudeau and Mr. Pelletier joined the Liberal Party in 1965, after taking a leave of absence from the NDP, they issued a prepared statement which said in part:

> The undersigned are still following the same goals—they are continuing to adhere to the same political ideologies that they have for a long time set forth in "Cité Libre." We don't repudiate any of our convictions. We have only resolved to pursue elsewhere and in other ways the intellectual and social struggle which has always claimed us.

When he was justice minister he was taunted with some of his former writings and he responded by saying "everything I wrote I stand by". Three years later—and this is one of the benefits of being in this House for a long time because one can remember these things—while defending a political decision he said, "I acted on the information I have been accumulating since I was three years old".

This leads me to ask what information, what ideas have formed the basis for the right hon. gentleman's actions. He has pinpointed three main sources for his ideas. In 1971 the Prime Minister said:

> In my youth the people who influenced me the most were the Christian existentialists like Mounier. In his last key editorial before his death Emmanuel Mounier wrote in his review "Esprit", "The proletariat must be allowed to continue the positive work of the communist party while eliminating all the poisons which are mixed therein. Such is one of our principal tasks for tomorrow."

In 1966 Mr. Trudeau stated that he found Professor Harold Laski of the London School of Economics "the most stimulating and powerful influence" he had encountered. Laski's single most important book, "A Grammar of Politics", which the Prime Minister studied, laid out these central principles:

> The necessarily federal character of society; the incompatibility of the sovereign state with that economic world order so painfully struggling to be born (communism); the antithesis between individual property rights in the essential means of production and the fulfilment of the democratic idea; the thesis that liberty is a concept devoid of real meaning except in the context of equality, there cannot, in a word, be democracy unless there is socialism.

In 1976 Prime Minister Trudeau said:

> In terms of economics, you know, I spent two years studying with Schumpeter and two years studying with Leontief, and if you want to know who is formenting my economic thinking you'd do better to think in terms of Leontief and Schumpeter.

I found that Schumpeter was Prime Minister Trudeau's Harvard professor. As his major work the professor wrote "Capitalism, Socialism and Democracy" in which he said:

> I have tried to show that a socialist form of society will inevitably emerge from an equally inevitable decomposition of capitalist society.

So it may reasonably be said that the Prime Minister's ideas drawn from the writings of Schumpeter, Laski and Mounier have remained basically the same for the past 30 years.

Let us now look at some of the Prime Minister's writings and compare them with his more recent statements and actions to see how they affect Canadians and will affect Canadians in the immediate future. In 1961 he said:

> I should like to see socialists feeling free to espouse whatever political trends or to use whatever constitutional tools happen to fit each particular problem at each particular time.

Is that not exactly what the Prime Minister is doing today, using whatever tools suit him and suit this particular problem? What did Mr. Trudeau say in 1961 before he was Prime Minister.

Mr. Deputy Speaker: The hon. member for Gatineau (Mr. Cousineau) on a point of order.

[*Translation*]

Mr. Cousineau: Mr. Speaker, last week I pointed out to the House that the hon. member was sinning against Citation 319 of Beauchesne's fifth edition. I realize now it was no accident. He did so deliberately in a well-orchestrated way of mentioning the name of our Prime Minister.

Mr. Speaker, I believe he chooses to ignore the practice of this House.

● (1510)

[*English*]

Mr. Deputy Speaker: The hon. member has called attention to the rules of the House whereby we should refer to hon. members by their constituencies, members of cabinet by their departments and the Prime Minister as the Prime Minister and not by their personal names.

Mr. Crouse: Mr. Speaker, this is not the first time the hon. member has taken the opportunity to do this. I should suggest to him if he wants to make a speech, he should rise and do so.

Mr. Blais: It is a legitimate point of order, and the Speaker has ruled on it.

Mr. Crouse: When I was quoting, I was quoting what Mr. Trudeau said in 1961. He was not then the Prime Minister nor a member of this House.

Mr. Deputy Speaker: I invite the hon. member to observe the custom of referring to people who are currently members of the House or members of the cabinet according to the custom, as I understand it, which usually prevails in this House.

Mr. Crouse: I will follow the custom, Mr. Speaker, as recommended by you.

An hon. Member: Don't brag about it.

Mr. Crouse: The hon. gentleman likes to interrupt. He does not seem to know what the debate is all about. I cannot recall him making much of a contribution. If he will bear with me while I read into the record the writings of the Right Hon. Prime Minister, maybe he will learn a little bit about the man who is blindly leading him over the cliff to his own destruction. I will go on with what the Right Hon. Prime Minister said in 1961 when he was not prime minister.

Mr. Baker (Nepean-Carleton): When he was Mr. Trudeau.

Mr. Crouse: Yes, when he was Mr. Trudeau.

Some hon. Members: Oh, oh!

Mr. Crouse: In 1961, the present Prime Minister said:

The nationalization of the instruments of production is now being considered less as an end than as a means, and one that might in many cases be replaced by more flexible processes of economic control and redistribution. The erroneous, liberal idea of property helped to emancipate the bourgeosie but is now hampering the march toward economic democracy.

In 1975, on national television, the Prime Minister stated:

We haven't been able to make it work, the free market system—the government is going to have to take a larger role in running institutions. It means there is going to be not less authority in our lives but perhaps more.

Mr. Pepin: Quote your own books.

Mr. Crouse: I am quoting the Prime Minister's own writings and I am quoting from his speeches. If the truth hurts, sir, you better stand up and defend your own group. Do not try to interrupt when I am trying to put the truth to what the Right Hon. Prime Minister has said to the Canadian people.

An hon. Member: You will have a heart attack.

Mr. Crouse: I won't have a heart attack. I am enjoying every minute of it.

In 1976 the Right Hon. Prime Minister said—

Some hon. Members: Oh, oh!

Mr. Crouse: I must be hitting hard core pains over there. Listen to them squawk. Never before have I heard such grunting and growling out of those who are being led over the cliff. Never before when I have made a speech has this happened. Somewhere I must be hitting the truth.

Mr. Simmons: You are warping it.

Mr. Crouse: In 1976 the Prime Minister stated:

We haven't been able to make even a modified free market system work in Canada to prevent the kinds of problems we are now experiencing.

There are many more quotes, Mr. Speaker. Perhaps you could keep a little order and keep the rabble over there down a little bit. I do not interrupt, sir, when they are making their speeches and I ask them to have the courtesy not to interrupt me.

Some hon. Members: Hear, hear!

Mr. Simmons: Is there a doctor in the House?

Mr. Crouse: There are many more quotes of the Prime Minister I could place on the record, but surely I have given this House enough to make all members realize the Prime Minister is a leader who is as arrogant as he is intelligent. Since he considers the free market system is no longer working, he and his henchmen have already started on their process of industrial nationalization with the purchase of Petrofina. We hear such things as: "never mind the price. Canadians will pay whatever we feel they can handle," and "let the taxpayers pay." The government has no worry over the large-scale loans to automobile companies. If they are not repaid, I expect this government will take over Chrysler so that Canadians can have their own cars. They may not be called Chryslers, they may simply be called Canadians, with a six under the hood, a four on the floor, with the government in your pocket, you will be driving along with your tongue in your cheek wondering what will come next.

Some hon. Members: Oh, oh!

Mr. Crouse: The Italian government owns Fiat.

Mr. Blackburn: They are doing a good job with Fiat.

Mr. Crouse: The Minister of Industry, Trade and Commerce (Mr. Gray) has us on the road toward owning Chrysler.

I say to all Canadians that unless they want to give up all their freedoms and be subservient to one-party rule in Ottawa, wake up before it is too late. That is what I am saying to that group over there. I have them awake now, at least I have their attention. They have been asleep, they say, for the last 16 years. It is time they woke up.

Some hon. Members: Oh, oh!

Mr. Crouse: On a Friday afternoon, we can all have a little fun.

I just stated the Prime Minister's views on property ownership. Having heard his views, hon. members now know why the Right Hon. Prime Minister does not intend to have the right to own property included in his constitution. During discussions at committee stage, the Progressive Conservatives moved an amendment to the resolution requesting that property rights be included in the charter of rights.

Property rights were agreed to by the Solicitor General (Mr. Kaplan) who gave a solemn commitment to the committee, in the absence of the Minister of Justice (Mr. Chrétien). However, this commitment did not meet with the approval of the Prime Minister or the other socialists in the House who travel under the NDP banner. As a result of the deals made behind the scenes, the government broke its promise to protect this important right that millions of Canadians feel and firmly believe should be included in the Constitution. Every person who understands common law has looked upon his home as his castle. I ask the government through you, sir, why not entrench property rights in the Constitution? Thousands of immigrants, including my ancestors, came to this country for one thing, namely, the right to own land and to be free, because they could no longer do so in their own country, or because their land had been taken from them.

The charter proposed includes a series of rights, many of which fall under provincial jurisdiction. Many of the rights included in Mr. Diefenbaker's Bill of Rights are also included in the Prime Minister's, but one important right is missing; that is, the right to own property, property which cannot be taken from you except by lawful means following a fair hearing.

What are the implications of this act upon the average Canadian? It does not mean that our homes, businesses or farms will necessarily be taken away from us, but it does mean they will go without protection under the new Constitution. Yet, I say to you, sir, with all the sincerity at my command that property ownership is the fundamental basis for freedom in any democracy, and that is the point.

The loss of guaranteed property rights strikes fear in the hearts of many Canadians. Fear, like hate and love is a very positive moving force. It was fear that caused many seamen to refuse to sail with Columbus. It was not that they feared the sea because I presume they were good seamen. It was not that they feared the ships; although they were small, they were seaworthy, but they feared setting sail with a captain who refused to tell them where they were going, the length of the voyage, its cost or their ultimate destination.

An hon. Member: What a trip.

Mr. Crouse: Yes, and what a trip you fellows are going on. If only you could wake up and realize what a trip you are taking.

I say to the government, through you, Mr. Speaker, and to government supporters, this is similar to the situation we have in Canada today. The Right Hon. Prime Minister's policies have already changed the composition and the direction of Canada. Look at how our traditions have been violated, undermined, ridiculed and obliterated. We will never be the same, and only one man, the Prime Minister, has done it. He is still doing it. This constitutional package, which is taking up so much time of this House and of the country, is really only the tip of his iceberg. In my opinion, our present Prime Minister is the most determined prime minister Canada has ever had. He is also the most unprincipled in his efforts to achieve the ends he sees as desirable.

Having read much of his writings, it is obvious he has borrowed and copied many of his ideas from Machiavelli, Marx, Richelieu and Lenin.

Some hon. Members: Oh, oh!

Mr. Crouse: Hon. members over there are laughing. I hope some of these men on the other side can read. If they can read, they would note that what I have said was quoted from their own leader and I have cited the books he said he found most interesting and desirable.

It is obvious he has borrowed much of his beliefs from the men I have mentioned. He embodies a doctrinaire elitism which seeks to bring the people to a certain level of understanding or acceptance which he thinks is best. He is a zealot, perhaps even a fanatic and terribly dangerous, just as any fanatic is dangerous.

● (1520)

This is unfortunate for Canada at this time for he has a belief, a single-minded conviction that he and only he is right. Let us face it, the only ones who can now stop the Prime Minister in his madness are in the Liberal Party and that party is now, unfortunately, composed on people who only obey orders, even if those orders will ultimately destroy this nation.

The government in placing this resolution before this House insists in incorporating in it a referendum proposal which would give the central government unilateral power to change our Constitution without any reference to the elected representatives or elected governments of any province.

This is the proposal, and on that premise this government, after denying our provincial governments their right to prior consultation, has the unmitigated gall to ask Great Britain to vote on Canadian basic rights and freedoms. I say this is an insult to every provincial government and to every Canadian. It is a surrender of Canadian sovereignty by the present government which seeks to justify its actions on the grounds that we could never reach agreement on these important questions in Canada. To strengthen their argument, we are

told by many speakers that Canadian federalism is a 54-year record of failure. I do not accept that allegation.

Prior to the advent of this present Liberal government in 1968, Canada and Canadians were not doing all that badly. We have not been debating the Constitution for 54 years. The record will show that since 1927 this matter has come up in federal-provincial discussions on 48 different dates, which is something like one day per year. This should indicate to everyone concerned that there is something difficult within the problem and, therefore, it is not something to be solved by some fancy words or by one man's desire to impose his views on the whole country.

The Canadian federal system run by reasonable governments has produced agreements on many topics, namely medicare, the Canada Pension Plan, equalization payments and hospital insurance, to name but a few. All of these agreements were reached through a process of negotiation and consensus but now this will no longer happen and, in future, changes will be made unilaterally by one government in Ottawa.

By tearing up our federal traditions, we risk tearing apart our entire country. I say to this government, through you, sir, that charters of rights, amending formulae and referenda are not symbols but are the practical tools by which our nation will be governed in the future. All laws and especially fundamental constitutional laws are not worth the paper they are written on unless they represent a consensus arrived at by discussion and debate. You cannot force this bill down the throats of Canadians unilaterally without creating anarchy and rebellion. We are close to that now with eight provincial premiers, as of this morning, raising as loudly as they can their objections to this legislation, this resolution, this proposal.

Some hon. Members: Oh, oh!

Mr. Deputy Speaker: Order. The hon. member for South Shore has the floor.

Mr. Ouellet: He is abusing it.

Mr. Crouse: I never knew the truth could hurt so much. I do not believe there is any provision in this constitutional proposal which is more objectionable than the permanent enshrinement of a referendum to change Canada's Constitution. This is not just any referendum. It is a power to be given to the federal government to break a so-called deadlock, a deadlock that would be solely and totally determined by the federal government. It is a referendum which could be used to bypass the people's elected representatives and the provincial legislatures. It is a referendum which could be used by a majority to override the rights of minorities, the very people which the proposal purports to protect.

For reasons I have mentioned, I intend to vote against this resolution. I believe if it is passed by a majority vote that it will be the beginning of the end of our nation as we presently know and love it. I hope I will always be able to say I am a Canadian, a free Canadian, free to speak without fear, free to worship God in my own way, free to stand for what I think right, free to oppose what I believe wrong and free to choose those who shall govern my country. This heritage of freedom I pledge to uphold for myself and all mankind.

Some hon. Members: Oh, oh!

Mr. Crouse: It seems my right to do just that is being questioned here this afternoon. It is the thin edge of the wedge when you cannot make a speech freely expressing your own views, opposing that which you believe wrong without the herd's uncontrolled yapping, trying to prevent me from putting forth those views in which I strongly believe. That is the very essence of my speech. Already our rights are being eroded. Those words I stated are the final words in the Bill of Rights as established by the Right Hon. John Diefenbaker. I say in closing that they are as true today as they were when they were first passed by the Parliament of Canada.

Hon. Steven E. Paproski (Edmonton North): Mr. Speaker, I congratulate the hon. member for South Shore (Mr. Crouse) on a wonderful speech. We on this side appreciate what he has to say. I also want to comment on speeches made in this House by the hon. member for Surrey-White Rock (Mr. Friesen) and the hon. member for Waterloo (Mr. McLean).

I congratulate all my colleagues on both sides of the House who sat on the constitutional committee. They did an admirable job and are to be commended. In particular, I congratulate my colleague for Provencher (Mr. Epp) who led the official opposition in the Constitution committee. He did a tremendous job.

The people of Canada are facing the most serious constitutional crisis since confederation. As the Right Hon. Leader of the Official Opposition (Mr. Clark) has often stated, the crisis has come about as a result of years of negligence and indifference on the part of the Liberal party.

The Prime Minister (Mr. Trudeau) has adopted an intransigent attitude on the question of constitutional change. All of the provinces have been made to feel they are simply fifth wheels on Ottawa's chariot. The provinces are realistic in demanding consultation in order to determine the shape and style of a new Canada.

Canada's future must be decided by the provinces and the federal government in council together. Let me say this, the future of Canada will not and cannot be decided by one man, Pierre Trudeau—

Some hon. Members: Order.

Mr. Paproski: —to suit his own private view of confederation. Canada's BNA Act was put together in 1867 by the provinces sitting around a table.

Mr. Blais: It was put together by Sir John A. Macdonald, if you want to know.

Mr. Paproski: If it must be rewritten at this late date; let it be done in the same way as the original act was framed.

Mr. Knowles: The minister and I know, we were there.

Mr. Paproski: I know Stanley Knowles was there. All you have to do is look at the pictures and you can see him.

Mr. Deputy Speaker: Order. The hon. member should be referred to as the hon. member for Winnipeg North Centre.

Mr. Blais: Well, Steve, at least you are funny.

● (1530)

Mr. Paproski: I do not intend to be funny. I think this is a very serious and pertinent topic, and I do not consider it to be funny. The minister says I am trying to be amusing. It is Friday afternoon; I think we can inject a little bit of humour, but this is a serious matter and I wish he would take my remarks as a serious speech.

I personally feel that the Constitution should be patriated unchanged, except for an amending formula and that amendments should be made in Canada by agreement with the provinces. I say with some confidence that the provinces would all be ready to settle for less power if they could be assured of more consideration by and consultation with the federal government. Let me say that one more time. I say with some confidence that the provinces would all be ready to settle for less power if they could be assured of more consideration by and consultation with the federal government.

Mr. Rossi: You know they will never agree to that.

Mr. Paproski: You would be surprised.

The requirements on what a workable constitution for a federal state must do for its people are indeed stiff. First of all, any constitution, and particularly a federal one like ours, is the general directing plan for the common life of its people. It is the supervisor of the life of the society. But the people who share in a federal system take different views of life and opportunity. Those views are ingrained in them by history, experience, occupation and inherited attitudes. Our greatest mistake in a federal system is to be unhappy because we cannot live in close unity like a loving family. If we were like that, we would not be struggling to live under a federal system.

I believe this struggle arises largely out of excessive centralization of power in Ottawa. The malfunctioning of the party system in Canada is one of the results of this excessive centralization.

The policies of the Liberal Party have produced an acute polarization of votes in this country. There was originally—and this is still unresolved—a conflict between the Francophone and Anglophone communities.

[*Translation*]

A conflict due to a large extent to the personality of the Prime Minister (Mr. Trudeau). And I quote in this regard journalist Jacques Poisson who wrote in the newspaper *Le Devoir* dated February 9:

—Mr. Trudeau is, at one and the same time and to various degrees, the spoilt brat, the constitutional despot . . . the poisoner of the Canadian political climate.

[*English*]

Some hon. Members: Hear, hear!

Mr. Paproski: My colleague, the hon. member for Laurier (Mr. Berger) read something about Canada in the New York *Times* of February 8. I appreciated the hon. member's remarks, but why did he not read the article in *Le Devoir* of February 9? I do not wish to comment on some of the beautiful adjectives Monsieur Poisson used with respect to our Prime Minister, but let me just read a few things.

All told, Mr. Trudeau's public personality embraces, in varying degrees, a tyrannical brat, constitutional despot . . . crazed manipulator of human marionettes, demon of paradox—

I do not even know some of these words.

—expert . . . intimidator, master of contempt, poisoner of Canada's political climate, a narcissist searching for a cosmic mirror in which to reflect his ego.

Constitution, c'est MOI; democracy, c'est MOI; reason, c'est MOI; common sense, c'est MOI.

Mr. Simmons: Who wrote that?

Mr. Paproski: This is a great article by Jacques Poisson in *Le Devoir* on February 9. I noticed that *Pravda* has also endorsed the Prime Minister and what he is doing here in Canada. With friends like that, who needs enemies?

Today there is an emerging conflict between east and west. Canada is a land of diversity. Our Constitution must therefore contain enough flexibility in its terms to enable us to come to compromises that will let us flourish in our diversity.

My father brought his family here from Poland and the Ukraine in 1929. *Veen priyeekhav do Kanadi*: that means "He came to Canada". My father did not come just to one town, he did not come just to one province. He came to Canada.

Mr. Simmons: Hear, hear! Come on over, Steve.

Mr. Paproski: He came to the Canada as seen through the eyes of our Fathers of Confederation which, despite those strained economic times, still offered freedom, opportunity and prosperity.

In this debate on the Constitution what we are really doing is acknowledging the uncomforting reality that the vision and hopes of men like my father and of generations before him may never more prevail in Canada.

The Liberal government has presented a resolution which contains a Canadian charter of rights and freedoms which makes no reference to the affirmation that "the Canadian nation is founded upon principles that acknowledge the supremacy of God" as it is stated in the Canadian Bill of Rights of 1960 brought in by the Progressive Conservative government of that day. The opportunity and prosperity which is sought by all those coming to Canadian shores, in addition to cherished freedom, is also being undermined by this government.

The amendment presented by my colleague, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) reiterated a right which had been given to Canadians by the

aforementioned bill of rights, and that was "the right of the individual to enjoyment of property and the right not to be deprived thereof except by due process of law". This right now is being threatened.

The vision of a country which offered opportunity to pursue goals and aspirations in freedom has for many years attracted peoples from different lands to our country. Canada is people, and it is this very distinctive characteristic of our different peoples within Canada that distinguishes us from our southern neighbour and other anglophone countries in the world.

It is this embracing of the diversities of English-speaking Canada and the distinctiveness of French-speaking Canada that truly reflects the Canadian identity. It is the multicultural character of our country, profound in history and rich in traditions, which must be fostered and protected if we are truly to respect individual and collective freedoms.

I must say that I telephoned the Minister of State for Multiculturalism (Mr. Fleming) this afternoon—or my office did—to say I would be speaking. I hoped the minister would be in the House. I know he is busy, but as a former minister of multiculturalism I wanted him to hear some of the things I have to say this afternoon.

Mr. Blais: Your heart is in the right place.

Mr. Paproski: The Liberal government has done nothing to promote a sincere and significant contribution to the development of multiculturalism in Canada. The so-called permanent policy on multiculturalism and its present minister are a shame. Just what is Canada without the recognition of its diverse cultural origins or without the official acknowledgement that over one-third of our population is neither of French nor English origin?

Multiculturalism goes beyond the entertainment novelty of song and dance. It is a history, a language and a way of life contributing to the Canadian social environment. It is certainly not something to be drummed out at election time or when the government needs to improve its public relations image.

The present minister in the Liberal government is a perfect example of what I have just said. That is why I said I telephoned his office. I wanted him to be aware of what I am saying to him today. One wonders about his priorities. Is he really promoting the multicultural nature of this country or is he concentrating on selling the Liberal government?

● (1540)

An hon. Member: The former.

Mr. Paproski: He is the minister of propaganda, the Goebbels of the Liberal Party.

The Progressive Conservative Party of Canada recognizes the multicultural reality of the Canadian society and is committed to developing this premise. We should not simply accept or tolerate Canada's multicultural nature. We must celebrate it as a formidable guarantee of our uniqueness as a nation and our continued diversity and freedom as a people.

In keeping with this premise, the cabinet of the Leader of the Opposition has reflected this diversity of backgrounds—and I must mention in this context the Hnatyshyns, the Mazankowskis and the Paproskis, that great Irish team! No other cabinet in all of Canada's 112 or 113 years of history has had such a wide representation of talent and expertise. This cabinet was moving toward the enhancement of the multicultural program by proposing an upgrading of the status of this program within the structure of the Department of the Secretary of State.

In keeping with this commitment, the Leader of the Official Opposition last year established a new program within his office and appointed Michel Lamoureux as his special assistant for multiculturalism; he not only speaks French but also Italian, Spanish and other languages, and before I am finished it will include Ukrainian and Polish. Most Canadians, however, are really unaware of a multiculturalism policy in Canada, and those who are aware of such a policy perceive it only in the context of allowing immigrants to maintain their customs and folk traditions.

In one united and independent Canada, Canadians should enjoy effective equality in political and socioeconomic rights, irrespective of their ethnic origin, religion or mother tongue. All ethnocultural communities, from the Anglo-Celtic and French to the smallest ones, contribute to the Canadian cultural mosaic, and their cultural activities should be given moral and material support by the state in proportion to the groups' willingness to survive.

Section 27 in the Charter of Rights and Freedoms in this constitutional resolution refers to multicultural heritage. The section reads as follows:

27. This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

These three lines are an insult to the non-English and non-French citizens of our country. This section is one of interpretation, not one of recognition that over one-third of Canada's population is neither of English nor of French descent.

I do hope that the Prime Minister of Canada and the Minister of State for Multiculturalism will seriously reconsider section 27 of the resolution and will enshrine in the Canadian Constitution the recognition that is due to the members of Canada's ethnocultural communities.

Hon. members opposite may think this is not a serious matter, and I hope the President of the Privy Council (Mr. Pinard) is not laughing at what I have had to say today. I have a lot of respect for francophones across this country as well as for anglophones, and I would like to see the same respect accorded to one third of our people who are neither Anglophone nor Francophone. I hope we will keep this in mind and consider it very seriously.

Hon. Alvin Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, I realize that at this time of the day my remarks will have to be split into two parts, so I will take the opportunity in my opening remarks to comment in a general way on some of

the highlights of this debate which has taken place so far. I have deliberately, as I did in the second reading debate, watched each of the speakers, listened carefully to what they have said and tried to put it into perspective.

I think the highlight of this debate, which is equivalent to the third reading of an ordinary bill, took place outside the House when the young hon. member for Yorkton-Melville (Mr. Nystrom) who, having been named the spokesman of his party on constitutional matters and having led the debate on behalf of his party in committee with distinction, moderation and sincerity on national television which covered that committee, went before the television cameras this week, along with three other members of his party, and told the people of Canada that he and the others could not vote for this resolution. It was a difficult thing for those four men to do. I respect that type of courage, not only because it was demonstrated by a member of a party which is different from my own but because it represents to me something that is very important.

This demonstrates that in every party there must always be someone who, on a tremendously important issue like this, will put the principles of his country first before party loyalty. I include in these remarks the hon. member for Edmonton East (Mr. Yurko) in our party who, after a great deal of struggle and strain within himself and after talking it over with the caucus, announced that he will vote for the resolution, and he gave his reasons publicly. To my knowledge, not one Conservative member denied him that right. Now we see four members of the NDP saying publicly something which was said by the leader of our party on October 2. I will quote the hon. member for Yorkton-Melville from the press release of his statement, a very simple statement, which reads as follows:

Since I feel so strongly that this resolution ignores federalism—ignores the Canadian way—and will further divide the country, I have informed my leader, Mr. Broadbent, and my caucus that I will oppose this resolution when it comes to a vote in the House of Commons.

An hon. Member: Surprise, surprise.

Mr. Hamilton (Qu'Appelle-Moose Mountain): I have heard members of the House attack the party for being divided, and I heard a Conservative member, who disagreed very strongly with the NDP, come to their defence yesterday. The hon. member for Yorkton-Melville went on to say in his statement:

—my basic opposition rests on the wrongness of the process.

● (1550)

This is the heart and soul of this entire debate. One cannot build a foundation or a house, let alone a constitution of a nation, unless there is purity of thought and purpose. One can build what only looks like a foundation or a house, but it is not a house unless it receives the time, care and attention it deserves.

I would think Canadians are now somewhat more proud of Parliament than they were two or three weeks ago. They have heard a member of this party declare his sincere convictions which were different from those of the rest of us; he is one among a hundred. Also they have heard four members of the NDP stand up and declare their sincere convictions. They know they can put more trust in a party which allows independence of mind on fundamental principles than they can when there is solid voting.

Among the 150 Liberals who sit opposite, I am sure there must be some who are concerned that they are destroying, by their stand in this House, the sincere position of Mr. Claude Ryan, the leader of the Liberal party in Quebec. Also they are destroying—and perhaps they want to—the position of the head of the government of Quebec, the Honourable René Lévesque. These men are Canadians. The latter honestly confessed that he does not like the Anglos, particularly if they live in the city of Montreal or in London, England, but that he does not have anything against the rest of us.

An hon. Member: Who says?

Mr. Hamilton (Qu'Appelle-Moose Mountain): In 1961 he stood up in Ottawa as a member of the Lesage government, when he accepted the presidency of the Canadian Council of Resource Ministers, and stated that the only way the federal system would be saved was by co-operation.

An hon. Member: He was a Liberal then.

Mr. Hamilton (Qu'Appelle-Moose Mountain): Yes, he was a Liberal then.

An hon. Member: Today he is a separatist.

Mr. Hamilton (Qu'Appelle-Moose Mountain): He believed that there was good in Canada, if we worked together and co-operated.

An hon. Member: What is he today?

Mr. Hamilton (Qu'Appelle-Moose Mountain): If one asks him today why he left the Liberal Party—

An hon. Member: It was because he was a separatist.

Mr. Hamilton (Qu'Appelle-Moose Mountain): —he will say publicly and honestly, as he has done many times, that when he became a minister in the Lesage government he had no trouble getting co-operation from the government of the day from 1960 to 1963, but that he was faced with a new type of co-operative federalism in 1963.

During the Diefenbaker period more agreements were signed by the federal government with the provincial governments than at any other time in the history of confederation. These agreements dealt with matters mostly under provincial jurisdiction, but in the interests of developing a stronger Canada agreements were made with the provinces to carry these things forward.

We have heard in this debate that we would never have had a hospitalization plan or a medicare plan under this type of resolution. But in a constitution, in respect of which one thinks of working together, with sovereign rights held by provinces in certain fields and others held by the federal government, but both agreeing in advance that they will never break apart, one

could always get agreement if there was a willingness to co-operate.

I was personally able to make agreements with Premier Duplessis. Surely he was a nationalist. My colleague at that time, the minister of labour, Mike Starr, made agreements with Duplessis concerning education, roads, forestry and power. If we could make agreements with strong nationalists in the province of Quebec who were yielding to no one in their awareness of their distinct culture, then why can other governments not do it?

Unfortunately in 1963 we inherited a prime minister who thought co-operative federalism meant calling the provinces in, sitting them down ten across the desk, listening to the civil servants behind them, and telling those provinces what they were to do. Unfortunately, for this late prime minister, he was up against six or seven of the toughest provincial premiers. It was like murderer's row across from him. There was Stanfield, Smallwood, Lesage, Robarts, Duff Roblin, Manning and Bennett. Who would want to take on those ten fellows and try to tell them what they were going to do? Everyone knows that Premier Lesage ran prime minister Pearson off the field of battle in no time. Pearson had to sacrifice his own ministry to bring peace between the federal government and the provinces.

In the last number of years the Canadian way of doing things by consensus has been steadily destroyed. Today we are debating a way of life in Canada. It has been put best by the hon. member for Rosedale (Mr. Crombie) when he said that it was really a question of consensus or confrontation. The same comment was made by the hon. member for Provencher (Mr. Epp) and other people. The Canadian way and the only way a federal system will work is when everyone is treated as an equal, regardless of which level of government is concerned, until it comes time to pay, and then there is a little bit of argument. This issue of consensus versus confrontation as a technique was used successfully by governments of all political stripes for over 100 years, but within the last ten years they have experienced failure.

May I call it four o'clock?

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

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Mr. Deputy Speaker: Is it agreed that all motions preceding No. 38 shall stand, by unanimous consent?

Some hon. Members: Agreed.

Mr. Deputy Speaker: Agreed and so ordered.

CRIMINAL CODE

MEASURE TO AMEND—INTERCEPTION OF COMMUNICATIONS

Hon. Walter Baker (Nepean-Carleton) moved that Bill C-238, to amend the Criminal Code (invasion of privacy), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

● (1600)

He said: Mr. Speaker, at the outset I must confess to the House that I am not the original draftsman of this piece of legislation. Nor is it the first time it has been before the House of Commons. This bill was first introduced in an earlier session of Parliament and spoken to on March 3, 1978, by Mr. Eldon Woolliams, Q.C., who everyone knows who has been here for a while, sat in this House from 1957 until 1980, latterly for the constituency of Calgary North.

There are many members of the House who did not know Mr. Woolliams. On the other, there are many who did know him. I think all of us who knew him, regardless of what side of the House we might sit on, felt him to be a truly estimable Member of Parliament, who, by his background and learning, brought a very finely tuned sense of justice and equity to the work in the House of Commons. If one reviews his background it is interesting to note that he was a practising lawyer, and still is, of great distinction in the province of Alberta. But not many of us know that he was a teacher before he became a lawyer. He distinguished himself as a trial lawyer and as a parliamentarian. He maintained his interest in the law. He was our party's critic with regard to justice and legal affairs. He appeared in that role on many occasions with respect to amendments to the criminal law and other things. He was a special delegate and lecturer for Canada to the United Nations seminar on human and civil rights held in Mexico City in 1961. He was a justice delegate for the Canadian Congress on Peace through Law in Belgrade, Yugoslavia in 1971. He carried himself in the House as an avid political partisan, to be sure, but also as an avid partisan of equity and justice, and reviewer of the law to ensure that the law evolved. He did so to ensure that the individual was not forgotten. It was because of his concern at that time that he brought forward this bill. It was a private bill with respect to certain amendments to the Criminal Code respecting the invasion of privacy.

As the House will remember, we have had some spirited debate in this House on the question of wiretapping and on the question of the necessity for the administration of justice to keep up with technological change while others not so interested in the preservation of order in society were doing so. He was very concerned, while these procedures were being carried out, that we become watchdogs of the rights of individuals in terms of the administration of justice. Mr. Woolliams' finely tuned sense of justice caused him concern about some changes in the criminal law which were made in favour of the individual during the minority Parliament of 1972-74 but which were changed in the Parliament that met later in 1974.

This bill raises a number of concerns which were important then, and which I suggest to the House are important now. They are important because of what has happened and what is happening to our society. There seems to be a willingness for society to accept the fact that it is now becoming a society of groups rather than a society of individuals. We have large corporations and large unions. We have advocates of law and order, and I happen to be one of them. But in some cases we have advocates of law and order who tend to downplay the importance of groups and talk about the importance of individuals. We talk about groups and people in terms of statistics. We are always talking about the percentage of unemployed, the percentage of disadvantaged, the percentage of senior citizens and the percentage of our population who are veterans. This is a reflection of a society which has turned inward and forgotten that inside those groups, which compete from time to time, there are individuals who count as well.

The history of criminal law has been in the direction of protecting society. It is an important direction but it ought not be the only direction of criminal law. Mr. Woolliams was concerned that the wiretapping legislation and the ability to govern electronic bugging had moved in this direction too far. What he did was propose a bill which would have preserved a number of things and, hopefully, moved the law back a shade from the direction it had taken. This bill is a simple one. First of all, if enacted it would protect the important right of privacy between the solicitor and his client. This would enable the solicitor and client to discuss openly the case with which they are concerned, in the tradition of the common law, without the fear of electronic bugging. As Mr. Woolliams said, one had to consult with one's client in the middle of a field in order to be sure that your conversation was not being electronically bugged.

This bill would also protect the right of privacy of candidates for political office, enabling them to freely discuss matters with their supporters, friends or with others who were involved after the writ was issued. This bill would guard against the admissibility in a court of law of evidence gained through electronic bugging. This bill which I have proposed today, which is really Mr. Woolliams' bill, would limit the use of evidence in a court of law which had been taken illegally. As hon. members in the House know, the Supreme Court of Canada has gone far beyond this basic principle.

The bill would also provide for the ultimate destruction of evidence obtained through the use of electronic devices two years after the completion of the matter for which it was obtained, the trial or the appeal. In this way, the electronically-obtained evidence would not be left lying around to be dredged up and used inappropriately at some other time.

The most important, and perhaps the most controversial aspect of this bill, is that if enacted it would reinstate the 90-day notification clause to ensure that the person against whom the electronic surveillance was being used, if it was not intended to continue, would have the benefit of knowing that. Under the law he would be notified that it had occurred.

The purport of all these matters was to bring the law back a wee bit to ensure that the law would not be used against an individual in an improper way. I realize that is a very delicate balance; to balance the rights of society against the rights of the individual, but it is something which we must all guard against.

Those things which had occurred in the evolution of the law offended the finely-tuned sense of justice of the then member for Calgary North. But there is another reason why this bill is timely and why I want the government to consider either allowing this bill to go forward or, failing that, allowing it to go to the Standing Committee on Justice and Legal Affairs. Privacy has become important in another way. All members of the House know that the government of which I was a member was working on privacy legislation which would have been introduced. They also know that the government in office has brought forward privacy legislation and coupled it with freedom of information legislation in Bill C-43. That bill is now before the Standing Committee on Justice and Legal Affairs. It was such an important piece of legislation that all of us agreed, notwithstanding the fact there were differences, the bill ought to go forward in one day, and in fact second reading debate on that bill took place in one day.

• (1610)

The whole issue of privacy from the point of view of the individual is there, and I think if we are to consider the question of privacy, then all matters of privacy, including the criminal law aspects, ought to be before that committee so we will know how they impact, criminal and civil one upon the other, and we can judge the evolution of the law in terms of the individual.

As I said earlier, we have become a society of groups. We have forgotten to a great degree the importance of individuals and that one of the most fundamentally important rights of a citizen in a free society is that of privacy. That is, privacy of his files, of personal information, privacy of his personal affairs and the important right of privacy from inappropriate snooping by police and authorities, however well intentioned. They are there to protect society but we must ensure that the zealousness of their pursuit does not override the rights of individuals to a free, unfettered and undisturbed life.

The electronic age is upon us and, as technology grows, the potential for that kind of interference grows as well. And I would ask the House, if it cannot see fit to approve the bill, to at least allow the committee now seized with the review of privacy legislation as part of Bill C-43, to also review it as it applies to criminal law. I daresay if the committee does this, they will find relationships and principles that apply in both fields and we will be doing justice to the subject of criminal law in great measure. But more than that, we will have an opportunity to review the operation of a very significant change in the criminal law of Canada, and in that sense this bill can provide the vehicle for that sort of review.

I do not intend to take up any more time of the House with respect to that. One could speak about how that electronic

surveillance provision in the Criminal Code came about; *Hansard* is full of that. I think the duty of Parliament is to look at new departures in the law from time to time; not to close the book on what has gone before, but to always be vigilant in ensuring that criminal law is applied fairly, that it is not wanting in some way or that individual rights are not damaged. To the extent that individual rights are not promoted, society itself is damaged. That delicate balance is something we should have under constant review and this bill provides the opportunity to do so.

The parliamentary secretary is here and I ask him to consider that request at least with respect to sending the subject matter of this important legislation, relating as it does to privacy, to the Standing Committee on Justice and Legal Affairs so we can consider the civil and criminal aspects in respect of the law of privacy.

[*Translation*]

Mr. Claude-André Lachance (Parliamentary Secretary to Minister of State (Trade)): Mr. Speaker, I only want to say a few words. It is ironic to think that in this House we always learn at the last moment that the subjects which most interest us are going to be discussed. I had the opportunity to work with the member who originally moved this motion, Mr. Eldon Woolliams, with whom I also had the opportunity, in the Standing Committee on Justice and Legal Affairs, to discuss the admissibility in a court of law of evidence directly or indirectly obtained through illegal bugging.

Following this long debate in committee, we had introduced through the minister an amendment to Section 178.16 to make it again possible for the judge to refuse this evidence when it might tarnish the image of justice. I am, of course, aware of the debate to which the hon. member referred and which is now going on, especially in the United States, concerning the merit of the American rule of total exclusion. I do not want to give my own opinion on this issue at the present time as I know that other members want to take part in this debate, but even in the United States there is no unanimity among the judges or the members of the legal profession, who opt for one side of the argument or the other according to their approach to all the problems caused by the total exclusion rule, since there is no irrefutable evidence in the United States that this rule has prevented the police from acting within the limits normally allowed by law, as the sponsor emphasized earlier. The data on this issue is still very incomplete and it still remains to be shown that the exemplary nature of the total exclusion rule has had the expected results and that the law enforcement bodies have reacted in the way that the hon. member hopes that our own police forces would react to total exclusion.

On the other hand, the virtually total admissibility rule of English common law has caused other types of problems, since it encourages in fact certain action on the part of those who present this evidence without giving to the judge the possibility of maintaining the normal dignity of our courts. Such a provision as Section 178.16(2), which has not yet been seriously tested by the courts, would tarnish the image of justice. I hope that it will be tested eventually and that, for once, our courts will show some legal initiative in this regard, and what I anticipate and wish is that this issue will finally be tested against Scottish common law, which does not follow the rule of total exclusion, but still stands out against the virtually total admissibility rule of English common law, by providing a series of criteria which the judge presiding at the hearing can use to exclude evidence according to the seriousness of the offence and the seriousness of the penalty which could be imposed on the accused if found guilty. So, Mr. Speaker, I was hoping that at last this provision would be applied, that at last it would be tested before Canadian courts, and as a result of the discussions we had in the Standing Committee on Justice and Legal Affairs I was hoping that Canadian courts would imitate or try to imitate the jurisprudential trend which prevails in Scottish common law.

I repeat, Mr. Speaker, I took the floor unprepared. I have a lot of documentation on this subject which fascinates me. I would have liked to be able to speak longer in the House but I am only trying to clarify a few points and to explain my own position on the subject. In this respect I would urge our Canadian courts to be more active and I also hope that lawyers and attorneys general will take the issue of Subsection 178.16(2) before the courts so they will be able to rule on it.

● (1620)

[*English*]

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): I listened very carefully to the remarks of the hon. member for Nepean-Carleton (Mr. Baker). In most cases I find myself either agreeing or partially agreeing with what he says on various subjects from day to day as we seem to be on the same wave length. Today I can say that I do not agree with anything he has said on this particular bill. It does not seem that we are talking about the same thing.

This bill does not really talk about the rights of individuals; it gives lawyers and candidates for federal office more rights than the average individual and more rights when they are actually breaking the law. We are not talking about solicitor-client relationships but about lawyers using the telephones, or lawyers' partners or members of their households using telephones in order to break the law.

Talk about the right of the individual sounds very well in this House of Commons. I do not think the right of the lawyer was mentioned once by the hon. member for Nepean-Carleton. In Sault Ste. Marie several years ago a lawyer was actively engaged in a conspiracy to traffic in narcotics and the police were having difficulty finding the telephone he used. It turned out to be the barrister's telephone in the courthouse. That makes sense; if you are going to do something illegal, then use the telephone the police are least likely to tap. The police finally got an order to wiretap the barrister's telephone in the

courthouse and the evidence was used in a public trial to convict him.

There was a great deal of discussion amongst members of the bar in Sault Ste. Marie at that time about whether this was done in the spirit of the law. I think we came to the conclusion that as lawyers we were officers of the courts and should not be above the law; that at the very least we should be furthering the law and that to have more rights when breaking the law would be unacceptable. But that is exactly what would be proposed by the hon. member opposite, and it surprises me, Mr. Speaker.

We are looking for a delicate balance between the right of the individual and the right of the community as a whole to be protected. In this search for balance, which has been debated many times in this House of Commons, I do not think lawyers and Members of Parliament should have any more rights than the man in the street they are either protecting or representing. In effect, the bill would prohibit the wiretapping of any phone commonly used by a lawyer, and any communication of a candidate seeking election to the House of Commons during the currency of an election campaign. Why stop there? Why not extend this to municipal politicians or provincial politicians who break the law? After we have protected all these people while they break the law using the telephone by assuring that they cannot be wiretapped, then let us extend this to priests, ministers, psychiatrists and anyone who has a confidential relationship with another. While they are breaking the law, let us give them that protection.

It must be kept in mind that a wiretap authorization may be granted only if a judge—it has to be a judge to whom the application is made—is satisfied that it would be in the best interests of the administration of justice to grant the authorization, that other investigative procedures have been tried and have failed—these are all criteria—that other investigation procedures are unlikely to succeed or that the urgency of the matter is such it would be impractical to carry out the investigation of the offence using other investigative procedures only. These are all criteria the judge to whom the application is made can apply. The application is not made to a policeman or a desk sergeant or a duty officer, but to a judge, and it is he who must be satisfied that the criteria are met.

I suggest to the hon. member opposite that the principle that no person is above the law is firmly entrenched in the concept of the rule of law and not men.

There is a very serious case to which I should like to refer, Mr. Speaker, and probably most hon. members who have been round the House or involved with Quebec are familiar with it. The case was *Roncarelli v. Duplessis*. Mr. Duplessis was the premier and attorney general of the province of Quebec. Mr. Roncarelli sued Premier Duplessis, the right honourable, personally for damages arising out of the cancellation of his licence issued by the Quebec Liquor Commission. Mr. Roncarelli was not a professional bailsman—he owned a restaurant—but he provided bail for Jehovah Witnesses who were distributing pamplets in contravention of a Montreal bylaw of the day. This bylaw was ultimately struck off the books. At the trial Mr. Roncarelli won his case. He lost at the court of appeal. Finally, at the Supreme Court of Canada, he was successful.

Mr. Knowles: Who was his counsel?

Mr. Irwin: I don't know.

Mr. Knowles: It was Frank Scott.

Mr. Irwin: The hon. member for Winnipeg North Centre (Mr. Knowles) has alluded to a very well-known and famous civil libertarian who acted as counsel for Mr. Roncarelli. I think that only adds to the importance of the case because Mr. Scott's ventures into the courts were few and far between, and they were always on very important issues.

This was a landmark decision because it held, in effect, that no man, not even the premier of a province and an attorney general at that, is above the law or can act arbitrarily in disregard of the law.

The hon. member opposite is dealing with lawyers and then political candidates. In the *Roncarelli v. Duplessis* case the decision of the Supreme Court would suggest that this should not be so but that such persons should be subject to just as much scrutiny, be they the attorney general, a lawyer or a political candidate, if involved in criminal activity, as any ordinary citizen. That is the whole point, Mr. Speaker.

We go further than this, however. In 1977 this Parliament passed the Criminal Law Amendment Act which amended section 178.13(1.1) of the Criminal Code to read:

> No authorization may be given to intercept a private communication at the office or residence of a solicitor, or at any other place ordinarily used by a solicitor and by other solicitors for the purpose of consultation with clients, unless the judge to whom the application is made is satisfied that there are reasonable grounds to believe that the solicitor, any other solicitor practising with him, any person employed by him or any other such solicitor or a member of the solicitor's household has been or is about to become a party to an offence.

It is not a case of the client having committed a crime but of the persons indicated above being or about to become, a party to an offence. Parliament thereby recognized that the communications of a solicitor or, more properly stated, a client seeking legal advice from a solicitor, has a unique status in common law jurisdictions.

There is protection in the Criminal Code and there is protection—and I will get to this—given to clients but not to their solicitors who are committing crimes.

● (1630)

However, Parliament also decided that this privilege was not absolute and that where the solicitor or another solicitor practising with him or one of their employees or members of their households has been or is about to become a party to an offence as defined by Section 178.1, of the Criminal Code—they are not simple offences, in fact, they are very serious, including murder, treason, robbery, kidnapping, importing or

exporting narcotics, etc.—a judge could authorize the interception of a private communication by electronic surveillance.

As a safeguard, Section 178.13 (1.2) was enacted which reads:

Where an authorization is given in relation to the interception of private communications at a place described in Subsection (1.1), the judge by whom the authorization is given shall include therein such terms and conditions as he considers advisable to protect privileged communications between solicitors and clients.

In other words, it is not a holus-bolus right to wiretap. The judge can make it mandatory and set out specific terms and conditions which must be adhered to by the police. For instance, monitoring might not be automatic, which is often the case. The tap is put on and the tape is let go for 24 hours before being checked. It could be directed to specific targets. It could be directed to specific individuals with whom the solicitor is dealing, and so on. There is no definitive description given in the section. It is a right, it is a mandatory obligation, and the judge must adhere to it in his examination of the request. The scope is minimized. Further, it is not the normal run-of-the-mill holus-bolus affidavit which usually emanates from the police in situations like this. The affidavit required in these specific circumstances must be quite clear, much more definitive and much more directed to the specific individual and the specific circumstances.

Section 178.12 formerly required that an affidavit filed in support of the authorization set out the names and addresses, if known, of all persons, the interception of whose private communications there are reasonable grounds to believe may assist the investigation of the offence and, if not known, a general description of the place at which the communications are proposed to be intercepted or, if a general description of that place cannot be given, a general description of the manner of interception proposed to be used.

The difficulty with that former provision was that the information required was disjunctive, not cumulative and did not give the judge enough background information.

Recognizing that more information was required for the judge before he could be satisfied that what he was doing was proper and just in the circumstances, Section 178.12 was amended to acquire further information.

I see the logic of my argument is driving the hon. member for Nepean-Carleton out of the House.

Section 178.12 is further amended to require that the names, addresses and occupations, if known, of all persons, the interceptions of whose private communications there are reasonable and probable grounds to believe may assist in the investigation of the offence, a general description of the nature and location of the place, if known, at which the private communications are proposed to be intercepted and a general description of the manner of interception proposed to be used. As well, the affidavit requires the number of instances, if any, on which an application has been previously made in relation to an offence of a person named in the affidavit and on which the application was drawn or no authorization was given, and so forth.

It is a very broad requirement. It is not like walking into your friendly candy store and obtaining permission to wiretap. It is carefully gone over. Affidavits are required and there are safeguards. Once these safeguards are adhered to and a decision is made by a judge, the lawyer who is engaging in criminal activity, the MP or intended MP who is engaged in criminal activity has no further right than any other individual has in Canada.

If you are talking about confidentiality of clients, these safeguards are in the Criminal Code already. The solicitor-client relationship and solicitor-client conversations are protected under the Criminal Code, and rightly so. We are not talking about clients who may be charged with a crime, we are talking about the lawyer who is engaged in a crime. There should be that freedom between clients and their lawyers.

As my allotted time is drawing to a close, I would say that in my opinion the private members' bill, and I say this respectfully, has absolutely no merit and should not be supported. Its dangerous consequences would be to put lawyers and their close associates above the law. If anything, lawyers should be in the vanguard promoting respect for and compliance with law. The hon. member opposite referred to his background. I am a lawyer. I have been a defence counsel, president of a law association and I have been a commissioner of police for a short time. I think I am looking at this problem with some sort of balance.

Mr. Knowles: Have you ever had to go to a lawyer?

Mr. Irwin: I could never afford a lawyer, that is why I had to become one.

As well as this extra right given to lawyers, the hon. member is saying it should also go to Members of Parliament. I think this is wrong. Necessary safeguards are in the Criminal Code. The wiretap is the last resort. It requires the authorization of a judge who must be satisfied that the wiretap is necessary and the conditions for it are met. Surely lawyers and potential parliamentarians should be subject to criminal investigation by wiretapping if they are involved in serious crimes. Surely they should have no more rights than the average individual on the street.

I would implore hon. members not to support this bill. If hon. members want to look at wiretapping in general, and if there is a desire for more protection and more safeguards, that is one thing, but if hon. members say the safeguards are sufficient but, let us just give lawyers more, I say that is wrong.

Mr. Al MacBain (Niagara Falls): Mr. Speaker, my intervention this afternoon concerns Bill C-238 introduced by the hon. member for Nepean-Carleton (Mr. Baker), for whom I have the utmost respect. It was typical of the hon. member to mention that the bill was formed and prepared under the direction of a previous member of this House. Before coming to this House I knew about the professional reputation of the hon. gentleman. I am well aware of the standards he upholds in this House and before the Bar of Ontario. I, for one, as a

member of the other side of the House have always appreciated his quiet effective manner. He is always a gentleman and he always presents his arguments to this House in a like manner. It is therefore with some regret that I find I cannot support this Bill C-238.

● (1640)

Bill C-238 is an act to amend the Criminal Code, the invasion of privacy provisions, to safeguard lawyers and candidates of this House previous to an election. The bill upsets what the hon. member for Nepean-Carleton said. It upsets the delicate balance between the invasion of privacy of the individual and the protection of society against crime. It upsets the right of individuals and the responsibilities of our society to protect its members and citizens.

Bill C-238 would prohibit wiretapping of a telephone, commonly used by a lawyer or a candidate seeking election to the House of Commons during the campaign period. This bill would make lawyers and members of the House of Commons a special class of citizens. I spent 30 years in the practice of law and have just completed one year as the Member of Parliament for Niagara Falls. For neither of those designations would I claim a special privilege not granted to ministers, priests or any other member of society who deals with individuals in a very special way, including those concerned with crime.

I appreciate the underlying consideration, that this bill gives protection to the clients of lawyers and constituents of Members of Parliament. I suggest this special status is not required by lawyers or for those they represent. Wiretap orders are not given out lightly by our judiciary. In each and every case the judge balances the rights of the individual against the rights of society, to which I referred a moment ago.

Will we put certain people in our society above the law? We believe in the principle that no person is above the law. That principle ought not to be lightly turned aside. That point was made by the previous speaker, the hon. member for Sault Ste. Marie (Mr. Irwin). To suggest that a political candidate for this House, even if he may be involved in a crime, should have a special privilege denied to others, I cannot accept.

Before a wiretap order is given for a lawyer's telephone, the judge must be persuaded by affidavit evidence that the lawyer is or is about to become a party to an offence. That is a very special and significant provision. The order is not otherwise available to the police.

Except for special cases, a lawyer's telephone cannot be tapped. There is a built-in protection which, in my opinion, is sufficient for the lawyer and client relationship and to protect that principle which we all accept. In my opinion, the same necessity does not arise for a member of this House.

Should the principle in Bill C-238 be extended to make crime a safer business for anyone, even for lawyers? That should not be the case. When a judge grants a wiretap order where a lawyer is involved, the Criminal Code requires that in order to safeguard privileged communications between a lawyer and a client, in accordance with the normal relationship of solicitor and client, other conditions can be inserted by the judge if he deems them advisable. In most cases there would be special provisions.

If the premises of this bill are sound, why are MLAs and members of municipal councils not given the same protection? I have been unable to make a distinction. I accept that the bill was introduced by the hon. member for Nepean-Carleton in good faith and with great sincerity. I regret, as I said before, that I cannot accept the bill as having any merit. I do so with great respect for the hon. member for Nepean-Carleton, of whom I spoke very highly only a few moments ago.

The bill would be totally unacceptable in the constituency of Niagara Falls. There is no way I can go home tonight, and I hope to be able to after spending two weeks in this wonderful city, the home of the hon. member for Nepean-Carleton, and have this bill accepted by the residents of Niagara Falls. It just would not be accepted. The people I represent do not wish to put lawyers or candidates for the House of Commons in a special class. We do not want, need or ask for this special privilege and this House ought not to grant it.

Lawyers have a special responsibility to society. I firmly believe that. In my early youth at Dalhousie law school in Halifax, Nova Scotia, which I had the honour to attend, we spent a lot of time discussing this fact. Lawyers, not just in Canada but all over the world, have a special responsibility and special duty to society. As the hon. member for Sault Ste. Marie said, we are officials of the court. We have special responsibilities. I suggest we need no special privileges.

● (1650)

As lawyers we know that society is a thin veneer. We know that society is a delicate fabric. We know this from our study of the law and of what has happened to societies when the law has not been given the care and attention it has deserved. The place of law in modern society is well known to lawyers. We have a duty to uphold it. Every citizen has a duty to uphold the law, but I think most lawyers throughout the world would accept the principle that lawyers have a special duty to uphold the law. They ought not to seek any exemption from it.

If lawyers or candidates for election to this honourable House are involved in crimes and they fall into the net of the wiretap, I say, so be it. It will happen obviously, from time to time; no profession is completely free from the criminal element. I would be wrong to suggest that the profession of law, of which I, the hon. member for Nepean-Carleton and the hon. member for Sault Ste. Marie are members, is free from the criminal element, but we strive for that freedom. From the very day we enter law school that is drummed into us. It is drummed into us long before we learn about the rule of Rylands and Fletcher that lawyers have a special duty. Never in my years in law at Dalhousie—and I am sure this is true of the honourable institution attended by the two previous speakers—was there any suggestion that as lawyers we should be given any special privileges or any special exemptions from the law of the land or from the rule of law. I think we ought not to ask for that.

As lawyers, like many others in our society today, we are concerned about organized crime in this country. It is a genuine concern. We are concerned that genuine police work is being hampered. I say genuine because lawyers also have a duty to ensure that the police do their duty within the law. When they do not do so, they must answer to the law.

We are concerned that organized crime is finding ways to get around the good laws of this country which are laid down to protect our society. Organized crime is finding ways to enter legitimate business and legitimate industry. This is of grave concern to lawyers, to politicians and to businessmen. There are many in our society who are concerned about this trend in our country and concerned that our neighbour to the south is experiencing a difficulty at this time. If history goes on the way it usually does, when there is a problem in our great neighbour to the south, that problem at a later time is usually found in Canada. This is a great concern to us.

I ask this honourable House not to support Bill C-238.

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, since four o'clock we have been listening to lawyers stating both sides of the case. Perhaps a non-lawyer might try to give the verdict.

I may say that whenever any measure having to do with wiretapping comes into this House, we are interested because our basic disposition is to be against it. However, since the time is limited, I had better get to what I have to say.

I say quite frankly to my friend, the hon. member for Nepean-Carleton (Mr. Baker), that I think those on the other side have made a pretty good case against the proposition in this bill that special consideration should be given to lawyers and candidates in a federal election, but I point out to those on the opposite side that there are five clauses in the bill. They have spent all their time on the one they could easily knock down. I wish they had given some time to clause 1, which has something to do with making it impossible to get an order for continuing authorization at the same time as one gets the original authorization.

I wish they had had something to say about Clause 2, which tries to strengthen the law so that wiretap evidence can be introduced in court only if it has been obtained legally. I think that is a pretty important matter to consider.

Then there is another clause which would reinstate the application of that part of the law, that used to be there, which makes it necessary for persons who have been subject to wiretapping to be notified within 90 days thereafter. Then there is an interesting clause which suggests that certain materials which have been obtained by a wiretapping should be destroyed after a certain length of time. I am not surprised that my friends opposite did not attack these other points because they seem to have some merit.

One thing the Parliamentary Secretary to the Minister of Justice (Mr. Irwin) said was well put. He said, "If you want to have a look at the whole question of wiretapping, fine; just don't concentrate on the business of a special privilege for lawyers and candidates." I agree with him with respect to the latter, but I think the other matters having to do with wiretapping are such that it would not hurt to have the whole question reviewed by the appropriate committee.

There is still time if hon. members opposite would like to bring forward a motion that the bill not be read a second time but that the subject matter be referred to the Standing Committee on Justice and Legal Affairs for study.

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker, the last participant in this debate, the hon. member for Winnipeg North Centre (Mr. Knowles), has brought his usual wisdom to the subject, for which we thank him. He gave us a number of insights which I believe should be pursued. He did the hon. member for Nepean-Carleton (Mr. Baker) and all of us a favour by pointing out what is the main weakness in this particular bill.

I believe there is nobody in this House who feels very happy about the subject of wiretapping. It is an unpalatable subject in some respects or, to put it more correctly, it has some unpalatable connotations. Anything that can be done to make conditions for permission for wiretapping more stringent is a step in the right direction. The people on this side who have spoken before me have very rightly devoted their time to what would be, if this bill were accepted by this House, a monumental error on our part.

Mr. Deputy Speaker: Order, please.

Mr. Knowles: What about the other four clauses?

Mr. Simmons: I was coming to that.

Mr. Deputy Speaker: The hour provided for the consideration of private members' business has now expired.

[*Translation*]

It being 5 p.m. this House stands adjourned until Monday at 2 p.m., pursuant to the provisions of Standing Order 2(1).

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

HOUSE OF COMMONS

Monday, February 23, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

HAZARDOUS PRODUCTS ACT

SUGGESTED RETITLING OF LEGISLATION—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, in view of the fact that the Hazardous Products Act, the title itself, is used to prejudice potential customers against the use of cellulose fibre insulation, even though the product itself is safe, and that the act does not distinguish clearly between the danger of installation and the danger of the product itself, I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That the Minister of Consumer and Corporate Affairs, in the interests of preserving fair competition in the marketplace, rename the act with a title such as the Products Safety Act, or any other title which will preserve fair competition.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SIMON FRASER UNIVERSITY FUNCTION

MOTION UNDER S.O. 43

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I rise under the provisions of Standing Order 43. Last weekend ceremonies were held at Simon Fraser University to honour F. R. Scott, including a skit in which Michael Pitfield, Clerk of the Privy Council, was to portray the Clerk of the Celestial Council; the Prime Minister (Mr. Trudeau) was to portray the Holy Ghost; and the Chief Justice of Canada, the Right Hon. Bora Laskin, would portray the voice of God. Therefore, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That this House request the Prime Minister to make a statement on motions as to whether the skit at the Scott ceremony at Simon Fraser University did in fact take place and represented a rehearsal for the real thing, in the unilateral attempt by the Prime Minister to have the Parliament of the United Kingdom pass a charter of rights for Canadians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

AGREEMENT MADE WITH DENE THA TRIBAL COUNCIL, ALTA.—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I rise under the provisions of Standing Order 43. Last year the Minister of Indian Affairs and Northern Development (Mr. Munro) made an agreement with the Dene Tha Tribal Council in Alberta to provide some $5 million. Now he has apparently reneged on this agreement, with the result that the council is unable to pay its bills and contractors who worked on water and sewerage projects remain unpaid. Therefore, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That a caveat be issued to all persons entering into contracts or agreements with the Minister of Indian Affairs and Northern Development, warning them of the minister's demonstrated bad faith and the fact that he does not check with his officials as to the existence of funds before he makes all kinds of wild commitments and promises which he then does not keep.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FITNESS AND AMATEUR SPORT

CANADIAN AMATEUR HOCKEY ASSOCIATION—PARTICIPATION OF FEMALE PLAYERS—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, in view of the continuing controversy occurring in Winnipeg over the recent suspension of three girls from their respective hockey teams and subsequent threats of suspension toward their coaches for playing them anyway—and now the community clubs themselves have been so threatened—I rise pursuant to Standing Order 43 on a matter of urgent and pressing necessity, to move a motion which almost had the unanimous consent of the House on last Thursday and which I hope will have unanimous consent today. I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

S.O. 43

That this House encourages the Canadian Amateur Hockey Association to be more flexible and, in all fairness, to allow girls like Heather Kramble from the Pirates Community Club in Transcona, to play out the season with a view to sorting out this problem between seasons and not now at the expense of the girls and their teams.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

MINISTER'S PRESS RELEASES—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the Minister of Indian Affairs and Northern Development (Mr. Munro) recently announced a $1 million emergency fund to help native communities prepare themselves for energy developments near their reserves, and whereas the minister has since withdrawn his commitment because the fund has not received Treasury Board approval, I move, seconded by the hon. member for Western Arctic (Mr. Nickerson):

That this House demand that the minister display greater consideration for the magnitude of his ministerial responsibilities by verifying all his press releases and statements prior to release with the senior bureaucrats of his department who are obviously controlling and running his department, so that the native people of Canada will not have to suffer any more disappointments than they already have at the hands of this flip-flop government.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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LABOUR RELATIONS

DISPUTE AT TEL AIR SYSTEMS, OSHAWA—MOTION UNDER S.O. 43

Mr. Edward Broadbent (Oshawa): Madam Speaker, the employees of Tel Air Systems of Oshawa, all of whom are women, have been on legal strike since November 24. Considering that the Canada Employment office in Oshawa is advertising for employees to break this strike, I move, seconded by the hon. member for Kootenay East-Revelstoke (Mr. Parker):

● (1410)

That this House instruct the minister responsible for employment and immigration to prohibit his offices in Oshawa from such advertising and thus stop this vendetta against working women on a legal strike.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

GRAIN

PROPOSED MARKET ASSURANCE PLAN—SUGGESTED ESTABLISHMENT OF SPECIAL COMMITTEE—MOTION UNDER S.O. 43

Mr. Jack Murta (Lisgar): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Since the proposed Market Assurance Plan for grain, or MAP as it is commonly known, is being promoted at this time in western Canada by the Canadian Wheat Board and members of its farmer-elected advisory committee, I move, seconded by the hon. member for Lethbridge-Foothills (Mr. Thacker):

That because the proposed Market Assurance Plan is new, and to adopt it without appropriate prior thought and attention could produce major changes in western agricultural policy and farming practices, a special committee be formed to investigate all aspects and implementation of the program. As a guideline, the committee could be made up of representatives of the three provincial prairie governments, western farm organizations, and members and support staff of the Canadian Wheat Board.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FORESTRY

FUNDING OF HYBRID POPLAR PROJECT—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. I am confident that the Minister of Energy, Mines and Resources (Mr. Lalonde) would agree that the hybrid poplar project which is currently under way in southern Ontario is deserving of government support. In light of this fact, I move, seconded by the hon. member for Bruce-Grey (Mr. Gurbin):

That the government continue to fund the hybrid poplar project for an extended period of time, once the initial five-year period is up.

I believe the five-year period ends next year, and I understand that DREE is responsible for funding the project in the amount of $2.5 million, with a similar amount to be funded by the Ontario provincial government.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

METRIC CONVERSION

ALLEGED FUTURE FINES—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, today I received in a plain brown envelope—

Some hon. Members: Oh, oh!

Mr. Domm: —a notice that the Liberal government intends to prosecute, without conviction, by imposing a $1,000 fine on anyone in the 33 metric test centres who refuses to use metric weigh scales on January 1, 1982.

Some hon. Members: Shame!

Mr. Domm: Therefore, I move, under the provisions of Standing Order 43, and seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That this Stalinist approach to metric conversion against the will of the people of Canada be withdrawn by the government and that we follow the lead of the United States and proceed on a voluntary basis into metric conversion in the retail food sector.

It is high time the government listened to the consumers and businessmen, and not to the dictatorial regulations of the Metric Commission.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

SUPPORT FOR CHARTER OF RIGHTS—MOTION UNDER S.O. 43

Mr. Al MacBain (Niagara Falls): Madam Speaker, I rise on a matter of urgent and pressing necessity. In view of statements made this past weekend in Saskatchewan by Canada's Human Rights Commissioner, Gordon Fairweather, strongly endorsing the proposed charter of rights, I move, seconded by the hon. member for Lambton-Middlesex (Mr. Ferguson):

That this House urge the official opposition to end its attempt to deny Canadians their basic liberties by voting to support the charter of rights in the current constitutional resolution now before this Parliament.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PETRO-CANADA

PURCHASE OF CANADIAN-BUILT JET AIRCRAFT—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas PetroCan has ordered four new drilling rigs from American manufacturers, hired a Bermudan company to design its Logo, a New York company to find its office space, and a Lichtenstein company to construct an office building, and whereas PetroCan has just ordered two new Canadair challenger executive jet aircraft at a cost of $19 million, I move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That this House congratulate PetroCan for finally buying something made in Canada.

Some hon. Members: Hear, hear!

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AIRPORTS

RADAR INSTALLATION FOR VICTORIA INTERNATIONAL AIRPORT—MOTION UNDER S.O. 43

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I, too, rise under the provisions of Standing Order 43. With the President of the Treasury Board (Mr. Johnston) paired, or twinned, under the Liberal buddy system with the member for Esquimalt-Saanich, and being a minister of the Crown, presumably claiming to be like his colleague, the Solicitor General (Mr. Kaplan) in relation to Broadview-Greenwood, responsible for Esquimalt-Saanich, I move, seconded by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen):

That the minister acquit his alleged responsibility to that constituency by ensuring that funds earmarked for the Trident Aircraft Company by redirected toward the installation of radar at Victoria International Airport, giving him thereby greater peace of mind whenever he has cause to land there.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

PETRO-CANADA

ACQUISITION OF PETROFINA—DATE AND TERMS OF INITIAL OFFER

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I have some questions regarding the Petrofina acquisition, for the Minister of Energy, Mines and Resources. The minister will know that on September 3 to 10, the price of Petrofina shares increased by $16, and from September 29 to October 2 the price of Petrofina shares increased again by $11½, in both instances as a result of takeover rumours. I wonder if the minister—and this is a very straightforward question—I wonder if the minister would state precisely when Petro-Canada made the first offer to Petrofina. What was the price of that offer, and were there any other significant terms or conditions?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I do not have the date of the first offer. It was some time last fall. There were discussions. I do not think there was ever a formal offer made by Petro-Canada, as a matter of fact. There were discussions, but the spread between what Petrofina was asking and what Petro-Canada considered was an appropriate price at the time was so big that nothing came out of these discussions. I do not remember exactly when—in the fall, or maybe mid-summer—but there were extensive discussions over a period of months.

DATE RESPECTING $120 PER SHARE OFFER

Right Hon. Joe Clark (Leader of the Opposition): I can understand that the minister might not have those details at hand, and he would understand that it would be of interest to the House to have those details specifically. The fall is a long time. I would like to have any specific dates and any specific terms or conditions that might be at issue here, that the minister could lay before the House now.

As a supplementary, let me remind the minister that at the end of September Petrofina shares were trading at about $62½ a share. On October 13, 1980, the Montreal weekly *Finance* mentioned the specific figure of $120 as the price which Petro-Canada would make as an offer to Petrofina. Since that, in fact, was the price when the deal was announced in early February, I wonder if the minister can tell the House when was the first time the price of $120 a share was used in the negotiations. When did that price first arise?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, while the Leader of the Opposition is quoting the *Gazette,* I might quote him *The Globe and Mail* of November 15, 1980, when that paper was quoting an oil analyst who said that $1.4 billion was a fair value for Petrofina, and that was last November.

An hon. Member: Now the question.

Mr. Lalonde: As far as the question raised by the Right Hon. Leader of the Opposition is concerned, as far as I know, this offer would have been made only late in January; but again, I will inquire at Petro-Canada and ask exactly when this figure was mentioned for the first time. I believe it would have been only in the last period of discussion that took place during the month of January. I will inquire.

REQUEST FOR FEDERAL INVESTIGATION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, just so that it is clear, I am interested in the last portion of the minister's answer. I am not necessarily interested in the offer. The kind of precise information we would like to have is when that price of $120 was first mentioned.

I have a supplementary question to the Prime Minister, who will know that there are inquiries being undertaken by exclusively provincial agencies into the Petrofina—Petro-Canada deal. The Prime Minister will know that there were at least three price jumps during the time of negotiations, some of which must have had to do with leaks. He would also know that there is a very significant federal involvement here. Not only are we dealing with a federal Crown corporation but significant amounts of taxpayers' money. I wonder if the Prime Minister would tell us whether this investigation is going to be left to the provinces or whether, in light of the unusual involvement of federal taxpayers' money, he will instruct the Solicitor General or some other appropriate federal minister to undertake a federal inquiry into this question?

● (1420)

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the proper agencies to carry out this investigation are either the stock exchanges in their current operations, or the securities commissions of the provinces. These are the authorities, the agencies, that under our Constitution are provided with the responsibility for examining operations in the stock market. That is where those investigations should take place. I would argue with the right hon. member that, in addition, this ensures that there is complete independence, complete autonomy of those agencies in their investigation, and then the opposition will not be able to spread innuendos that the investigation is not going to be carried out in the proper way. It is going to be carried out by provincial agencies under their proper mandate, and we will wait for the report of those agencies.

ADVISERS INVOLVED IN NEGOTIATIONS

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, I have a supplementary question for the Minister of Energy, Mines and Resources. The constitutional protection that the minister refers to has not stopped the Minister of Consumer and Corporate Affairs from proposing the establishment of a federal securities commission so I do not see how he can justify

hiding behind that, in light of the investigation which the Right Hon. Leader of the Opposition has been seeking. Both the minister and Mr. Hopper, chairman of Petro-Canada, have referred to the role of advisers who were involved in the Petrofina negotiations. Could the minister please advise the House of the names of these advisers, what their role in the transaction has been, and when they became involved in it?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, as far as the federal securities commission proposal is concerned, I am glad to know that we will have the support of the opposition if we ever come forward with such a legislative proposal. I would remind the hon. member, however, that unless and until such a body is instituted, the proper agencies to carry out those investigations are the provincial agencies that have been set up under the law to examine securities operations and securities regulations.

As far as the question raised by the hon. member is concerned, I will be very glad to inquire at Petro-Canada for that particular information but I suggest to him that this should be a question on the Order Paper rather than one put in the question period. I will be happy to ask for the information and provide it to him.

INSTRUCTIONS RESPECTING FUTURE ACQUISITIONS

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, I am not sure that the government will still be in place by the time the proposal for a national securities commission comes around if it keeps going on the way it is going now. Surely the government must realize that in this transaction, with all the leaks that have taken place and all the money that has been made, ministers were taken for patsies by the people involved in the transaction. These sorts of leaks rarely occur in transactions which incur private sector participants only. If strict precautions are not taken in the future, the minister will be taken for a patsy again. Will he state clearly to the House what instructions he has given to Petro-Canada to avoid a recurrence of the leaks which have clearly taken place and which have proven to be so costly to Canadian consumers and taxpayers?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the instructions are standing operating instructions to all Crown corporations in such a situation, and to Petro-Canada in particular. Before the Petrofina takeover, Petro-Canada had already carried out two takeovers, one of Pacific Petroleum and the other of Atlantic Richfield, which proved exceptionally good bargains for Canadians. I submit that the Petrofina acquisition will prove to be the same.

As far as the alleged leaks that the hon. member refers to are concerned, I have indicated to him that if he has evidence of any leaks taking place he should refer it either to me or to the securities commissions. I will be happy to refer it to the securities commissions for investigation.

● (1425)

As far as leaks are concerned, I have checked this matter carefully myself, and I have no evidence at all that there could have been any leaks—

Mr. Nielsen: What about circumstantial?

Mr. Lalonde: —coming from officials of Petro-Canada. There is not a shred of evidence in that respect. As I said, I have examined that aspect. If there were any leaks from Petrofina officials, I am not in a position to assess them. The best way to assess this problem is to have the securities commissions carry out their normal investigations in this matter. That is the way it should be done, and that is the proper way of doing things in business. My hon. friend should know that.

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COMBINES

PROJECTED TAKEOVER OF ABITIBI-PRICE BY THOMSON NEWSPAPERS LIMITED

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is for the Prime Minister. It concerns Thomson Newspapers Limited. This is the same company whose questionable behaviour a year ago led to the government's establishment of the Kent commission on press ownership. My question pertains directly to Thomson's announced takeover bid for Abitibi-Price, the country's largest producer of newsprint. Since such a takeover would further concentrate Thomson's already vice-like grip on the industry and reduce competition in the industry throughout the country, would the Prime Minister take the opportunity to make it very clear that the Government of Canada opposes this takeover bid?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I cannot make that clear at this point because I am not informed of the details of the operation, or even of its more particular aspects. But willingly I will undertake to draw the matter to the attention of the Minister of Consumer and Corporate Affairs.

Mr. Broadbent: Madam Speaker, the facts are clear, a takeover bid has been announced by Thomson—already one of the largest firms in the newspaper business in Canada—to take over the largest producer of paper. If the Prime Minister verifies these facts, which I am sure are the facts, would he at least guarantee to the House that he will take steps to stop this takeover bid, at least until the Kent commission itself looks into its implications and makes a recommendation on the subject matter?

Mr. Trudeau: Madam Speaker, I am grateful to the hon. member for having guaranteed the veracity of the facts. But he, himself, has not expressed any opinion as to whether there exists any law which would permit us to prevent such a

takeover, if that is indeed what is in the works. I would have to inform myself of that particular point.

There are many things which the government would like to see done or not done, but it does not always have the legal means to achieve that end—

An hon. Member: That never stops you.

Mr. Trudeau: —and that is what I would like to ascertain, Madam Speaker.

REQUEST FOR CHANGE IN TAX LAW

Mr. Edward Broadbent (Oshawa): Madam Speaker, there are two points. Of course the government can express its opinion whether it thinks it is in the public interest or not, and that is clear. Second, it can find out whether there are certain laws, as the Prime Minister has suggested, by which it could act to stop such a takeover. However, there is one specific law in existence which I would like a commitment from the Prime Minister to change. Current tax policy permits firms, taking over other firms, to write off as a deductible expense the costs of such takeovers. Therefore, the people of Canada are financing the takeover of some firms by others, which adds nothing to the productive capacity of Canada. Since this law is regressive in its effects, will the Prime Minister take steps to get rid of that law?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the general subject of concentration, particularly in the newspaper industry, and one which the hon. member recognized, led us to set up the Kent commission. I presume that if it finds the laws or policies have to be changed in any particular area to ensure greater freedom of the press, it will make such recommendations to the government and the government, of course, will consider them very earnestly. That is why the Kent Commission was set up in the first place.

In so far as the particular tax law is concerned, to which the hon. member alludes, I would want to refer it to the Minister of Finance. It would seem to me, not being a tax expert as I believe the Leader of the New Democratic Party might be, that this law has its justifications in many areas since it has the effect of preventing some companies from going bankrupt, preventing workers from losing their jobs leading to an incentive to one company to help the survival of another company. There may be some exceptions, but it seems to me that the hon. member would be a bit imprudent to suggest that the law be changed, that the tax policy be changed completely if it is to lead to an increasing number of unemployed.

• (1430)

GRAIN

COMPENSATION PAYMENTS TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is directed to the Prime Minister. A year ago the Prime Minister made a commitment to western grain farmers that they would be paid compensation because of the embargo on the sale of grain to the Soviet Union. When will that payment be made by the government?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I undertook then, as I believe the Right Hon. Leader of the Opposition had, to the extent that damages could be ascertained and ascribed to the boycott, that damages would be paid. That is our commitment. I understand that officials of the various departments involved, in co-operation with the farm groups, are establishing those damages and will be finishing their work very soon. The matter is not one of paying compensation. That is agreed. The matter is one of determining how much compensation should be paid. That, of course, is related to the amount of damage suffered by the farmers as a direct result of the boycott policy of the previous government and of this government.

Mr. Hnatyshyn: On December 9, 1980, the Minister of Agriculture stated in this House as reported at page 5549 of *Hansard:*

> The final report has yet to be submitted, and I hope this will take place within a few days.

Will the Prime Minister direct the Minister of Agriculture to give this priority attention? Also, will he undertake to have the Minister of Agriculture either make a statement in the House giving the basis upon which this compensation is to be paid, or appear before the Standing Committee on Agriculture so that the computation can be examined by members of Parliament?

Mr. Trudeau: Yes, Madam Speaker. It would be important when compensation is paid to the farm community that indeed all members of this House be in a position to know on what basis the amount was established.

* * *

[*Translation*]

THE CONSTITUTION

POSITION OF MINISTER OF JUSTICE RESPECTING DRAFT RESOLUTION

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, my question is for the Minister of Justice. In the past, his government has always refused to submit its constitutional proposal to the courts, under the pretext that this was not a case to be decided by Canadian courts but rather by the British political authorities. Can the minister tell us if his

position with regard to the courts remains unchanged? Can he also tell us why he greeted the Manitoba Court of Appeals judgment with such optimism? Finally, would he repeat in the House what he told the committee, and I quote:

The only obstacle in his way was a possible negative judgment by the court.

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I have on several occasions answered such questions in committee, and since the matter is before the House I do not think it would be appropriate to go over the committee's work.

Mr. Kilgour: Madam Speaker, my supplementary concerns section 2 of his resolution which deals with freedom of conscience. Does the minister think that the courts could use this section to invalidate the laws which prohibit businesses from staying open Sundays and on Christmas Day? If not, could the minister provide us with a legal explanation?

Mr. Chrétien: Madam Speaker, if the hon. member had bothered to come to the committee hearings, he would have had an answer to this question. He can always read the minutes of the committee. I do not intend to use question period to go over the work done in committee.

* * *

[*English*]

NATIONAL DEFENCE

PRIORITY ASSIGNED TO PROGRAMS

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my question is for the Minister of National Defence. In a recent interview in Halifax the minister said that the armed forces re-equipment program now has top priority within his department. His chief of defence staff indicated that personnel costs are being given a top priority. He said:

Instead of having the capital grow at 12 per cent real growth, we are now having it grow at 10 per cent real growth, because we know that in the personnel, operating and maintenance area there is a need for real growth.

Which of these conflicting programs has top priority?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, there is no conflicting statement. The National Defence re-equipment program has been going very well for the past two years. I mentioned previously that after the re-equipment program we will be giving top priority to the question of personnel. As far as the increase in capital expenditure or real growth is concerned, I believe the defence estimates will be tabled on Wednesday. The hon. member will then be able to see if we stand by our commitment that in the next few years the real growth of defence will be increased 3 per cent.

Mr. McKinnon: Madam Speaker, according to the CBC the minister was also asked while in Halifax what he intends to do about Canada's noticeable lack of a minesweeping capability. The minister replied that he would discuss the problem at a NATO meeting. Would the minister tell the House what he intends to ask our NATO allies in this regard, and would he also tell the House what has happened to the follow-on ship study commissioned by the previous government which he has now had in his hands for eight months. Will he now table it?

Mr. Lamontagne: In reply to the hon. member's question, my answer with regard to minesweeping was very clear. I said at the time that our NATO allies, including the United States, were concerned about the question of minesweeping and that for Canada it was a question of priorities. As I just mentioned, re-equipment of our forces is a priority and personnel is a priority. We will see in the future if our financial resources are sufficient to get into something like minesweeping. However, at the moment there are other priorities.

* * *

PUBLIC SERVICE

LACK OF PROGRESS IN EMPLOYING NATIVE PEOPLE

Mr. Rod Murphy (Churchill): Madam Speaker, my question is to the President of the Treasury Board. In light of recent reports that the office of native employment has reported failure to convince government departments to hire native people despite a Treasury Board directive to do so, what new initiatives is the minister going to announce to ensure that government departments comply with Treasury Board directives?

Hon. Donald J. Johnston (President of the Treasury Board): I thank the hon. member for that question, Madam Speaker. The matter of native people's representation is of great concern to Treasury Board and to the government. As the hon. member knows, an affirmative action program was launched last summer to correct this problem, not only with respect to native people but also with respect to women and handicapped people. That project is proceeding on schedule with three departments, my own, the Department of Secretary of State, and Employment and Immigration. I am very disappointed with the results of the report of the joint council to which reference was made in this morning's *Globe and Mail*. I expect the report will be presented to Treasury Board ministers for review within the next few days.

I might add there are some good things happening, particularly in the Department of Indian Affairs and Northern Development which is one of the departments principally involved with this program. In that department there has been an increase in native representation from 24 per cent to 27 per cent. The hon. member might be interested in listening to this answer because I am sure he will be pleased to note that two thirds of this increase is in the officer category. I am by no means whitewashing the performance across government, because it has been poor, but I want to point out that we are working actively and we share the concerns expressed by the hon. member.

Mr. Murphy: Madam Speaker, I expected the minister would be ready to answer the charges in this morning's *Globe and Mail*. I also expected he would say they have programs within three government departments. However, I checked with Treasury Board officials to see how many people are involved in the affirmative action program. I found out that in the Department of the Secretary of State, only six people have been hired to look at that. In Treasury Board there are only four, and in the Department of Employment and Immigration, the department of the minister responsible for the status of women, there are only four people to look after the affirmative action program within the public service. I ask the minister a straight question. Does he think that is good enough to provide equality for women, native people and the handicapped in this country?

Mr. Johnston: Madam Speaker, I would point out that we already have equal opportunity programs with respect to these three categories across government. The affirmative action program was designed as a pilot project to be applied to three departments in three phases. We will be nearing the completion of the first phase in the near future. It is to get at systematic discrimination against these groups in the public service. For that purpose we have launched pilot projects with competent personnel. We are on schedule, and when those results are known I hope we will then launch a government-wide effort. However, we are not about to bloat the person-years of the government on a program not yet properly defined and fine tuned.

* * *

● (1440)

[*Translation*]

INDUSTRY

CLOSURE OF MULTINATIONAL CORPORATIONS—SUGGESTED STUDY BY TASK FORCE

Mr. André Maltais (Manicouagan): Madam Speaker, my question is directed to the Right Hon. Prime Minister.

In recent years certain regions of Canada have experienced problems because large multinational companies have had to close down. This was the case on the North Shore at Sept-Îles, Port-Cartier and Schefferville, and ten years ago Gulf Pulp had shut down at Clarke City. I would like to know whether he intends to review the legislation concerning the closing of those multinationals and to see whether it might be advisable to tighten up the regulations governing plant shutdowns.

Madam Speaker, I would also like to know if he would agree to have the Department of Industry, Trade and Commerce and the Department of Labour set up a study group which would report to the House on the possible closings of those multinationals so as to make sure that the workers and the regional economies are truly respected?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the House is aware that the Government of Canada has taken the lead when it comes to establishing behaviour guidelines for multinationals in the various countries where they operate, and Canadian expertise in that field is well known.

However, the hon. member is right when he points out that it is sometimes in the application of those guidelines that there is still progress to be made. In January three ministers of this government announced measures to be taken and funds to be spent to assist workers laid off as a result of such closings or such curtailed operations, and the hon. member will recall that the government is always prepared to protect workers against such operations. I am simply assuring the hon. member that the North Shore cases he has brought to my attention will be examined by the ministers and that we will do our utmost to make sure that the workers are fully respected.

* * *

[*English*]

PUBLIC SERVICE

STATEMENT ON NATIVE PEOPLES MADE BY CORRECTIONAL SERVICE SPOKESMAN

Mr. Jack Shields (Athabasca): Madam Speaker, my question is directed to the President of the Treasury Board. When asked how many natives worked for his service Mr. Paul Croft, spokesman for the correctional service, said giving out that information would violate human rights, but when asked how many people or natives were in prison, he said 841 inmates, or almost 9 per cent of the federal prison population, are natives. I ask the minister what will he do about this obvious and blatant hypocrisy on the part of this man under his charge?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I suggest that question should be properly put to the Solicitor General. I have not read the statement, but the Treasury Board is not responsible for all statements made by all public officials simply because they are in a particular employment group.

REQUEST FOR REPORT

Mr. Jack Shields (Athabasca): Madam Speaker, my supplementary question is directed to the Prime Minister. I wonder if the Prime Minister sees the incongruence in those two statements made by a public official. Would he take this under advisement, look into it, and see what he can do about this obvious hypocritical statement?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I would be happy to ask for a report on the incongruity of those statements.

HOUSE OF COMMONS

REQUEST FOR EXAMINATION OF AIR QUALITY IN CHAMBER

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I had planned to put my question either to the Minister of Public Works or the Minister of the Environment, but in their absence I shall put it to the President of the Privy Council.

For a number of months I have been sitting here watching the Manitoba Tyndall stone up above the galleries opposite us getting blacker and blacker around each of the vents. I do not know whether they are heating vents or fresh air vents. I have checked, and some of this is taking place on this side of the chamber as well.

In view of concern about the environment, and in view of concern about some of the ideas which are expressed in this House, perhaps an examination of the air we are breathing should be made. If whatever is coming through those vents is blackening the Manitoba Tyndall stone, what is it doing to some of us?

Some hon. Members: Oh, oh!

Mr. Knowles: I point out that the worst of it is on the government side. Will the government House leader have either the Minister of the Environment or the Minister of Public Works look into this matter? Perhaps he might do it himself, in view of his responsibility to the members of this House.

Hon. Yvon Pinard (President of the Privy Council): Yes, Madam Speaker.

Mr. Knowles: I thank the President of the Privy Council for that favourable and positive answer. I should like to put a supplementary question to him.

Will he consult with the Chair as to the possibility of permitting the television cameras or the still photographers to take pictures of this blackness so that the public will know what it is we are concerned about?

Mr. Pinard: Yes, Madam Speaker.

* * *

TRADE

REGULATION CONCERNING IMPORTATION OF COFFEE

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, now that we have taken care of the important issues, my question is to the Minister of Industry, Trade and Commerce. Just about a month ago Canada signed an agreement with the International Coffee Organization to monitor the import into and distribution of coffee within Canada. The minister's department notified customs brokers on January 29 that, effective February 1, a new form called a certificate of re-export issued by the United States government would be required for importation of coffee into Canada.

I would like to ask the minister how he can expect importers to comply with that regulation, which requires the U.S. government to supply the forms, when he notifies the brokers three days before those forms are required. Can he assure the House that members of his department are not stating government policy when they say that they will withhold imports into Canada until those forms have been used?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, my hon. friend has raised an interesting point. I will look into it and get back to him as soon as possible.

Mr. Friesen: Madam Speaker, it is bad enough that the brokers were notified only three days in advance that they had to comply on February 1, but members of the Department of National Revenue customs division were notified February 11 that those forms would be required. Can the minister get in touch with the Minister of National Revenue to get the government's house in order? In view of the fact that one of the American suppliers is threatening a boycott of imports into Canada if this mess is not cleaned up, will the minister make certain that the government departments are functioning as they ought to, so that the brokers and the importers do not suffer injury as a result of the bungling of the government?

Mr. Gray: Madam Speaker, in looking into the matter I will take steps to see that there is proper co-ordination between the various departments and the importing community.

* * *

[*Translation*]

THE ENVIRONMENT

ACID RAIN—INQUIRY WHETHER SUBJECT WILL BE DISCUSSED DURING PRESIDENT REAGAN'S VISIT

Mr. Alexandre Cyr (Gaspé): Madam Speaker, my question is for the Prime Minister. Canadians are becoming increasingly concerned about the damage caused to the environment by acid rain. They are therefore asking the federal and provincial governments to take action before the point of no return is reached. Since 50 per cent of the acid rain comes from the United States, will this question be one of the main issues to be discussed during the visit of President Reagan in Ottawa on March 10 and 11?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I must admit to the hon. member that the agenda has not yet been finalized, but I can assure him that I shall see to it that this subject is discussed. As the hon. member will know, at the Venice meeting held last June, Canada underlined its environmental concerns and insisted that protection against acid rain be considered in the preparation of the final communique, which referred to the increased use of coal. At that time, Canada stressed the care which must be taken in the area mentioned by the hon. member. I can assure him that I

shall once again emphasize this concern of Canadians to President Reagan during his visit to Canada.

* * *

[*English*]

EXTERNAL AFFAIRS

MEASURES TO STRENGTHEN CO-OPERATION BETWEEN CANADA AND UNITED STATES

Mr. Douglas Roche (Edmonton South): Madam Speaker, my question is somewhat supplementary. It is directed to the Secretary of State for External Affairs. The visit of President Reagan provides an important milestone in the history of Canada-U.S. relations and should be used not only to examine current bilateral problems such as acid rain, the fishing treaty and the Garrison dam, but also to look ahead to new ways of manifesting the joint interests of Canada and the United States. Is the minister's department proposing any new measures to deepen the co-operation between Canada and the United States? Will these new measures go into the fields of international development and space research?

• (1450)

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, at this time I think we will not propose to the American administration any specific measures for the future, but indeed we will propose to them general co-operation on matters which will benefit both our countries and the world.

Mr. Roche: Madam Speaker, if we are not going into future expansion of our long history of co-operation, then I should like to ask the minister a very pressing question. Will the government impress upon President Reagan the importance of his agreeing to attend the North-South Summit in Mexico and of his lending the great weight of the American government in a positive way to help break the current North-South deadlock?

Mr. MacGuigan: Madam Speaker, certainly we feel very strongly that the United States should exercise leadership in the world by participating in this very important summit. I have already conveyed that message to Secretary Haig. I cannot speak directly for the Prime Minister—he can do that for himself—but I am sure this message will also be given to President Reagan during his visit.

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VETERANS AFFAIRS

SUGGESTED ADOPTION OF NEW INDEX AND PROVISION OF ENERGY SUPPLEMENT

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, my question is directed to the Acting Minister of Veterans Affairs. Due to double digit Grit inflation, has the minister given any consideration to preparing a new and specialized index on which pension increases would be based on an index more in line with actual expenditures made by veterans or widows, rather than the consumer price index currently being used?

[*Translation*]

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, all the aspects of the program aimed at improving the lot of veterans are considered, especially as concerns inflation. As everyone is well aware, both for pensions and allowances, we ensure that benefits are indexed yearly in some cases and quarterly in others. We are always concerned about the income of our veterans and especially that of their widows being eroded by inflation, and we shall look into this matter as carefully as possible.

[*English*]

Mr. McKenzie: Madam Speaker, I have a brief supplementary question. The government energy pricing policy and the budget have hit particularly hard at recipients of veterans pensions. Would the minister consider an energy supplement to pension payments?

Mr. Lamontagne: This will be taken into consideration, Madam Speaker.

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EXTERNAL AFFAIRS

QUERY WHETHER SKAGIT RIVER ISSUE WILL BE DISCUSSED WITH PRESIDENT REAGAN

Hon. John A. Fraser (Vancouver South): Madam Speaker, my question is directed to the Right Hon. Prime Minister. It follows on the question asked earlier as to what the agenda will be with respect to the meeting between the Right Hon. Prime Minister and the President of the United States. Will the Skagit River issue also be placed on that agenda?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I cannot give the hon. member those assurances now for the same reason I gave the hon. member for Gaspé, that the agenda is presently being negotiated. In the case of the Skagit River, I can be less definite than I was in the case of other cross-border pollution problems because successive provincial governments of British Columbia have been deeply involved in this matter. As the hon. member knows, they signed a contract with the city of Seattle and took money from that city over a period of years, which makes the federal government position a little less easy to define.

Mr. Fraser: Madam Speaker, as the Right Hon. Prime Minister knows, through the Secretary of State for External Affairs the Government of Canada filed briefs with the International Joint Commission defending and taking a position in favour of the province and of those Canadians who do not want this Canadian valley flooded. In view of the fact the Government of Canada is taking this position at the Interna-

tional Joint Commission, would the right hon. gentleman please give this some consideration? It would be of very great help if the matter were raised in direct conversations with the President of the United States.

Mr. Trudeau: Madam Speaker, certainly I can accept the hon. member's suggestion and give it very serious consideration. The Government of Canada, as the member says, supported the application or the appeal by British Columbia before the IJC. The IJC remains a quasi-judicial body unique in character, since it is composed equally of members from both countries. But I repeat that this case is different than, for instance, the Garrison project, where our representations have been clear, continued and, I would say, effective, at least during the period President Carter was in office. In the case of the Skagit, the position I have taken over many years with successive premiers of British Columbia is that they signed a contract with the city of Seattle, they received money from the city of Seattle to compensate them for flooding, and the best course would have been to negotiate out of that agreement by paying compensation to the city of Seattle. The governments of British Columbia have always refused to heed my advice in that regard, and I cannot say that they had no right to do so. I just say that now they have chosen the appeal route to the IJC, the best we can do is to support them.

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LABOUR RELATIONS

B.C. TELEPHONE COMPANY DISPUTE—FURTHER ACTION NECESSARY TO ACHIEVE SETTLEMENT

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, my question is directed to the Minister of Labour. Recognizing that the prolonged British Columbia Telephone strike is in fact not only of interest of British Columbia but also of national interest, in that a benchmark settlement may well be established, and in that the strike is now impeding the rapid real growth the province has been experiencing, and in that the disruption to business and to the service industry has reached a point that a settlement is now becoming highly essential, does the minister intend to take further action to bring the parties together in order to achieve a settlement?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the question of a settlement in the British Columbia Telephone dispute certainly is a very important one, particularly in the British Columbia area, but in general as well. It appears that the area of settlement would not establish a benchmark at all, in view of other settlements in other disputes in the British Columbia area at the present time and the quantum of the settlements involved.

We are in the very strange position that last week the parties agreed on all elements of settlement but, as the hon. member knows, the company put forward in a rather bizarre and unprecedented preamble that it would only be willing to put those settlement figures into effect at such a time as the CRTC approved a further increase in rates. In view of the editorials by at least two leading newspapers in the Vancouver area and the overwhelming attitude of the public, including the business public, I think that such a preamble or condition is totally unreasonable and that the appropriate way for the matter to be settled now is for B.C. Tel to forget the preamble and agree to the terms negotiated by my very able mediator, Mr. William Kelly.

Mr. Wenman: Madam Speaker, I think it is appropriate for the minister to make a strong statement against the actions of the telephone company, but in fact it threw it somewhat back into the ball court of the federal authority. I do not think it is good enough just to say that is it.

Is the minister saying that there is no potential for assistance from his department or no possibility of the minister assisting in pulling the parties together now that this action has been recognized as unsuitable? Is it not time, or does the minister not see a time in the very near future that he will have to step in and take some action in the public interest which is now being damaged severely in British Columbia?

Mr. Regan: Madam Speaker, certainly I appreciate the genuine concern of the hon. member for the problem, particularly for third parties who are having difficulty in achieving installations in order to take possession of new space, and for new buildings to open, and other problems. Now of course, with the general strike, a great inconvenience may develop for the public as a whole, but as the hon. member is fully aware, the powers of my department are those of persuasion and of mediation.

• (1500)

Having had our most able mediator involved, and having brought the parties together, I am not sure what more could be done at this time which would not interfere with the free collective bargaining system. I presume the hon. member is not suggesting that we force a settlement on the parties. In the absence of that measure, it seems to me that the best weapon for the moment is public pressure on the parties, and particularly on the company, to realize how unreasonable the condition is that they added to what would otherwise be a settlement.

ROUTINE PROCEEDINGS

[*Translation*]

FISHERIES AND FORESTRY

CONCURRENCE IN THIRD REPORT OF STANDING COMMITTEE

Mr. Alexandre Cyr (Gaspé) moved that the third report of the Standing Committee on Fisheries and Forestry, tabled in the House on Friday, February 13, 1981, be concurred in.

Motion agreed to.

Order Paper Questions

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,535, 1,620, 1,731, 1,786, 1,819, 1,892, 1,995, 2,050, 2,066, 2,077 and 2,084.

[*Text*]

SUBSIDY TO VIA RAIL CANADA

Question No. 1,535—**Mr. Mazankowski:**

1. What is the forecast level of subsidy which the government will have to pay VIA Rail Canada for (a) 1980-81 (b) 1981-82 (c) 1982-83 (d) 1983-84 (e) 1984-85?

2. What steps will be taken, if any, to improve VIA's financial viability and reduce its burden on the taxpayer?

3. For distances (a) of less than 200 miles (b) 200 to 500 miles (c) over 500 miles, what is the ranking of the various modes of passenger transportation in terms of fuel efficiency per passenger mile?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport):

1. (a) The forecast level of government subsidy payment for VIA Rail Canada Inc. for the fiscal year 1980/81 (in 1980 dollars) is approximately $324 million. See list below for a detailed explanation of this figure. In addition to operating subsidy payments, the government is providing funds in support of a major capital improvement program being undertaken by VIA. For the fiscal year 1980/81 (in 1980 dollars), capital payments are expected to equal $117.5 million.

(b), (c), (d), (e) The subsidy funding levels for the fiscal years 1981/82 to 1984/85 have not yet been approved and therefore are not available at this time.

2. The following action has or will be taken to improve VIA's financial viability and reduce its burden on the taxpayer. In accordance with the transportation policy statements made by the government in 1975 and 1976, periodic reviews of rail passenger services are conducted to determine or guide policy decisions on its future direction. Selective review and restructuring of the rail passenger system to best suit public need is being carried out through rationalization plans developed in the past by the Canadian Transport Commission and formulated now by VIA. The plans are implemented subject to the results of public hearings conducted by the CTC to ensure system changes are not contrary to the public interest. Transport Canada provides operating subsidies to VIA under a contractually based financial system which is designed to offer incentives to increase the efficiency and effectiveness of VIA's over-all operation. Capital is provided to VIA to improve the operating efficiency and marketing attractiveness of the fleet. In this respect, VIA has undertaken a program of capital investment in LRC (Light, Rapid, Comfortable) trains and in the improvement of existing equipment. Reservia, a computerized reservation and ticket printing system, was introduced in the spring of 1980 to provide more efficient service to the public. Linkage of the system with Air Canada's Reservac system is planned to further improve VIA's customer service. An aggressive marketing strategy has been adopted by VIA which has resulted in traffic gains at a current rate of about 10 per cent annually. VIA expects to buy or lease those passenger train stations currently owned by CN or CP which VIA requires to operate its services. Conversion of certain of these stations to multimodal (i.e. housing bus operations as well as rail) stations is being considered to allow more cost-effective use of the facilities and convenient modal transfer. Studies designed to test or assess technical and economical improvements in service are part of the government's and VIA's ongoing activities.

3. (a), (b), (c)

Based on current average modal load factors,—bus, rail, automobile, and air in this order—are increasingly less energy efficient at any distance above 100 miles, the minimum distance measured, taking into account only 'direct' energy expenditure. Direct energy being that which is used to propel a vehicle. If 'indirect' energy consumption (i.e. the energy used to produce the fuels used to manufacture and maintain vehicles and to construct, maintain and operate the associated infrastructure) is included as well, the auto is more efficient than rail at distances of less than approximately 150 miles. Otherwise the ranking is unchanged.

1980/81 Estimates
Payments to VIA Rail Canada Inc.

Original Operating Contract	$301.8 million
Minus x budget cut	3.5
	$298.3 million
* plus Supplementary Estimate (1980)	$ 20.6 million
plus Labour Assistance	5.0
Approved Operating Subsidy	$323.9 million
Approved Capital	117.5
Total Payments	$441.4 million

* The $20.6 million is part of a supplementary estimate for $36.3 million for revised operating costs charged to VIA by CN. Of this total, $10 million was approved to cover charges for 1979 (calendar year), $20.6 million for 1980 (calendar year), and approval of the remainder was deferred pending the disposition of the cabinet document on the rail passenger program. The difference between the figures of $454.9 million appearing in the government Estimates Book and the figure of $441.4 million is the $10 million of the

supplementary estimates applied to 1979 and the $3.5 million budget cut.

INSTITUTE OF APPLIED METAPHYSICS

Question No. 1,620—**Mr. Cossitt:**

Does an organization known as "I Am" or the Institute of Applied Metaphysics, or any subsidiary etc. connected therewith, have a Department of National Revenue number making donations deductible for income tax and, if so (a) on what date was this granted and for what reason (b) is or will an investigation be made as to whether it should be rescinded and, if not, for what reason?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue):

(a) I Am—Institute of Applied Metaphysics was granted the status of a registered charity effective January 24, 1972, and is therefore enabled to issue official receipts for income tax purposes to its donors. Its registration was granted in accordance with the Income Tax Act because, on the basis of information available, it met the requirements of the Income Tax Act for registration as a charity.

(b) As is the case with any taxpayer, a registered charity may be audited at any time for taxation purposes and every year selected charities are included among taxpayers audited by the department. The confidentiality provisions of the act do not permit disclosure of whether an audit of this taxpayer has been, or will be, undertaken.

LANGUAGE TRAINING PROGRAM

Question No. 1,731—**Mr. Stewart:**

1. Since the inception of the Language Training Program, what was the total cost of administration for (a) the Public Service (b) Crown corporations (c) RCMP (d) the Canadian Armed Forces?

2. How many (a) public servants (b) employees of Crown corporations (c) RCMP personnel (d) CAF personnel have had instruction in (i) French (ii) English?

3. What percentage of candidates on completion of training were then deemed to be functionally bilingual having as a mother tongue (a) French (b) English?

4. Since the inception of the bilingual bonus, what was the total amount paid to public servants and others who qualified for the incentive?

5. How many (a) public servants (b) employees of Crown corporations (c) RCMP personnel (d) CAF personnel received language instruction in (i) Ottawa (ii) other areas of Canada (iii) outside Canada?

6. How many (a) public servants (b) Crown corporation employees (c) RCMP personnel (d) CAF personnel were brought to Ottawa from other points in Canada to undergo language training?

7. What is the average (a) length of a language training course (b) cost per pupil?

8. How many (a) public servants (b) Crown corporation employeees (c) RCMP personnel (d) CAF personnel were required to repeat language training because of an unsuccessful first course?

Hon. Donald J. Johnston (President of the Treasury Board): 1. Data is available centrally from two sources only: The Public Service Commission with respect to employees trained at PSC's centres (this includes some of the personnel of the RCMP, Crown Corporations and National Defence) and departments and agencies (Schedules A, B and C of the Financial Administration Act—including the National Defence) that, since 1976, have been providing Treasury Board with information on their own internal training program. The above-mentioned expenses include language training activities, testing, orientation, research, specialized assistance and also the 1980-81 main estimates.

Responsible for Language Training	Fiscal Years	Administrative Costs
a) Public Service Commission (PSC)	1964-1980	$292 million
b) Armed Forces	1968-1980	$178 million
c) Departments/Agencies	1975-1980	$ 23 million

2. French and English language training is mostly administered by the PSC and the Armed Forces personnel. As far as in-house training administered by departments and agencies is concerned, there are no centralized records available.

Responsible for Language Training	Fiscal Years	Clientele	No. of Employees French Course	No. of Employees English Course
a) PSC	1966 to 1980	Public Servants	38,286	10,511
		Crown Corporations	6,386	1,325
		RCMP	1,303	325
		Armed Forces	1,419	80
b) Armed Forces	1966 to 1980	Members	31,016	25,992

3. The Public Service Commission has at its disposal since 1973 only standardized methods for testing the language proficiency of an employee in terms of the level of the language requirement of the occupied position. The PSC indicates in its 1977 and 1978 annual reports the number of students on continuous language training and having passed the Language Knowledge Examinations (LKE). When converted into percentages, these numbers read as follows:

a) from 1973 to 1977, 75.4 per cent succeeded in the French language course and 76.1 per cent in the English language course;

b) from 1974 to 1978, 80.4 per cent succeeded in the French language course and 80.6 per cent in the English language course.

Those who did not take or succeed the LKE represent:

a) employees who withdrew from training for pedagogical reasons;

b) students who withdrew voluntarily;

c) those who were recalled by their departments;

d) students who failed.

In other respects, the PSC 1979 Annual Report indicates the rate of success in the LKE for the same year:

a) 96.2 per cent for the French language course;

b) 99.8 per cent for the English language course.

As for the Armed Forces, it is estimated that most of the students on training were capable of working in the second

language at the level of proficiency required by their profession or classification at the end of the course.

4. Since the inception of the bilingualism bonus plan, we have established that close to $164 million will have been paid by March 31, 1981.

5. There are no centralized records available for in-house training administered by departments and agencies. The number of employees having received training is broken down as follows:

Responsible for Language Training	Number of Employees on Language Training 1966-1980		
	Ottawa	Regions	Outside Canada
a) PSC			
Public Servants	24,631	24,166	—
Crown Corporations	2,839	4,872	—
RCMP	530	1,098	—
Armed Forces	677	822	—
b) Armed Forces	6,712	48,548	1,748

6. Subject to the same limitations as specified in question 5, data is as follows:

	Number of Regional Employees on Language Training in Ottawa 1966-1980
Public Servants	5,416
Crown Corporations	341
RCMP	57
Armed Forces	562

7. Data shows actual and historical information, as provided by the PSC and the Armed Forces. Because of the evolution and diversity of programs since 1966, the average lengths and the unit costs were derived from a simple mathematical calculation and should be interpreted carefully.

Responsible for Training	Period	Average Duration of course	Cost per Student
	Actual		
Public Service Commission	1979-80	*849 hours	$5,390
		**487 hours	$3,092
	Cumulative		
Armed Forces	1966-80	***379 hours	$3,128

*Average duration required in 1979-80 for a graduate.
**Average duration required in 1979-80 for a non-graduate.
***Derived from all courses and total training hours, total number of students and total costs since 1966.

8. As indicated in question No. 3, from 1973 to 1978, less than a quarter of students enrolled in the PSC's continuous language training, did not succeed the LKE or withdrew. In 1979, we observed a moderate failure rate of 2.9 per cent in the LKE. Among those who failed the LKE, very few were able to retake the exam given the time-frame to satisfy the language requirements of bilingual positions and also clauses protecting entitlements. In addition, the official languages policies revised in 1977, state that an employee cannot undergo language training at government expense to attain the same or a lower level. Furthermore, the official languages policies do not oblige an employee to repeat language training. The few employees who might have repeated a course did so on their own initiative.

ADVERTISING EXPENDITURES

Question No. 1,786—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of Telesat Canada for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): Telesat Canada is neither a Crown corporation nor an agent of Her Majesty. It is an independent, shareholder-owned company in which the federal government is a substantial, but not a majority, shareholder. Telesat reports to government on a number of areas which are clearly identified in the Telesat Canada Act. While the information requested in this instance does not fall within this area of government responsibility, I am informed that the president of Telesat Canada has written to the hon. member and has offered to respond to any inquiries he may have regarding the normal commercial operations of the company.

CEIC LABOUR MARKET DEVELOPMENT TASK FORCE

Question No. 1,819—**Mr. Orlikow:**

1. What was the total budget allocated to the CEIC Labour Market Development Task Force?

2. What is the anticipated cost for professional advice, assistance and special studies commissioned by the task force?

3. Have contracts been awarded for professional advice, assistance and special studies commissioned by the task force and, if so (a) to whom (b) what remuneration is anticipated for each contract?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): 1. $825,750.

2. $600,250.

3. See list below.

(a) Contractor's Name	(b) Amount
Orley Ashenfelter	7,000.00
Carliss Baldwin	12,500.00
Yvon Chenier	1,800.00
Donald M. Caskie	10,425.00
Leah Cohen	5,500.00
Computational Methods Ltd.	3,000.00
Ruth Crow	12,500.00
Dalcor Group	12,000.00
Ann E. Daley	7,600.00
Michael Decter	14,250.00
Dept. Political Economy—University of Toronto	13,440.00
Econanalysis Incorporated	27,500.00
Econanalysis Incorporated	31,000.00

Emjay Associates	16,056.00
Generic Skills Consulting Services	3,400.00
Gillian Godfrey	10,500.00
William Halton	3,600.00
Arnold C. Harberger	14,000.00
Timothy J. Hazeldine	13,580.00
I.P. Sharp & Associates Ltd.	16,775.20
Informetrica Ltd.	40,000.00
Institute for Urban Studies—University of Winnipeg	6,541.00
Institute for Research on Public Policy	5,000.00
Peter Kemball	13,950.00
Donald R. Lessard	12,500.00
Lizan Management Ltd.	8,300.00
Brian Maracle	1,000.00
Brian Maracle	2,408.00
Scott Mason	12,500.00
Dr. N. Meltz	4,000.00
Suzanne Moreau	7,600.00
David Newhouse	8,900.00
Michael Rivard	3,600.00
R.J. Clifford Associates	19,000.00
R.J. Clifford Associates	76,900.00
Harvey Schwartz	3,000.00
Selective Placement	8,381.10
Sem-Eng Ltd.	25,000.00
Robert W. Sexty	6,300.00
Siar Incorporated	5,000.00
Square One Management Ltd.	6,000.00
Peat, Marwick and Partners	25,000.00
Christopher Taylor	6,700.00
Alan Thomas	2,800.00
Betty Weinstein	10,500.00
Fred Wien	850.00
Stacey Personnel	2,469.00
Glen Hodgson	900.00
	561,525.30

INTEREST ON AN UNPAID TAX BALANCE

Question No. 1,892—**Mr. Herbert:**

Can an individual, who is assessed interest on an unpaid tax balance, deduct the amount of the interest from interest earned in the same year when compiling a tax return and, if not, for what reason?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): Interest payable in respect of three different types of obligations is deductible from a taxpayer's income. A taxpayer may deduct interest: (1) on borrowed money used for the purpose of earning income from a business or property; (2) on an amount payable for property acquired for the purpose of gaining or producing income from the property or business, and (3) on amounts paid to a taxpayer under an Appropriation Act for the purpose of advancing or sustaining a manufacturing industry, or for prospecting, drilling and exploring for minerals.

It should be noted that in cases (1) and (2) above, the interest is not deductible if the income from property involved is exempt, or is property that is an interest in a life insurance policy.

The interest payable under subsection 161(1) of the Income Tax Act does not constitute interest payable on money borrowed from the Receiver General for any of the above purposes, but rather is an imposition under law to pay interest on tax arrears. Therefore, any interest assessed on an unpaid tax balance would not be deductible against interest income nor would it be considered an allowable business expense.

GASOLINE TAX REFUNDED TO FARMERS

Question No. 1,995—**Mr. Herbert:**

1. Since the inception of the Excise Tax program on gasoline to date, what amount was refunded to farmers in (a) Quebec (b) Ontario?

2. For each province, what percentage of farmers file for a refund and what is the average value per claim?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): 1. Since the inception of the Excise Tax program on gasoline to January 13, 1981, $6,084,789 has been refunded to farmers in Quebec and $21,733,765 has been refunded to farmers in Ontario.

2. The most recent figures available from Statistics Canada indicate there are 51,587 farmers in Quebec and 88,801 farmers in Ontario. Excise gasoline tax records indicate 21,298 farmers in Quebec and 57,375 farmers in Ontario have been reimbursed for the refund. Therefore, 41.3 per cent of farmers from Quebec have received a refund and 64.6 per cent of farmers from Ontario have received a refund. The average value per claim in Quebec is $89.88 and in Ontario is $107.34.

OLD AGE SECURITY PENSION

Question No. 2,050—**Mr. Herbert:**

Is a person aged 65, who delays an application for Old Age Security pension payments so as to receive the entitlement retroactively in the succeeding calendar year, assessed personal income tax on a sum in the year that the person reaches age 65 which would include a pension entitlement that had not been received?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): No.

CÔTEAU-DU-LAC—HISTORIC SITE

Question No. 2,066—**Mr. Herbert:**

1. How many persons visited the historical site at Coteau-du-Lac in 1980?

2. Between what dates in 1981 will the site be open?

3. Is any new construction work contemplated and, if so, what is its purpose and estimated cost?

4. What is the amount of the budget for the operation of the site in 1981, not including any possible construction work, and how many persons will be employed?

5. What is the amount of the advertising budget for the park and is there any advertising in the United States?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): 1. 26,200 visitors.

2. From May 18, 1981 to October 18, 1981. School year: from May 19 to June 19, 9 a.m. to 5 p.m. weekdays, 10 a.m. to 5.30 p.m., weekends. Regular season: from June 20 to September 7, 10 a.m. to 6 p.m., 7 days a week. Fall: from September 8 to October 18, 10 a.m. to 4 p.m. from Wednesday to Sunday.

Order Paper Questions

3. Yes. The construction of an interpretation and visitors center in 1983-84; $366,000. Canal improvements stabilizing the remains of existing walls; stabilizing the wall and the gabion wall along the St. Lawrence River, 1981-84; $207,700. Refitting the interior of the blockhouse, 1982-83; $66,000.

4. $87,525; 2.51 person-years or five employees.

5. Advertising, none; advertising in the United States, none.

PRIME MINISTER'S RESIDENCE

Question No. 2,077—**Mr. Cossitt:**

1. Was the construction of a swimming pool at the Prime Minister's official residence, 24 Sussex Drive, paid for by gifts to the Crown?

2. Do records exist of such gifts and, if so, on what dates were the gifts made and what were the amounts?

Hon. Yvon Pinard (President of the Privy Council): See replies to questions Nos.:

1,233, answered October 28, 1975, *Hansard* page 8611;

1,294, answered July 14, 1975, *Hansard* page 7529;

1,442, answered October 28, 1975, *Hansard* page 8612;

1,705, answered February 3, 1981, *Hansard* page 6827;

2,211, answered May 20, 1975, *Hansard* page 5919;

3,461, answered November 7, 1975, *Hansard* page 8960;

3,462, answered November 7, 1975, *Hansard* page 8960.

DND—PURCHASE OF FISHING EQUIPMENT

Question No. 2,084—**Mr. McKinnon:**

Did the Department of National Defence purchase $22,935 worth of fishing equipment from Federal Safe Air Supply Co. and, if so, for what purpose?

Hon. J.-J. Blais (Minister of Supply and Services): The Department of Supply and Services purchased from the Federal Safe Air Supply Co., on behalf of the Department of National Defence, an emergency fishing and sewing kit supplied in a metal container. The kit is one of the components used in survival packs issued by the Department of National Defence to operational personnel.

* * *

[*English*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,476 could be made an order for return, this return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,476 be deemed to have been made an order for return?

Some hon. Members: Agreed.

Madam Speaker: Agreed and tabled forthwith.

[*Text*]

LIVINGSTON INDUSTRIES

Question No. 1,476—**Mr. Deans:**

1. From 1965 to June 1980, how many orders in council were issued affecting Livingston Industries operating in Canada and what was the actual wording of each order in council?

2. What amount of customs duty was remitted for each order submitted concerning Livingston Industries?

3. What were the commitments from Livingston Industries in exchange for remitting each customs duty?

4. Did Livingston Industries meet each commitment?

Return tabled.

[*English*]

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

Madam Speaker: Is that agreed.

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Hon. Alvin Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, when I finished my speech on Friday afternoon I was in the process of complimenting those members of the New Democratic Party who had left their party on this issue on a matter of principle. I also complimented the hon. member for Edmonton East (Mr. Yurko) for having done the same thing as a member of the Conservative Party. I suggested that among the Liberals I trusted there would be equal thought and that many of them, on principle, would disagree with what is being done here in the House. I suggested that they, too, would match the democratic pattern of the two parties on this side of the House. I am positive that in any group of people there must be some concern over what is happening here and, therefore, that there be a difference of opinion. We have won a lot of credit for this Parliament because individual members have taken a stand based on their conscience and their judgment.

One of the things which I had intended to mention, which I will pass with a single statement, is that I do not think

anything has shocked the Canadian people more during the discussions in the Special Joint Committee on the Constitution and the debate in the House than the fact that these representatives of all parties did not willingly, gladly and enthusiastically accept the principles of the Diefenbaker Bill of Rights and the preamble thereto. The preamble of the Bill of Rights mentions the supremacy of God. What Liberal is opposed to that? What NDPer is opposed to that? I do not know. They will have to answer for having turned that down.

Some hon. Members: Hear, hear!

Mr. Hamilton (Qu'Appelle-Moose Mountain): The Diefenbaker Bill of Rights was the first bill of rights in the world which gave high priority to the family. At a time in this country when the family is being heavily attacked, and all countries in the western world, I do not understand why the Liberals and the NDP should turn that down. But they must answer for it. One way in which they can answer for it is with their votes with respect to this particular resolution.

The third point I wanted to mention was the right to enjoy property, which is the first item in the Diefenbaker Bill of Rights. Why any Liberal or any NDPer would deliberately, in full public glare of television, radio and newspaper, stand up and declare that they did not want this entrenched in the Constitution is beyond me. Anyone who knows the history of the new world, South America, North America, Australia and New Zealand knows why people came to these lands. They came to enjoy the ownership of land. To the working man, that means his home.

I would like to say a few words about the first day of the debate with respect to the first section of the bill. I think the country of Canada was well served by the quality of speeches given by the Minister of Justice (Mr. Chrétien), the spokesman for the Conservative Party, the hon. member for Provencher (Mr. Epp), and by the Leader of the New Democratic Party (Mr. Broadbent). Those were three able speeches given by three able parliamentarians. The country should be glad that they heard a different point of view from each. I leave it to the people of the country to decide which one they support. I know where I stand, but I leave it to the people who saw and heard those three speakers. It was a good opportunity to view Parliament at its best.

I like to think the tendency held by some to put down people who break away from their parties on such important issues should be subdued. I think when a member speaks quietly and clearly, without provocation, he should be listened to. That is all I intend to say on that point.

The issue that came out of the first day of debate was very obvious. That issue is with respect to whether Canada's way of life between the two levels of government is one of consensus or one of confrontation. There is no halfway point. With respect to this issue we must ask the people of Canada to decide what the Canadian way is. Is it confrontation between governments through the use of press and radio publicity to beat another government into submission, or is it consultation?

In the main, for 110 years we have succeeded with the consultation technique. Certainly there were hard trade-offs. In the early days per capita grants were traded with the provinces. In the old days a certain number of Senate seats were used as a trade-off. In recent years amounts of money granted under various deals have been traded off. There must be compensation when this type of trading is being done and when you get down to the dollars and cents part of it.

Generally speaking, our federal nation and every other federal nation which has done well in the past hundred years has used the principle of consensus, not force and certainly not confrontation. It looks as if we will turn our backs on that concept now. By saying that this measure must be taken immediately smacks to me of something which I call the new-style fascism. It is not fascism of the type we had insidious and more dangerous. This is the fascism of people who like to call themselves the elite, the ones that know better. This elitism has taken over not only the socialist countries of the world, but also our type of democracies.

• (1510)

Some hon. Members: Hear, hear!

Mr. Hamilton (Qu'Appelle-Moose Mountain): We call it by various names, a dictatorship or a bureaucracy, but it all adds up to the same thing: the small people of each country think that they have more knowledge and judgment than the mass of the people, and they want to insist on giving every bit of control to this small group, whether it be in the provinces or the federal government.

This feeling is in the provinces. It has to be fought. It is also in the federal government—and has been here for 30-odd years—and it has to be fought. It was not too pleasant to hear put forward in the House, by politicians who should be the defenders of the people against this elitism, or this new type of fascism, that even though the thing is wrong, even though it will divide the country, let us ram it through because that shows we are for change; and then 100 years from now maybe they will forget it. This does not sound right in this type of chamber.

I have a number of other comments, but with the time going on I will be brief. I would like to repeat in all seriousness: regardless of party or regional affiliation or anything else, rightly or wrongly, we are deciding something very important for the people of Canada over the next 100 years, not just for the next two or three. We should know a great deal about the set of rules which we are proposing to talk about before we rush ahead and start to make changes, not because I am a Conservative who believes that the fastest progress is made by going slowly and carefully, but because my common sense and instincts tell me that you do not rush forward into something that is very important unless you are absolutely sure that it is the best you have.

I do not accept that the present charter of rights is the best that we can do, any more than I accepted the Bill of Rights under John Diefenbaker as the best we could do. We in the

Diefenbaker government spent three long years trying to make it as good as we could, and we put forward something that we were very careful to say did not infringe on provincial rights and we hoped would set a pattern for the provinces to follow. It was not perfect. Some of the proposals I liked; but some of the others I am not too sure about. I am simply saying that it is beyond the capacity of human beings ever to write a law that meets all the needs of all the people. All you can do is strive to do the best you can.

In these discussions on the Constitution that we have had in Canada over the last decade, several facts have been discussed a little bit, and some have not been discussed at all. I think it fair to say that if you are going to amend the Constitution to help fit these facts, we have done a pretty good job in the last ten years in discussing the French fact. Canada should be proud of the fact that, in the main, the great mass of the people across the country, in spite of all their ancient bias, have tried their level best to reach a conclusion which was acceptable and fair on this question of language. It is not perfect, but it has been discussed very thoroughly and the movement forward has been tremendous. I think the Liberals accept that position or they would not be bringing in this type of charter. Therefore, on that type of fact, I think there have been good marks. The various leaders across the country and the masses of the people, in talking and thinking about it, have come down on a pretty fair play.

We are proud that the people of Quebec voted for that point of view in the referendum. We know they are not all happy, but we are proud that simply a majority of them are happy, and we hope that they will be happy, as the years roll on.

The six facts which must be discussed are all economic facts. You cannot build a rule to run this country or any country unless the political rules fit the economics of the nation. The first fact to be discussed may surprise you, and I think the basis of it is important. It is education.

In 1867, education was something that the provinces fought for, believed in, and had to have if they were to be partners in this new nation. They wanted to control and be able to help protect the culture in their area. This fact of the Constitution of 1867 has been honoured pretty well. However, it was certainly clear many, many decades ago that with the federal government coming in and taking responsibility for economic matters in the country, and since education has been one of the main arms in the arsenals to give us better use of our economic and human resources, obviously the federal government had to come in on the side of education. Without going into detail, suffice it to say that the federal government is now involved to the extent of $3 billion worth a year, but there is nothing in the rules that gives us this right.

Therefore, in a new constitution we should be discussing what types of rules we can put in that would legitimize the necessity for the federal government to be involved in education. Obviously, I am talking about education from the economic point of view, not only schools for the trained technical people, but the post-secondary and all economic sectors of university. Because this is where the cutting edge of education makes its impact on the economics of the country: on the technical side, on the economic side.

I believe I have made it clear, and that most people will agree, that this has not been discussed candidly. In order for the provinces and the federal government to discuss a subject like this candidly, there must be tremendous amounts of good will on all sides, because education is one of the great, fundamental, vital powers of the provinces.

The third fact, which has been mentioned only once in the last year, is the urban fact. Whether we like it or not, in the next 100 years I would suspect that at least 80 per cent of our people are going to live in built-up or urban areas. Yet under the present Constitution, the people who live in these built-up areas are considered to be creatures of the provinces. How long will it be before the people of the cities of Halifax, St. John's, Montreal, Quebec City, Toronto, London, all the great cities of the provinces—yes, Winnipeg, Regina, Saskatoon, Calgary, Edmonton, Vancouver, Victoria—realize that with all the responsibilities they have under our present way of life in Canada, which will be with us for the next 100 years, and forever, possibly, they must be given some authority to carry out these functions which goes beyond their present powers as creatures of the provincial governments?

We can all understand why the politicians do not want to mention the urban fact. It frightens the daylights out of the provincial premiers, and that terrifies the federal government. That does not mean we should not be discussing it. With 80 per cent of our people living in cities and regional government areas, there must be a place in the sun for them. It is my belief that this can be done in a manner which strengthens both the provinces and the federal government at the same time; but we will leave that to another debate.

● (1520)

The fourth fact that I want to mention has been discussed to some extent but not precisely, and that is that Canada is a regional type of country. I would calculate that there are 17 to 19 economic divisions in Canada. The people of Quebec and Ontario know what I am talking about. Quebec is not just one region but four or five distinct regions economically and they cannot all be run by one rule. Ontario is made up of at least five regions and those who live in those regions know what I am talking about. They talk the same way as westerners. Twenty-five years ago I defined Canada as being composed of two parts—Toronto and the rest of us. The same thing that I heard in Saskatchewan, I heard in Lac-Saint-Jean in Quebec; in the Gaspé I heard the same thing that I heard in northern Ontario. The advertising signs used in business are the same. For instance, small loans are called *petits prêts*. It amounts to the same thing—that we are all in hock to the money lenders!

Until we as politicians grasp the fact that there are not just two or three regions in Canada but 17 to 19 regions, we will have the same old difficulties. No one can tell me that all of British Columbia is one region. All you have to do is go ten miles outside the city of Vancouver and this will be evident. Go 300 miles from Vancouver and you will find the same thing as

in Ontario. That is what it is like out there. If we are going to develop a set of rules, then for heaven's sake let us realize that they must be based on the economic opportunities for people in all the regions if they are to work.

It is evident that we are moving toward new forms of industrial complexes, not just along the St. Lawrence but also in northern Ontario, northern Quebec, the Atlantic provinces, Alberta, British Columbia; even Manitoba, Saskatchewan and the Northwest Territories will have big industrial complexes some day.

The thinkers of this country are now asking what Canada will be like in 100 years. They point out that as wealth grows and is distributed throughout the country, the divisions will be organized on the basis of cultural centres. One hundred years from now there will still be a place for Toronto as a cultural centre. Today it is the centre of the cultural activities of most of Canada. To listen to the CBC you would think Toronto was a nation on its own. It has a right to retain its place in the sun if we can see ahead that far. Like New York, it will survive—the industrial community of New York has moved to New Jersey, of course—but it will survive because it is a sound cultural centre and that is good economics. I could discuss this at some length, Mr. Speaker, but I will pass on.

The fifth fact is national development. When I came to this House I was full of beans and vigour and had ideas about how the country could be developed. I remember the great conference on forestry in 1906 under the Laurier government. I remember the great conference held in the United States about the same time under the early Roosevelt. I remember the Gordon Royal Commission report of 1956 and I played a part in the Resources for Tomorrow Conference of 1961 in which we tried to find out what the economics of the country were. For the previous 68 years we had known what the wealth was and now, 20 years after 1961, I say that we need a renewal of that Resources for Tomorrow Conference in order to find out where the wealth will be for the next 100 years and draw up appropriate rules.

I want to know not only about renewable resources but about non-renewable resources. In 1961 that information was not available but it is available now. Above all, I want to know about human resources. This is the greatest waste in our nation and most of it takes place in our cities. Human resources are not being utilized because we have not developed the necessary framework. Before we sit down to discuss all these things, we must have the right attitude. They cannot be discussed in one or two years; it would more likely take from three to ten years.

I will list my final fact now and then go on to my proposal, Mr. Speaker. The sixth fact is welfare. In the last 60 years the world has moved into the social revolution. As we can see from the deficits experienced in all countries, this has required tremendous readjustment. In this country the burden lies most heavily on the provinces. Until we ask, with good will, how we can best harmonize this social revolution with the provinces, there will be no peace in Canada on this front. This social revolution will be with us for another 100 years. It is happening all over the world but we have just become aware of it in the last 40 or 50 years.

I have rushed over quite a bit of material in a short time, Mr. Speaker. The time-frame for what I have talked about is three to ten years. A positive attitude must be taken by all levels of government, by all people and all parties. But Canada is worth it. Let us think about these things in a positive way and not try to ram them through.

I suggest that this bill be split. We should repatriate the British North America Act, have an amending formula, get it back here and settle down to the job that we have to do over the next three to ten years.

Some hon. Members: Hear, hear!

Mr. Hamilton (Qu'Appelle-Moose Mountain): Another six or eight months' work on the charter of rights would not hurt. After that, the conferences should start. We have never used the experts because they do not get along well with politicians so we could separate them and let each have its own conference. The experts could tell us in which areas the human resources and the non-renewable resources could be developed in the best interests of the nation. They could tell us the best way to use the renewable resources. We have a great deal of knowledge already but a tremendous amount of new knowledge has evolved in the last 20 years. The experts should do what they do best—give us the facts; then the politicians at every level of government could play their part.

Finally, Mr. Speaker, after this process has taken place it might be necessary to reconsider the idea of a constitutional convention. That decision is five or ten years ahead, however, so we will not worry about it now.

I think if we approach this with the right attitude and take time to make these decisions, we will serve our people well for the next 100 years.

Some hon. Members: Hear, hear!

[*Translation*]

Mrs. Céline Hervieux-Payette (Parliamentary Secretary to Solicitor General): Mr. Speaker, it is an honour and a privilege for the member for Montreal-Mercier to take part today in the debate preceding the adoption by the House of Commons and the Senate of one of the most significant joint resolutions addressed to Her Majesty the Queen with a view to amending the Constitution of Canada. I must point out that as a woman, as a Quebecer and as a member of the national government I fully endorse the principles contained in the resolution.

Mr. Speaker, I am proud to sit in the House now that the time has come for Canada to achieve full independence in its domestic and external affairs. I realize that I did not waste my time during the referendum campaign. Now I would like to examine why a charter of human rights must be included immediately in the Constitution of Canada. The first premise rests on one of the wishes expressed by United Nations Secretary General Kurt Waldheim, and I quote:

[*English*]

The high goals set in the international bill of human rights can only be achieved when its principles and standards are fully recognized in law and observed in practice.

[*Translation*]

Mr. Speaker, that is why I think that the charter of rights will become part of the first law of the land, namely, the Canadian Constitution. An outstanding personality, Andrei D. Sakharov, who was awarded the Nobel peace prize in 1975 thought that it was important to include the charter of rights in all the laws of each country. I quote:

● (1530)

[*English*]

The defence of human rights is not political in nature. It arises from moral principles and their link to peace. Therefore, all people of good will, whether their political opinions are "rightist" or "leftist", can and should participate in the defence of human rights.

[*Translation*]

And Sakharov has stated in several of his works that the charter of rights should be part of the Constitution of a country, that is, the first law of the land.

Why must we adopt a Charter of Rights? Mr. Speaker, I believe that any Canadian who is aware of the efforts made to this date through federal as well as provincial legislation, realizes that all Canadians do not in fact enjoy the same rights in this country. Indeed, we have to recognize that the ten provincial governments and the national government each have laws recognizing rights that differ from one province to the other. That is why, Mr. Speaker, I feel it is imperative for minimum identical basic rights to be recognized for all Canadians, that those rights be recognized definitely in such a way that parliaments or assemblies, whether national or provincial, cannot change them overnight through the will of the majority.

Indeed, Mr. Speaker, I feel the charter of rights should above all protect the minorities. As the majority is represented in Parliament, I feel the first law of the land must be the one that recognizes the rights of the minorities.

I should now like to look back briefly on our history, and in so doing perhaps refute the opinions expressed by our colleagues of the opposition who claim that the charter of rights does not exist in parliamentary systems especially in England where in fact the history of the charter of rights was made, through the non-written tradition of court decisions. Over time, a tradition of a charter of rights was in fact established which has always been observed with regard to British citizens.

That history finds its origin with the Magna Carta of 1215 and King John Lackland. Most of the other kings who followed him in England continued to respect that charter. In 1628, King Charles I accepted the Petition and King William, in 1689, accepted the Bill of Rights.

Therefore, Mr. Speaker, a charter of rights does exist in the motherland, entrenched in the British Constitution which is based upon a different system from ours. At present, the same charter of rights is not included in our own Constitution.

I should like to quote from a recognized authority, namely *Encyclopedia Americana*, in which Mr. Cromwell Young refers to the deficiencies of the Canadian Bill of Rights. And I quote from page 744 of *Encyclopedia Americana:*

[*English*]

The Canadian Bill of Rights is a legislative act rather than a formal amendment to the written Canadian Constitution. It became law in 1960, during the period when John G. Diefenbaker's Conservative government was in power.

I am very glad, Mr. Speaker, to remind my hon. friend that it was recognized under a Conservative government that this country needed a charter of rights.

At page 744 of the *Encyclopedia Americana*, the explanation of the Canadian Bill of Rights continues:

In the years since its passage the bill has proved less effective than many had hoped, and its application has been limited. Because it is federal statutory legislation and not part of the Constitution, its provisions extend only to matters coming within the legislative authority of the Canadian Parliament; matters coming under provincial jurisdiction are outside its scope. In addition, although Section 2 of Part I provides that other laws of Canada are to be construed and applied so as not to infringe any of the declared rights and freedoms, courts have been reluctant to accept the bill as an instrument for overriding other federal statutes.

We can conclude by this authority that the Bill of Rights has its limitations even though it was regarded as a very good bill when it was entrenched. Probably that is why the Right Hon. John G. Diefenbaker in his memoirs "One Canada", published in 1976, said:

My experience with the provincial governments indicated that they were too jealous of their jurisdiction over property and civil rights to support any amendment applicable to themselves. I have little hope that their attitude will be altered in the years ahead. To have made provincial agreement a condition for enacting a Canadian Bill of Rights would have meant a complete failure to achieve this important objective.

I must remind you, Mr. Speaker, that the Hon. John G. Diefenbaker—

Mr. Epp: The Right Hon. John G. Diefenbaker.

Mrs. Hervieux-Payette: —was considering the adoption of a Bill of Rights in 1960 as the first step toward entrenching a future Bill of Rights in the Constitution. In his memoirs, Mr. Diefenbaker continued:

Under my philosophy, the Bill of Rights was based upon the belief that certain rights and liberties of the citizen are so fundamental to our way of life that no law and no force should be allowed to encroach on them.

[*Translation*]

Mr. Speaker, I think that in light of these authorities we must recognize that the charter of rights we now have in Canada and which applies to the federal government has many limitations, and I believe that my colleagues will fully agree on this point. On the other hand, I think that in our own history we find, as the Canadian Council of Churches pointed out, that Canada already has in its Constitution a nucleus of a bill of rights, but that the Canadian government and Parliament

should go further and include in that bill of rights the fundamental rights, albeit very limited, that are already recognized, according to the Canadian Council of Churches, while adding to them other fundamental rights. I quote their brief to the 1950 Senate Committee on a Charter of Rights which says:

[*English*]

Without ignoring or minimizing the constitutional problem which the introduction of a Bill of Rights would present, we venture to suggest that to the extent that our Constitution now provides for the English and French languages, the separate school system, and periodic elections and sessions of Parliament and the provincial legislatures, Canada already has the nucleus of a bill of rights. Therefore, in view of these facts, is it too much to ask that the Constitution be extended to take in the following suggested human rights and fundamental freedoms.

The list included most of the rights recognized in this motion.

[*Translation*]

Mr. Speaker, as a woman member, I should like to remind the House briefly of the virtually unanimous support given by all women's groups who appeared before the Committee on the Constitution. First of all, I am very proud to note that the Canadian Advisory Council on the Status of Women made a great contribution to the debate and that these women submitted a remarkably good brief to the committee. I should like to quote from their recommendations to Parliament:

We wish first of all to underline that we are in favour of entrenching the protection of our basic freedoms and rights in the Constitution. First, the charter will serve as a symbol and a guide to the legislatures. It is highly desirable to ensure that certain freedoms and certain basic rights will not suffer from any legislative interference likely to restrict them. We women are only too well aware of the inequities created by the legislation. We are only too well aware that the present Bill of Rights cannot put an end to discrimination when it becomes law.

I believe that this submission truly shows the need to include a charter of rights in the constitutional resolution. Again I refer to the National Action Committee on the Status of Women.

[*English*]

The National Action Committee on the Status of Women concluded, "Notably, it was agreed that we support entrenchment of a Charter of Rights and Freedoms in principle."

That group made a wonderful contribution in presenting various amendments and I am sure the minister has answered most of their concerns and preoccupations.

[*Translation*]

Mr. Speaker, another group, the Canadian Congress for the Promotion of Educational Opportunities for Women, has reacted quite favourably. It has stated, and I quote:

The Canadian Congress for the Promotion of Educational Opportunities for Women is in favour of entrenching into the proposed Canada Act the Canadian Charter of Rights and Freedoms.

Therefore, I think and will continue to think, with a few other groups, that most groups of Canadian women are in favour of the principle of enshrining a charter of rights. And there is one group in particular which, I feel, has done a very good job with limited resources and which I had the pleasure to meet at the committee. This group has joined its voice to the voices of nearly all the other women including those who have been discriminated against from time immemorial. I am referring to the Indian rights for Indian Women. These women sent the following message to Parliament, and I quote:

● (1540)

[*English*]

Our general response to the Canada Act is, in two important respects, favourable. First, like most Canadians, we favour patriation. Enough ink has been spilt on this matter that we do not feel obligated to add our two cents worth. Second, we believe that a new, patriated constitution should contain a charter of rights, provided that, as is the case in the present proposal, affirmative action programs are not proscribed. Those who appeal to a British heritage of legislative supremacy and tolerance of diversity for protecting rights should look to the current condition of British citizens of black and East Indian ancestry. In these important respects, we support the government.

This group has suffered a lot of discrimination in this country. I suppose it will be the first to re-establish its rights according to the new constitutional motion.

On top of that, the National Association of Women and the Law has also agreed to the entrenchment of a charter of rights. I quote:

We recognize a number of advantages fall from entrenchment of a charter of rights and freedoms into our constitution. Firstly, it is symbolic and educational as a statement of the value placed on human dignity and integrity in our society. Secondly, an entrenched charter would bind both the provincial and federal governments to a uniform standard . . .

Thirdly, by requiring adjudication by the courts, it would provide Canadians with an alternative forum to the elected legislatures for enforcement of their basic freedom and rights.

I believe this group made a very valuable contribution when they talked about the law. I presume they must know something about it.

The last group was the Native Women's Association of Canada. It did not specifically mention the charter of rights but went into the rights themselves, asking this Parliament to recognize some rights. One of the rights they wanted to promote was, and I quote:

That the rights of aboriginal people must be recognized to extend to all individuals of aboriginal descent no matter where they live in Canada.

That native women have equal access to and participation in decision making processes, and that they be protected in law against discrimination based on sex or marital status.

I believe this group has suffered enough and wish to see the Constitution patriated with the charter of rights.

To conclude on the charter of women's rights, I want to express my thanks to the Minister of Justice (Mr. Chrétien) for the amendments he agreed to make after the presentations of the various groups.

One of the first amendments was with regard to the title which reads "equality rights" to emphasize the goal of this clause. Second, the general proposition of equality of individuals would be stated in the following terms: "Every individual is equal before and under the law." I believe the minister was very attentive to the presentations made to him by the various groups and that he responded in a very positive way.

The third amendment accepted by the minister was that there would be the particular statement of "the right of the

equal protection and equal benefit of the law without discrimination." This is a very positive change which will prevent some problems in the future with regard to the interpretation of the charter of rights.

The fourth change that was made was with regard to clause 15(2). It has been made to relate affirmative action to non-discrimination rights. This was a very good contribution by the women's groups which permitted the minister to make these amendments. Fifth, and final, the list of specified groups was expanded to include "mental or physical disability". In this country, one can be affected by various problems in terms of discrimination, and be the subject of discrimination in addition to many other issues.

[*Translation*]

I want to say, Madam Speaker, that following the meeting with the group of ad hoc committees arising out of the Conference on Canadian Women and the Constitution held February 14 and 15 last, I met with representatives of that group and we discussed extensively the recommendations made to the government. I do hope that the hon. member for Kingston and the Islands (Miss MacDonald) will in fact move the amendments recommended by that group since she contributed to the adoption of all those amendments. Besides, I note that in its second resolution the Conference adopted the following:

> That it be resolved that the women attending this Conference support the patriation of the Constitution with an amendment formula—

And further on they expressed the wish that a charter of rights be also included. I think we should clarify in Clause 31 that three-year period provision, namely, whether the charter shall have effect the day after it comes into force or not until three years after that date.

I pointed out to the spokesman for that group that there could be a danger of the rights being limited since the courts which right after the adoption of the Charter would have to decide upon the various statutes containing discriminatory clauses, could choose the lowest common denominator with regard to each piece of legislation thereby depriving in fact some of those groups of the rights they already have rather than extending those already in the legislation. I think that the three year moratorium is a good idea since, in any case, Canadian Parliaments will have to amend all their statutes, which is not as easy a task as it may seem and since it may take a very long time for the Supreme Court to bring in such amendments.

Madam Speaker, I would like to conclude by reminding this House of my special interest in Section 38 of the motion. I am indeed very pleased with the amendment introduced by the minister, and I quote:

> Notwithstanding Section 40, an amendment to the Constitution of Canada
> (*a*) adding a province as a province named in Subsection 16(2),
>
> may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and the legislative assembly of the province to which the amendment applies.

And I will revert to section 16(2) which makes French and English the two official languages of the legislatures and the governments of these provinces. However, I hope that, as Quebecers, we have not been misled during the referendum campaign by the Right Hon. Premier of Ontario who, campaigning alongside Quebec members, pledged to respect the French minorities of Ontario.

In this regard, Madam Speaker, I would like to read into the record, if I may, the statement we made in Toronto last January:

[*English*]

> We . . . want to express to all of the citizens of Ontario, through their premier, the Hon. William Davis, our appreciation for the support which Ontarians have given to our government's constitutional proposals. We would like to underline the fellowship of interest which unites us, as Canadians, with the people of our neighbouring province.

● (1550)

> Now that we are about to fulfil the promises which we made to Quebecers during the referendum campaign, we look to the people of Ontario, through their premier, for their support. We ask that the rights guaranteed to members of the English-speaking minority of Quebec by Article 133 of the BNA Act be extended to Ontarians whose mother tongue is French.
>
> We believe that the extension of Article 133 to Ontario would only confirm, in our new Constitution, rights which the Government of Ontario already recognizes in practice: the right to appear in court and the right to pass laws in the two official languages of Canada.

I am repeating that request to the Premier of Ontario, perhaps through his friends on the opposite side, so that in the future French people in Ontario will enjoy exactly the same rights English-speaking people enjoy in Quebec. I remind my hon. friends that it was never under a Liberal government that rights which were granted were removed from the English-speaking minority in Quebec. Those people enjoy full status as citizens of Quebec with regard to the language issue.

I am very proud to say that fine institutions in this country such as McGill and Concordia and many other services are available to the English minority, and I just express the wish that in the future the French minority will enjoy exactly the same rights.

Some hon. Members: Hear, hear!

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker—

Some hon. Members: Hear, hear!

Mr. Clark: —I am pleased to rise to take part in this debate on the amendment to the resolution before us. I would like to begin my remarks by joining in the tribute which has been paid by all members of this House to those who served on the joint committee, including the two co-chairmen, and particularly those members from all sides of the House who served long hours under very difficult circumstances to ensure that there was as full a hearing as possible.

I think the House will understand if I pay particular tribute to my colleague, the hon. member for Provencher (Mr. Epp), who has moved the amendment I want to address today. I think many of us in the country and many of us in this party in Parliament knew of the qualities of the hon. member for Provencher, but one thing that has occurred with the televising of the committee hearings is that his commitment to his country and his immense competence are now known and celebrated across the land. As his leader I wanted to take this opportunity to pay public tribute to him for the work he has done.

Some hon. Members: Hear, hear!

Mr. Clark: Part of the purpose of parliamentary debate is to draw public attention to alternative views of our country and of its challenges. I think we all know that Ottawa is a very easy place for conventional wisdom to develop. We also know that Parliament provides the one forum in which that conventional wisdom can be challenged and alternate views expressed. That has happened in this debate.

I am proud of the role my party played in the change of opinion in the country. But there is still a long distance to go because there are still several Canadians who have accepted in all sincerity false premises about our country. They have accepted them because they have been the official views expressed by the government too long in power in this city and in this country. Generally they have been views which have been apprehensive about nationalism, particularly in Quebec, and views expressing skepticism about the ability of different provinces and interests to agree.

I came here nine years ago as a private Member of Parliament with the suspicion that that view was wrong. Now, nine years after that first election, having had the honour of serving the country as its Prime Minister, I have the conviction that that view is wrong. It is not simply mistaken as a simple error would be but fundamentally wrong in a way which can literally rend and break our nation if it prevails.

I am entering this debate at this stage to deal essentially with two false assumptions. The first is the assumption that the Canadian federal system has failed, and I will deal with that in a moment. The second assumption is that what is proposed here to replace federalism is something that is only a little unorthodox but is otherwise within the Canadian tradition. That is utterly false. We are dealing here with a proposal for a radical change in the way Canada works, a change that abandons the best about what we have learned as a nation. If accepted, it could tear us apart as a country.

I ask the House to contrast this proposal with Canadian tradition in three important ways. First, with respect to the principle of equality among provinces, our Canadian tradition has treated every province as an equal in the federal partnership. This proposal creates different classes of provinces. Two of those provinces would have a permanent veto over constitutional change. Eight others would have much less power. It changes a system of equals into a class system, and that breaks and abandons the Canadian tradition.

Second, with respect to the federal idea itself, our Canadian tradition is that we are a nation too large and too diverse for one government alone to decide our destiny. So, we have given important powers to two levels of government, Ottawa and the provinces. This proposal allows Ottawa to ignore the provinces absolutely and to change the most basic law we have, our Canadian Constitution, and it thereby opens the door for the provinces to be ignored on other questions too. That again breaks and abandons the Canadian tradition of partnership.

Finally, I ask that this proposal be contrasted with the tradition of respect for Canadian sovereignty. Our Canadian tradition is to make our decisions ourselves. This proposal could not be accepted in Canada. The government itself argues that provincial legislatures would take longer in approving the charter of rights. Everyone knows that the Canadian process would not allow the creation of second-class provinces and that the Canadian process would certainly not allow a referendum which could wipe out absolutely the power of the provinces in constitutional change.

The Canadian process would not let that happen, but the British process might. It is for that reason that this government is trying to use Britain to do something it knows it could not do here in Canada. On the most important law we have this government is trying to use our colonial status to force changes that a fully sovereign Canada would not accept.

Those are not minor changes on the margins of things; they are basic changes. They are changes in our federal system, changes in our sovereignty and changes in our sense of being equals in the Canadian family. Their fault is not that they are radical; their fault is that they are wrong, deeply and dangerously wrong, for our country.

[*Translation*]

It is not necessary to demonstrate in detail the danger inherent to the creation of different classes of provinces and it is certain that everyone rejects the Liberal Party's proposal to have the British take decisions on issues which concern Canadians. Let us speak of the dangers which threaten federalism. If today the central government does not take into account the opinions of the provinces on constitutional changes, tomorrow it will show no respect either for their opinion on other important matters. Its centralizing appetite will continue to grow. It might decide to extend its jurisdiction over communications. It might be tempted to invade the educational field. It might come under pressure to undermine the guarantees offered to the minorities. And it might do that by using the referendum mechanism, a referendum for which it will draft the question and decide the timing. Those are the new and very real dangers which threaten us if the proposed resolution is adopted.

The concept of federalism is threatened in a more subtle way. Part of the strength of the provinces today is to know that they are equal to the central government in their fields of competence. The provision on the referendum destroys that element of security. The provinces would be inferior since they

would always be under the constant menace that the central government might manipulate public opinion and take certain powers away from them, and thus the Canadian concept of the federative pact would disappear for ever. In a country as wide and as diversified as ours, each province is justified in preventing the federal system from being turned into a unitary regime. But the province of Quebec, the most distinct of our provinces, is the one which can benefit most from the federal system and the one which stands to lose most in an overly centralized regime. The other parties here, the NDP and the Liberal Party, are prepared to drop the federal system which has ensured the protection of the rights of Quebec and those of the other provinces. Only the Progressive Conservative Party has fought to defend those rights.

Madam Speaker, we have done that for two reasons. First because we acknowledge that the great majority of Quebecers who voted no as well as those who voted yes in the May referendum all voted in favour of a renewal which would extend the powers of their province, and not in favour of what the Liberals are doing now to restrict those powers. The other more serious reason is that we belong to a country where a strong and proud culture ought to be encouraged to open out, and that growth is possible only within the structure of an equitable federal system. Our aim is not only to defeat a bad resolution but above all to protect the great and noble principle of Canadian federalism and thus promote the simultaneous growth of distinct cultures.

● (1600)

[*English*]

Let me now deal with the accusation that the federal system does not work. When the hon. member for Provencher was speaking the other day about the success story of Canadian federalism, I noticed the Prime Minister (Mr. Trudeau) smiled as though he did not believe it, as I believe he does not believe that we have had a success story. But I want to deal with the idea that since 1927 we have had 54 years of failure in the country. That is simply an absurd accusation.

Of course, there have been times when the federal system has stopped one man from getting his way; that is among its virtues.

Some hon. Members: Hear, hear!

Mr. Clark: Through the last five decades our Canadian federal system has allowed a number of positive Canadian things to be done in a way—and I want to emphasize the importance of the way—which won them not only a place in our laws but also acceptance as being legitimate products of Canadian agreement.

The fact is that our federal system works whenever reasonable governments and leaders allow it to work. This system which works in the country has produced hospital insurance and medicare, the Canada Pension Plan and equalization, agreements on energy, highways, education and welfare, and a range of other agreements. The genius of federalism in a country like ours is precisely that it does work when its member governments want it to work.

If I might digress for a moment into light statistics, I should like to consider the substance of the allegation of 54 years of failure. When the Prime Minister talks about 54 years of failure, he is really referring to the fact that in 1927 we began discussion at federal-provincial conferences of a way to bring our Constitution home. But he makes it sound as though we did nothing else during those 54 years but discuss our Constitution and grow frustrated when we could not bring it home; that is the implication he leaves.

Well, a few other things happened during those five decades—a world war, the depression, births, deaths, the CBC was created, as was the Wheat Board and the Bank of Canada, the Seaway was built, the north was opened, we "joined" Newfoundland, oil was discovered, the quiet revolution occurred; there were all those little diversions from the 54 years of failure about which the Prime Minister likes to talk.

What was happening to the Constitution during that time? It was discussed, but not quite for 54 years. In fact, if one consults the record of federal-provincial discussion on the Constitution or on related measures, one will find that in the 54 years since 1927 the Constitution has been discussed for exactly 48 days; less than a day a year. Most Canadians spend more time discussing the weather than we in this Parliament or federal-provincial conferences have spent discussing the Constitution.

Some hon. Members: Hear, hear!

Mr. Clark: The other point to make is that on the eve of this declaration of failure, agreement was at hand. The Minister of Justice and Minister of State for Social Development (Mr. Chrétien) does not like to talk about the Vancouver amending formula now, but I have the record of the discussions in the committee proceedings for November 13 at which time he admitted that the Prime Minister was prepared to accept that consensus as a basis for bringing our Constitution home. He knows, as the House knows, that others were prepared to accept that agreement as a basis by which we could amend and patriate our Constitution. He knows that, and that is the case.

I hear the ministers muttering about the correspondence from Mr. Wells. The correspondence from Mr. Wells points out that that was the case. That consensus was there, that possibility was there. A prime minister who wanted agreement could have got agreement at that time.

Of course, various provinces attached conditions, as did the Prime Minister, but the conditions the provinces attached were conditions which could have been negotiated away. He raises his head and questions whether they could be. Of course they could. I say to the Prime Minister: I could have negotiated them away; any prime minister who wanted agreement on an amending formula could have negotiated that discord away because the conditions were not major ones. The conditions were ones which the provinces were prepared to put aside. The Vancouver formula is a formula which can be the basis of bringing our Constitution home and changing it here in

Canada, if there were a federal government which really wanted to do that.

Some hon. Members: Hear, hear!

Mr. Clark: That is important to understand, because a failure to understand it would allow the Prime Minister to blame one more failure on federalism. It was not federalism that was at fault here; it was the incumbent prime minister of the day who was at fault here. The federal system would have yielded an agreement on an amending formula; the prime minister in place on the day refused that agreement. That is not the fault of federalism.

[*Translation*]

The Prime Minister and the Minister of Justice have stated in the House and to Canadians outside Quebec that they are speaking on behalf of that province and that they respond to the aspirations and dreams of Quebecers. The Minister of Justice even quoted Laurier, Henri Bourassa and André Laurendeau in support of his arguments. The newspaper *La Presse* has justifiably denounced, and I quote:

The brazen association of someone like André Laurendeau to an operation which will make him turn in his grave if it succeeds.

And all those who know the unequalled concern of Sir Wilfrid Laurier and Henri Bourassa for the survival of French Canada will be aware that both these men always maintained that French Canada had survived because under the federal system the rights of the provinces are respected. Which of these three men and what other Quebec leader before the present Prime Minister would have dared to impose an amending formula against the wishes of eight provinces and all the political parties in their own province? What group of Quebec members would have allowed such a thing in the past?

The Minister of Justice has told us that he and his leader promised during the referendum campaign exactly what they are offering us today.

To my knowledge, no journalist has reported any such thing.

—writes Marcel Adam of *La Presse*. Adam added that the Prime Minister and the Minister of Justice have asked the rest of Canada, and I quote:

—to accept constitutional changes. This dramatic appeal could only be accepted by Quebecers as a pressing invitation to allow their claims.

And what were these claims? All those who have followed objectively the events of the last 20 years in Quebec would reply—Quebec's self-development. To suggest that this unilateral resolution, which ignores the wishes of their government and their legislature and which is rejected by their political parties, will give to Quebecers what they requested in the May referendum, amounts, like Adam said, and I quote:

—to taking people for idiots.

• (1610)

[*English*]

Let me deal, if I might, with the question of legitimacy. As this House knows, having dealt with law and tried to make law effective the question of legitimacy has as much to do with justice as it has with simple law. For its own reasons the government limited quite severely the number of expert witnesses who would appear before the joint committee. By that limitation it limited the public debate on the legality of Parliament acting alone in defiance of both the other partners, and in defiance of public opinion, by using a party vote at one level of the federal system to change the basic law of the federation.

The arguments about legality will be made elsewhere. As the Manitoba Court of Appeal decision revealed, opinion is divided as to whether this proposal before us is legal. The question I ask Canadians to consider is whether this procedure is legitimate. Is it just to have one part of the partnership use trickery to change the rules of the whole partnership against the wishes of the others?

That question is important for reasons other than morality, because if the procedure is not legitimate it will not work. We will have a system brought in place which might have a place in the laws of the land but has no place in the faith of the people, no place in the hearts or the minds of the people. You cannot simply change behaviour by passing laws. Indeed, what you can very often do by passing bad laws is to create the kind of negative reactions which will achieve results opposite to those which you had hoped to achieve.

Some hon. Members: Hear, hear!

Mr. Clark: There is a tendency among the supporters of the government, whether in the New Democratic Party, the Liberal Party or elsewhere in the country, to pretend that the controversy this measure creates will quickly pass away. In pretending that, they ignore both the history and the current reality of our country.

To cite history for just a moment, there have been times in the Canadian past when the government sought to act without proper agreement and sought to impose the views of one side on questions which were fundamentally divisive. That happened with the North West rebellion. It happened with conscription. In both cases the country suffered permanently because the grievance of discrimination was added to the other grievances of the minority whose views were ignored. No one who travels in the west today could ignore the sense of grievance there, or the degree to which that sense of grievance will be aggravated if those provinces are given second-class status under our Constitution.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, no one who has been in Quebec with their ears and eyes open during the last decade could ignore the importance of provincial rights to the people of that province. When all of the parties, governments of the west and all of the provincial parties of Quebec, stand together against a measure with the determination that we have seen in their stand here, then only the blind would believe that the anger will pass away.

Some hon. Members: Hear, hear!

Mr. Clark: I find it instructive that the defenders of this unilateral and divisive resolution no longer deny that it is divisive. They know they would not be believed. They know it is divisive. Some find it exhilarating. Instead, they claim that the division will pass away as soon as the resolution becomes law, as they say happened after the flag debate. Neither a vote to approve this resolution nor colonial action in Britain will end the divisions which are growing in Canada and which are being fed by the actions of this government.

Some hon. Members: Hear, hear!

Mr. Clark: If this measure is successful, the aftermath of it will not have us gazing upward at a symbol as it snaps in the breeze and learning how to honour that symbol. The aftermath of the adoption of this resolution will have us looking around at the breaking of our federation and, perhaps, at the breaking of our nation itself.

Why do the Prime Minister and his supporters in the Liberal and New Democratic parties think that elected legislatures and governments of the provinces will simply accept being totally by-passed in the amendment of our Constitution? What makes anyone think that will be acceptable? Of course it will not be. Why did the Prime Minister and his supporters think that regions and provinces this resolution discriminates against will cease to feel the victims of discrimination? They will not cease to feel that. They will be reminded of it every time there is the possibility of the law being invoked.

We are not discussing here a symbol to be seen. We are discussing here a constitution to be used. And when that constitution institutionalizes inequality among provinces, when that constitution authorizes means to break the federal partnership, then that constitution makes divisions permanent. That is what this project will do.

Some hon. Members: Hear, hear!

Mr. Clark: There is an even more dangerous dimension to be considered. When that constitution is imposed—let me call the attention of the chamber to the process we have seen here—after advertising campaigns designed to manipulate public opinion, imposed after admitted attemps to manipulate the provinces, imposed after the Prime Minister himself has stood in this House and admitted that he was "less than candid to use his words, in telling the truth to the people and the Parliament of Canada about what the British said about our Constitution, then the manner of the imposition itself becomes a grievance which could become a permanent grievance in this country.

Some hon. Members: Hear, hear!

Mr. Clark: It is time to face facts, Madam Speaker. The Prime Minister and his supporters have profoundly divided Canadians of good will who could have worked together and who wanted to work together. They have disappointed Canadians of good faith who thought that Constitution-making, to be valid at all, had to be a process of consensus, not the imposition of the will of one government or of one man. Those sincere and hopeful Canadians who see a charter of rights and freedoms that should be the expression of the dreams of all our people are being held hostage to a terribly divisive process. Obviously, the Prime Minister should free the charter voluntarily from that process. He should let us complete our work upon it with a few more improvements here in this House. He should let us agree unanimously in this House, for the sake of Canada, to recommend that charter go not to a foreign country but to the provinces of Canada, to the other partners in our confederation, so that together we can work on the rights, the liberties and the freedoms of the people we together serve.

Some hon. Members: Hear, hear!

Mr. Chrétien: Mr. Lyon!

Mr. Clark: The courageous Minister of Justice shouts across the House "Mr. Lyon." There is one premier, and perhaps there are others, who has been outspoken in saying that he is against a particular proposal. What is the reaction of the Minister of Justice? Does he try to persuade him? Does he try to create public opinion which will change the opinion of that premier? No. He runs away to Britain and abandons the federal principle of this country.

• (1620)

Some hon. Members: Hear, hear!

Mr. Clark: I share the commitment of many in this House and in this country to a very strong charter of rights—

Some hon. Members: Hear, hear!

Mr. Clark: —just as I understood the commitment of other members of this House and other citizens of this country in earlier times to a universal system of medicare or to the principle of equalization.

The commitment to those issues, and to others, was as intense as the commitment to a charter of rights. The cause, arguably, was as important but in those cases the Canadian federal process was followed. The Canadian way was respected. Why not now? If it was good enough for medicare, why is it not good enough for the charter of rights? If it was good enough for equalization, why is it not good enough for the charter of rights? Why should this one measure, this one obsession of the man who happens to be Prime Minister, allow

us to break away from the federal system with consequences which none of us can contemplate except to know that they will be bad?

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, there are many in this chamber and in this country who remember the deep debates about medicare in Canada. They occurred in every political party and in every region of Canada. The result was that we followed the process of Canadian federalism and we obtained agreement. We now have a national medicare program in this country because we followed the Canadian federal way of getting agreement, of persuading people, of changing opinion, not simply running away to Britain when we ran into somebody who seemed to take a position different from our own. We followed the Canadian way on medicare. We can follow the Canadian way on the charter of rights.

An hon. Member: Spending power.

Mr. Clark: In this country we could have had, not simply on a matter of—I am being shouted at from the other side, and I say that is fine.

Mr. Chrétien: Tell the truth. It was imposed by spending power. The provinces complained at that time.

Mr. Clark: I want to get the Minister of Justice on the record. He is saying that it was imposed by the use of the spending power, and that many people were concerned about that.

Mr. Chrétien: That's all.

Mr. Clark: But it was done within the context of the Canadian federal system. That is the distinction between this case and that. That is the distinction there. They find it funny that we should abuse the Canadian federal system here. What I find funny, but not humorous, is that this government, simply because it is committed to a particular charter of rights, is prepared to abandon and damage the federal system and the Canadian way of doing things. Instead of using the patience, the time and the perseverance that it takes to get anything that is worthy done in this country, they run away to Britain. That is what I find absolutely unacceptable.

Some hon. Members: Hear, hear!

Mr. Clark: Let me pursue this for just a moment, because there is no question that there are sincere, dedicated people in the country who do not share the view of this Prime Minister and of many people in the House regarding a charter of rights. That is abundantly clear. But it is also abundantly clear that those are people who would be prepared to engage in argument and discussion in this country. If they are premiers and members of legislatures, they are people who would take account of informed public opinion when the time came to cast their vote in the legislature of Manitoba, Ontario or Quebec. If public opinion wanted a charter of rights as strongly as this government says it does, then public opinion would make itself felt upon the legislators and provincial legislatures across the country, and we would have this system in a Canadian way. Not simply would we have it in Canadian law; we would have it accepted in Canadian practice as being a legitimate way to get change in a country like Canada. This charter of rights, unhappily for the people it is supposed to protect, will never have that kind of legitimacy because it will always bear the heavy odour of imposition.

Some hon. Members: Hear, hear!

Mr. Clark: Let me ask the House to look at this question in another way. If we begin by imposing the Prime Minister's obsession and build in a referendum which allows the Constitution to be changed without the provinces being consulted, what obsessions will follow? What will be the next program forced by the centre upon the parts? What will happen to the federation when its more independent members, such as those in Quebec or in the west, say, "We have had enough of this; we have had enough of these obsessions being forced by running away to Britain or by the use of a referendum that ignores the provinces and undercuts the federal system"? What will they say then? They shake their heads because they do not have the answer. I have the answer. We will have a country in very deep trouble, trouble which is not necessary but trouble caused by the way in which this government is pushing through an obsession of its own with no regard for the consequences for this country and regard for the Canadian way of doing things.

Some hon. Members: Hear, hear!

Mr. Clark: Throughout this debate we have proposed better ways to proceed on this matter: asking Britain simply to send our Constitution home with the Vancouver formula, proposing a system of incentives to obtain final agreement on that formula in Canada, splitting the package in two so that Canadians can deal with our rights in our country. Again, we now propose deleting the offensive anti-federalist referendum proposal. What animates us in all of this is the absolute certainty that there is a better way to bring our Constitution home and a better way to bring it up to date.

Of course there have been problems in the past. I am prepared to say that some of those problems might be less acute now simply because we have had the process of discussion, particularly televised discussion before the joint committee. I think that public opinion is more informed and that some of the people who have taken hard positions on some of these questions would take more flexible positions now.

The point is that our system can be made to work in this country. But two motives dominate us in what we do with the proposals, the alternatives we bring forward. First, we must respect the Canadian-federal system, because it does work, and nothing else will work in a nation like ours.

Some hon. Members: Hear, hear!

Mr. Clark: The second motive is to have our Constitution-making become a source of agreement and pride in the country rather than a source of conflict and anger. The great irony is that the government is using a constitutional process which drives Canadians apart at the very time when, in other aspects of our lives, Canadians are coming together.

Over the last decade in particular there have been great and positive changes in two regions in this country, Quebec and western Canada, changes most of all in self-confidence. In both those regions, people feel equal to Canadians from other regions. They want to play a major role in building a great country. This feeling is there but it has not always been there. I can remember times, growing up in western Canada, when the sense of having to suffer some kind of inequality was simply something to be borne. There was the sense that western Canadians could compete as equals. I am sure that if Quebecers spoke from their hearts in this House, they would tell us there have been times when their sense of subordination to the English was profound. Well, that sense is not now in Quebec, nor is it in western Canada. What is there instead is a sense of pride and confidence and a determination to get on with building a great country.

The tragic irony is that at a time when there was that sense of Canadians wanting to build together and when regions which had felt inferior began to feel equal, instead of using that great emotion and that great sense of Canada to build common Canadian purposes, this government brought in a measure which drives Canadians apart. Our Constitution could be a source of Canadian pride and unity. Our Constitution has been made a source of Canadian shame and division. That is the result to which we object most absolutely here, and it is for that reason that we intend to use every device which is available to us to change public opinion, to change this resolution, and to stop this government from bringing through a constitutional package that would be bad and divisive for our country.

Some hon. Members: Hear, hear!

• (1630)

Mr. Jim Peterson (Willowdale): Madam Speaker, the constitutional resolution before us is simple and compelling. It will give us our own Constitution with an amending formula and with a charter of fundamental rights and freedoms. It recognizes the rights of Canada's Indian, Inuit and Metis peoples. It ensures that children may be educated, where numbers warrant, in either of our two official languages. It recognizes the rich heritage that people from so many different ethnic backgrounds and cultures have brought to Canada. It enshrines the principle of equalization, recognizing that in sharing our immeasurable resources and in working together to meet new and unforeseen challenges we will continue to be one of the most fortunate nations in the world.

Last May, during the vote on separation, all parties in this House and all provincial premiers made a commitment to constitutional reform and to renewed federalism. We are now honouring that commitment. Our commitment and our Constitution will enable us to get on with the task of building, through negotiation, a new and better way of sharing powers and responsibilities with the provinces. This is the base on which we will build a modern Canada.

[*Translation*]

Mr. Speaker, I was somewhat surprised when I listened to the speech of the Right Hon. Leader of the Opposition (Mr. Clark). He stated that the Progressive Conservative Party was the only one to support Quebec's position on the constitutional issue. I would like to ask him a few questions. Can he explain to Quebecers what the Vancouver formula will do to help Quebec share its basic rights as a province, which rights differ from those of the other provinces? I would also like to ask him what this government has done in support of the linguistic rights of Quebecers.

I suggest that we have done a great deal to demonstrate that Quebec is important for Canada, and I would like to tell the Right Hon. Leader of the Opposition that when he speaks of the divisions which have been created in this country, I have not seen any at this time, but he can expect the greatest division not to be in our country. This division will be among those who are blind. Most Canadians, or at least 85 per cent of the population, support the entrenchment of a charter of basic rights in our own Canadian Constitution.

[*English*]

I should like to say that at the heart of the resolution before us is the relationship it seeks to establish between individuals and the state. The state will not be able to deny fundamental freedoms such as freedom of speech or freedom to worship in one's own religion. Governments will not be able to erect barriers against Canadians moving freely from coast to coast or seeking work in any province. Every individual will be protected against discrimination based on race, national or ethnic origin, colour, religion, sex, age, mental or physical disability. And finally, the Constitution guarantees important legal rights. I wish to focus my comments on some of these legal rights, Mr. Speaker, and on why they must be entrenched.

I speak of security against unreasonable search and seizure; the right on being arrested to retain counsel and as well to be informed of the right to have counsel; the right to habeas corpus; to trial within a reasonable time; to reasonable bail; to trial by jury for serious offences; protection against cruel and unusual punishment and, most important, specific remedies are made available where any such legal rights or any of the rights or freedoms guaranteed in the charter have been infringed or denied.

If there were to be an improper search or seizure, for example, the official involved could be subject to a fine or perhaps even to suspension. If excessive force were used, the victim could be awarded damages by a court. If a municipality were to deny a religious group a licence for a gathering, a court could overrule that and order, by mandamus, that a permit be issued. It could award damages. If a school board

were to deny second language education, it could be compelled to supply it if numbers warrant.

An important right and one which I think demonstrates the essence of what we are achieving in terms of human rights is provided in the case where evidence is obtained illegally. The constitutional resolution amends our present law. It states that where constitutional rights have been broken in gathering evidence, the court can grant a number of remedies, including such evidence being declared inadmissible. This will occur only in circumstances where the court can determine that its admission would bring the administration of justice into disrepute.

[*Translation*]

That is one way the charter could balance the protection of the individual against arbitrary or excessive use of government authority and the protection of society against crime. We have not adopted the American rule which prohibits the production of evidence, however relevant, as proof of guilt if such evidence is obtained illegally. If such a rule were implemented in Canada it would generate a feeling of frustration among law enforcement officers and also among citizens since the rule itself or a simple violation of the rules could lead automatically to acquittal.

The charter would seem to improve upon the existing legislation which, in most cases, allows the production of illegally obtained evidence. Therefore, this new provision strikes a balance between the individual's rights and the collective need for an effective enforcement of the law and for an equitable judicial system. Consequently, a piece of evidence which is considered relevant, even though it may have been obtained illegally, will be allowed unless its production might bring discredit upon the administration of justice.

[*English*]

Our courts, under the legal rights provision, will be able to decide, for example, whether a search was conducted in a reasonable manner. They will be able to determine whether it was reasonable that a 15-year-old girl who was arrested for jaywalking, or a pregnant woman who was arrested for not having paid a speeding ticket, should be subjected to the humiliation of a strip search. They will be able to determine whether, in the case of raids, the police have acted within reasonable strengths and within reasonable bounds or whether activities now under study by the McDonald Royal Commission were reasonable in the circumstances. If the court should determine that they were not, then the victims will have a remedy available to them.

● (1640)

The charter entrenches another most important right, namely, a person's right not only to obtain and instruct counsel but also to be informed of the right to have counsel. This is a progressive step which recognizes that rights should not only be available but they must be made known.

Another such right which I am proud to see in this constitution is that trials must be held within a reasonable time. Every individual who is accused and arrested should have the opportunity to have his or her guilt or innocence determined quickly. This is not only fair but, when you consider that it costs about $30,000 a year to keep a person in detention, it also makes good economic sense.

Some have said that we need not entrench these and other basic legal rights in a constitution, that it is sufficient for us to leave them to our federal and provincial law makers and to the common law. Let us, therefore, examine this proposition together. First, we do have a Bill of Rights that mentions some, but not all, of the rights contained in the constitutional resolution. How strong are these rights and how good a job do they do? Look at the Lavell case. Mrs. Lavell, an Indian, married a non-Indian. Under the Indian Act, she lost her status rights even though the same would not have happened had she been a man. At that time the Bill of Rights precluded discrimination based on sex. The Supreme Court held that it could not overrule the Indian Act; it was just another act along with the Bill of Rights. In similar circumstances, Sandra Lovelace has had to appeal to the United Nations because no appeal was available in Canada. When freedom from discrimination based on sex, or on any other ground, is set down in our Constitution, it will take precedence over every other law, federal, provincial or municipal. That is why we need entrenchment.

Second, we need entrenchment because even the long and prestigious history of the common law of Great Britain has indicated that it may not, in itself, prove capable of protecting important freedoms. For example, last October 21,000 U.K. prison guards went on strike. They were not available to escort accused persons to court hearings under habeas corpus. The response of the Home Secretary was to introduce a bill in Parliament authorizing the suspension of habeas corpus. So much for rights which are not entrenched in a Constitution.

Third, it is true, as many members opposite have said, that Canada is enriched by its diversity. We respect that diversity. We respect the diversity of its peoples, its geography, its customs and its traditions. The fact that we respect this diversity and are enriched by it does not mean our basic minimum rights and freedoms should be diverse, different and disparate. On the contrary, is it not fair and just that Canadians from Newfoundland to Vancouver Island, from our southern border to our far north, should enjoy the same basic minimum human rights? There should be no second-class citizens. Provinces should not have the right, as hon. members of the opposition advocate, to opt out of guaranteeing basic, minimum human rights.

Some hon. Members: Hear, hear!

Mr. Peterson: Let me cite some facts which illustrate the nature of this problem. At present, we have 11 different bills of rights in Canada, one federal and ten provincial. Seven provinces provide no protection for the physically handicapped. No province protects the mentally disabled. Three provinces provide no or only limited rights for women. Five provinces do not protect the aged in their charters. Furthermore, it is desirable that basic legal rights, such as the right to a speedy

trial and reasonable bail, should be available, not only for federal criminal offences but for the numerous provincial offences, such as highway traffic, liquor and environmental laws.

A major argument against entrenchment is that it will leave questions of interpretation, and thus the application of rights and freedoms in specific cases, to the determination of our courts. Some say this will deny the supremacy of Parliament. To this argument, our only response can be: "So be it." The courts now determine which of our powers are federal and which are provincial. Every day, the courts are called upon to dispense justice and to interpret the rights of individuals. It is merely a logical progression to give them additional authority to interpret our fundamental rights and freedoms as individuals.

I would rather see the courts charged with this responsibility than leave a free hand to legislators, legislators who have in the past shown themselves capable of enacting laws which disenfranchised Chinese Canadians, which abolished the use of French in Manitoba, which denationalized the citizenship of Japanese Canadians, which suppressed freedom of religion and speech in provinces, which restrained public assemblies and which limited the use of English in the province of Quebec. Life has changed considerably since the nineteenth century when doctrines such as Parliamentary supremacy were adumbrated. We no longer fear the power of a monarch. What does concern us is the incredible multiplicity of regulations, rules, orders and directives that are not debated in Parliament and which can infringe basic rights. These regulations emanate from the numerous bureaucracies and regulatory agencies created at the federal level, the ten provincial levels and at thousands of municipal levels.

Some hon. Members: Hear, hear!

Mr. Peterson: While the task force on regulatory reform made many recommendations that would open up the regulatory process to public scrutiny and to accountability of legislators, we believe entrenching the fundamental rights contained in this constitution bill will help to avoid abuses of the rights of individuals when they arise.

In 1976, with the agreement of all provinces, Canada ratified the universal declaration that has now become the international bill of rights. In both drafting and amending our charter, the international bill served as a touchstone. It would bother me were we not prepared to take every step here in Canada to implement, foster and protect those rights which we have agreed to by international treaty.

To summarize, entrenching a charter is a declaration to Canadians and others that we believe first in protecting human rights and freedoms. We believe these rights and freedoms should not be brushed aside by a transient majority in any legislative body.

● (1650)

I wish to quote the words of a former prime minister, Lester B. Pearson, who said:

> In short, freedom and welfare must be kept in a healthy balance or there will be trouble. This essential balance can be achieved by applying, to every proposal for further intervention by the state, the question: will it truly benefit the individual; will it enlarge or restrict his opportunity for self-expression and development?

Governments are elected to serve the needs of all people, not their own. Their highest calling is to protect individual rights and freedoms. Those who would deny Canadians this Constitution that we propose because we have not obtained the unanimous support of the provinces are closing their eyes to the present and turning their backs on the future.

An hon. Member: Why haven't they supported it?

Mr. Peterson: The hon. members asks why the provinces have not supported this resolution. I am happy to trace the course of history in recent times. We have seen one province seeking to bargain rights for higher oil prices, one province seeking to bargain rights for offshore oil resources. We see one province whose leader is dedicated to separation and is committed to ensuring that federalism in Canada does not work.

We are not using the wrong process to break a deadlock. We are using the only process to obtain our own Constitution with an entrenched charter of rights, something which is sought by 85 per cent of the Canadian people. We are at a crossroads and it is time to act. History will record this measure as an act of statesmanship and national building of the highest order. I am proud to support it.

Mr. Otto Jelinek (Halton): Mr. Speaker, I know the Prime Minister (Mr. Trudeau) is going to leave now because he does not want to hear the blame he is going to receive from me.

An hon. Member: He does not want to hear the truth.

Mr. Jelinek: He never wants to hear the truth. That is why he is not going to the people on the Constitution.

I have followed this debate with great interest over the past weeks and, indeed, months. There have been some good speeches, some emotional speeches. The last speech by the backbench Liberal member of Parliament certainly was not a good or emotional speech. When commenting on good and emotional speeches, I must refer to the hon. member for Provencher (Mr. Epp), who led off the debate for this party a couple of days ago, and the speech made earlier this afternoon by the Leader of the Opposition (Mr. Clark). Listening to speeches like that makes you proud to be a Canadian.

I have always been proud to be a Canadian. I am even more proud when I hear members responding to the wishes of Canadians. If anything has been missing in the context of a general debate on the Constitution, it is the fact that there has not been enough input from apolitical Canadians, those not affiliated with a political party. That is an important sector of our system as well. I refer to the individual Canadian who does not have the time to get involved. When I found out I would be taking part in this debate, I made it a point to hold public forums. These were held not only in the various areas of Halton in the last week or ten days, but, like the experience of most members, across Canada.

Today I do not intend to emphasize the technical analysis dealt with by previous speakers in a very proper and direct fashion. I want to bring to the floor of the House what I have been told by my constituents. I find that to be of great importance because a Member of Parliament is elected to abide by the wishes of the majority of his constituents. I have always felt that way. That is my feeling on this issue as on previous issues.

I know my speech will be cut at five o'clock for private members' hour. Before that time arrives, I wish to stress that opposition to the Liberal constitutional package is from the Canadian people, not just the interested groups, the eight provincial premiers and a number of New Democratic Party Members of Parliament. The opposition is from the majority of Canadians. Every poll, householder and other source shows that to be the fact.

Responses to a questionnaire in my constituency indicate that 83.1 per cent support patriation of the Constitution as it now is in Westminster. Only 18 per cent of those feel the provinces should be excluded. In other words, only 18 per cent support the Liberal motion. A Gallup poll in January showed that 64 per cent of Canadians opposed the Trudeau proposition and 22 per cent supported it. That was in January. We are now near the end of February. As hon. members know, the longer this debate goes on, the more support Canadians show toward the position of this party on patriation of the Constitution. The Canadian Federation of Independent Businesses asked their membership of 55,000 whether they were in favour or against. These are businessmen from across the country, including Quebec, the maritimes, the west Ontario. Seventy-five per cent opposed the Liberal position.

Canadians want the Constitution returned to Canada, but not in the way the Liberals are proposing. I have before me something which has been read into the record on a number of occasions; I think I have time to read it one more time. On October 22, the Leader of the Opposition moved the following motion:

That this House supports the immediate patriation of the Constitution of Canada, incorporating only the generally agreed upon amending formula known as the Vancouver consensus, so that all other constitutional changes shall be made in Canada by Canadians.

Canadians support that motion. Why cannot we, the elected representatives, Liberal, New Democratic or Conservative, act in this House of Commons on behalf of the majority of Canadians?

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

• (1700)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Mississauga South (Mr. Blenkarn)—Canada Savings Bonds—Request for increase in interest rate; the hon. member for St. Catharines (Mr. Reid)—Environment—Pollution of Niagara River—Representations to United States authorities; the hon. member for Cowichan-Malahat-The Islands (Mr. Manly)—Native rights—Agreement with Committee for Original Peoples Entitlement—Government position.

It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, notices of motions and public bills.

PRIVATE MEMBERS' MOTIONS

[*English*]

CANADIAN BROADCASTING CORPORATION

SUGGESTED ESTABLISHMENT OF CROWN CORPORATIONS

Mr. Benno Friesen (Surrey-White Rock-North Delta) moved:

That, in the opinion of this House, the government should consider the advisability of reorganizing the Canadian Broadcasting Corporation by dividing its present responsibilities to provide for the establishment of two separate and distinct Crown corporations, one which will deal with all programming and distribution aspects and another which will be responsible for production.

He said: Mr. Speaker, this motion deals with the subject of the Crown corporation known as the Canadian Broadcasting Corporation. Whenever this topic comes before any general audience, it tends to raise the level of interest of CBC-philes and CBC-phobes. There are extremities of view on this particular subject. There are those who think there is very little wrong with the CBC and therefore only fine tuning—if I can use that metaphor in this context—is necessary to improve that corporation. Then there are those who are absolutely opposed to anything the CBC does and would like to see it sold or disbanded—anything just to get it off the corporate landscape of Canada.

I have been interested in the work of the CBC for quite some time, partly because of my background. My academic training is in the arts. I have an inherent interest in the arts. I am very concerned about the value structure in our society, and television and radio are the great communicators of values in our country.

Let me say parenthetically that I have been critical of the CBC many times. I am sure that often my criticism has been interpreted as CBC bashing when it was not intended to be that at all. I want hon. members to understand now that the motion before us is not to be used for CBC bashing. It is to be used so that we can look at the corporate structure for which we in Parliament are accountable. We can analyse it, hopefully somewhat dispassionately, and see if there are not perhaps better ways of dealing with these matters.

In March, 1980, an article entitled "Focus" was published in a magazine called *Report*. The article was written by Pierre Lortie. Mr. Lortie is the executive vice president and partner of the Montreal organized research firm SECOR Incorporated. He is a widely read author on economic matters. He received his bachelor's degree at Laval University and studied as well at Louvain, Belgium. He was executive assistant to the Quebec minister of finance from 1970 to 1972. He has also advised the government on urban transit and taught at Laval University. I would say that this man has fairly good credentials. I think he has all the right credentials to make some commentary on government organization and government corporations.

He argues that we ought to sell the CBC, presumably to the private sector, perhaps dismember it in some way or other and allow other communications industries to buy up those segments of CBC after it has been dismembered. That is not my argument. I underscore that that is not my argument, but Mr. Lortie makes the point that it ought to be sold for a very important reason, and that is that its original mandate is no longer necessary. He says that the CBC was founded by an act of Parliament in 1932 to establish and consolidate an infant communications industry in Canada. I will quote from Mr. Lortie's article as follows:

> A cursory overview of the rapidly-expanding technology in telecommunications leaves the curious feeling that the CBC has outlived its usefulness. One can no longer seriously argue the case for development of an "infant industry" where the radio and television broadcasting industries are concerned: both are mature.
>
> Foreign ownership is not a problem. Some might complain about the proportion of foreign programming. But we know from experience that public ownership and millions of dollars in subsidies to a Crown corporation do not solve this problem. The CRTC reported in 1977 that "to maintain a commercial presence and keep a share of the audience, CBC offers a high percentage of U.S. entertainment programming during prime time." More precisely, according to the report, 64 per cent of prime time fare consists of U.S.-made programs. Here it looks as though it is easier to preach about virtue than live with its predicaments.

Then he goes on to say that the prime industries are no longer radio and television but are industries such as pay-television, STV, fibre optics and satellite-to-cable television. Those are the infant industries today, not television as we know it.

Second, he says the function of the CBC was to establish the industry in all communities of Canada to bring that medium to all communities of Canada. I think all members of the House know that that has not happened, in spite of such programs as the accelerated coverage program. Mr. Lortie goes on to say:

> We have seen that the major impetus for establishing the CBC or enlarging its mandate was the need to develop a Canadian broadcasting system while the "industry" was still in its infancy. Furthermore, it was asserted that a public broadcasting corporation is required to provide service to small communities and remote areas. On the face of it, the last argument is compelling. Yet, if you hail from a small community in Quebec, your personal experience should leave you wondering. For example, the TV stations in Chicoutimi, Rimouski, Sherbrooke and Rouyn-Noranda are owned by private investors, often local citizens, not by the CBC. However, the CBC does own powerful TV stations in Montreal and Quebec City. In view of its fundamental mission, the network established by the CBC warrants a general examination.

The point is, of course, that the CBC has been great in establishing itself in major centres, but it has taken a long time to move out into the perimeter areas of Canada. I think particularly hon. members from Quebec know how factual that statement is.

However, regardless of what Mr. Lortie says in his article and regardless of how persuasive his argument is, that is not my point today. My argument is that we ought to split the CBC down the middle into two corporations. One should deal with programming and distribution, and the other one should deal with production. The issue is not whether we ought to have a public corporation. The issue is how efficient that particular corporation is.

I might add that my argument for splitting it already has some precedents because I think hon. members know that the original act which created the CBC and subsequent acts included another mandate which is not the CBC's today, and that is the mandate to be the regulatory agency for the communications industry in Canada. It used to be what we now call the CRTC. That was part of its job, but Parliament and the industry realized that that was no longer relevant to its job and that there was a massive conflict of interest in that respect. Therefore, Parliament cut off that particular responsibility. I am sorry to say an aspect of it still exists in the present act whereby the CBC is charged to advise the CRTC on matters of the industry. But the issue is one of efficiency.

● (1710)

I should like to refer to the Lambert commission report which was published approximately two years ago. It examined efficiency in government spending and indicated the following:

> —accountability is the fundamental prerequisite for preventing the abuse of delegated power and for ensuring, instead, that power is directed toward the achievement of broadly accepted national goals with the greatest possible degree of efficiency, effectiveness, probity and prudence.

That is the job. Hon. members will know that the operating budget of the CBC today is about $1.5 million per day, or over $500 million a year in tax dollars. There is at least one reason for the tremendous cost of operating the CBC.

I put a question on the order paper which was answered on June 3 by the Parliamentary Secretary to the Secretary of State and Minister of Communications (Mr. Stollery). One of the questions in question No. 1,025 was:

> How many individuals are employed by the Canadian Broadcasting Corporation in the (a) English (i) television (ii) radio (b) French (i) television (ii) radio networks?

I wonder if hon. members have a ball park understanding of the number of permanent employees in the CBC. In the

French and English networks, radio and television, plus those who are operating in ancillary forums around the Ottawa area, there are 12,035 permanent employees.

Mr. Munro (Esquimalt-Saanich): Is that just in Ottawa?

Mr. Friesen: No, these are across Canada. The fourth part of my question was:

How many individuals were employed by the CBC on a contract basis in (a) 1979 (b) 1980 to date—

Of course it referred to the French and English television and radio networks. In 1979 there were 30,817 persons on contract, and by 1980 the figure was 32,189. In other words, in one year the number of employees on a contract basis had grown by 1,372. That increase cost us something like $5.5 million.

At the same time the hon. member for Vaudreuil (Mr. Herbert) put a question on the Order Paper which was answered on October 7. His question was similar to the one I asked. The second part of his question was:

How many persons are regularly employed by the CBC on a contract basis?

Here is the conundrum: in answer to my question, the parliamentary secretary indicated 32,189, but in answer to the question of the hon. member for Vaudreuil it was 1,085. There is a lot of spillage or leakage somewhere, which can easily happen. The only difference between our questions was that he used the word "regularly." Are we to say, then, that 31,000 are irregular, or are we to say that there has been an awful ballooning in one year of 31,000 people employed by the CBC on a contract basis? There is something wrong.

Then the hon. member asked the following question:

How many persons receiving an annual salary from CBC also receive contract payments for specific assignments?

Of course that referred to moonlighting within the corporation, and the answer was that 412 were on regular salaries within the CBC and also moonlighting and receiving contract payment.

My point is that one cannot expect a corporation with approximately 44,000 employees, which is really the size of the city of Chatham or some other small city, to operate efficiently; there is a lot of spillage in that size of corporation.

We ought to split the corporation into two separate organizations. We hope this will create some competition which would plug some of the holes through which the leaks are taking place. Competition is always related to efficiency, or vice versa. So, I propose one separate corporation dealing with production facilities. Those facilities ought to be available by contract to independent and CBC producers on a fee for service basis. An independent producer would then be able to go into those facilities and say, "I want to rent these facilities for a production I have in mind; I am willing to pay the going rate." That corporation should be managed on a cash and value of production basis; CBC producers should pay the same amount as independent producers; then there will be some control of the costs.

The second corporation would deal with programming distribution. That CBC distribution centre would design its programs on the available ones from independent or CBC producers. It would buy those programs on a budget and value criteria. Because of the market system, hopefully it would find programs produced by independent producers to be just as attractive—and sometimes even maybe even more attractive—as those produced by CBC producers. The marketing division of the separate program distribution corporation would treat independent and CBC producers on an equal basis. In that way there would be an opportunity for CBC production costs to be held in line, because it could not have massive cost overruns and find a product which would be saleable to the distribution corporation. Therefore, CBC producers would have to discipline themselves in producing their programs. Also it would open up the entire area of distribution and viewing opportunities for a host of independently produced programs which ought to be seen but are possibly being shut out, because it is too easy for a bias to exist within the CBC against anything produced outside of the corporation.

I believe my proposal deserves some study. It is not an idea which will be bought overnight. I am sure the people within the CBC will fight it because they have a vested interest. I suggest to hon. members that there would be greater opportunities for parliamentary control of the vast expenditure of $1.5 million per day in the CBC today, for which we are accountable, if there were two independent corporations competing for the marketplace and providing what I think would be a higher quality of viewing for Canadians.

Some hon. Members: Hear, hear!

● (1720)

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, the hon. member made some very legitimate and good points. However, I question his *modus operandi.*

Mr. Friesen: The "however" came too early.

Mr. Irwin: I put it to the hon. member that there are now two distinct parts to the CBC. There is CBC Radio Canada and CBC in English Canada and there is talk of a CBC-2. In essence, we would have a CBC-1 and 2 in English Canada and a CBC-1 and 2 in French Canada. Thus, there are four units. The hon. member suggests that this be broken into production and distribution. In essence, he is talking about chopping CBC up into eight distinct units. If he is looking for more efficiency and more accountability, and I am quoting him, then I suggest that is not the way to do it. I think what he should be looking for—and I say this sincerely—is the good in CBC. He should be promoting that. I suggest it is more difficult, politically, to do such things. I will give an example, namely Louis Riel. It was a good production, it taught Canadians—

Mr. Friesen: It was run three times in three years.

Mr. Irwin: It taught Canadians right across Canada something about their country. It was entertaining. But it cost $2

million. Would the hon. member opposite say we need at least a dozen of these productions every two years, or one every two months? Would he suggest we spend $24 million? I hardly think so.

I think what he is doing is what is popular, and what I did for many years, that is, CBC bashing. It is almost as good as bureaucrat bashing. As top officials of the CBC say, "We are loved where we are not, and we are hated where we are." There is much truth in that.

What is CBC and how does it relate to this proposal? The hon. member for Surrey-White Rock-North Delta (Mr. Friesen) has placed before the House a very important motion concerning the two major functions of the Canadian Broadcasting Corporation, that is, program production and program distribution. The motion, in essence, proposes the examination of the advisability of re-organizing the CBC into two separate and distinct Crown corporations, one having responsibility for production and the other being primarily involved in the distribution of programs it would acquire, purchase or negotiate from the production facility. The theory behind this is not new. If the hon. member will read "Touchstone", I think he will see that is exactly what the president of the CBC wants to do.

Mr. Friesen: Not "Touchstone", but "Tombstone".

Mr. Irwin: The president of the CBC is talking about getting more Quebec people involved in production. He talks about better programming. I ask you what the other television networks are doing? Global has financial difficulties. What is CTV doing?

Mr. Stollery: Zero.

Mr. Irwin: That is right, zero. CTV is owned by a series of very lucrative affiliates. What they do is give just enough to the network, just enough to make it break even without doing top-notch production. They do some production, but not much. What is ATV doing? It is looking inward and not looking at all at Canada. Most of its production is designed to look inward. I say to the hon. member opposite that the only network doing anything of any importance and any quality is the CBC.

By the way, the hon. member is wrong with respect to the number of employees. He is 742 short. There are now 12,777, and holding. This is an updated figure.

The matter of two separate and distinct organizations to perform these functions must be examined in the light of past development and future options for the growth and health of public broadcasting in Canada. It must be looked at in the context of the utilization of public funds. What we have done with the CBC is to have set it up a decade or so ago and we have said that it must provide facilities to all towns with a population of over 500, all little villages with populations of over 500 and all little inlets with populations of over 500. They must bring CBC to the Eskimos and to all areas which the other networks will not serve. They have done this. But it has cost a lot of money. Most of the money has gone into hardware.

Consequently, having followed the mandate of Parliament, they are now being criticized for bringing CBC to all areas of Canada. What they are looking for now is exactly what the hon. member has said—a production base. To create this production base in English Canada, they need the equivalent of what they put into Montreal. I challenge the hon. member opposite to put forward a motion in support of a production centre in Toronto. I say to him that he does not have the courage to do that, because if he did, he would find many people who would support him. He knows that such a production centre would cost $200 million. Is the hon. member suggesting that a production centre be built in Toronto at a cost of $200 million? That is exactly what it would cost.

We have given many mandates to the CBC. They have had to go to Regina, Victoria and New Brunswick, where there was no CBC until this year. They are just moving into New Brunswick. They have made their plans. They have announced that it will take some time for them to establish themselves there. The CBC is also in Sudbury. They are in these places because of the demands of Members of Parliament. The CBC having done all these things, it is now being criticized for using funds to follow the mandate of this Parliament. If this is an error, it is the result of our perception of Canada. It is not hardware which is needed, it is better quality Canadian programming.

Oddly enough, I was out in the hon. member's province as a CRTC commissioner. That was my last hearing. We were dealing with a presentation from a large B.C. delegation which was saying that they were receiving five U.S. channels in their area. They said that was undemocratic and that they were entitled to receive six. There were 10,000 buttons distributed by well-meaning British Columbians which said "CRTC, CBC—Get out of B.C." The slogan rhymed—that is culture.

Mr. Friesen: I rise on a point of order, Mr. Speaker. I cannot let the hon. member's comment in this regard go by. It was not this side of the House which published those buttons, but the former Liberal member for Vancouver-Kingsway who was peddling them.

Mr. Irwin: Over the years the CBC has been the most effective channel through which to address the matter of Canadian program development. Again, this was primarily due to the small Canadian population base, as well as the accompanying and persistent constraints on production and distribution.

In the Canadian private sector, we have one of the best production facilities in North America. It is called Glen Warren Productions, which is situated in Toronto. It is part of the CTV empire, for want of a better word. Why is that facility not used?

Mr. Friesen: It is for Americans.

Mr. Irwin: As the hon. member says, it does American productions which are sold to the United States. And that illustrates the attitude of the private sector. It is an attitude which the CBC must fight. If I understand correctly what the hon. member opposite has said, he is suggesting that we should build more facilities—

Mr. Friesen: No, no.

Mr. Irwin: Let me finish, please. The hon. member is saying we should build more public facilities which the private sector can use.

Mr. Friesen: Keep the ones you have.

Mr. Irwin: He wants more public facilities that the private sector can use, or ones that we already have, so that they can use their facilities for United States productions. What kind of subsidy is that?

Mr. Friesen: What is the difference between selling that and selling lumber?

Mr. Irwin: The CBC has always been a prime mover in Canadian program development but, at the request of Parliament, it has also figured highly in the extension of the broadcast distribution facilities.

We must make up our minds today, or within the next year, whether there will be a CBC at all. Right now in Ontario there are 56 American stations coming into the province. I firmly believe that you should not watch Canadian programs just because they are Canadian. You should watch Canadian programs because they are a good quality product. We, as parliamentarians, must decide today whether we will put our money where our mouth is and give the CBC the necessary funds to carry out this type of programming.

• (1730)

Obviously, we are producing good actors, writers, comedians, people in drama, because they are showing up in California. We must be doing something right in Canada because these people are coming out. In the words of Northrup Frye, they are thrown up from their environments. We are producing these people in all parts of Canada; but at the head end, namely, the House of Commons, we are not giving the required support to the CBC and its production in terms of the dollars necessary to keep these people in Canada and not let them escape to the United States. If we did, then we would be able to produce quality programs which, first, would be watched by Canadians and, second, could be sold on the world market.

Mr. Friesen: You don't want to export them.

Mr. Irwin: We want to export them, Mr. Speaker; CBC wants to export them; the private sector wants to export them. They are not being exported because they are not being bought; and they are not being bought because they are not good enough; and they are not good enough because we will not put the dollars into them.

An hon. Member: Wait until Andrew Johnson reads this.

An hon. Member: Alan.

Mr. Friesen: Sorry, Al Johnson.

Mr. Irwin: In addition to the competition from which we are suffering, primarily the United States—there is not that much coming in from Europe—the CBC has another problem. It is seriously challenged today by cabletelevision, pay TV, closed circuit delivery systems. Do you know what these are? They are supposed to result in an expansion of culture, but they are really one more way of hustling the American product, one more way of making a dollar, and one more way of defeating our own Canadian culture by not supporting it. Besides that, they are suffering from the adverse effects of optical fibre technology, of the videodiscs on the market, of the satellites. For $420, you can buy a dish which you just set up and point south. You lift it 18 or 19 degrees above the surface, and you can receive almost 21 or 22 U.S. programs. This is all new in the last three or four years.

The CBC was suffering before that. Prior to that time, other than sports, news and specials, it had a watch factor of perhaps 10 per cent. Over all, with these factors, it would have had a watch factor of, perhaps, 20 per cent. In other words, before these came onto the market, 25 per cent to 30 per cent of the time we were watching Canadian television, and 70 per cent to 80 per cent of the time we were watching U.S. broadcasting. It was worse in English Canada. It was far better in French Canada.

Mr. Friesen: Let's build a wall.

Mr. Irwin: But they are suffering too, from exposure to the culture from the United States. It is far worse now with the satellites, the videodiscs and the various technologies which have come on the market.

The point is that the whole on-air broadcasting and on-air culture is more fragile today than it was three or four years ago. Even though it is politically popular today to attack the CBC as if it were in the best interests of Canada, I do not think it is constructive any more. The CBC is on the ropes, and Canadians must decide whether the corporation is going to bind this country together, in the broadcasting sense, or whether we are going to keep it on the ropes and drive it right out of the ring, because it can be done. People listen to what is said in the House of Commons, and if we say irresponsible things—and I do not suggest that what you are saying is irresponsible—they are going to be taken as the truth, and if they are taken as the truth, people are going to turn even more against the CBC. There will come a point in this House of Commons, if people do not periodically try to defend what the CBC is trying to do, when there will be a vote, and there may be sufficient numbers in this House to vote to disband CBC, and then what are we going to do, watch ABC, CBS? Perhaps we could watch educational television from the United States? That time is nigh. Just listen to what the hon. member has said, because he makes some good points; but carry it one step

further and give the CBC the support that it deserves and merits. After all, it is not doing it for its own benefit. It is doing it for the benefit of Canadians across this country. Thank you, Mr. Speaker.

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Regional Economic Expansion): Mr. Speaker, the proposal by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) that consideration be given to dividing the Canadian Broadcasting Corporation into two, with completely separate jurisdictions over program production and distribution, provides fruit for argument both for the status quo and for change. The test of a final decision, I believe, is whether such a move would improve control and promote progress in these areas, and, of course, whether or not such a move would prove cost-effective.

In establishing some framework for efficiency, it should be pointed out that the corporation has a good record of performance. Studies have demonstrated that the CBC is an efficient and productive organization compared with other public broadcasters. The conclusion drawn from the studies is that the CBC has produced more programming in radio and television with less public funding and fewer employees than the BBC, or the networks of France and Japan. In fact, the CBC produces more than twice as many hours of programming per employee than other public broadcasters, in both television and radio.

I think that if you are a fan of radio, the way I am, then you, Mr. Speaker, along with other members of this House, would agree that the quality of CBC radio is unsurpassed in North America at the present time.

An hon. Member: Right.

Mr. MacLellan: CBC radio has been worked upon over the recent years, and has developed to be not only informative, but extremely enjoyable.

The CBC is demonstrably one of the most efficient, if not the most efficient, program production houses in the world, doing more with less than any other national public broadcaster. Much of this is done by a competent, talented staff aided by external contributions.

In terms of efficient use of funds, the CBC's costs per hour of programming are substantially lower than those of other public broadcasters. The total budget per hour of CBC's production output in 1975-76 was $11,600 for television compared with $43,500 for the BBC, $56,200 for the Swedish service and $78,400 for the French system.

From these statistics, the conclusion can be drawn that the CBC's ratio of program and distribution expenditures to administrative expenditures compared favourably with those of the private broadcasting sector, a conclusion which was at that time supported by the analyses of the private broadcasting sector done by Statistics Canada.

The CBC has taken a conscious managerial decision to increase greatly its involvement with the independent production sector. Its involvement embraces a number of areas; namely, procurement of programs from independent producers, commissioning productions, co-financing and co-producing arrangements with independent producers, and craft support including post-production houses, like film processing labs and sound recording studios, as well as script development. Indeed, whenever CBC and Radio-Canada schedules can be complemented by such material, effort is made to include independent Canadian productions. It should be noted, however, that competition and private sector productions are not necessarily synonymous with lower production costs, or that private producers do not incur cost overruns.

● (1740)

I would say that the CBC has a record of assisting, where possible, the independent producers in carrying out their tasks. I am sure you have noted, Mr. Speaker, that people have complained there are many more employees of CBC present when press conferences are called than people from other networks and they want to know whether this is necessary. It should be noted, however, that the independent producers, the competing networks, make use of the equipment set up by the CBC. Certainly the costs of the independent producers would be considerably higher were it not for the fact that the CBC supplies a good deal of the necessary equipment.

A brief analysis of the situation in the United States makes this point quite clear. The major United States networks do relatively little in-house production, other than news, current affairs programming and sports. The bulk of the variety and drama productions comes from independent producers in Los Angeles and New York City. The structure of the United States industry is not without its costs. Having selected scripts for pilots, a network will pay what essentially amounts to a "licence fee", which today is usually less than the actual cost of making the pilot. In that market, it is the producer who absorbs the difference, with the hope of making it up on rights for syndication, foreign sales and literary rights.

The point made here is that, even in the United States, producers seldom cover their costs on a production. Cost overruns are either guaranteed outright by the networks in the manner of "overage" payments or the producer gambles on a long syndication run. There are built-in inefficiencies in all systems but what counts in the United States is the large market base and the potential for the recovery of costs, along with sizeable profits. In Canada, the marketplace is much different. Production funds must be utilized efficiently to achieve optimal results.

To some degree, we have already seen the corporation's efficiency in responding to its program production mandate and its flexibility and willingness to seek out the services of the Canadian independent production sector. This clearly has a stimulative effect on this service industry sector. Also, the single organization concept for both the distribution and production functions has been found to be efficient. The corporation has been able to draw upon its over-all resources to respond to so challenging a mandate. The dual agency alterna-

tive appears to add nothing new to the present broadcasting system.

Other questions also, are raised about the corporation. Would the present organizational structure not be in a better position than two corporations to integrate within its ranks the changing objectives and functions of the CBC? In its long-range objectives, is the CBC not now well placed to exploit and to market the substantial expertise of skilled personnel, associated with the combined hardware and distribution side of the business for example, to Third World countries seeking our aid, as it frequently does? The issue of morale among all experienced and dedicated staff, too, must not be overlooked.

Furthermore, from the point of view of the over-all efficient use of public funds, it is difficult to imagine how two separate and distinct organizations would not add to the burden to be borne by Canadian taxpayers. From a purely administrative point of view, many of the present functions would be duplicated since, depending on the structure of the organization itself, separate boards of directors and management functions would have to be established if the organizations were to function properly. Other questions, such as co-operation between the two organizations, duplicate roles regarding contracts with industry, governments and regulators also come to mind.

The CBC has an admirable performance record, and further, it has an unexcelled international reputation. Public broadcasting in Canada is superior in quality worldwide, relative to the financial support and human resources available. Separate and distinct organizations would not necessarily increase the efficiency and effectiveness of the services being provided and would, in all likelihood, cost more.

While I would not declare that the CBC has mounted the uppermost pinnacle of efficiency and can ascend no further, I believe it has coped well with developing requirements and is planning well to meet the future. My advice to the House, therefore, is don't tamper with success!

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, fairly often we hear the Progressive Conservative Party requesting the government to cut down the number of Crown corporations in this country. So it is a bit of a change today when the hon. member asks that two corporations be created where one is doing the job. I do not hear my hon. friend advocating that private broadcasters should break themselves into separate corporations, one side for production and the other side for programming. Frankly, this is an idea we have heard in the past and not found acceptable, so we see no reason to support the motion that is before the House today.

I do not criticize the hon. member for bringing in a motion that calls for a discussion of broadcasting generally and for a discussion of the CBC. Perhaps we could do this more often. I am prepared to say that in my view the CBC, for all its faults—and it has them not only in broadcasting but in labour relations, and so on—is nevertheless doing a good job in Canada. It is a unifying force, an institution for Canadianism, and I think we should give it our full support.

In my view, the proposal in the motion does not go in that direction, and therefore I hope the House will not pass it this afternoon but that instead, there will be other expressions of support by members of this House of Commons for a very useful and worth-while institution in this country, the CBC.

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): Mr. Speaker, I have listened with interest to the arguments put forward by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) and others. Although the purpose of the motion is pretty clear, that the hon. member would like to see the CBC made into two corporations, and the hon. member for Winnipeg North Centre (Mr. Knowles) has just explained the sense behind it, the point of it escapes me. The arguments of the hon. member for Surrey-White Rock-North Delta, which I have heard on these kinds of subjects for many years, give me no clue as to why he would be interested in creating two Crown corporations instead of one. Given his philosophical view of these things, I am puzzled as to why he would be interested in creating yet another layer of bureaucracy. I am sure many people would argue, as he would, that one of the problems with Crown corporations is that they are weighted with bureaucracy. His argument that we should create a special bureaucracy to take the place of the CBC, therefore puzzles me. It does not seem to make any sense to me. I would also point out to the hon. member that when he discusses the CBC, he seems to take the view—and in this regard he has associated himself with other motions—that there should be unlimited access to signals from outside of the country. I am sure the hon. member is interested in more productions being done in Canada, because I presume that is the only substantive argument he is putting forward in favour of this motion. But I do not understand how this can come from an hon. member who believes in freedom of information and in signals being allowed across borders. He seems to take the view that that is something with which there should be very little interference. Canadian production, CBC and private, already has difficulty in competing with U.S. networks which think nothing of spending half a million dollars per hour on production. In Canada, the only serious production house, namely the CBC, spends $100,000. In other words, Canadian production is outspent five to one by the competition.

• (1750)

The hon. member would now like to see a special Crown corporation put together to take care of production. At the same time he does not want to give protection to the existing facilities in Canada. The sort of protection that may well be needed, in view of the technological changes, was explained to him by the hon. member for Sault Ste. Marie (Mr. Irwin). The arguments which he put forward appear to be contrary to his previous approach to the problems of broadcasting in Canada.

[*Translation*]

—Mr. Speaker, in short the hon. member for Surrey-White Rock-North Delta has proposed that the Canadian Broadcasting Corporation as it now exists be replaced by two distinct

Crown corporations which would be fully independent from an administrative standpoint. That is what he has proposed. One corporation would be responsible for programming and the other for distribution. I must say that there is no mention of the CBC technical problems which are more complicated than a simple distribution operation.

Those problems have cost a bundle to the Canadian taxpayers because of the technical means the CBC representatives have to use. And as the hon. member for Sault Ste. Marie was saying, they have just now approached the problems of northern New Brunswick which is one of the under served areas of Canada, and the cost of survival in Canadian regions where there are very few people. First I would like to give this motion a short historic background. Then I will weigh the pros and cons of that proposal in light of the technological challenge of the 1980s. Or I might leave that task to my colleague from Manicouagan (Mr. Maltais) who perhaps may want to speak to this motion for a few minutes.

Whether we are talking about the English or the French network, with all their hesitations and their evolution which mirrors the development of Canada over the last quarter century, the history of the Canadian Broadcasting Corporation spells success. And yet the corporation has had to overcome serious obstacles, including the breadth of the territory and the dispersion of the Canadian population, as in New Brunswick for instance. The very economy of television production is an even more serious obstacle because from the outset it militates against the production of Canadian programming. American competition is so strong indeed that some people have said that Canada's radio-television system has become ever more a means of recycling American broadcasts. Those obstacles appear to be almost insurmountable since the funds at the disposal of the American networks are two to three times larger than those available to the Canadian networks. In addition, the Canadian networks can buy low cost American programs and get more advertising dollars than they would for a Canadian program. Finally, through the cable distribution system, Canadian viewers can tune in to a great many programs aired by American stations.

[*English*]

I will end my remarks at this point because I know there is another hon. member who would like to say a few words on this subject.

[*Translation*]

Mr. André Maltais (Manicouagan): Mr. Speaker, a while ago, I was astonished to hear my colleague from the opposition ask that the CBC be divided into two entirely separate entities. As pointed out the former speaker, I feel the problem with CBC, at this time, is one of consolidation. To my mind, we can say that all in all, the CBC has been a great success. Just think of how vast and diverse is the territory it covers! It is a challenge that not even the American network could have met with such a small population as is the case in Canada.

As my time is very limited, I should like to stress one point only, the responsibility the CBC has to try to increase the Canadian and even the regional content of its broadcasts. That, to some extent, is the problem which confronts the Canadian people in terms of identifying the contents of its own network. Why should Canadians often prefer American or foreign programs? Because, within the contents of our CBC broadcasts, either in French or in English, there is often a feeling that programs are a copy or a remake of other programs that have nothing particularly Canadian about them.

In the area I represent, our main difficulty with the CBC concerns regional programming. In that regard, the minister was very firm recently when he said it was imperative for the CBC to move toward regional productions, that people might identify themselves with the content of their own network. One thing is sure: with the limited financial resources we grant the CBC, because after all our resources are limited—which often is not the case at the creation level—we do have to make choices.

However, in view of the main objective of the CBC and the difficulty of meeting this objective, in view of the terms of reference given to the corporation, I believe that it can be said that it has had a major success. We should consolidate further before thinking of dividing up the network. I am really surprised to hear my colleague opposite talk about dividing the network and having two separate units since his colleague, the hon. member for Vancouver Centre (Miss Carney), appeared like myself before the CRTC to object to CBC II and Tele II.

I believe that the CBC should not aim for an extended mandate at the present time, but should instead try to consolidate what it now has. I believe that all Canadians would be proud of an increased quality and unity in the contents of CBC programming. This is one of the major objectives of the CBC at the present time as a Canadian network, and we must do everything, not to divide the CBC, but rather to unify it and to ask it to consolidate its present assets to look further to the future.

[*English*]

The Acting Speaker (Mr. Blaker): The hour provided for the consideration of private members' business has now expired. Accordingly, I do now leave the chair until eight o'clock this evening.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Deputy Speaker: Order. When the debate was interrupted at five o'clock p.m., the hon. member for Halton (Mr. Jelinek) had the floor.

Mr. Otto Jelinek (Halton): Mr. Speaker, before the private members' hour I stressed to hon. members the importance of listening to the people at the grass roots, something that many of us, primarily the Liberals opposite, have not done enough of, particularly when it comes to the constitutional debate. My public forums in the constituency of Halton, at Acton, Milton and Oakville, were well attended. The people there were representative of other parts of Canada. They really let me hear what they thought about the Constitution.

Without a doubt, they want the Constitution here. In fact, it should have been here years ago, but certainly not in the package that the Prime Minister (Mr. Trudeau) and the Liberals introduced before this House and in the manner they introduced it.

People ask me why this Parliament has been preoccupied for nearly a year with the constitutional debate, virtually ignoring the important issues. That is the question. This was made clear to me in October of last year when I sent a questionnaire to my constituents. I asked them, "What, in your opinion, are the most important issues in Canada today?" The replies were as follows: inflation, 47.1 per cent; energy, 14.3 per cent; unemployment, 9 per cent; law and order, 8.1 per cent, and so on down the line until the Constitution, 3.5 per cent.

The results of this constituency poll, as hon. members know, were verified by a recent Gallup poll which clearly indicated that the majority of Canadians still consider inflation the number one problem, unemployment close behind, and the Constitution way down the line.

In the public forums where I speak in my travels across Canada I am asked why the elected representatives are preoccupied with this situation at this time when we are facing inflation at 12 per cent, unemployment of one million or more, and bankruptcies, the largest portion of which occur in the small business sector of our economy. In 1980 alone, they accounted for some $700 million in liabilities. That is a shocking increase when one considers that only ten short years ago the total dollar value was only $300,000.

Real wages in 1980 increased by 9.9 per cent, only to be eroded by a 15.2 per cent increase in the price of food. Almost two million person-days were lost as a result of strikes and lockouts in the last three months of 1980. The national debt soared to a projected $14 billion this year. These are some of the concerns about which Canadians ask me, their elected representative. I am sure they are asking the Liberal members as well.

Any sincere attempt to develop a true people's package, as the Prime Minister refers to it, not a Constitution package, should address itself to the real concerns of the Canadian people, those I have just stated. It would propose, not the removal of the constitutional guarantee to own property, for example, which is something I want to touch on a little later but, rather, fuel and shelter allowances or a mortgage rebate plan. It would demonstrate a willingness to come to an energy agreement with Alberta. It would spell out a national energy plan which would incorporate the wisdom of the business community rather than the philosophic edicts of bygone colleagues.

• (2010)

Having said that and having articulated what I know are the major concerns and priorities of the citizens of this nation, I would like to turn to the issue of patriation. My colleagues have referred to this before me, but I want to put something on record again because it is important to say it over and over so that the Liberals will go back to their ridings, listen to their people and come back to the House of Commons representing the wishes of their people. When the vote comes before this Parliament, I hope they will vote in a non-partisan way and on behalf of their constituents.

It would be convenient for the Prime Minister for political reasons to define positions on this resolution as being either for or against it. This distorted perception needs to be clarified again because clearly the government is making every attempt to tag those who do not go along with his constitutional proposals as being colonials. This is just another example of the Prime Minister's contempt of the Canadian people and another example of what he hopes will be a successful attempt to mislead a misinformed and manipulated multitude into overlooking the inadequacies of his package and to distort the efforts of those concerned about the dangerous precedents which will be set should this proposal proceed as the Prime Minister has planned. It is because of regard for the federalist principles upon which this nation has been founded and upon which assurances our provinces, partners, contracted into this federation that we are determined that no constitutional amendments that would create third-class provinces and give a permanent veto to central Canada will be accepted. The Prime Minister knows this. He also knows that the package as it now stands would never receive a consensus in Canada. This is why he is going to Westminster, not just to have the Constitution patriated, for there is a number of simple ways of proceeding with such a revision, as the Leader of the Opposition (Mr. Clark) said earlier today. The Prime Minister is going to Westminster with the hope that the British government will

see fit to pass what he knows will be unacceptable to the Canadian federation. In short, he has a separate set of rules for his favourite amendments. It is the Right Hon. Prime Minister who is the colonialist when he speaks this way.

I do not think it is unreasonable that we on this side of the House have asked that the convention of a century of Parliaments be recognized and the sovereignty of the provincial legislatures be recognized. This is what the Vancouver consensus proposes should be done. We know there is agreement throughout Canada for this process. We also know by instinct that no one man has the right to change our nation, to disregard convention or to destroy our federation just because he chooses to do so. Nor is it unreasonable to begin with the position that agreement can indeed be reached rather than assume that such is not possible.

The Prime Minister would like us to think that our federation has not worked. Many others before me have reminded us that it indeed has. Federal-provincial agreements have often been reached in the past. I refer, for example, to medicare, the Canada Pension Plan and equalization, to name a few. Agreements will continue to be reached in this country in the future, but not with the passage of the proposal before us. That is one of the reasons why Canadians disagree with this over-all proposal.

I know all members have received all sorts of letters from their constituents. I would like just to quote a few excerpts from the many letters which we have received, all opposing the resolution. I challenge a Liberal Member of Parliament to tell me that his constituents, in writing, through phone calls or by questionnaires such as the one I put to my constituents, agree with his proposals. In other words, I am suggesting that hon. members opposite will be voting against the wishes of their own constituents.

Some hon. Members: Oh, oh!

Mr. Jelinek: We always wake them up when we tell the truth. That hurts them the most. It happens every time. Here is a letter from a constituent in Calgary.

Some hon. Members: Oh, oh!

Mr. Deputy Speaker: Order, please. The hon. member for Halton (Mr. Jelinek) has the floor.

Mr. Jelinek: The following is a quotation from a letter from a Canadian to me.

> Trudeau is bent on changing this country into a socialized dictatorship and you are the only people who can stop this fool . . . He is dividing the country to conquer it.

That is from Robert Moyer of Calgary. Here is part of another letter:

> Equal application of discriminatory rights is not the answer.

That is from Judy Alexander of Oakville. Here is another one:

> If Pierre changes our Constitution and then brings it home, what he is bringing home is not our Constitution but Pierre's Constitution. We are led to believe there is nothing we can do to stop this changed Constitution from arriving in Canada because Pierre was voted into power by a majority.

That is signed by Margaret Catchpole of Oakville. There is a point in that. This Canadian citizen voted for the Liberals, perhaps, but she did not give the Liberal government the mandate which the Prime Minister says he has in dealing with the Constitution. I did not hear him make great waves during the election campaign about the constitutional proposals and what he would do. In fact, I did not hear him say anything during the election campaign. However, what did remind me of his campaign promises in the last election campaign were those of Premier Lévesque of Quebec when he ran his last election campaign on the economy and not separatism but then reversed the situation.

I do not like quoting too much, but I must quote one part of an editorial for the benefit of the Liberal government, which is mostly comprised of Quebec members.

Some hon. Members: Oh, oh!

Mr. Jelinek: We have read many editorials from Ontario, from the western provinces and from the maritimes. Here is one from *Le Devoir*, which usually supports the Liberals. I will read just a portion of it, as follows:

> If Mr. Trudeau wishes to be intellectually honest, he will recognize that he has no moral right to alter the federal system without consulting the country. Before going any further the Prime Minister should call a general election. It is essential that Canadians know clearly what future is being readied for them in Ottawa and London.

That is from an editorial in *Le Devoir* of October 16. There should be an election or even a referendum because when we are talking about the future of our country, the people should have a say, and they do not have a say when it comes to the benches opposite and to the majority of those left wingers to my left, with the exception of the four escapees and now their new supporter in Saskatchewan.

Allow me to become a little personal because this is relevant to this whole situation. My family and I escaped from a foreign country in which rights, privileges and freedoms were taken away. I speak of Czechoslovakia. There were five of us children and my parents. We left because we were bred on the strengths, opportunities and freedoms which used to exist in that country. When these disappeared, my father in his wisdom took the whole family, seven of us, out, with no money, to a new country where we could not speak the language. We did not know the new way of life in the new country. We came to the shores of Canada. Upon stepping onto the shores of Canada, I and my family fell in love with this country. We have loved this country dearly from the day we stepped onto its soil. It has given us many opportunities. It has given me opportunities in the fields of amateur sport, professional sport, business, the helping of disabled children, Big Brother organization and the list goes on. It was a country which provided the freedoms, hopes and aspirations of many Canadians like myself and my family. My reason for telling this story is very simple. We came to Canada because the freedoms were here—

the freedom to move, the freedom to speak, the freedom to work, and freedom of the press.

● (2020)

Mr. Irwin: Oh, oh!

Mr. Jelinek: What does the hon. member opposite have to say about it? Why does he not rise and say what his constituents think about the Liberals opposing this? The Liberals are trying to tell me that Canada does not have these freedoms. They are trying to tell me that Canada has no freedoms, that we are not allowed to speak or to travel.

Mr. Portelance: What happened in Czechoslovakia?

Mr. Jelinek: Now an hon. member opposite is telling me to go back to Czechoslovakia.

Mr. Blais: That is not what he said.

Mr. Jelinek: That is a good Liberal! In that sense, if we compare—

[*Translation*]

Mr. Portelance: I rise on a point of order, Mr. Speaker. If the hon. member has not understood what we have said on this side of the House, I would advise him to read and pay attention to what we said previously. We would not want to see what happened in Czechoslovakia occur in Canada. This is what we said.

[*English*]

Some hon. Members: Hear, hear!

Mr. Jelinek: They sound like a bunch of penguins over there. I have the Soviet constitution in front of me to which I should like to refer. It is amazing how similar it is to our Constitution. Section 2(a) of the proposed Canadian Constitution reads:

freedom of conscience and religion;

Article 52 of the Soviet constitution reads:

Citizens of the U.S.S.R. are guaranteed freedom of conscience, that is, the right to profess in any religion, and to conduct religion worship of atheistic propaganda.

Section 2(b) of Canada's Constitution reads:

Freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

Article 50 of the Soviet constitution reads:

In accordance with the interests of the people and in order to strengthen and develop the socialist system, citizens of the U.S.S.R. are guaranteed freedom of speech, of the press, of assembly, meetings, street processions and demonstrations.

It goes on and on. Elections shall be equal; each citizen shall have one vote; all voters shall exercise the franchise on an equal footing. All the rights which are supposed to be entrenched in our Constitution are in the constitution of the Soviet Union. They are very similar, to the point where the right to own property is not included in either constitution. The Prime Minister does not want to include it and the Liberals refused to accept the amendments of my party. It is interesting to note that both these constitutions do not include property rights. Therefore, is it any wonder that the Kremlin or the Soviet Union, through its official newspaper *Pravda*, has finally thrown its support behind the Prime Minister and the Liberal government?

Some hon. Members: Naturally.

Mr. Jelinek: Is that a coincidence?

Mr. Blais: Tell us about Bill Davis.

Mr. Jelinek: If I had had more time, I would have dealt in more detail with the right to own property in this country, which is why many people came here. If certain rights are not entrenched in the Constitution, obviously they will disappear in the future.

Mr. Blais: Oh, come on.

Mr. Jelinek: If not, why is the government not entrenching them? Can they tell me that?

Some hon. Members: Oh, oh!

Mr. Jelinek: They will not tell me. I do not have the time to deal with that matter, primarily because of the many interruptions of the Liberals during my brief remarks.

For the record, I should like to refer to some of the statements of the Prime Minister and the Secretary of State for External Affairs (Mr. MacGuigan) who is present in the chamber. In chronological order, on June 25 last year, the Prime Minister stated that he did not discuss the problem of lack of consensus in Canada with Mrs. Thatcher. He said:

Well, that's a hypothesis I did not ask her to examine and I don't believe she did examine—

On September 26, press reports of the London talks indicated that only the technical aspects of patriation were discussed. On October 30, the Secretary of State for External Affairs said that Mrs. Thatcher was informed of the possibility of disagreement in Canada, but he led us to believe that the British did not see any problem. He went on to say:

—there was a common assumption that on both sides that the normal constitutional convention would be followed.

On October 31, the same minister reaffirmed his position of October 30. Then on January 22, the Prime Minister told us in a press conference that he informed Mrs. Thatcher of the charter and of the possibility of disagreement in Canada on June 25. He told her on June 25 that the government would not get support—or so he said—so she knew.

Some people could refer to these inconsistencies as flip-flops. God only knows the Liberals have had enough of those. We do not have to go all the way back to 1974, at which time the Liberals said that we would never have wage and price controls, and a few months later they imposed much tougher wage and price controls than this party would have recommended.

I could refer to the recent election campaign when they said, "Do not vote for the Tories because they will increase the price of gasoline by 18 cents." Since last year, as all of us who buy gasoline at the gas pumps know, the price of 18 cents per gallon of gasoline has roughly doubled.

Some hon. Members: Even more than that.

Mr. Jelinek: Yes, even more than that. The Liberals know what a flip-flop is. We can compare the June 25 statement of the Prime Minister to the one of January 22. It was not tongue in cheek, as the Prime Minister likes to say. He said that perhaps he was less than candid. It was not less than candid. He lied, he lied to the Canadian people and he lied to the media. We have a Prime Minister who lies to the country and gets away with it. In any other country, like the United States and elsewhere, a leader of the government would be impeached for lying to the people, especially in regard to an important situation like the future of the country. I challenge the Prime Minister to either withdraw his statement—

Mr. Blais: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The hon. minister of Supply and Services (Mr. Blais) on a point of order.

[*Translation*]

Mr. Blais: Mr. Speaker, I rise on a point of order. I am dismayed with the comments of the hon. member. He is using unparliamentary language and I would ask him to abstain from doing so in the future and to withdraw the allegations and statements that he made in unparliamentary terms. I suppose, Mr. Speaker, that you will ask the assistance of the clerks of the Table to have the member himself withdraw from the House or withdraw his offensive comments.

● (2030)

[*English*]

Mr. Deputy Speaker: The hon. minister has raised a question of language used by the hon. member which is unparliamentary. In particular, reference to lies, I believe, would be construed as unparliamentary. Is the hon. member prepared to withdraw those allegations?

Mr. Jelinek: Mr. Speaker, I still have a few minutes left. The minister says that he is dismayed by my unparliamentary language, to use his words.

An hon. Member: Withdraw!

Mr. Jelinek: Be quiet for one second and listen.

Some hon. Members: Withdraw!

Mr. Jelinek: The minister says that he is dismayed by what he refers to as unparliamentary language. I, and Canadians, are dismayed by the Prime Minister's language.

Mr. Deputy Speaker: I invite the hon. member who is making his point to consider that certain references are generally accepted as unparliamentary. That particular expression is unparliamentary. If the hon. member could rephrase his remarks to avoid an unparliamentary expression, I invite him to do so.

Mr. Jelinek: Mr. Speaker, with all due respect, my conscience does not allow me to withdraw something which I believe in very strongly.

An hon. Member: Resign!

Mr. Jelinek: Anyone who knows the facts, Mr. Speaker, knows that the Prime Minister lied. My conscience will not allow me to withdraw that.

Mr. Deputy Speaker: I invite the hon. member, in the tradition of this House and the customs which have prevailed, to consider the language he has chosen. I invite him to restate his remarks.

Mr. Jelinek: Mr. Speaker, it is unfortunate that the Prime Minister has acted in an unparliamentary way by twisting truths and by lying. I cannot possibly withdraw my statement.

Some hon. Members: Resign!

Mr. Blais: On a point of order, Mr. Speaker. I want to direct the hon. gentleman from Halton (Mr. Jelinek) to some of his own words which he used earlier in his speech when he related how his own family had left a country called Czechoslovakia because rights had been infringed upon. Mr. Speaker, I would ask the hon. member to recognize that he is infringing upon the traditional rights of all members of this House and this democratic institution. By his behaviour he is directing himself toward that sort of abuse from which his own family fled, from a country in which they felt they could no longer live. I suggest to him that if he respects the institutions and the traditions of Canada and our parliamentary institution, he ought to accede to the requests that the Speaker has made of him, and do so promptly.

Some hon. Members: Hear, hear!

Mr. Taylor: Mr. Speaker, I rise on the same point of order. When the Prime Minister tells an untruth and then covers it up by saying that he said it with tongue in cheek, he is doing exactly what the hon. member says he is doing. On the rules—

Mr. Deputy Speaker: With respect to the hon. member for Bow River (Mr. Taylor)—

Mr. Taylor: Would you let me finish, please, Mr. Speaker?

The rules of the House are that a member cannot say those words. I suggest the hon. member accept the ruling of the Chair, since that does not change any of the facts.

Mr. Deputy Speaker: I appreciate the intervention of the hon. member for Bow River.

Again, I would ask the hon. member for Halton (Mr. Jelinek) if he has anything he wishes to say.

The Chair recognizes the hon. member for Mississauga South (Mr. Blenkarn) on a point of order.

Mr. Blenkarn: No, Mr. Speaker. I believe the hon. member for Halton has ceased speaking. I think that—

Mr. Deputy Speaker: As far as the Chair is concerned, the hon. member for Halton still has the floor. There are certain matters which must be considered.

Mr. Jelinek: Thank you for extending my time, Mr. Speaker.

Some hon. Members: No!

Mr. Jelinek: Let me say to hon. members opposite that Mr. Speaker has just recognized me.

I began my remarks by saying that we should listen to the grassroots, to Canadians as a whole, from coast to coast. We should listen to their wishes. Before the Minister of Justice (Mr. Chrétien) arrived in the chamber, I had quoted some statistics which show that the majority of Canadians are opposed to the unilateral—

Mr. Chrétien: Not true.

Mr. Jelinek: The minister says "not true." A Gallup poll which came out, and all forms of other questions—

Some hon. Members: Order!

Mr. Deputy Speaker: Order, please. I invite the hon. member to deal with the serious matter of the language he has used. I invite the hon. member to rephrase his remarks regarding the allegation that another hon. member of the House has lied. I have ruled that this is unparliamentary.

Mr. Jelinek: Mr. Speaker, my conscience has already told me what to do in this regard. I already made it very clear that I am unable to do so for the very reasons which I stated earlier. If I am allowed to continue and finish my remarks, I will be happy to take that opportunity.

Mr. Chrétien: No way!

Mr. Knowles: I rise on the same point of order, Mr. Speaker. I wonder if I could make a personal appeal to the hon. member for Halton (Mr. Jelinek) with respect to this matter. He has already stated it is his intention to stand firm. I know that it may seem difficult for him in view of that to change his opinion. But I ask him to show, as he so often does, respect for this place.

One of the advantages that we have here is that we can hit back and forth as hard as we want. We can argue until we are blue—or red—in the face. Confrontation, and all of that, is in order. But in order to keep the place going we have established certain lines which we will not cross over. I would like to say to the hon. member that we appreciate very much how difficult it may now be for him but that we will greatly respect him if he will agree to the request of the Chair and make it possible for us to avoid any unpleasant scene.

I am not getting into the argument. I am not discussing what the Prime Minister (Mr. Trudeau) has said. I just make the personal appeal to the hon. member for Halton to do something for which we would all greatly respect him.

Mr. Deputy Speaker: May I add my personal appeal to that of the hon. member for Winnipeg North Centre (Mr. Knowles)? It is not a matter of an individual's conscience, it is a matter of the rules and procedures by which hon. members govern themselves in this House. The precedents are clear, and in my opinion the citation is abundantly clear concerning language which is parliamentary or unparliamentary. I invite the hon. member to rephrase his remarks.

• (2040)

Mr. Jelinek: Mr. Speaker, as you know, I have, and always have had, in my eight years or more as a Member of Parliament, due respect for the Chair, and I certainly have as much respect for the hon. member for Winnipeg North Centre (Mr. Knowles). But, Mr. Speaker, when we are talking about something that has happened, and is true, what would my conscience say if I suddenly had to back down and say: What I said, I did not really mean, or we can resort to flipflops or speak tongue in cheek, as the Prime Minister said? I cannot do that, Mr. Speaker, with all due respect to you, to the hon. member for Winnipeg North Centre, and to all hon. members of this House.

Mr. Chrétien: Mr. Speaker, I think that under the circumstances, I have no choice but to ask Your Honour to move that the hon. member, according to the rules, be suspended from the House of Commons.

Mr. Deputy Speaker: Mr. Jelinek, I have to name you for disregarding the authority of the Chair. I invite you to withdraw from this place.

Some hon. Members: Hear, hear!

An hon. Member: Maybe the Prime Minister will stop talking with tongue in cheek.

An hon. Member: Maybe he should be named. There are different ways to say "a liar".

And Mr. Jelinek having withdrawn:

Mr. Deputy Speaker: The hon. member for Qu'Appelle-Moose Mountain (Mr. Hamilton).

Mr. Hamilton (Qu'Appelle-Moose Mountain): I think it is customary, Mr. Speaker, under the written rules, that when a speaker is named in person, the leading member on the government side, the House leader, has to move a motion which must be accepted by the House before the hon. member has to leave.

Mr. Knowles: Mr. Speaker, what the hon. member for Qu'Appelle-Moose Mountain (Mr. Hamilton) has said is correct in terms of what is usually done. But since, in this case, the

hon. member for Halton withdrew without a motion being put to ask him to withdraw, do we need go any further? I do not think we want any unpleasantness. Why do we not let it rest at that?

Mr. Deputy Speaker: The hon. member for Winnipeg North Centre has a point well taken. The Chair has no authority to request a direct motion. In the circumstances, all the Chair can do is to recognize the hon. member for Mississauga South.

Mr. Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, I hate to correct the hon. member for Winnipeg North Centre (Mr. Knowles), but the precedents are very clear that when a member is named by the Speaker, it is the responsibility, under the customs of this House, for the government House leader or the Prime Minister, or whoever is sitting in his place at the time, to move a motion and have it passed by the House before the matter is complete, because the motion must include certain things.

Mr. Deputy Speaker: The hon. member's point is well taken. However, there is no direction that the motion must be presented immediately. If there is a decision to present such a motion, it would be usual to assume that there might be a few minutes needed in which to prepare it. Is the hon. member for Peterborough (Mr. Domm) seeking the floor?

Mr. Domm: Mr. Speaker, on the same question, on the point of order that is before the Chair at the moment, it would seem to me that if the hon. member who has left the House is in error in not following the rules of this House by retracting what he said, then it would likely be true that the Chair could give serious consideration to the precedents, the rules of this House, which indicate that in order for what has happened to happen, a motion from the government side, or from some member of this House, that the member leave the House, would have to be moved.

Now two wrongs do not make a right. I would suggest that if it is Mr. Speaker's intention to delay the point at which this motion is presented, I should like to know the time-frame for such a delay.

Mr. MacGuigan: Mr. Speaker, it seems to me that it is usual to have a motion in such circumstances. A motion was moved, and it was on the receipt of the motion that Your Honour then requested the hon. member to retire, after naming him.

An hon. Member: There was no motion.

Mr. MacGuigan: In those circumstances, the hon. member having already left, there is no way in which any irregularity of procedure can now be undone. The hon. member had to make his case and others had to make his case while he was still here. At this point, even if there were an irregularity in the procedure, I would submit, Your Honour, that that cannot now be undone, and, the hon. member having left, the matter must be considered closed.

Mr. Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, I must repeat that the precedents are very clear. The Minister of Justice (Mr. Chrétien) stood in his place and suggested that you move the motion. That is impossible. The Minister of Justice, representing the government, has to move a motion before this matter is legal. Nothing else must interfere until that is done.

Mr. Chrétien: No, no. I said that I was sorry, but I had no other choice, being the ranking member of the cabinet, but to move at this time that he be named, as you did, Mr. Speaker. I had that very unpleasant responsibility because of my rank in the cabinet.

Mr. Epp: Mr. Speaker, on the same point of order, I concur with what the minister has said. I believe that the member for Qu'Appelle-Moose Mountain (Mr. Hamilton) is correct in citing the precedent. I believe that what we have is a situation where the hon. member for Halton (Mr. Jelinek) has voluntarily withdrawn. I imagine it could be interpreted to mean that now that he has voluntarily withdrawn, he could come back tomorrow, and I think that is where the matter rests, unless those who want to raise it at a more appropriate time do so.

Mr. Hamilton (Qu'Appelle-Moose Mountain): Now that the Minister of Justice has moved his motion, that is correct. He has not put into the motion the duration of the suspension because the whole matter is not legal, under our rules.

Mr. Deputy Speaker: Order. The Chair heard the Minister of Justice rise to propose a motion that the hon. member be named. The Chair decided to name the hon. member. Under the circumstances, the Chair felt there was really no option, and the hon. member has left the chamber at the invitation of the Chair. The Chair will consider any further motions if and when received. Meanwhile, the Chair recognizes the hon. member for Mississauga South.

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, the hon. member for Halton (Mr. Jelinek) is a Member of Parliament who chose Canada. He was not born here. He chose Canada over Czechoslovakia. He chose the freedoms that all Canadians, native born and otherwise, have from our very heritage, and from the seed of our father's loin, the right to enjoy—

An hon. Member: Are your serious?

Mr. Blenkarn: Those freedoms and rights to express ourselves are very important. The hon. member for Halton was speaking with emotion. When, as a result of abusing the technical orders of the House, he removed himself, he left with the feeling that he was standing up for the freedoms of Canadians.

Some hon. Members: Oh, oh!

Mr. Blenkarn: There is a tremendous interest in this country, in this Constitution of ours. The proposals were worked on through the summer when there was little interest in the

Constitution. I suppose, in relation to the question of inflation, there is little interest, but there is a great number of people in Canada who are very seriously concerned with what we are doing here in this chamber.

● (2050)

This fall I sent 5,000 copies of the Unity Canada brochure containing constitutional proposals to my constituents. The proposals which were presented to the House in October were really propaganda pieces, intended to sell the Constitution. I did not care; I sent them out. I was not worried about the fact the government had flown Canada geese across the television screen; I sent out the proposals as they were, with the comment: "This is what the government is proposing to do with the Constitution in Canada, tell me what you think." My constituents told me. Eighty per cent of them were opposed to the process or to the details of it. I stand here tonight on behalf of the constituents of Mississauga South, and I suggest to the hon. member for Mississauga North (Mr. Fisher) on behalf of the constituents of Mississauga in total, as a good portion of my correspondence comes from his riding as well.

An hon. Member: How many responses did you get?

An hon. Member: Four?

Mr. Blenkarn: It was not in the tens of letters; it amounted to tens of hundreds. We have a constitutional proposal, and most of the people of this country are opposed either to the ongoing process or its detail.

It is true that almost every one of my constituents wants the Constitution of Canada to be patriated. We want to feel, as Canadians, that the Constitution of this country is ours, and we do not want to be beholden to Britain. We respect the Queen and our British heritage, but Britain is now a foreign country to us. There is no reason to go to foreigners to patriate what is ours, to change what is ours, to plead, beg, grovel or demand that Mrs. Thatcher use a three-line whip.

People have raised issues about this. In my riding, some people came together and formed an association to protest this constitutional activity. I should like to read from a brief prepared by Bob Shapton, chairman of the Committee for Constitutional Awareness. The address is 1150 Haig Boulevard, Mississauga. In one place the brief indicates:

> It is our position that the current furore over the proposed amendments is an eloquent demonstration that Canadians do not want one man, one party, or one region's views enshrined as the new Canadian Constitution. It is only after a major consensus-building exercise has resulted in a common statement of purpose for this country, should we formulate a new constitution.

Much has been said about this process, so let us examine it. The Minister of Justice (Mr. Chrétien) said that Canadians want the details of what is going into that package; the Prime Minister (Mr. Trudeau) said that Canadians want the details of what is going into that package. They have both said that Canadians do not like a situation where in the process of what they are doing does not have the general support of Canadians. The Prime Minister and the Minister of Justice are saying that the end justifies the means. They say to us, "It does not matter how we do it. You like the end product, don't you?" I suppose in the last world war Canadians liked the end product when we evicted the Japanese in British Columbia, stole their property and sold it.

An hon. Member: Where was your party?

Mr. Blenkarn: It was the end justifying the means. When Hitler killed millions of Jews, it was the end justifying the means. Where was the member's party in that? Their claim is that the end justifies the means. Stalin said the end justified the means when he got rid of the kulaks.

An hon. Member: And Mussolini.

Mr. Blenkarn: So did Mussolini. Yes, the end justifies the means. It does not matter how one does it, the end justifies the means. That is what the Prime Minister said, that is what the Minister of Justice said, and that is the proposal before this House; the end is supposed to justify the means.

Let us go back and consider the history of this country. I come from the province of Ontario. We have always felt that we have two capitals. The capital of the province is Toronto, and we own the capital city of Ottawa. For a good part of this century we have had 40 per cent of the population of Canada and most of the industry in Canada. Ontarians basically feel that they own the capital city of Ottawa, so they have two capitals, and are therefore quite prepared to say that we should have a unitary state. When I ask my constituents, "Why don't we have a standard of education and a standard for workmen's compensation across Canada?", they reply, "Why don't we? We have the majority."

We in my province of Ontario can say that we are part of Canada, we own Canada. We can even summon up enough bravado to say that we can throw away any equalization grants to which me might be entitled because we are Canada, we are the province of Ontario.

One of the most important Ontarians, John A. Macdonald, the first prime minister of this country, was prepared to say, after he said he wanted a unitary state, that Canada must be a federal country. Because of our differences in cultures and attitudes we must be a federal country.

While some people in Ontario would be very happy to impose Ontario standards across Canada, it would be wrong because we have been in the past, and perhaps still are, the most prosperous province in the country. It will not work, it will not wash, it is not correct.

In a federal state, each province, whether it be Prince Edward Island, Manitoba, Saskatchewan or New Brunswick, a province with its hand out looking for a gift or worried about its fish, is equal in terms of jurisdiction. We in Ontario with our large population base, vast wealth, manufacturing industries and Pickering nuclear plant, must recognize that Canada is a federal state.

What will this Constitution and process do? It will tear apart the federal state, rip it asunder. After the proposal goes through the House, the bitterness, nastiness and divisiveness that should not exist will exist as never before.

● (2100)

Normally I do not quote the New Democratic Party, but I cannot help but quote from the brief of the province of Saskatchewan presented to the Special Joint Committee on the Constitution by the Hon. Allan Blakeney. At page 2 it reads:

In 1867, it was recognized that, in a country like Canada, only a federal form of government could work. Some may have desired a unitary state, but they knew it was not possible. Only a federal system could achieve union, while accommodating the great distances, the fierce regional loyalties, the linguistic and cultural differences, and the distinctive economies of the four uniting colonies. Only a federal system could achieve unity without imposing a totally unacceptable uniformity.

In 1867 we created a country, Canada, as a federation of four colonies with distinctive cultures, linguistic backgrounds, attitudes and ways of approaching our problems. We created two orders of government, both of which operate today in the name of the Queen. When statutes are passed in a province or regulations are promulgated, they are promulgated in the name of the Queen. The provinces are not subservient to the Dominion.

Last fall, there was an effort to work on constitutional proposals which, to some extent, had been hammered out over the summer. The Prime Minister said that there was no agreement and, to some extent, misled the House when he talked of 54 years of indecision. Let me again quote the Premier of the province of Saskatchewan. At page 6 of the brief he said:

I want to emphasize, though, that by September, 1980, after intensive negotiations, Canada's 11 governments had reached a significant measure of consensus on even the most contentious constitutional issues.

It would be pointless to speculate, here, on the reasons why governments failed to reach final agreement at last September's first ministers' conference. The point I want to make is that a negotiated agreement was within our grasp, and could have been achieved—with more time, with flexibility, and with good will on all sides. In deciding to proceed unilaterally, the federal government has brought an end to the process of federal-provincial negotiations. And it has done so not at a time when those negotiations were hopelessly bogged down, but at a time when progress had been made and might have been continued.

The Prime Minister did what he could with the Kirby memos and the rest of the documents to ensure that constitutional consensus between the federal government and the provinces would not work. Now he presents through his government a unilateral act which tries to destroy the basis of federalism.

I do not agree politically with the Premier of Saskatchewan. I have no use for socialism, but the evidence is that agreement was possible. Agreement was there, agreement was on the road. There is no reason why the agreement bogged down, except for the fact that the Prime Minister stated in the House that there was no possibility of agreement. The evidence is that there could have been agreement, but it was frustrated. The Prime Minister said there is justification for unilateral action and talked about 54 years during which we could not reach agreement.

The brief of the province of Saskatchewan continues:

What can be the justification for unilateral action? Many are offered. Most rely upon the failure of governments to reach agreement respecting patriation after repeated attempts since 1927.

But I remind you that the idea of entrenching a charter of rights was not discussed in 1927; it did not emerge until 40 years later. Some of the provisions of the particular charter contained in the resolution appeared only last summer; others were revealed for the first time only two months ago. Clearly, many of the provisions have not been subjected to any substantial period of public scrutiny. Similarly, the proposal for an amending formula involving a referendum has not been under discussion for 50 years. Indeed, it has not been under discussion for 50 weeks or even 50 days.

Amendments have been subject to some sort of process. We have had consultative process before in this country. We had it when the Constitution of Canada was amended to provide for the federal government's handling of unemployment insurance. Amendments to the Constitution were made in 1960 with respect to supplemental old age pensions. Recent amendments to the Constitution provided for the retirement of judges at age 75. Do not say for one moment that amendments to the Constitution of Canada have not been made without the consultative process.

Indeed, there have been no amendments in this century to the Constitution of Canada affecting the rights of a province without consultation. In the Thirtieth Parliament an attempt was made by the Government of Canada to amend without consultation the operation of the Senate of Canada in Bill C-60. This was taken to court and the right to amend the Constitution of Canada without consultation was thrown out by the Supreme Court of Canada.

One cannot help but wonder why the Prime Minister, and the Minister of Justice would not take what is now before the House of Commons to the Supreme Court of Canada for a ruling as to its legality. Is it illegal, is that the reason? The minister took Bill C-60 to the Supreme Court of Canada and it was thrown out. Is he afraid to take this process to the Supreme Court of Canada? The answer can only be yes, because the opinion of his law officers is that he might lose. Therefore, the House of Commons, the highest court of Canada, is being asked to look askance at what is being attempted.

● (2110)

Canada is a federal nation, a partnership of provinces or colonies joined together, the last one being Newfoundland, to form this Dominion. Those colonies turned over certain of their powers to a national government. The national government has no right in that arrangement to change those powers and responsibilities without massive consensus. I do not talk about absolute unanimity but about massive consensus.

When we look at this process, we must look at the fact that eight of the ten provinces are opposed to what is happening. Six of the ten are taking the federal government to court. I have received in my office an opinion poll by an independent business group. It reports that 20 are in favour of what the government is doing, 83 are opposed, and nine are undecided. What the government is doing is not acceptable to the people of Canada or to the vast majority of provinces of this country. It is abhorrent to the concept of federalism.

An hon. Member: What about Ontario?

Mr. Blenkarn: We will talk about that in a moment. The concept of this government is that the end justifies the means. I say to the Minister of Justice that if he had a Supreme Court of Canada ruling to the effect that the means he is proposing are legal, if he had all-party support in this House and massive consensus, say eight out of ten provinces, as the bill requires, for the amendment, perhaps then what he is doing would be correct. However, without legal approval, massive consensus of the provinces and all-party support in this House, there can be no justification for passing this resolution. This resolution is not a simple bill, a part of the Income Tax Act, or a change in the ordinary procedures of this House. This resolution attempts to change the very fabric of Canada.

Without massive consensus, all-party support and Supreme Court of Canada approval, this resolution cannot and must not be pushed through. It cannot be done simply because on February 18, 1980, 147 Liberal Members of Parliament were elected, almost entirely from central Canada, Ontario and Quebec, without a member west of Winnipeg. Just because the electoral system works that way, it does not entitle those opposite to force through with their majority basic changes in the fundamental rights of Canadians.

The Liberal majority was not created on that basis. Therefore, it does not have the right to use the weight of its vote to force on me, my children and my children's children a basic change in the Constitution of our country. It must have the massive support of the provinces and Canadians generally, and not just a majority. This resolution can only be put through with massive support right across Canada. If the government is not prepared to go for that, then government members must vote against this resolution because my kids and my kids' kids will not support them.

I want to talk about the referendum portion of the resolution for a moment. This constitutional proposal has provision for a referendum or plebiscite. These have only been held on three or four occasions in Canada, one in connection with prohibition, in connection with conscription and one, recently, in the province of Quebec. Each of those public opinion appeals have been the most divisive this country has ever known.

In the first plebiscite in connection with prohibition, the province of Quebec voted against the other provinces. It was very divisive, as was the one in connection with conscription, with the predominantly English-speaking provinces voting in favour and the province of Quebec voting against. Canada was torn apart. Canadians in one part of Canada were devided against Canadians in other parts.

One great problem with referendums is that the majority may be in favour but Canadians in one part of the country may be very much opposed. While a referendum is broken down into the four segments of Canada—the Atlantic provinces, Quebec, Ontario, and the west—we may run into the problem of one segment voting against the interests of the rest of Canada. We may be better off to have the provincial governments do the voting. I hate to say we should not consult the people because consulting the people looks democratic, but the history of Canada shows that referendums have been divisive. We need only go back to the referendum in Quebec where there are still hurts and anguish. The losers do not give up. They still yearn and hurt, and families yearn and hurt because of the result of the vote. We would be far better off to bury our differences with provincial governments rather than resort to the referendum technique, even though that technique may appear democratic.

• (2120)

Let me deal with the amendment provisions of this resolution. This resolution incorporates the Victoria formula founded in 1971 in Victoria, ten years ago. It is true that that formula had wide acceptance at that time. We would, in fact, have had an amendment procedure for this Constitution back in 1971 had the province of Quebec not reneged. But things have happened since 1971. Since 1971, the west has grown. It is like a young man breaking out at his shirt sleeves. The west is bursting its seams. It has the aggressiveness, the confidence and the drive young men often have. That part of the country is not satisfied with the Victoria formula any longer. In that part of the country, provinces have 10 per cent, 12 per cent or 15 per cent of the population now, but that part of the country is not happy to allow another part of the country, which today may have 25 per cent, but not tomorrow, a permanent veto. Some provinces in the west may have tomorrow 25 per cent of the population and the west wants equal status in confederation. On that basis, the Victoria formula will not work today. This is 1981. It will not work.

The province of Saskatchewan has advocated the formula of 80 per cent of the provinces with 80 per cent of the population. I can buy that, but I can tell hon. members what the provinces will buy, and that is the Vancouver formula. The provinces will all buy the Vancouver formula. Under that formula, two-thirds of the provinces with 50 per cent of the population can change the Constitution.

The only objection is the checkerboard effect that might have. That is the reason of the Prime Minister for refusing it. Let us talk about checkerboards for a moment. The whole country is a checkerboard. Our medicare rules are different from one province to another, our education rules are different, our workmen's compensation is different, our housing standards are different. Even the government's current bill before the House, Bill C-61 on juvenile offenders, is different from province to province. There is nothing at all in this country which is the same from province to province. There is nothing unusual about a checkerboard in Canada. We are used to it. The enforcement of every part of our Income Tax Act, and sometimes our Customs Tariff Act, is different from province to province. Do hon. members think that is strange? This is a vast country, and the way we look at things individually in Canada is different from one province to another or from one community to another. We are not upset about that. That is Canada. It is a checkerboard. I can make a right turn on a red light in one province but not in some others. The rules in this country change from one province to another and from one community to another. Hon. members opposite say we will create a checkerboard if we follow this system. That is non-

sense. The truth of the matter is that the country is a checkerboard. Let us understand that. That is the very nature of the federal state of Canada.

If we want to build a constitution, we have to build a constitution which is acceptable across Canada. If some things are subject to a checkerboard, so what?

You are indicating, Mr. Speaker, that I have only two minutes left, so I will have to make a couple of points very quickly.

I want to deal with the preamble to this charter of rights. Under our coat of arms the following words appear: "*A Mari Usque Ad Mare*," from sea to sea. That is a quote from Psalm 72. "Dominion from sea to sea" is emblazoned in stone.

Let us deal with the charter of rights for a moment. There was a refusal in the committee to allow the preamble of the Diefenbaker Bill of Rights. That bill of rights talks about affirming that Canada is a nation founded on the principles of the supremacy of God, the dignity and worth of the human person, and the position of the family in a society of free individuals and free institutions. I want to say to hon. members opposite that except the Lord build the house, they labour in vain that build it. I want to say to hon. members opposite that if they refuse a preamble in the charter of rights which talks about the importance of the Creator or the importance of God in our society, then they are labouring in vain because their charter of rights will not stand up and will not be something Canadians will respect. It will do them no good, and while hon. members opposite may vote to ram it through and while they may use diplomatic pressure to push Great Britain to approve it for them, they labour in vain with that charter of rights without a preamble referring to God, the family and the purpose for which we are here as Canadians.

May I be allowed to make one more point, Mr. Speaker? As a Member of Parliament and as a lawyer I know that people came to this country from Europe to buy and own land. I remember their coming to my law office with paper bags containing ten dollar bills and twenty dollar bills to buy their first pieces of property. And hon. members opposite refuse to put the freedom to own property in a charter of rights! How can they possibly vote for this package without its containing the right to own land, the right of the people, who came from the tenant farms of eastern Europe, to own land, to be in Canada and to stand on their feet here, and the right for them to say they are free to own property? That that does not matter is impossible for me to believe. Hon. members opposite deny their heritage.

You are indicating to me, Mr. Speaker, that I have no more time. I have a lot more to say.

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): The hon. member for Burnaby (Mr. Robinson).

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, it is with great pride that I take part in this historic debate on the Constitution of Canada. I want to say that I am proud to have served as a member of the special committee on the Constitution. It was an historic committee in many ways. I want to commend the outstanding work of the members of that committee from all parties and particularly that of the outstanding chairman of the committee, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal). He guided that committee with wisdom over many, many hours—and troubled waters in many cases. I want to pay particular tribute to the work done by a number of other individual members, including the Constitution critic of the Conservative Party, Senator Austin from the other place and a man who was not a member of the committee but who appeared day in and day out, the Minister of Justice and Minister of State for Social Development (Mr. Chrétien).

• (2130)

As members of that committee, we heard witnesses from all provinces in Canada and from the Territories, from women's groups, native groups, civil liberties groups and Canadians all across the land.

It is very important that it be clearly understood that the resolution we are debating in Parliament tonight was made in Canada and shaped by Canadians. It is an insult to those Canadians who appeared before the committee and laboured long and hard on briefs to suggest that this work is not being done here in Canada by Canadians.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): We listened with great interest to the representations made before that historic committee. I should like to backtrack just a moment, if I may, to about four months ago when the government presented Parliament with a proposed constitutional resolution. There were four major elements in that proposed resolution. The first was patriation. I do not think anyone in this chamber would suggest that the time has not come when Canadians should be able to amend their Constitution in Canada and should not have to go on bended knee to Britain to ask for changes to their Constitution. The second was an amending formula. Of course, there must be some way of changing the Constitution of Canada once we get it home. The third was the principle of equalization, one of those principles which is particularly important to this party. This party, and the CCF before it, have fought for it long and hard. It is the principle that right across this land there should be a certain basic standard of services. The rich and the poor should all have access to adequate health care, to education and to decent housing. Surely that is a principle which all Canadians must espouse. Finally, with respect to a charter of fundamental rights and freedoms including language rights, while there can be debate on the substance of what should be included in a charter of rights, I suggest that in this day and age, after the long course of history and the many attempts which have been made to entrench a charter of rights in Canada, surely the time has come to move, and to move now, to recognize that Canadians all over the land have fundamental rights and freedoms which no government can arbitrarily take away.

I recognized these principles and their importance four months ago. However, I voted against sending this package to the constitutional committee. I was the only New Democrat to do so at the time because I had very grave concerns, particularly about the charter of rights. It was a document which was described by many at the time as being one which would be better left on the table. In fact, had that charter of rights been entrenched, in many ways Canadians would have been worse off. There was no protection in that charter of rights for the handicapped; there was no recognition of the right of equality for women; there were no provisions for remedies in that proposed charter of rights. The War Measures Act could have been enacted tomorrow under this charter of rights in exactly the same terms. Above all, there was nothing in that charter of rights to recognize the rights of the aboriginal peoples of the country. It was the view of this party that this was our last opportunity and that were we not to act at that point in our history and were we to delay in recognizing aboriginal rights, we would have betrayed the trust of the aboriginal peoples of this country.

My party and I had concerns about the process, about the invocation of closure at a very early stage and about the denial of the opportunity to televise proceedings, for which we had to fight. During his trip to western Canada, the Prime Minister (Mr. Trudeau) suggested that somehow western Canadians were incapable of using reason and resorted only to passion. He accused them of hysteria, which made it no easier to deal with this particular proposal. Then, of course, there was the December 9 deadline, which turned out to be completely unworkable. It was extended by two months, largely as a result of the demands of group after group that they had the right to be heard.

The resolution went to committee; we heard many witnesses. What emerged is a different document in many ways. It is so different now that, despite my very serious initial concerns with respect particularly to the charter of rights—and I will elaborate on them in a moment—I support this proposed resolution. As a result of the changes we have made, the role my party has played in this process and because in many ways it is a different document, I intend to support the proposed constitutional resolution when it comes to a final vote provided, as my leader said, there is a full and fair debate in the House of Commons, there are no adverse amendments, no sudden changes and no introduction of amendments on Friday, the effects of which are taken away on Monday. I intend to support this resolution, provided those conditions are met. I view the role my party played as being a constructive and positive one. It will be with pride that I will support this resolution at third reading.

Before I examine the role the New Democratic Party has played in this process, I should like to say a few words about the suggestion of the Right Hon. Leader of the Opposition (Mr. Clark) and certain other Conservative members that a bill of rights is something new and that this is a recent decision made by one man who is attempting to foist his views on Canada. I should like to examine briefly the history of attempts in this country in the last four decades to achieve a constitutional bill of rights and to put to rest, once and for all, any suggestion that this is the work of one man. These rights are too important to be left to one prime minister or to parliamentarians generally. They belong to all Canadians; Canadians have been fighting for a long time to achieve these rights.

It was in 1947 that the first joint Senate-House of Commons committee was established to look into the question of a United Nations charter of rights and freedoms and what we might do in Canada. Also, in 1947 the province of Saskatchewan, under Tommy Douglas, enacted a bill of rights. In 1948, the United Nations enacted a universal declaration of human rights, and Canada played a part in that decision. In 1950, a Senate committee considered the whole question of entrenching rights and freedoms in the Canadian Constitution. At that time, three decades ago, over 50 national organizations appeared before that committee asking to entrench fundamental rights and freedoms. Then in 1960, there was the Diefenbaker Bill of Rights. I think Members of Parliament should be aware of certain developments behind the scenes of which perhaps they were not aware. There was a special committee at that time which considered that bill, but in January of 1959, the then premier of Saskatchewan, Tommy Douglas, wrote the then prime minister, Mr. Diefenbaker, saying that the time had come for a constitutional amendment in this country to entrench fundamental rights and freedoms.

So, it was not the present Prime Minister who was the great pioneer in this area. If anyone was a pioneer, it was Tommy Douglas who fought in 1959 to entrench these fundamental rights in the Constitution of Canada. When in 1960 the CCF moved to entrench these rights and freedoms in the Constitution, and not just to have an ordinary bill, two parties opposed it—the Liberal Party and the Conservative Party. It was the CCF which was the pioneer in an attempt to entrench fundamental rights and freedoms in Canada.

● (2140)

To show hon. members how far we have moved, the committee which considered the Diefenbaker Bill of Rights in 1960 sat without any interpreters. There were no interpreters then for French or English, and there were no reporters at that committee who understood the French language. We have come a long way.

Witnesses appeared before that committee on the question of a charter of fundamental rights and freedoms. One of the witnesses who appeared was a representative from the Canadian Labour Congress. The Canadian Labour Congress had fought long and hard since its founding in 1956 for a constitutionally entrenched bill of rights. One of the witnesses who appeared on behalf of the Canadian Labour Congress at that time was the man who now sits as the hon. member for Winnipeg North Centre (Mr. Knowles). I am proud to say that he played a role back then, two decades ago, in pressing for a constitutionally entrenched bill of rights. That was long

before the present Prime Minister was actively involved in politics.

Another man who played an active role was a very distinguished Canadian, Frank Scott. He was honoured only this past weekend for his contributions in this area. Frank Scott made representations to the committee in 1950 and also to the committee which considered the Diefenbaker Bill of Rights in 1960. There was a federal-provincial conference in July, 1960, but no further action was taken.

In view of some of the remarks which have been made about God in this proposed Constitution, I think we should study our history a little more carefully than have other hon. members on this side. I reject any suggestion that we play politics with something as important as freedom of religion. I suggest that is what other members on this side of the House are doing.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): Conservative members have suggested that the Conservative Bill of Rights, the Diefenbaker Bill of Rights, contained a reference to the supremacy of God. I suggest to them that when the Diefenbaker Bill of Rights was introduced in committee, there was no reference to the supremacy of God. The Conservative Party then did not believe that this was a fundamental matter.

Some hon. Members: Shame!

Mr. Robinson (Burnaby): It was a Liberal member who introduced an amendment on the last day of the committee hearings to entrench that in the Constitution.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): Let us expose this hypocrisy for exactly what it is. If members of the Conservative Party are serious about entrenching freedom of religion, why are they not prepared to take the next step? Why do they say it belongs only in the preamble? They will not entrench freedom of religion, they say it is up to the provinces to decide.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): We can have God in New Brunswick, but maybe not in Manitoba. We can have God in British Columbia, but maybe not in Quebec.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): That is their formula. That is what they mean when they talk about freedom of religion.

I come from a family which is very deeply religious. My mother held deep religious beliefs before her death. For anyone in this chamber to suggest that, because my personal views are that we should respect freedom of conscience, in some way I am denying freedom of religion, I suggest is an insult not only to myself as a member but to all other Canadians in this pluralistic society, this great society which recognizes the rights of all minorities in Canada. They are playing politics with God!

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): Mr. Speaker, the debates have gone on. In 1968 there was a first ministers' conference which involved a discussion of a charter of rights. In 1971 there was the Victoria Conference. In 1972 there was the Molgat-MacGuigan committee. In 1978 there was Bill C-60. In 1979 there was another first ministers' conference. In 1980 there was another first ministers' conference. How much longer do Canadians have to wait before we can finally have a charter of fundamental, basic rights? Surely that time has come.

Let no one be under any illusions; we have been trying for years to achieve a statement of fundamental rights and freedoms. The Conservative Party suggests that the only way we will achieve this is through unanimity. I will come to their amending formula in a few minutes.

Before I do so, however, I would like to turn to the role which has been played by my party, the New Democratic Party, in the process of constitutional change. I am proud of the changes we were able to achieve in the areas of resource control equalization, and the amending formula, but I am particularly proud of the changes we were able to achieve in the charter of rights.

What were those changes? Where was the Conservative party when these changes were being made? The committee heard from many groups. I have a list of a few of them here. We heard from the Advisory Council on the Status of Women, the Association of the Mentally Retarded, the Canadian Civil Liberties Association, the Canadian National Institute for the Blind and la Fédération des Francophones hors Québec on minority language and educational rights. We heard from Indian, Inuit and Metis groups, the National Association of Japanese-Canadians, the United Church of Canada, and many, many others. As a result of these representations and as a result of the work done behind the scenes and in committee by members of the New Democratic Party, on January 12 the Minister of Justice tabled extensive amendments. Prior to January 12, where were members of the Conservative Party? Where did they stand on these questions? Where did they stand with respect to a charter of rights? They stood silent. They said not a word in this House on changes to the charter of rights. That is their commitment to the question of a charter of rights. During the course of our deliberations not one speaker referred to the charter.

What were some of the changes we were able to achieve? The proposed constitutional resolution was one. We were able to achieve fundamental changes in the legal rights sections. Clause 1, which was dubbed by many the "Mark truck clause" or the escape clause, was significantly tightened as a result of pressure from the New Democratic Party and from many witnesses who appeared before the committee. Where did members of the Conservative Party stand on Clause 1? They stood silent. They said not a word.

Clauses 8, 9 and 11(d) theoretically deal with entrenching, freedom from arbitrary arrest or arbitrary search and seizure. We moved amendments in these areas. Witnesses appeared

before us. The government moved to strengthen that area. Where did members of the Conservative Party stand in this important area? Silent; they said not a word.

Clause 11(c) deals with protection from self-discrimination. We in the NDP pushed for changes in this area. Many witnesses appeared. Where did members of the Conservative Party stand with respect to protection from self-incrimination? Silent; they said not a word.

Some hon. Members: Shame!

Mr. Robinson (Burnaby): Trial by jury is one of the fundamental rights Canadians have taken for granted. We pushed, and pushed hard, to entrench the right to trial by jury. We were supported by the Civil Liberties Association and others in this regard. Where did the Conservative Party stand with respect to the right to trial by jury? Silent; they said not a word about this fundamental right.

Clause 15 deals with equality rights. Initially, it was a very weak section. We in the NDP pushed, and pushed hard, to strengthen this section to guarantee equal rights for women and for the handicapped, and to strengthen the affirmative action provisions. Prior to the committee's considering these particular amendments, where did members of the Conservative Party stand? We will read *Hansard* in vain to see any expression of concern about women's rights by the Conservative Party in this debate.

Where did the Conservative Party stand on the suggestions made by many witnesses that we had to put some teeth into this proposed charter of rights? We proposed a section which would provide tough and effective remedies. The government accepted that section. Where did members of the Conservative Party stand with respect to a need for a remedies section in the proposed charter of rights? We heard not a whisper from them.

Most important are aboriginal rights. We heard from group after group of native people, Indians, Inuit and Metis. We heard Edward Scott, church groups and civil liberties groups. They all appeared before us and said that if we did not move now to recognize the fundamental rights of Canada's native peoples, we would never, ever achieve those rights.

● (2150)

My colleague, the hon. member for Cowichan-Malahat-The Island (Mr. Manly), and other members of this party fought long and hard to achieve recognition of aboriginal rights in the Constitution. Where do members of the Conservative Party stand on aboriginal rights? On January 12 they tabled certain amendments they felt should be proposed. Aboriginal peoples will look in vain for any suggestion that members of the Conservative Party felt that their concerns were important because they did not table one single amendment to recognize the aboriginal rights of Canada's aboriginal people.

Some hon. Members: Shame, shame!

Mr. Robinson (Burnaby): That was their commitment to aboriginal peoples in Canada. It was a proud moment when the hon. member for Nunatsiaq (Mr. Ittinuar) moved on behalf of the New Democratic Party an amendment to entrench aboriginal and treaty rights in the Constitution. Prior to that, the Conservative Party was almost silent on the question of aboriginal and treaty rights. The Tories voted against the amendments and the mobility rights which were proposed by my party and supported by aboriginal peoples. They voted against provisions in clauses 15 and 21 which would have protected and recognized the special status of aboriginal peoples in this country. I am proud of the role my party has played in recognizing the fundamental rights of the aboriginal peoples of this country.

An hon. Member: And with good reason.

Mr. Robinson (Burnaby): I would like to quote from a brief which was submitted to us. There were many briefs submitted to us on behalf of the aboriginal peoples, but I believe one of the most moving was from the Nishga native people of my own province. They said:

> We perceive that you and the Parliament hold what may be the last key to the Nishga people being treated with justice by the white majority of our nation.
>
> There will be no entrenchment after patriation.
>
> The claim to aboriginal title to land is based on the time immemorial occupation by the Nishgas of the Nass Valley. At no time were the Nishgas the subject of conquest; at no time were they the subject of treaty. The Royal Proclamation of 1763 set out how governments were to respect the concept of native ownership of lands unextinguished by treaties.
>
> You, as a committee, and the Parliament of Canada, hold the onerous responsibility of charting the future course of aboriginal title and the issue of aboriginal title in this country.
>
> The Nishgas' destiny is in your hands.

The government has responded to the Nishgas and the other aboriginal groups in this country, but it did not respond to the Conservative Party because the Conservative Party said that this was not a priority to them. That party tabled no amendment on aboriginal rights.

Some hon. Members: Shame!

Mr. Robinson (Burnaby): Those were the fundamental changes which were made to this package, and I recognize that other changes could have been made. The minister knows we proposed a number of amendments in the areas of strengthening the provisions for women's rights and legal rights, for example, to include the right to a fair hearing. We suggested the addition of a commitment to economic rights and strengthening the equality rights provision to prohibit discrimination on the basis of marital status, sexual orientation or political belief. We have come a long way from the day the government initially tabled its resolution.

What do members of the Conservative Party want to do with the charter of rights? What they want to do, as my colleague said, is play checkers. They say, "Split the package; send the charter to the provinces."

We heard the Leader of the Opposition say this afternoon, "Maybe the provincial governments' attitudes will change.

Maybe they will listen to the people." We have not heard anything from the premiers on this important question. A couple of weeks ago, six premiers met. I believe it was in Montreal. They had an opportunity then to say that they recognize the concerns of aboriginal people, the handicapped and women, but they could not even decide on an agenda for their meeting. We know very well that by sending back the charter of rights to the premiers, the charter of rights will be killed.

An hon. Member: Right on.

Mr. Robinson (Burnaby): We know where the premiers stand. We know where Sterling Lyon, the Premier of Manitoba, stands on the charter of rights. He said that we have not:

—had the experience of significant rights, entrenched in the Constitution, inhibiting the development of new rights, such as the rights of handicapped people, or the right to privacy.

In other words, we should not be putting the rights of the handicapped in the Constitution because we have no experience with them. Mr. Lyon says it is not the Canadian way to give Canadians fundamental rights and that:

Manitoba's position was broadly supported by a majority of the provinces.

He says that entrenchment of rights is contrary to traditional and successful parliamentary government and that:

There is no historical justification for the entrenchment of a charter of rights—

The Right Hon. Leader of the Opposition says maybe we can change Premier Lyon's mind.

An hon. Member: If you can find it.

Mr. Robinson (Burnaby): I have a very simple question for the Right Hon. Leader of the Opposition. What evidence does he have that Premier Lyon is prepared to change his mind today? Is he prepared to allow the hopes and aspirations of the hundreds of thousands of Canadians who are handicapped, and the aboriginal peoples, women's groups and others to depend on the whims of Premier Lyon of Manitoba? I say no. I say we should move on this charter today, and move with pride.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): Mr. Speaker, I see that I have a couple of minutes before calling it ten o'clock, but I would like also to say that there are two provinces which support a charter of rights. One of them is Ontario, and we know what would happen if we were to send a charter of rights back to Ontario. We know all too well what would happen, because the man who was responsible for initially writing the section on legal rights was none other than the deputy attorney general for the province of Ontario. We heard from Rodrick McLeod, the assistant deputy attorney general, who said that the charter of rights was too strong in its initial form.

We say that these rights do not belong to provincial premiers. Fundamental rights do not belong to provincial premiers or the Prime Minister of this country. They certainly do not belong to the Right Hon. Prime Minister of Great Britain. Fundamental rights and freedoms belong to all Canadians, and not just to the politicians of this country.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): We do not believe, for a moment, that we should send that charter of rights back to the premiers who, only four months ago, said they wanted nothing to do with it.

If the Tories really believe in a charter of rights, why are they playing this game of smoke and mirrors with Canadians and suggesting, on the one hand, that they want to raise the hopes of the handicapped and others but, on the other hand, saying, "Just a minute; we are not prepared to impose it?" Either they believe in the rights of Canadians or they do not. I have seen no evidence that they have any commitment to those rights in which they pretend to believe.

An hon. Member: Your eyesight is good.

Mr. Robinson (Burnaby): Then there is the Conservative amending formula, the checkerboard formula. I would like to take a couple of minutes to discuss the checkerboard formula, but I see that it is ten o'clock, and I will reserve my comments for tomorrow.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

CANADA SAVINGS BONDS—REQUEST FOR INCREASE IN INTEREST RATE

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, on January 22, I asked the Minister of Finance (Mr. MacEachen), in connection with Canada Savings Bonds, to be fair to the ordinary people of Canada and pay them an interest rate on their savings which would be appropriate to his high interest rate policy. At that time the minister said "—of course we intend to be fair to those who have purchased bonds." Since January 22, when I asked that question, the minister and the government have refused to be fair. At the present time, the interest paid on Canada Savings Bonds is 11.5 per cent. Just this week the government placed $700 million worth of ordinary bonds on the bond market at 13.75 per cent. A number of bond issues are presently selling with an interest rate in excess of 14 per cent and the government is paying pretty close to 17 per cent on its treasury bill indebtedness. It pays 13.5 per cent to the big insurance companies, the sophisticated lenders, and nearly 17 per cent to the big banks, those which can afford to buy treasury bills.

• (2200)

To the ordinary people of Canada, the people the government conned into buying Canada Savings Bonds as an investment in the country, the government pays 11.5 per cent. The ordinary people who bought their bonds because they were an investment in Canada, for some strange reason believed the propaganda put out by the government. Until now they also believed the minister when he said in this House, as reported at page 6449 of *Hansard* "—of course, we intend to be fair—."

What is fair about that when you can get 13 or 13.5 per cent at a bank, and when you can buy one year bills at a trust company and get 14 per cent or better? What is fair about the government's intention? The answer is, nothing. Since January 1, about a billion dollars worth of Canada Savings Bonds have been redeemed. Because interest is calculated on the first day of every month, there will be another massive redemption next week. My calculations show that $968 million worth of Canada Savings Bonds have been redeemed since January 1 and there will likely be massive redemptions after March 1, a Sunday.

It is not just the people of Canada with whom I ask the minister to be fair, in terms of investing in Canada Savings Bonds. These bonds are a very expensive way for the government to borrow money. In floating an issue, the government pays commissions equal to 1 per cent of the bonds. In addition, it pays for massive advertising, printing and other things involved in the cost of a bond issue.

The parliamentary secretary is in the House tonight to answer my question, and I suspect that he can confirm that the cost of raising money through Canada Savings Bonds is close to 1.5 per cent. The billion dollars worth of Canada Savings Bonds redeemed between January 1 and today represents a massive cost to all of us; not just to the people lending money at an inadequate rate of interest but to the whole of Canada, those who have to pay for inept financial management.

• (2205)

On January 22, I suggested to the minister that he raise the interest rate on Canada Savings Bonds to 12.5 per cent. The minister has not done that, so we continue to get massive CSB redemptions. According to the Bank of Canada statement dated February 19, year over year we have had $1.923 billion worth of Canada Savings Bonds redeemed. The minister said to me and to members in this House that it was because he intended to be fair. However, the minister refuses to be fair. He wants to be able to borrow the savings of Canadians and gyp them by telling them that they are getting a good deal. He does not want to give them what they can get in a bank account or a savings plan.

The government has an obligation to come clean with Canadians. It can either pay Canadians a fair rate of interest on their savings, or induce them into handing their money over to a government which does not even give them 12 per cent interest, which is the rate of inflation.

Adjournment Debate

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, in his question of January 22 to the Minister of Finance (Mr. MacEachen), the hon. member for Mississauga South (Mr. Blenkarn) noted that $261 million in Canada Savings Bonds were redeemed during the week ending January 14, 1981. In view of this rather high rate of CSB redemptions related to the high level of interest rates generally, the hon. member asked what the minister was prepared to do to reduce the future level of such redemptions. It was suggested that the government should be fair to CSB investors by increasing the rate of interest on these bonds.

I recognize that the 11.5 per cent 1981 CSB rate and the 10.5 per cent rate payable in the remaining years to maturity on all issues is somewhat lower than the current interest rates on other forms of government debt. However, it is not unusual for CSBs to have a slightly lower rate of return than other forms of government debt. Canada Savings Bonds compete in a different market. The CSB rate is guaranteed for a period of several years, whereas treasury bill rates, while attractive at this moment, may well move down sharply when short-term instrument yields change. Government of Canada marketable bonds, longer-term bonds, also have a more attractive yield at this moment than CSBs due to the market risks associated with these instruments. If interest rates move to higher levels, investors will suffer a capital loss when selling Canada marketable bonds, whereas Canada Savings Bonds can always be redeemed at full face value by the investor.

The government is continuously monitoring the level of interest rates payable on short-term savings instruments, and feels that in the present environment the yield on outstanding Canada Savings Bonds issues is still fair and reasonable. In most cases, the current rates payable on savings instruments which compete directly with CSBs have not changed dramatically since the interest rate on all issues was revised on November 3, 1980 to 11.5 per cent for the current year. The only major exception is the chartered bank non-chequable saving rate which has moved up by 3 percentage points since early November to the present 13.5 per cent. However, as most hon. members know, depositors are not guaranteed this rate for any stated period. It may go down as quickly as it went up. This is not the case with the rate on Canada Savings Bonds.

I am aware that some rates at present payable on longer-term savings instruments are also higher than those now payable on CSBs. However, in many cases these instruments cannot be redeemed before maturity. In others, redemption before maturity results in a stiff interest penalty, bringing the effective interest rate substantially below the current Canada Savings Bond rate. CSBs are a good investment. The rate currently being paid is a rate that is fair, given the flexibility which investors are offered with regard to the guaranteed face value and the ability to redeem these instruments at face value at the choice of the investor at any time.

Adjournment Debate

ENVIRONMENT—POLLUTION OF NIAGARA RIVER—
REPRESENTATIONS TO UNITED STATES AUTHORITIES

Mr. Joe Reid (St. Catharines): Mr. Speaker, one by one legal efforts to block the controversial SCA pipeline from discharging chemical wastes into the Niagara River are dying in the courts. I am well aware of the efforts made by local environmental groups, the efforts of the previous member for Niagara Falls, Mr. Jake Froese, and of the great efforts made by the hon. member for Niagara Falls (Mr. MacBain) across the way. What he needs and must have is the support of his colleagues on that side of the House. Only top level negotiations and agreement between the highest authorities of both the United States and Canada will bring to a halt this SCA proposal. The Prime Minister (Mr. Trudeau) during the election campaign of 1980 made a commitment to the people of Niagara through the hon. member for Niagara Falls that he would urge the U.S. authorities to prevent SCA from discharging chemical wastes into that river.

• (2210)

On February 19, in the absence of the Prime Minister I asked the Minister of the Environment (Mr. Roberts) exactly what steps the minister or his government had taken to urge the U.S. authorities to pressure SCA into discontinuing its proposal. The minister continues to avoid or refuses to answer or to admit that he cannot do anything about it or will not take any action to prevent this continuing or proposed discharge.

In the special report of the International Joint Commission, the recommendation was made that further dumping of those substances which have given rise to the high level of pollution be terminated. According to the IJC, neither the U.S. nor Canadian governments have met the 1978 pollution guidelines. The minister responded that he and the government do support the IJC, which must mean that they accept its recommendations. The question, therefore, is what the minister and his government are prepared to do in support of those recommendations.

We already know that the sewage disposal plant in Niagara Falls, New York is one of the pollutants of that river. There is no use in just saying it is one of the problems today. A question must be asked as to what is being done to pressure that municipality into remedying the waste problem.

Years ago sources of pollutants were identified and the proportions of pollutants established. Studies have been done, and recommendations have been made. The level of toxic chemicals, such as dioxin found in fish and gull eggs around the southern Lake Ontario region, is indeed shocking to all of us. According to officials of the state of New York, Lake Ontario fish contain the highest levels of dioxin in the world.

The minister declared that his position has not changed and, indeed, will remain the same. The question is what position the minister is advocating. The river is considered to be one of the most polluted in the entire North American continent. Over the last summer and fall it was learned that besides the massive amount of chemical waste making its way into the river, large amounts of explosives have also been discovered. Local environmental groups and citizens on both sides of the border have expressed their fears and anger not only at the decision of the American courts but also the Canadian government's lack of a firm stand which could have had a positive influence on the U.S. authorities.

I therefore would like to ask the following question: what concrete action is the Minister of the Environment or the Canadian government prepared to take to have the recommendations of the IJC implemented? What communications has this government had with the U.S. government since the decisions of the New York courts were handed down on February 12, 1981?

• (2215)

If the present United States administration remains true to expectations, the likelihood is that pollution in the Niagara River will increase rather than decrease. The International Joint Commission has found that situation intolerable. The people of the Niagara region have found that situation intolerable. Hon. members opposite can join with the hon. member for Niagara Falls in impressing upon the minister that he must make it clear to the U.S. authorities that the present situation is not only unacceptable but also that certain specific, positive action must now be taken to impress upon them that this river is an international waterway and that there must be respect for it as such and for the people who live on both sides of that waterway.

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker, first I want to thank my friend, the hon. member for St. Catharines (Mr. Reid), for having raised this issue on the late show. I believe it goes without saying that the government is concerned about the issue he addresses. It is an issue we have had occasion to talk much about in this House over recent months, and that is due in part to the continuing efforts of my friend and colleague, the hon. member for Niagara Falls (Mr. MacBain), who has left no stone unturned in continuing to bring this to the attention of the department and the government. He is doing a good job with it, and he has the support of members on this side of the House. That is not the problem. I believe the hon. member for St. Catharines is just being mischievous when he says that might be the problem. That is not the problem at all.

Indeed, it is very easy to point the finger and, were I in a finger-pointing mood tonight, I would remind the hon. member for St. Catharines that while he is in the mood to enlist collaborative and co-operative effort, he should go out and enlist the efforts of his colleague, the hon. member for Vancouver South (Mr. Fraser), who, as minister of the environment, refused to do anything on this particular issue. He did absolutely zilch. He did nothing on this issue. I remind the hon. member for St. Catharines of that. The record shows that.

While the hon. member for St. Catharines is in the mood for enlisting co-operative efforts, I invite him to go and see his provincial Tory colleague, Mr. Welch, who lives in the area.

He represents the area but he will not, mind you, drink the water. Mr. Welch has refused to do anything about it in his capacity of MNA with the Ontario government, nor has the gentleman who holds the position of minister of the environment in the Ontario government. He also has refused to do anything on this issue.

If the hon. member wants there to be co-operative effort and if he wants to point fingers, I can help him do a bit of both, but I suggest instead that he recognize that this is a problem which is of genuine concern to all of us. There is nothing to be gained by pointing fingers. Does the hon. member think for one fraction of a second that there is anybody in this House who wilfully goes out and encourages the further pollution of these waterways? That is the suggestion we hear tonight. We are all in this together, and I suggest to the hon. member for St. Catharines that we would all be a lot better off if we stopped pointing fingers and began examining what has been done.

Had I sufficient time remaining—the hon. member has seven minutes, but I only have three in which to respond—I would tell the hon. member about the number of diplomatic communications going back a number of years. The most recent were on November 28, 1980 and December 5, 1980. I could give the hon. member a whole list of what has been done. With the change of administration in the United States, we are now making an effort to discuss the recommendations in the latest IJC special report.

NATIVE RIGHTS—AGREEMENT WITH COMMITTEE FOR ORIGINAL PEOPLES ENTITLEMENT—GOVERNMENT POSITION

Mr. Jim Manly (Cowichan-Malahat-The Islands): Mr. Speaker, on February 2, I raised with the Prime Minister (Mr. Trudeau) the question of the government's failure to honour agreements made with native peoples in Canada. I wish to pursue this question with special reference to the James Bay Agreement which was signed by the Hon. Judd Buchanan for the Government of Canada on November 11, 1975. Section 14 of the agreement provides for the establishment of a Cree regional board of health services and social services. Subsection 22 reads as follows:

> The budget from Québec to the Cree Regional Board shall include funding for the support of health services, which are not included in provincial programs for the general population, but which are provided to the native people by the Department of National Health and Welfare or other agencies.

Section 28.11 of the agreement provides that Quebec and Canada shall provide funding and technical assistance for essential sanitation services in each Cree community.

● (2220)

The government has seen the agreement as an easy way to wash its hands of all responsibility for the native people in the James Bay area. Last summer, at least ten children died of stomach disease. This reflects the lack of adequate sewage, sanitation and a water supply which was supposedly provided for under Section 28 of the agreement. The governments of Quebec and of Canada must take responsibility for this epidemic and for those deaths, because of their slowness in establishing proper sanitary facilities.

But even after these deaths, even after this epidemic had come to public attention, what happened? Because of disagreements over financing the Quebec government put the Cree board under trusteeship. Cree communities were without services from local clinics and hospitals because there was no funding available to pay health staff. This trusteeship was lifted last week, but the problem continues. The Cree have stepped into the crisis by spending other moneys to take emergency correctional moves.

Last September, the Minister of Indian Affairs and Northern Development (Mr. Munro) promised that there would be $1 million to help cover these emergency measures. However, like so many of the promises of the Minister of Indian Affairs and Northern Development, when the time came to work out the details these people were told that there was no money available. They were told that the money would have to be found in their housing budget. It is estimated that a permanent solution to the problems of health and sewage in these communities will cost at least $10 million in capital funds. The government offered only $3 million and said that the other funds will have to come from the general revenues of the Cree. This is a complete denial of the requirements of the agreement.

Last week, in a letter from the Minister of National Health and Welfare (Miss Bégin), she said:

> I am following the situation very closely. However, I have been advised that to take any action beyond what I have described, unless it was at the request of the Cree board of health and social services and the ministry of social affairs of Quebec, would put the federal government in breach of the James Bay agreement.

The Cree board of health and social services has requested help. They have requested that the federal government step in and provide some assistance. It is shameful for the government to say that it is helpless to do anything; it is shameful for it to hide behind the James Bay agreement and say that nothing more can be done.

The credibility of the government is on the line. We have talked about the recognition of aboriginal rights in the Constitution, but there is a very clear indication that words are one thing and deeds are another. The COPE agreement is in difficulty because the minister wants the people of that area to make compromises. After an agreement in principle was signed by the government, the people are being asked to make compromises. The government is not living up to the requirements of the James Bay agreement.

What is the government doing? What long-term measures is it taking to ensure that the health of the James Bay Cree communities will be protected? What measures is it taking to ensure that Quebec lives up to its part of the agreement? What is it doing to ensure that its word, given on behalf of the Canadian people, will be honoured?

Mr. Ray Chénier (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, I thank the hon. member for his very important question, but we

must realize that at this point the Grand Council of the Cree are alleging that both Canada and Quebec have failed to fulfil their obligations regarding health services, and that it is bringing the two governments to court.

● (2225)

The federal government has been committed and remains committed to the agreement. To say that nothing has been done is not absolutely correct, since on September 19 there was a meeting with Chief Diamond. At that time, short-term sanitation repairs to Rupert House and Nemiscau were discussed and an amount of $941,000 was allocated to it.

The discussions continued for the months of September, October and November when the details were being hammered out. But when the Quebec government took over the trusteeship of their health services and the Cree made a request that this be removed, it brought the whole case to court. At that point, we backed off. We are still waiting to testify in those hearings, but we have not been requested to do so yet. The suit against Canada has not been heard, nor has a schedule been hammered out.

As the hon. member indicated, the trusteeship has been removed. There seem to be indications of a *rapprochement* between Chief Diamond and the Quebec government. This may bring about a solution.

It is very important to repeat that the allegations about Canada not remaining committed are not true. We are fulfilling our responsibilities and we intend to continue fulfilling them. The minister remains willing to do whatever he can to resolve the matter without resorting to further legal action.

The Acting Speaker (Mr. Blaker): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock.

At 10.27 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, February 24, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

VETERANS AFFAIRS

PENSIONS OF FORMER PRISONERS OF WAR—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. After considering the cumulative negative effects of the government's National Energy Program and the MacEachen budget, as well as allowing for the increase in information about the long-term effects on Canadian prisoners of war of prolonged incarceration, I move, seconded by the hon. member for Peterborough (Mr. Domm):

That this House direct the Acting Minister of Veterans Affairs to review the rate at which former prisoners of war are assessed and increase these rates to compensate for the present 12 per cent rate of inflation and the adverse effects of the budget and the energy program on their pensions.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, whereas the Prime Minister (Mr. Trudeau) made several misleading statements last weekend in Vancouver, including a claim that he would have liked to see the constitutional powers over communications and fisheries given to the provinces, and also that he personally would favour a different constitutional amending formula which does not grant a discriminatory veto to Quebec and Ontario, and whereas these statements are clearly contrary to his widely stated policies, I therefore move, seconded by the hon. member for Esquimalt-Saanich (Mr. Munro):

That in accordance with the Prime Minister's public offer to resign if television personality Jack Webster would do likewise, this House hereby invites Mr. Webster to accept the Prime Minister's challenge and resign as an act of patriotism so that Canadians might be spared from further verbal contortions by this inconsistent Prime Minister who is so "exhilarated" over the divisions which he has produced in our country.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HUMAN RIGHTS

ABHORRENCE OF KU KLUX KLAN RACISM—MOTION UNDER S.O. 43

Mr. Edward Broadbent (Oshawa): Madam Speaker, considering that members of all parties in this House have expressed their abhorrence of all forms of racism, I hope this motion will receive the unanimous agreement I think it deserves.

In view of the fact that Canada is a country which was built through the co-operation of people from all ethnic and racial groups, and since Canada prides itself on its heritage of racial and ethnic tolerance, I move, seconded by the hon. member for Vancouver East (Mrs. Mitchell):

That the House expresses its horror at reports that the racist Ku Klux Klan is now organizing four camps in southern Ontario to provide military and arms training for its members.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

An hon. Member: No.

Some hon. Members: Shame!

* * *

THE MINISTRY

ASSIGNMENT OF INDIVIDUAL RESPONSIBILITIES—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise under the provisions of Standing Order 43. The publisher of the *Windsor Star* has recently indicated concern about the

quality of MPs representing that area. He stated on February 12:

Our MPs are run a little ragged, I hear, worrying about the Constitution, corporate assistance and surplus eggs.

He went on to say:

Windsor, Ontario is a forgotten city.

In view of this crisis I move, seconded by the hon. member for Peterborough (Mr. Domm):

That the federal government follow the precedent set in the Broadview-Greenwood affair and appoint competent cabinet ministers to be responsible for the ridings of Windsor West, Windsor-Walkerville and Essex-Windsor.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

GRAIN

TRANSPORTATION POLICY—MOTION UNDER S.O. 43

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, western Canada's problems with grain transportation are well recognized and studied. Recently four ministers of the Crown, the Minister of Transport (Mr. Pepin), the Minister of Agriculture (Mr. Whelan), the minister responsible for the Canadian Wheat Board, and the Minister of State for Economic Development have each stated different positions on when and how they believe the government should proceed with the solution to this urgent national problem. I move, seconded by the hon. member for Lisgar (Mr. Murta):

That the Prime Minister assume his responsibility for this very important national issue of grain transportation by getting his own cabinet to agree on one policy to take to the farm community on grain movement, thereby setting an example for the rest of the country on how to achieve consensus on pressing national issues.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FARM CREDIT CORPORATION

SUGGESTED INCREASE IN FUNDING—MOTION UNDER S.O. 43

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, farm bankruptcies in Canada were up 78 per cent in 1980 over 1979, a fact which is clearly attributable to the unusually high interest rates. Therefore, under Standing Order 43, I move, seconded by the hon. member for The Battlefords-Meadow Lake (Mr. Anguish):

That this House request the Minister of Agriculture to increase the funding of the Farm Credit Corporation immediately by an additional $150 million as requested by farm groups such as the Canadian Federation of Agriculture, and further, that the Minister of Finance investigate an assistance program for small businesses and farmers to help them get through this period of ridiculously expensive credit.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

GRAIN

COMPENSATION PAYMENTS TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, under the provisions of Standing Order 43 I rise on a matter of urgent and pressing necessity to the farmers of western Canada.

In light of the many shallow promises made by various cabinet ministers on compensation announced for western farmers regarding the grain embargo to the U.S.S.R., and in light of the fact that the initial adjustment payments have been announced but so far the farmers have not received any money, I move, seconded by the hon. member for Assiniboia (Mr. Gustafson):

That this House instruct the federal government to announce compensation payments to farmers immediately, and that the Canadian Wheat Board be instructed to place the interim payments for this crop year in the hands of the farmers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AIR TRANSPORT

SERVICE BETWEEN CANADA AND GREENLAND—MOTION UNDER S.O. 43

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, I rise under the provisions of Standing Order 43. Since Transport Canada has announced that First Air, a southern Ontario airline, has been awarded a licence to service the first Frobisher Bay-Godthaab, Greenland, air route without even allowing Air Inuit to submit an application for the route, in view of this unfair procedure, and in light of the fact that it would be most appropriate for an Inuit-owned and operated airline to service the two largest Inuit communities in Green-

land and Canada, I move, seconded by the hon. member for Prince George-Peace River (Mr. Oberle):

That the Minister of Transport re-open the competition in order to give all licensed carriers an equal and fair opportunity to apply for the operation of a scheduled air service between Canada and Greenland.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

DEPARTMENT OF NATIONAL HEALTH AND WELFARE

LOCATION OF REGIONAL OFFICE IN PETERBOROUGH, ONT.—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, the Minister of National Health and Welfare (Miss Bégin), in a letter to the mayor of the city of Peterborough, dated May 22, 1979, said, and I quote, "I am pleased to advise that the date for the establishment of a regional office in your city is April, 1982. It is expected that approximately 150 Health and Welfare Canada jobs will be located in Peterborough. My officers are working with the department . . ." to see that this happens. I move, seconded by the hon. member for Durham-Northumberland (Mr. Lawrence):

That the Minister of National Health and Welfare having given her word, now stand by that commitment, and allow the regional office of Health and Welfare to locate in the city of Peterborough.

Madam Speaker: Is there unanimous consent to this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

NATIONAL DEFENCE

SUGGESTED RENEGOTIATION OF F-18 AIRCRAFT CONTRACT—MOTION UNDER S.O. 43

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, I rise under the provisions of Standing Order 43. Yesterday McDonnell Douglas of Canada announced that a further 248 workers would be indefinitely laid off at McDonnell Douglas' Toronto plant. This brings to 864 the number of workers laid off since Canada signed a $4 billion contract with McDonnell Douglas for the purchase of F-18 fighter aircraft, a contract that was supposed to create jobs for Canadians, not more unemployed. In light of this situation, I move, seconded by the hon. member for Beaches (Mr. Young):

That this House condemns the government for its failure to secure from McDonnell Douglas firm commitments of job creation for the Canadian workers

it employs, and further, that this House instructs the government to renegotiate the F-18 contract so that firm job-creation commitments for Canadian workers are included in the industrial offset package.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Madam Speaker: Oral questions.

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

CRITERIA ESTABLISHED WITH RESPECT TO INDUSTRY

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is directed to the Minister of Finance who spoke yesterday to a luncheon meeting of the Canadian Club in Montreal and indicated that it was the policy of the Government of Canada to, and I quote:

—encourage the movement of productive resources from those industrial activities with diminishing prospects to strong and potentially strong industries and subsectors.

I gather that this is the beginning of the much heralded, long awaited industrial strategy the government has been talking about for so long. Can the Minister of Finance tell the House of Commons, since he has spoken of industries with diminishing prospects, just what criteria the government has established, and will he identify those sectors of Canadian industry that the government considers to have diminishing prospects?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, in the budget speech I think I stated that there was bound to be, in a dynamic economy, changes in the composition of the labour force, and that certain industries would have to adjust to changing conditions. It seems to me that it is essential to the future strength of the Canadian economy that we take advantage of strong sectors and, where necessary, assist weaker sectors to adjust, not necessarily to go out of business but to adjust to new products and new lines of activity. It seems to me that unless we take account of that particular problem, the over-all strength of the economy will be weakened.

I would just add, in conclusion, that the adjustment program announced by the Minister of Industry, Trade and Commerce and the Minister of Employment and Immigration, addresses the question of adjustment and has adopted the approach of designating certain communities that might be eligible for particular adjustment assistance. I am not aware of the extent to which that process of designation has been implemented to the present time.

Mr. Clark: Madam Speaker, the minister is the master of the empty generalization. We had his budget six months ago, the so-called budget—it was not one at all. We had the Minister of Industry, Trade and Commerce, shortly before he offered to resign, promising a national industrial strategy. Now we have the minister going before a national forum to indicate that there are specific industries the government has in mind which have diminishing prospects. Obviously the government is planning that kind of thing. Obviously it has decided which industries are going to be the victims. We want to know, and investors and employees across the country have a right to know, exactly which industries are on the government's hit list. Which industries does the government believe have diminishing prospects? What is it talking about? Can the minister please be specific and give the House his criteria and his list?

Mr. MacEachen: Madam Speaker, we have no hit list. I believe the Leader of the Opposition ought not to take a destructive and despairing attitude about this approach. On the contrary, it seems to me that he ought to be supporting an approach that takes a positive attitude toward adjustment of the economy. We have a number of illustrations presently of a number of industries, for instance, the textile industry, in which the government, through its programs, is assisting and has assisted that industry to adjust to changing conditions. In my speech to the Canadian Club in Montreal I added that, for example, we have participated with the provinces and with the firms in the pulp and paper industry in assisting them to modernize and meet new challenges in the market. It seems to me that that is the positive light in which the right hon. member ought to look at these comments, instead of making the empty generalization that there is a hit list.

● (1420)

AIMS OF INDUSTRIAL DEVELOPMENT STRATEGY

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, we are quite prepared to support any program and any attitude that is open and up-front with the Canadian people. What concerns us is that we have an industrial strategy being concocted in secrecy by this government for more than a year and having plans developed prior to that time, so there has been a lot of planning going on. Obviously there are specific industries which have been designated. The minister has moved himself to speak about certain industries with diminished prospects and certain industries that are strong. If he will not tell us the industries which he believes have diminishing prospects under his government, will he table in this House of Commons a list of those industries which he believes to be strong, or potentially strong? The whole country will then know what the aims of this industrial strategy are, so that we can bring it out in public and not keep secret an industrial strategy which should not be confined simply to bureaucrats in Ottawa but should be the result of the participation and the debate of Canadians across the country where concerned.

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I draw to the attention of the Right Hon. Leader of the Opposition another aspect of the adjustment policy with which he ought to be familiar, because it was under his government that final approval was given to the General Agreement on Trade and Tariffs which, in the main, had been negotiated by the preceding government but which was approved totally by the succeeding government, despite the barrage of criticisms that we had received from the opposition benches during the negotiating process. He will recall that under that particular arrangement there is an adjustment provision by which industries affected by increased international competition, as we move into the GATT period, will be assisted and will be ensured of a place in the new marketing arrangements. The Right Hon. Leader of the Opposition ought not to try to shroud this particular approach in mystery. If he had just read his briefings when he was Prime Minister, I would not have to tell him about these things today.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

ADJUSTMENT AID FOR INDUSTRIES FACED WITH DIMINISHING PROSPECTS

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is a supplementary one for the Minister of Finance. The Minister of Finance had a lot to say before he became the minister. Now he has become the silent minister. But he spoke yesterday.

The minister is going to encourage the movement of productive resources, that presumably is cash, from certain industrial activities with diminishing prospects. The businessmen and people of Canada want to know from what diminishing prospect industries is the minister going to move those productive resources because the private sector does not want to invest in the productive resources of industries which are going to diminish. Will the minister tell us this: is it textiles? Is it footwear? What are these industries with diminishing prospects? What are the strong industries? Perhaps he could inform the private sector so that it will invest also in the strong and not in the weak. Will the minister come clean with the House? I say to him, don't be so mysterious. Don't be afraid to give us details of your bold proclamation of policy yesterday which sounded so good at lunch time.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, it did sound well, and it was applauded by the discerning audience at the luncheon—

Some hon. Members: Hear, hear!

Mr. MacEachen: —an audience which was made up largely of businessmen who did not shrink in fear from knowing that the market from time to time indicates increasing demand for particular products and decreasing demand for other products. As a result of these market decisions, particular industries

have to adjust to new circumstances. That is what I am talking about. Where particular firms and industries have these problems, it will be the intention of the government to assist them to adjust to conditions which have been determined by the marketplace, not determined by the government, of that I want to assure you, Madam Speaker.

Some hon. Members: Hear, hear!

Mr. Crosbie: Madam Speaker, it would have to be a discerning audience to know what the minister meant when he won't tell them. I ask the minister: why don't you bring the people of Canada in on it? The people of Canada are discerning. Their jobs are the ones which will be lost, and it is their prospects which the minister is talking about. Silence is golden, but with this minister, silence is no longer golden. We want to know what is to happen, Madam Speaker. We do not want weak-kneed generalities, we want to know what the policy is.

AREAS AND COMMUNITIES AFFECTED BY GOVERNMENT POLICY

Hon. John C. Crosbie (St. John's West): Could I ask the minister my supplementary, Madam Speaker, and relieve your burdens? The minister also said that the process of adjustment will not be easy and the burden will fall relatively more heavily on particular areas and communities. On what particular areas and communities in Canada is the minister's policy to fall more heavily? What are those areas and communities? Is it Nova Scotia? Is it Cape Breton? Is it Newfoundland? Is it Windsor? What are the areas and communities which are going to suffer this heavy burden? Will he enlighten the people of Canada about that? Will the minister stop his weak-kneed, bafflegabbing and knee-flubbing and give the people the facts?

An hon. Member: Yes or no?

● (1425)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I am glad that the Leader of the Opposition supported the hon. member for St. John's West by a compliment on that rather concluding question which tailed off into obscure generality.

Mr. Crosbie: That's the area you dwell in.

Mr. MacEachen: If the hon. member for St. John's West knew anything about the national economy, he would know about certain areas in the country that are experiencing particular difficulties. Let me mention one particular area, namely, the part of Nova Scotia I represent, the island of Cape Breton.

The hon. member for Cape Breton-The Sydneys recently wrote to the Minister of Industry, Trade and Commerce and to the Minister of Employment and Immigration in recognition of the fact that there were special adjustment problems in that area, and asked that that area be designated for special assistance under the adjustment program. That is what we are talking about. Instead of trying to hide the weak areas of the country that require adjustment, we are prepared through an adjustment program to designate them upon their request, and then provide them with the necessary adjustment assistance. Therefore, let us have no more of the bafflegab, if that is the word, we get from the opposition.

DECLINE IN PRODUCTIVITY—EFFECT ON WORKERS

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Minister of Finance. It also concerns his speech to the Montreal business establishment which he said was so well received. I can understand why it was well received. The minister said in his speech that, because of reduced levels of productivity, ordinary Canadian workers could not now expect higher wages, benefits or pensions. Since wages have fallen behind in each of the past three years as a percentage of the GNP while at the same time profits, dividends and other forms of unearned income have actually gone up as a percentage of the GNP, why did the minister single out ordinary workers as the people who would have to bear this burden? Why did he not single out some of the people who take all their income in the form of unearned dividends?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, if the hon. member reads my statement he will find that at no point did I refer to "ordinary workers" or suggest that for any particular reason they ought to be put in a category of those who are responsible for the decline in productivity in the country. The point I made was that for quite a number of years, for example, 1961 to 1973, productivity in Canada just about doubled. Instead of growing in the last number of years, productivity in Canada has declined. I want to add that if we expect to have a higher standard of living, the economy as a whole has to produce more in order that we may enjoy that better standard of living. It is a disservice to everybody to put our heads in the sand and ignore the fact that over the past number of years output per person in the labour force has decreased and, unless we turn that around, we have very little prospect of enjoying the rising standards of living which we had in the earlier period. That is the point.

Mr. Broadbent: Madam Speaker, what the minister said was long and some of it was actually accurate, but none of it answered the question I asked.

● (1430)

I read the minister's speech with care, if not with a lot of interest. On page one of his speech the minister said that working people's wages, pensions and social welfare, would have to be curtailed. Since it has been unearned income, profits and payments of dividends which have increased as a percentage of the gross national product for the last three years while workers' incomes have actually gone down as a percentage—and gone down in real terms—why has the minister singled out workers in this particular case to bear the

responsibility for increased productivity and not some of the people in the blue chip audience to which he was speaking?

Mr. MacEachen: Madam Speaker, as a graduate of the London School of Economics the hon. member for Oshawa is showing remarkable simplicity in his approach to this question of productivity. He knows perfectly well that productivity cannot be assigned exclusively to the activity of workers. That would be a stupid assertion.

Mr. Broadbent: It certainly would.

Mr. MacEachen: It was not made by me. The productivity of the economy depends not only upon the work force but also upon the contribution of capital and many surrounding influences as well. What I did say, and what I will continue to say, is that if Canadians and the country as a whole want to provide for better pensions, higher wages, better social welfare and a better cultural life—these are laudable objectives, and I support them—and if we want to have all these things in greater measure, then we have to learn to produce more and increase productivity in the country. That is the simple question.

Mr. Broadbent: Madam Speaker, that was a simple answer. It was the second time in a row the minister did not answer the question asked. However, I will take a different tack. Speaking of the incompetence of graduates from the London School of Economics the minister just has to look to his left to see a living example.

Some hon. Members: Oh, oh!

An hon. Member: Left, Pierre.

STUDY OF WAGE RESTRAINT PROGRAM

Mr. Edward Broadbent (Oshawa): Since it is obvious that the government has rejected a fair prices commission in the past and has turned down a tax cut for middle and low-income people, making it clear that ordinary workers will have to struggle for themselves if they are to get anything out of this economy, will the minister deny that right now his department is considering some form of wage restraint program which it might bring into play if the workers in this country should finally, after three years, manage to get wage and salary increases commensurate with the level of inflation?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I certainly would not accuse the hon. member of incompetence. I have such a high regard for the institution where he studied that I thought he would have a much broader understanding of economic forces. I might add that I have noticed that some graduates are better than others.

Some hon. Members: Hear, hear!

Mr. Broadbent: I have too.

Mr. MacEachen: The answer to the question is that there is no plan in my department—if that is the question—to launch a program of wage and price controls.

Mr. Broadbent: That wasn't the question either.

Mr. MacEachen: There is absolutely no plan, and I am not making any such recommendations to my colleagues. I encourage all members of the department to assess circumstances and brainstorm, but certainly if that storm reaches my desk it will be swept away mighty fast.

* * *

GOVERNMENT EXPENDITURES

QUERY RESPECTING INCREASES

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my questioning is also directed to the Minister of Finance. I want to take him back again to the speech he made in Montreal which he says was received with at least courtesy. Would the Minister of Finance indicate to the House why he did not reciprocate to the members of the audience and at least give them accurate information? I specifically refer him to the following statement he made:

> The government's expenditure plan, in particular, was established to keep federal spending within the rate of growth of the economy in order to ensure a steady reduction in the deficit—

Bearing in mind that the minister released only two weeks ago the expenditure levels in Ottawa for the first nine months of this fiscal year, which indicated a 16 per cent increase in expenditures and a $1 billion increase in the deficit, would the minister indicate why he felt justified in misleading his audience in Montreal that in fact a 16 per cent expenditure increase is in line with the growth of the economy, which is actually below 12 per cent for the same period?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I do not think the hon. member is justified in comparing a nine-month expenditure flow with the projections contained in the budget.

Mr. Stevens: Look at your release of two weeks ago.

Mr. MacEachen: With the release of a few weeks ago I stated a certain expenditure growth for a nine-month period to compare that with the objective of maintaining expenditures of the government within the trend line of the gross national product.

Mr. Crosbie: You didn't say trend line.

Mr. MacEachen: I want to tell the hon. member that my objective, as shown in the budget papers, is at 1983-84 not to take any more out of the economy than is being taken out at the beginning of the period. In other words, with the flow of income we will not take a greater share for the government. That is the principle on which I have been operating, and I do

not think the hon. member can test it on the basis of a nine-month expenditure flow released by the department.

Mr. Stevens: Madam Speaker, I remind the Minister of Finance in asking my supplementary question that he did not refer yesterday to a trend line in the economy. He said he would keep expenditures within the rate of increase of the economy.

However, let me take the Minister of Finance back to the other statement he has referred to with respect to the hiatus point of 1973. He said that in the 12 years to 1973 real gross national product doubled. However, then he went on to state:

> In the seven years since 1973 . . . our average annual rate of growth has been cut in half, and our rising expectations or sense of entitlement has served only to fuel the inflation that we have come to know all too well.

Would the Minister of Finance indicate why he then chose to go on to blame the workers, for failing to produce the productivity that he says is essential, without making it clear to his audience that in the same 12-month period the total aggregate federal deficit was only $5.4 billion compared with the last seven years when his government has run up a $48 billion deficit, a 750 per cent increase? Clearly that is what killed productivity. It is bloated, fat government at the federal government level, not the workers of this country.

Mr. MacEachen: Madam Speaker, I cannot blame the London School of Economics for that outburst. I will have to find a different university.

Mr. Stevens: Western.

Mr. MacEachen: I am pleased that hon. members have paid some attention to the speech made in Montreal because I did want to focus the minds of people in the country and the House on the question of productivity. I went on, if the hon. member will permit me to say so, to analyse very carefully what I thought were major areas in which steps ought to be taken in order to increase growth and investment and, accordingly, productivity in the country.

At no point would I be inclined to point the accusing finger at the workers of this country because there is absolutely no evidence that workers are not putting out as much as they have in the past. However, there is evidence that there are other factors which are decreasing the productivity of the country. Some of them are irreversible. Some can be turned around, and the deficit is not very much a part of that over-all picture.

* * *

SMALL BUSINESS

REPRESENTATIONS RESPECTING INDEPENDENT RETAIL SECTOR OF PETROLEUM INDUSTRY

Hon. Ron Huntington (Capilano): Madam Speaker, I have a question for the Minister of State for Small Business. I wonder if he could update the House on the representations he has been making to his cabinet colleagues on the sorry plight of the independent wholesalers and retailers in the downstream sector of the petroleum industry and particularly on the stranglehold on supply that the independents in the province of Quebec are facing. What representations is he making to correct the situation?

● (1440)

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses)): Madam Speaker, my colleague, the hon. Minister of Energy, Mines and Resources, and myself have had several meetings with the independent oil distributors, especially those in Quebec, as well as with the Alberta independent exploration companies. All necessary action is being taken to ensure a regular supply to the independent distributors in Quebec and we are monitoring the situation daily.

[*English*]

Mr. Huntington: Madam Speaker, I have a supplementary question for the same minister. I am wondering whether I could ask him if Petro-Canada, by any chance, will come to the aid of the independents? Will there be more or less competition now that Petro-Canada has joined the majors? Will there be an increase in supply for the independent sector of Canada, or will we see all the independents lost the way Merit was in Burnaby, British Columbia?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, this is a specific government policy which is clearly stated in the energy program and which aims at maintaining a strong and vigorous independent sector in Canada. In the specific case mentioned by the hon. member, I must point out that before it was taken over, Petrofina was already helping to supply the independent distributors of Quebec, and I am convinced that Petro-Canada will want to maintain this policy and perhaps even emphasize it if required. Discussions are now going on with the independent distributors and we shall determine their exact requirements.

* * *

[*English*]

TRADE

EXPORTATION OF COAL FROM BRITISH COLUMBIA TO JAPAN

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources, although I should like to point out to the Deputy Prime Minister and Minister of Finance that the hon. member for Oshawa, the hon. member for Burnaby, and myself actually graduated from the London School of Economics, unlike the fellow to his left.

My question to the Minister of Energy concerns the Northeastern British Columbia Coal deal. The minister will recall that last week I asked him a question which revealed an internal document of the British Columbia government. Now I

have that document in my possession and will release it to him. Will the minister agree that the public should be entitled to know the figures behind this very important deal? Will he agree to release publicly all the documents in the possession of the federal government with respect to this deal?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the government contributions required under this agreement have already been made public by my colleague, Senator Olson, the Minister of State for Economic Development. As for the release of some other documents, I shall ask Senator Olson, and I am convinced that he will be willing to make public the documents which would be available under the bill before the House concerning public information.

[*English*]

Mr. Waddell: Madam Speaker, I am pleased the minister is prepared to make these documents available, including all telexes, hopefully. I hope Mr. Basford, the new director of the northeastern coal development, for the province of British Columbia, will do likewise.

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PIPELINES

PROPOSED GAS PIPELINE TO VANCOUVER ISLAND

Mr. Ian Waddell (Vancouver-Kingsway): My supplementary question concerns another megaproject in British Columbia. Last Friday the British Columbia government announced that it would approve the building of a gas pipeline by British Columbia Hydro to Vancouver Island. During the announcement there were some unfortunate comments by the minister of energy for British Columbia. In spite of those comments, is the federal Minister of Energy still prepared to give British Columbia a financial commitment to help with the building of this line?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I will refer to my previous answer. I indicated to the hon. member that I would consult with my colleague in the Senate and that I was confident he would release the documents which would be available for publication under the public information bill being considered by the House at the present time. I would not like him to misinterpret what I told him in French.

As to his particular question, the decision announced by the government of British Columbia was obviously one taken by that government in its own wisdom. We have indicated that we were ready to negotiate or to discuss with the government of British Columbia the possible contribution for the building of a gas pipeline to Vancouver Island. However, the terms of those negotiations and the conditions under which there could be any federal contribution would be subject to negotiation. We would have to look at the exact plans of the government of British Columbia, at why this particular option was chosen compared to another one, and then advise as to what amount of contribution, if any, is required in the circumstances. But we will be available for discussions.

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[*Translation*]

DISASTERS

INQUIRY RESPECTING AID POLICY AND ASSISTANCE SOUGHT BY QUEBEC

Mr. Marcel Roy (Laval): Madam Speaker, my question is for the Minister of National Defence. In view of the alarming situation caused by flooding and the emergency this represents for hundreds of people who have to be evacuated, what is the policy of the federal government concerning available emergency services and equipment to help victims of the flood? Has the Quebec government already requested some assistance from the federal government?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I believe that the major responsibility of the Canadian Armed Forces is certainly to help Canadians when circumstances warrant it. We have provided such assistance in the past, in Manitoba, Ontario and elsewhere in Canada in the case of floods and forest fires. When we provide such assistance to a province, we have first received a specific request on the part of the provincial government. I must advise the hon. member that we have received as yet no such request from Quebec to give assistance to the victims of the floods. I may add, Madam Speaker, that our Armed Forces are always available if Quebecers or any other Canadians require any assistance.

* * *

[*English*]

CANADIAN NATIONAL RAILWAYS

CN EXPRESS—RETENTION OF STAFF ON PRINCE EDWARD ISLAND

Mr. Tom McMillan (Hillsborough): Madam Speaker, my question is directed to the Minister of Transport. On February 4, 1981, the minister told the House that Canadian National Express on Prince Edward Island would continue to operate but with a reduction in staff from 41 to 19 positions. Contrary to what the minister told the House, CN officials have now informed the CN employees involved that no more than 11 of them will be kept and that the figure may be as low as two or three. Will the minister tell the House what he meant when he said that 19 positions would be saved? Are those 19 positions full-time, or do they include people who will be laid off and called back only on a relief basis at the discretion of CN? In other words, have the figures been artificially inflated for political reasons?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, the figure I mentioned, which was the 19 used by my hon. friend, is the figure which was guaranteed by CN Express to me. It represents full-time jobs, and I will see to it that it is honoured.

Mr. McMillan: Madam Speaker, my supplementary question is directed to the Minister of Transport just so that the employees, the House and I will be entirely clear on what he is saying. Will the minister assure the House that he will not allow CN officials to reduce the number of CN Express employees on Prince Edward Island below the commitment of 19 full-time positions before 1983, when the entire matter is to be reviewed? Is it a commitment to save 19 full-time positions?

Mr. Pepin: Madam Speaker, I can only say that I said about 19. There may be one or two more or less, but it does not mean ten more or less. It is about the figure I indicated. That is the commitment CN gave me, and I will see to it, as I said, that it is honoured.

* * *

INDUSTRY

RECOMMENDATIONS RESPECTING EXTENSION OF QUOTAS ON TEXTILE IMPORTS

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is directed to the Minister of Finance who earlier today mentioned government assistance to the textile industry. I will put a very direct question to him in the hope his response will not be all wrapped up in cotton wool.

As I am sure the minister is aware, the Textile and Clothing Board earlier this year made recommendations to the government regarding the extension of the quotas presently in effect on offshore imports. I would like to ask the minister very simply and very directly: when will the government consider these recommendations which were put forward by the Textile and Clothing Board, particularly in light of the fact that the arrangements are due to expire later this year?

● (1450)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the intention of the government, if possible, is to have a response to the recommendations by the end of March of this year.

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NATIONAL SECURITY

DANGERS POSED BY BLACKMAILING ACTIVITIES OF SOVIET OFFICIALS

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my question is for the Solicitor General. In view of the public disclosure the week before last of the circumstances of a U.S. military attaché in Moscow being entrapped by the KGB for blackmailing purposes, and in light of the public confession last weekend of a former British ambassador to Moscow of the same thing, which he said he publicized to alert the western world to the dangers of Moscow life and those same KGB policies, has the Solicitor General been made aware of any past occurrences of this type, or any potential blackmailing activity, which endangered Canadian or allied security?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I have not been made aware of any such matters involving Canadian or allied security.

Mr. Lawrence: Madam Speaker, would the Solicitor General make inquiries of his officials, now that other nations are exposing past occurrences, and report to the House some of these situations which have been hidden in the past on the grounds that these circumstances would endanger the security of those self-same allies?

Mr. Kaplan: I would be glad to look into that matter and see whether there are any such matters which could be made public at this time.

* * *

ENERGY

PROPOSED REDUCTION IN ALBERTA OIL PRODUCTION

Mr. Maurice Harquail (Restigouche): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. It has to do with the Canadian supply of oil. In view of the announcement made by the Alberta government to cut back 150,000 barrels of oil as of March 1, could the minister inform the House as to the status of the negotiations and his assessment of what effect this will have on eastern Canada particularly?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I have already indicated that I hope the government of Alberta will not find it necessary to resort to cutbacks, which would hurt all Canadians and Albertans in particular. Yesterday I wrote to the minister of energy in Alberta suggesting that since Alberta officials were not ready to make a report to their cabinet for at least another two or three weeks it seemed unnecessary to resort to the cutbacks at the present time. I also suggested that we should pursue the negotiations and discussions.

On the other hand, if the government of Alberta concludes that it wants to proceed with these cutbacks, then we will obviously have to find the necessary supply abroad. The necessary steps have been taken to ensure that Canadians will not suffer over the next few months in terms of supply.

Oral Questions

NATIVE RIGHTS

LAND CLAIM SETTLEMENT IN WESTERN ARCTIC

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. In October, 1978, the government signed an agreement in principle with the Committee for Original People's Entitlement. The agreement provided the basis for a land claim settlement with the Inuit in the western Arctic. The minister now wants COPE to make further concessions and compromises. With this kind of double-dealing, how does the minister expect any native group in the country to trust him? Are agreements in principle only one stage in the long process of stripping native people of their rights, or will the government keep its word?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, there is an almost unending list of misinformation, misconception, and erroneous charges in the hon. member's question. How the dispute arose is quite simply that I, in an open fashion, sent a memorandum to my negotiators. I sent a copy of it to the COPE negotiators. In the letter I asked if they would address some concerns which were very real. They knew about these concerns, whereas we did not. Many of the people concerned with this matter in the north knew about them.

The letter was sent in order to see if the process of give and take and the process of negotiation would give us a solution. This procedure occurs in negotiation processes all the time. I dare say that the negotiators for COPE send memos back and forth to their principals also. There was no implication of any breach of any agreement in principle. It was not the basis for final agreement, which would be a breach of agreement in principle. It was simply saying that we should address some of these real concerns to see if we could not work out a solution. I see absolutely nothing wrong with any federal government minister sending instructions of that kind to his negotiators to see what can be done about problems of concern.

Mr. Manly: My supplementary question is for the same minister. The Inuit people had already made great concessions at the time the agreement in principle was signed. Will the minister cease all further double-dealing and follow the 1977 recommendations of the Berger commission, the National Energy Board and the government's own agreement in principle? Will the minister guarantee to the House of Commons that he will respect the commitment to establish a wilderness park on the Yukon's north slope, free from any pipeline or transportation corridor?

Mr. Munro (Hamilton East): Madam Speaker, I have already indicated to the hon. member that negotiations have been stalled for a period of time. I believe it is in everyone's interest that these negotiations be reinstituted. I do not think it is helpful to either side to carry on with the negotiations and stake out fixed positions in advance of negotiating. If the hon. member wishes to be a part of the negotiation process which hinders a final result, that is his business. I think we should leave the process to negotiation.

* * *

GRAIN

IMPLEMENTATION OF MARKET ASSURANCE PLAN—SUGGESTED COMMITTEE STUDY

Mr. Jack Murta (Lisgar): Madam Speaker, I would like to direct a question to the Minister of Transport in his capacity as the minister who answers for the Canadian Wheat Board. There is a new grain marketing plan being discussed in western Canada called the Market Assurance Plan. I believe the implementation of such a plan could produce major changes in western agriculture. Would the minister give consideration to setting up a special committee comprised of members from the three western provinces, farm organizations and the Canadian Wheat Board, to study this program fully so that all farmers and grain producers in western Canada will know exactly what the Canadian Wheat Board is talking about before any program is implemented?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, as the hon. member has said, this is just a plan. It was developed by the Advisory Committee to the Canadian Wheat Board. I repeat again that it is only preliminary. My understanding is that the Canadian Wheat Board is consulting with farmers in district meetings which are now being held with members of the different committees. So, the process of consultation is on. The hon. member suggests another possibility, which I will bring to the attention of the minister of state responsible for the Canadian Wheat Board.

Mr. Murta: My supplementary question is for the Minister of Transport. Since such a program does have some effect in terms of detracting from the solution of the real problem with respect to grain marketing in western Canada which is, of course, grain transportation, could the minister indicate at what stage the government is at in terms of either a resolution to the problem or a study of the Crowsnest Pass rates so that this issue which is of the utmost importance to producers in western Canada can now be resolved?

Mr. Pepin: Madam Speaker, the Prime Minister answered this question two Fridays ago. He said quite frankly that he was looking for a feeling of support from western Canada on this subject. I think this feeling of support is coming up now and it is getting stronger and stronger. I am doing my very best to assist its development.

* * *

AIRPORTS

DELAY IN BILLING OF LANDING FEES

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, my question is for the Minister of Transport. It is about

landing fees which over the past number of months have been almost as repetitious as the minister's answers.

● (1500)

When an invoice in multicopies, run off the computer for a landing which took place on May 4, 1980, is not mailed out until February 9, 1981, is there any real justification for keeping those fees in place?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I believe that the increase in fees is justifiable. I am a believer in progression and regularity as opposed to confronting users of government services with increases of 30 per cent, 40 per cent or 50 per cent, as has happened in the past, usually due to electoral circumstances. So, if there has been a bit of a hang-up on this one, I will attend to it immediately.

Mr. Ellis: Madam Speaker, the minister missed the point. Taking nine months to send out one single little invoice obviously does away with the need for any of them. Surely the whole process could be done away with, and we would all be better off.

Some hon. Members: Hear, hear!

* * *

PRIVILEGE

MR. STEVENS—MASSEY-FERGUSON REFINANCING—ALLEGED MISLEADING STATEMENT OF MR. GRAY

Madam Speaker: On Thursday last the hon. member for York-Peel (Mr. Stevens) raised a question of privilege alleging that the Minister of Industry, Trade and Commerce (Mr. Gray) misled the House on February 6, 1981, and moved a motion to refer the matter to the Standing Committee on Privileges and Elections.

The hon. member's complaint flows from a question put to the minister during Oral Question Period on February 6 in which he inquired of the minister if he had a statement to make with respect to the negotiations involving his department and Massey-Ferguson. The minister replied that the matter was under review.

The hon. member alleges that the minister misled the House in his answer because, in his view, "clearly the matter was settled". In support of his arguments, the hon. member for York-Peel mentioned that the relevant cabinet meeting had been held on the previous day. He further alleges that this decision having been made, the minister chose not to inform the House, stating that it was still "under active review."

In his remarks on Thursday last, the minister indicated that he had no statement to make at the time the question was posed to him by the hon. member since the final decision was not taken until after the question period. The particular point at issue at this time is whether there exists a prima facie case of privilege upon which a motion can be entertained.

Point of Order—Mr. W. Baker

I have reviewed with care the arguments presented by all hon. members who participated in the discussions on Thursday last in order to determine precisely if a prima facie case of privilege had been established.

It seems to me that we have before us a series of facts the interpretation of which is disputed by two hon. members. Hon. members are aware of Citation No. 19(1) in Beauchesne's fifth edition which reads as follows:

A dispute arising between two members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

I also draw to the attention of the House Citation No. 322 which reflects a long-standing practice of this House that statements made by members in this House must be accepted.

I therefore find, in this instance, that a prima facie case of privilege has not been established.

* * *

POINTS OF ORDER

MR. WADDELL—TABLING OF LETTER WRITTEN BY MR. LALONDE

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I rise on a point of order. I believe that the Minister of Energy, Mines and Resources (Mr. Lalonde) referred to a letter that he had written to Mr. Leitch, the minister of energy of Alberta, in response to a question. If that is so, I ask that the minister table that letter, it being on a very important matter to this country, the matter of energy pricing.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, if that is the will of the House, when you come to tabling of documents I will make it available.

MR. BAKER (NEPEAN-CARLETON)—INQUIRY RESPECTING ACQUISITION BY PETRO-CANADA

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, yesterday in the question period, as reported at page 7548 of *Hansard,* in answer to questions from the Right Hon. Leader of the Opposition (Mr. Clark) as to when Petro-Canada made the first offer to Petrofina, what the price of that offer was, and whether there were other significant terms or conditions, the minister later on when referring to that said that he would make an inquiry and, I assume, report to the House. Has that inquiry been made? Does he intend to table, later on today, the results of that inquiry? If not today, will he table those results later?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I have indeed made the inquiry. I have asked to obtain the information in writing, and I would be very happy to make it available as soon as I have it.

PRIVILEGE

MR. CROSBIE—CANADA COMMUNITY DEVELOPMENT PROGRAM

Hon. John C. Crosbie (St. John's West): Madam Speaker, I gave you notice, I think last Thursday, of a question of privilege on a matter which affects my rights as a member of the House, and in connection with the Minister of Employment and Immigration (Mr. Axworthy) and his Canada community development program. Under that program the amount of $2,741,000 was allotted to the federal district of St. John's West, my district, for this year. A local advisory board was appointed to advise me, the minister and his officials, on what projects should go ahead. There were 110 projects submitted by groups throughout St. John's West. There were 43 projects approved which used up the moneys allotted. The local advisory board and the departmental officials gave a priority rating to all projects, using a scale of nine. So, these were the projects that had the highest priority. That was all done last fall. There were 67 projects which were not funded.

One of these projects was a recreation project at Mount Carmel, a community in my district, 1468 MA 2. That project had a score of .23 out of nine points. It ranked ninety-ninth of the 110 projects. Of the 67 projects not funded it ranked fifty-sixth in order of priority. The community of Mount Carmel already had a project awarded for the building of a wharf and repairing of a fisheries facility for the amount of $65,000.

The minister's office contacted me in January to ask whether I would agree to an additional $25,000 being awarded for this Mount Carmel project. I said I would look into the matter. The minister's office said he had an additional $25,000 that he could award for this project in St. John's West. I looked into the records. It just happened to be kicking around, that extra $25,000. I looked into this, and when I discovered that this project ranked ninety-ninth in priority of 110 projects, I did not give my consent.

I went outside Canada on a trip, and just before I got back the provincial Liberal member of the House of Assembly for the provincial district of St. Mary's-The Capes, which lies in the district of St. John's West, had made a public announcement that this project in Mount Carmel, MA 2, was going to be funded with $25,000. It was not announced by the minister's department. It was not announced by the member. The impression given to the people of St. John's West was that I had lost my senses and was misapplying public funds to fund the project that ranked ninety-ninth out of 110 projects submitted in my district.

This project did not warrant any funds being spent on it. I quote to you the guidelines of the minister's department in his letter of July 30, 1980, when he announced the program. On page 2 he set out that the applicants for these projects had to show, and I quote:

—an intention to follow a hiring plan aimed at the redressing of imbalances in employment opportunities for women, youth, native people and physically disabled persons—

These had to be factors in assessing proposals for funding.

The officials of the minister's department threw out this Mount Carmel project, on the grounds that it did not meet these guidelines, that it did not meet the affirmative action guidelines of the minister's program, giving two reasons for rejecting it:

i) it is not supportive of the affirmative action principles laid out in the intentions of the program.

ii) it only marginally meets the federal-provincial requirements (recreation).

But the Liberal provincial member for the district contacted the office of the Minister of National Revenue (Mr. Rompkey), who is the cabinet minister from Newfoundland, and that minister apparently contacted the minister responsible and persuaded him that for political reasons this project for Mount Carmel, sponsored by two Liberal co-workers, two Liberal campaign workers for the Liberal member, Mr. Hancock—who will be the ex-Liberal member when the next provincial election is called—convinced the minister to ignore the guidelines of the program and to misspend public moneys on this project in Mount Carmel.

In the provincial district of St. Mary's-The Capes there were 21 other projects which were not funded but scored higher in priority than this Mount Carmel project.

Mr. Baker (Nepean-Carleton): My goodness.

Mr. Crosbie: North Harbour, St. Vincent's, O'Donnells, Gaskier's, St. Mary's, Branch, Point La Haye, Admiral's Cove, St. Bride's, Mitchell's Brook, Colinet, St. Stephen's, Harricott, Patrick's Cove and Mall Bay: all were, in order of priority, ahead of Mount Carmel. They were all in Mr. Hancock's district. He is stuck with them all. He turned his back on them. He ignored their greater priority, and he tried to favour his Liberal friends in Mount Carmel when the community already had a project.

Some hon. Members: Shame!

● (1510)

Mr. Crosbie: I will debate that gentleman, Madam Speaker. I am going to debate him in all these communities. If he shows his face in any of them in the future, he will need a bodyguard, I can assure you, for turning his back on his own constituents and favouring his Liberal friends in that community.

I referred to *Hansard* for June 4, 1980. The hon. member for Qu'Appelle-Moose Mountain (Mr. Hamilton) asked the minister a question because he thought the minister's guidelines with reference to this program were unconstitutional. As reported at page 1476 of *Hansard,* the minister said:

We, as a government, have felt that the best source of advice as to local priorities in the various regions of Canada is members of Parliament.

He said Members of Parliament, not members of the house of assembly, not Liberal members of the house of assembly, but Members of Parliament. He went on to say:

—I happened to conclude that Member of Parliament are the best sources of advice on our regional priorities.

Then our critic in this area, the hon. member for Calgary West (Mr. Hawkes) wrote the minister on November 4, 1980,

expressing his concern about how priorities were to be decided. I am sorry, he wrote on August 18, and received a letter from the minister on November 4, 1980, which stated:

I propose to seek this advice from provincial governments, and from the staff of the commission. It is essential, in my view, that advice and judgment on local priorities be sought from the local level as well. In this context an important and valued source of perspective is the Member of Parliament elected to represent that area.

I do not want to take too much time on this, Madam Speaker. It was a political axe job by the Minister of Employment and Immigration who is unworthy of that office, in my view. He has approved a government program in a district where there is a local advisory board chaired by Mr. Walter Manning of St. Bride's with other members from the federal district of St. John's West. This is a district in which I have never interfered with the recommendations of the local advisory boards. They are asked to advise on local conditions and, I believe, their advice should be accepted. A project which rated 99th out of 110 received an award of $25,000 which was not in the program in the first place. It is additional money which the minister conjured up from somewhere, money that was not distributed across Canada as it was supposed to be. It was given to a project that scored .23 out of 9 points.

If I did not have this opportunity to bring the matter to your attention today, Madam Speaker, if I had not written to every newspaper in Newfoundland about it, if I had not written to every community that is involved in it, people might have thought that I had lent myself to this kind of prostitution in the spending of public funds for political purposes. But I have written, Madam Speaker, and I am going to tell every household in St. Mary's-The Capes and St. John's West just how serious the government is about unemployment and creating jobs and how they administer their programs without political favouritism and political interference. Every household in St. John's West will understand perfectly the minister's idea of the way he should carry out his public duties. They will know that because a Liberal member of the house of assembly has two Liberal friends who applied for a project, although it does not deserve public funds, and although the community already has a fishery project, an economic development project recommended by the local advisory board, the minister approves the spending of money on a program against the recommendation of his officials, against the recommendation of the local advisory board and without the concurrence of the hon. member.

I submit that this is a breach of my privileges as a member, Madam Speaker. It is disgraceful conduct on the part of the minister. It is a breach of my privileges as a member, and if you will find a prima facie case, Madam Speaker, I will move the requisite motion to have this sent to the Standing Committee on Privileges and Elections to which this gentleman should go to have his peers determine his fate. I have no doubt that if his peers do that impartially and justly he will be out of here within a fortnight.

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, this is a matter that can be dealt with very quickly. Before he rose to his feet, the hon. member for St. John's West (Mr. Crosbie) knew that there is no question of privilege whatsoever. Having been absent from the House for several days, however, I suppose he had to use up his air time and wanted to make sure that he got full exposure of his voluminous lungs.

The fact is that any decision in this respect is the prerogative of the minister. We have extended the courtesy to Members of Parliament of asking for their advice and guidelines, but we retain the discretion to make decisions.

The hon. member indicated that he intends to provide his constituents with some information about this case. I hope that he will provide some additional information about the case to make sure that they have all the facts. He has been known, from time to time, to neglect giving all the information that is required.

The first thing the constituents of St. John's West should know is that this is a program of direct employment creation. It is a program which was cancelled by the hon. member when he was a minister and a member of the previous government. All of a sudden he is standing here crying great crocodile tears and saying that the poor people of St. John's West are being denied the privilege, that his government denied to every single community across Canada when they cancelled every employment creation program. Furthermore, they totally denied the right of a Member of Parliament to any consultation whatsoever when, under a similar program, they cancelled the local advisory boards.

What kind of hypocrisy is this when the hon. member will stand here and claim the rights of democracy are being denied when he and his government have denied those very rights to every member of this House? On those grounds, every member of the House could claim a breach of privilege by the hon. member opposite and the government of which he was a member.

Mr. Paproski: That is not true.

Mr. Axworthy: Furthermore, Madam Speaker, I find it somewhat surprising that the hon. member for St. John's West should take umbrage at the government being prepared to give more money to his constituency and at the fact that in the reallocation we were giving priorities to communities which had heavy unemployment and we were prepared to assign money. He is saying, "It was not my priority." Let me remind the hon. member that under the project in question an application was sent out. We told them and the Members of Parliament that it was not acceptable under our terms. The project was redrafted to contain new proposals. Being a government with some flexibility and openness of mind, we were prepared to reconsider that project.

Some hon. Members: Hear, hear!

Mr. Axworthy: Obviously the hon. member is not of the same mentality. In the tradition of fair play, we contacted the hon. member's office and said, "Here is a reapplication for a

project. Would you give us your opinion of it?". The hon. member said, "I would be glad to. Send me the project." Members of my office staff called his office several times over the succeeding four weeks only to find out that he was off gallivanting in South Africa—

Some hon. Members: Oh, oh!

Mr. Axworthy: If the constituents of the hon. member want the true facts, they should ask, "Where was he when he should have been doing his constituency work?" He was off in South Africa. It is not for me to judge why he was in South Africa: he has a right to go anywhere he wants. But if he is so preoccupied with and concerned about his constituency responsibilities, he should have given some advice to his staff before leaving so that they could have made a recommendation. He was not back in his office until February 1, and the final date for projects was February 2.

I submit, Madam Speaker, that the hon. member feels some guilt about not fulfilling his responsibilities and not looking after his constituency as he should have been doing at that time. That is why we gave approval, based upon the recommendation of a regional minister who was doing his duty and covering for the hon. member for St. John's West who was somewhere else.

I would like to see the report that the hon. member will give to his constituents. If they knew the true facts, I do not think the hon. member for St. John's West would be around this House very much longer.

Some hon. Members: Hear, hear!

Madam Speaker: Is the Right Hon. Leader of the Opposition (Mr. Clark) rising on the same question of privilege?

Right Hon. Joe Clark (Leader of the Opposition): Yes, very briefly, Madam Speaker. The point raised by my colleague, the hon. member for St. John's West (Mr. Crosbie) was that there has been a breach by this minister of the undertaking he gave on June 4, 1980, when he indicated:

—I happened to conclude that members of Parliament are the best sources of advice on our regional priorities.

That was the policy set down by the Minister of Employment and Immigration (Mr. Axworthy) on June 4, 1980. The substance of the question of privilege raised by my colleague, the hon. member for St. John's West, is that that clear guideline, publicly given, was departed from in this case. That is one matter which Your Honour will have to judge, but there is now an even more interesting question raised by the very anxious and nervous Minister of Employment and Immigration. It concerns his claim in the House today that a proposal which had been rejected, had been judged to stand ninety-ninth out of 110 projects. The proponents of that proposal were asked to submit their proposal again. They were asked to rewrite it and were given a second chance at having a proposal approved which had been rejected on its merits.

• (1520)

That raises questions as to whether the other 16 applicants who had ranked below this particular project in St. John's West were also invited to rewrite their submissions, or whether they did not have the appropriate political colouration to have this minister ask them to try again so that they might squeeze their way into the established guidelines. That is another question to be looked at.

What we are dealing with here, Madam Speaker, are two very important matters. They require a great deal of levity from the other side. One has to do with whether the word of the Minister of Employment and Immigration can be believed. He said one thing on June 4, 1980, then he acted in another way. That is one question on which your Honour will have to judge.

The other very important question has to do with the propriety of departure from guidelines in particular instances where the minister, or his political party, happen to be involved. We have an admission from the minister that he went back to these Liberal proponents of a Liberal project and asked them to rewrite their application, after the deadlines had passed and after the opportunity had passed for everyone else, in a way which might make it the expenditure of public funds acceptable. It is very important to know whether that has been a broadly practised procedure, whether everyone is asked to rewrite their applications, or whether that privilege is extended simply to friends of the minister and to political friends of the Liberal Party whose proposals are rejected on their merits but who are then asked to rewrite their proposals so they can become eligible for $25,000 of new-found public money.

What is at issue here is whether the same standards apply to everyone. It is clear from what the minister has said that the same standards do not apply to everyone. It is clear that there is one standard applied to Liberals and a different standard applied to other more responsible citizens in the country.

There is also the question as to whether or not there has been a departure by the minister from his solemn word in this House in a way that constitutes a question of privilege. Those, Madam Speaker, are both matters upon which you will have to judge.

Madam Speaker: Judging from the discussion until now, it appears to me to be a complaint and a difference of opinion as to how the government reaches its decisions.

I will not hear too many members. I see the hon. member for Calgary West (Mr. Hawkes) is rising. I think the hon. member for St. John's West (Mr. Crosbie) mentioned him in his question of privilege. I would like the hon. member for Calgary West to be very brief in his remarks. I will recognize also the Hon. Minister for National Revenue (Mr. Rompkey). After that, I will determine whether or not to allow any further interventions on this question.

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, I do want to speak because the hon. member for St. John's West (Mr. Crosbie) indicated that I had a part

in this action. Indeed I did. As regional minister I did receive representation from that riding, as I do from ridings all over Newfoundland and Labrador. I pass those along to the respective ministers, and I will continue doing so. That is the job, as I see it, of a regional minister. If the hon. member for St. John's West did not follow that practice while he was on this side of the House, then I submit he was not doing his job.

We did make an attempt as my colleague, the hon. Minister of Employment and Immigration (Mr. Axworthy), has said, to contact the member for St. John's West, but he was in Africa.

Mr. MacEachen: Africa!

Mr. Rompkey: I would like to go to Africa, too, but I have a job to do here in this House. If someone is in Africa, then someone else still has to look after Newfoundland and Labrador. That is what I was trying to do, Madam Speaker.

An hon. Member: No wonder it is such a mess.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Rompkey: Third, the hon. member for St. John's West indicated that it was officials who had ranked this particular project and judged it. I want to tell him and this House that it is not the officials in the department who are running the department, but the Minister of Employment and Immigration, and that is as it should be.

Mr. Baker (Nepean-Carleton): That explains it.

Mr. Clark: Calamusa knows that.

Some hon. Members: Hear, hear!

Mr. Rompkey: Fourth, the member for St. John's West has accused us of cutting off spending to Newfoundland. He said that this government is deliberately cutting off spending to Newfoundland for some reason or other. According to him, we are doing that for some nefarious reason. He said we are so stupid as to cut off spending to Newfoundland, in spite of the fact that the people of Newfoundland elected five Liberals. He is making that accusation. He has accused me particularly of interfering in a project called synchrolift. Some members of the House perhaps do not know what synchrolift is, but I have been accused of cutting off that project.

However, here I am accused of helping to allocate additional funds to the member's riding. The hon. member has to make up his mind. Does the hon. member want more funds for Newfoundland or does he not? Does he want more funds for St. John's West or does he not? The hon. member has to make up his mind. If he does not want funds going to St. John's West today, then he should quite clearly say to the people of St. John's West, "I do not want any more money going into St. John's West". We will not follow that advice, but he should say it if that is what he thinks.

This is a matter, Madam Speaker, on which you will have to judge, and clearly I think you will judge that there is no question of privilege and that the Minister of Employment and Immigration acted properly in the interests of Newfoundland and Labrador, and particularly in the interest of the people of St. John's West.

Some hon. Members: Hear, hear!

Mr. Jim Hawkes (Calgary West): Madam Speaker, I rise on this question of privilege because the letters I wrote on August 18 were mentioned by the hon. member for St. John's West (Mr. Crosbie). Those letters quoted an excerpt of *Hansard* for June 4. At that time the hon. member for Qu'Appelle-Moose Mountain (Mr. Hamilton) rose in this House to ask the minister if his guidelines for spending money in this fashion were legal. The minister did agree to consult the law officers at the Table. We do not know whether that consultation took place.

The issue being raised here today is sometimes obfuscated with rhetoric, but it is a question of whether or not privileges of the members of the House have been violated in the sense that a minister of the Crown has used his position to move outside of policy guidelines mandated by members of the House.

If we think by analogy of a minister of supply and services who deliberately spent money outside of the public tender process or of a minister in charge of the public service who deliberately avoided the competition process required in the law, we would have to conclude that they would certainly not be acting in a manner consistent with policy guidelines as laid down by members of this House.

What we are dealing with in this question is a set of guidelines regarding the spending of public money. It is very similar to a purchasing policy, or a public service policy, in that particular groups which supply labour services to the government for social purposes have to be selected. To be sure that competition is fair, they have to be selected according to a criterion which is public, which is known to all and equal.

The hon. member for St. John's West raises the issue that in this case those guidelines have not been followed. I believe the suspicion that they were not followed is clearly evident to members of the House and to the Chair. I would suggest that by referring the matter to the Standing Committee on Privileges and Elections there is an opportunity to call witnesses, to examine the situation and to draw a conclusion which might be fair. If the minister's decision is to be upheld, then any suspicion of misconduct should be laid to rest. However, if the opposite is true, then the House will have to deal with it.

I would urge you, Madam Speaker, to give serious consideration to referring this very important matter to the Standing Committee on Privileges and Elections.

Madam Speaker: These decisions, which the hon. member for St. John's West (Mr. Crosbie) described in his intervention, obviously belong to the government. The alleged disregard which the government may have had of any advice which should have been forthcoming, or was forthcoming, in regard to that decision is also the responsibility of the government.

Point of Order—Mr. Nielsen

The way this subsidy was announced and who benefited from it might be objectionable to the hon. member for St. John's West. However, he can complain about it as much as he wishes. He said in his intervention that he was taking all means at his disposal, including raising a question of privilege, in order to have it known that he is not satisfied with the way the government has taken that particular decision, and it is open to him to do just that. As a member of the clerisy, I believe the hon. member for St. John's West knew in advance that this does not constitute a question of privilege. The government must take its responsibility for all these decisions. Governments live or die on the wisdom of those policies or decisions.

As for the point raised by the hon. member for Calgary West (Mr. Hawkes), I am informed that the officers at the Table did not receive the request that they should examine the legality of the way the government is spending its money. If anyone had, I am sure the officers at the Table would have told him that it is not up to them to express an opinion on the legality of government spending. The way the government spends its money is for this House and, eventually, for the population to judge. Therefore, this does not constitute a prima facie case of privilege. I must rule that the matter be closed.

* * *

• (1530)

POINTS OF ORDER

MR. CROSBIE—STATEMENTS REGARDING TRAVELLING

Hon. John C. Crosbie (St. John's West): Madam Speaker, I have a point of order in connection with the statements made by two ministers referring to my being in Africa. In my January householder bulletin I told my constituents where I was going, which is more than the Prime Minister (Mr. Trudeau) did. While he was stuck in the snow, I was on my way, and the results of my trip to Kenya, South Africa and Brazil were much more satisfactory than his.

Some hon. Members: Order.

Madam Speaker: Order. I believe the hon. member is arguing rather than raising a point of order.

MR. NIELSEN—TABLING OF LISTS OF MINISTERS RESPONSIBLE FOR RIDINGS

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise on a point of order. The Minister of Finance (Mr. MacEachen) will recall the exchange between himself and the hon. member for Broadview-Greenwood (Mr. Rae), not on the question of privilege but in question period following on a matter raised by him last Thursday. During that exchange, the Minister of Finance undertook to seek the consent of the Prime Minister (Mr. Trudeau) to the tabling of the list of ministers responsible for a riding or ridings in Canada. Has the Minister of Finance sought that consent, and will that document be tabled today in anticipation of the notice given by the hon. member for Broadview-Greenwood that he intends to raise the question of privilege again tomorrow?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, there is no hesitation in making the list of such ministers available. The list is being assembled and it will be made available as soon as possible. I will welcome the opportunity to listen to the hon. member for Broadview-Greenwood tomorrow on his complaint.

Mr. Nielsen: Madam Speaker, I merely rise to express the wish that the Minister of Finance table the list before tomorrow in order that the information might be available to judge the question of privilege that the hon. member will be raising. Members on this side may wish to participate in it. If any consent is necessary, I am sure we can agree now to the minister tabling that document at this time.

Mr. MacEachen: Madam Speaker, I do not have the list and I do not undertake to table it before the hon. member raises his question of privilege. I do not think there is much of a question of privilege, but I will be glad to listen.

* * *

PRIVILEGE

MR. KNOWLES—BLACKENING OF MANITOBA TYNDALL STONE

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I rise on a question of privilege, notice of which I gave Your Honour at noon today. It is in a somewhat different vein than the question of privilege we have been discussing since three o'clock. I realize that what I am about to say will give all my colleagues in the House a splendid opportunity to laugh at my expense. I assure you, Madam Speaker, that I shall not complain. Sometimes I think we might try more often to arrange for laughter. It would be a good tonic to help us cope with some of the things we have to experience here.

In any case, yesterday afternoon I gave vent to a concern I have had for a number of months about the blackening of the Manitoba Tyndall stone over certain vents around the chamber. I asked the President of the Privy Council (Mr. Pinard) to investigate the matter to see if some sort of air is being pumped into this place which might be doing something to some of the members of this House.

Immediately after I raised that question, one or two hon. members applauded my concern. One or two others suggested that maybe there were no black spots there, maybe they were just shadows. That gave me some concern. I spent most of the day looking at them. The more I looked, the more convinced I was that those black spots are black spots. Even now there are members looking at them and realizing that those black spots are black spots.

I like to be very sure about these things, so last night I stayed a little later than I usually do.

Some hon. Members: Oh, oh!

Mr. Knowles: I stayed in the chamber after all others had gone and until those bright television lights in the upper part of the chamber were turned off. Then, Madam Speaker, I found that the black spots were gone. I realized that they are in fact shadows cast by these chandeliers. Therefore, it is not a case of the walls being black, it is a case of my face being red.

Madam Speaker, I should like to apologize to the House for having created any concern. I hope any members who were coughing last night did not feel it was because of the air we were breathing. I am happy to assure them from my examination that there is no discolouration of the stone where those shadows are.

Since I raised this as a question of privilege, I suppose I should be presenting a motion. I am not going to move that the matter be referred to a shadow cabinet. But I should like to move:

That the member for Winnipeg North Centre be forgiven for his perceptual error, it being clear that this is not the first time that a member of Parliament has seen something that was not there.

Some hon. Members: Hear, hear!

Madam Speaker: I can see that the House is quite willing to applaud this motion. I must tell the hon. member that this morning I came to look at the wall.

Some hon. Members: Oh, oh!

Madam Speaker: Having observed that the black spots were no longer there, I thought it was because of the status of the hon. member in the House that his request had been executed overnight and that the spots had been removed.

Some hon. Members: Hear, hear!

MR. MANLY—IMPUTING OF MOTIVES BY MINISTER

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, I rise on a question of privilege. This is the first time I have felt the need to do so. I find this a rather difficult situation, following, as I do, on the comments of the hon. member for Winnipeg North Centre (Mr. Knowles). However, I hope you will find, without a shadow of a doubt, that I do have a question of privilege.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): There must be a full moon.

Mr. Manly: In question period this afternoon, I raised concerns about the government reneging on a 1978 agreement in principle with COPE. In response, the Minister of Indian Affairs and Northern Development (Mr. Munro) imputed motives to me by suggesting that I was letting myself be used in the negotiating process. I suggest that my duties as a Member of Parliament require that I be able to raise a question of such fundamental importance without having motives imputed.

Tabling of Letter

● (1540)

May I remind Your Honour that in 1977 the report of Chief Justice Thomas Berger recommended that there should be a wilderness park established on the north slope of the Yukon Territory. When it was looking at the question of a pipeline corridor, the National Energy Board realized that a corridor going through this area would cause great damage to the environment. It recognized that a pipeline or transportation corridor would destroy the entire concept of a wilderness park on the north slope of the Yukon Territory. It would threaten the porcupine and caribou herds and the nesting area of hundreds of thousands of birds. It would threaten the traditional areas of the Inuit people and the people—

Madam Speaker: Order, please. I will call the hon. member to order because he must expose to me in what way he feels his privilege has been breached, and not enter into a debate about the question he posed to the minister. If the hon. member can tell me in what way he feels his privilege has been breached, I would be glad to listen to him.

Mr. Manly: Madam Speaker, I will endeavour to do that.

In his response, the Minister of Indian Affairs and Northern Affairs suggested that I was being used in the negotiating process and that instead of asking these questions with a sincere desire to have the minister commit himself to this House and come clean before this House, that I was a part of the negotiating process.

I ask that Your Honour look at this matter and find that there is indeed a question of privilege. If Your Honour does, I would be glad to move that the matter be referred to the appropriate committee for consideration.

Madam Speaker: The hon. member is quite right. No one is allowed to impute motives to hon. members. He is also quite right that he should be allowed to raise a question of privilege if he feels that there is a breach of privilege, but it seems to me that he has had an occasion now to put the facts right and to explain to the House that he did not have these motives, whether or not they were imputed by the minister.

I feel that the hon. member has made his point, and I do not recognize that he has a question of privilege.

ROUTINE PROCEEDINGS

[*English*]

ENERGY

TABLING OF LETTER WRITTEN BY MR. LALONDE TO MR. LEITCH

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, following the request made a few minutes ago by the hon. member for Vancouver-Kingsway (Mr. Waddell), I am tabling copies, in French and English, of

the letter I sent yesterday to Mr. Merv Leitch, the minister of energy and natural resources for Alberta.

* * *

CRIMINAL CODE

AMENDMENT RESPECTING CRIMINAL CONTEMPT

Hon J. Robert Howie (York-Sunbury) moved for leave to introduce Bill C-631, to amend the Criminal Code.

Some hon. Members: Explain.

Mr. Howie: Madam Speaker, the purpose of my bill is to substitute an independent voice in the imposition of sanctions for summary contempt of court, which now could put a judge in the difficult position of being the aggrieved party, the prosecutor and the judge at the same time.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

MESSAGE TO HER MAJESTY THE QUEEN

CONGRATULATIONS ON ENGAGEMENT OF PRINCE CHARLES

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am sure all hon. members heard today with great pleasure the happy news from Buckingham Palace and would wish this House of Commons to send a message of congratulations to Her Majesty the Queen expressing our great happiness at the forthcoming marriage of Prince Charles and Lady Diana Spencer.

[*Translation*]

Therefore I move, seconded by the Right Hon. Leader of the Opposition, that a humble Address be presented to her Majesty the Queen, in the following words:

[*English*]

To the Queen's Most Excellent Majesty:

Most Gracious Sovereign:

We, Your Majesty's loyal subjects, the House of Commons of Canada in Parliament assembled, respectfully desire to express our great happiness to Your Majesty and His Royal Highness Prince Philip on the announcement of the engagement and forthcoming marriage of His Royal Highness the Prince of Wales and Lady Diana Spencer, and to assure Your Majesty that this happy announcement is greeted by the members of the House of Commons with great joy.

That the said Address be engrossed; and

That a message be sent to the Senate informing Their Honours that this House has passed the said Address and requesting Their Honours to unite with this House in the said Address.

[*Translation*]

Madam Speaker: Hon. members have heard the motion moved by the Right Hon. Prime Minister. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Madam Speaker, the following questions will be answered today: Nos. 1,449, 1,806, 1,807, 1,813, 1,839, 1,950, 2,002, 2,008, 2,085 and 2,086.

[*Text*]

CANADIAN MEDIA CORPORATION

Question No. 1,449—**Mr. Beatty:**

1. Did the government hire Canadian Media Corporation to handle the purchase of space and time for government advertising?

2. Did the Canadian Media Corporation exist prior to 1980 and, if not, on what date was it incorporated?

3. Did the Canadian Media Corporation perform work for other clients prior to being hired by the government?

4. Did the government have a company with previous private sector experience as an agency of record under contract prior to hiring Canadian Media Corporation and, if so, what was the name of the company and for what reason was its contract terminated?

5. What competition, if any, was held by the government to allow companies with extensive experience as agencies of record to compete for the contract awarded to Canadian Media Corporation?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): In so far as the Department of Supply and Services is concerned: 1. The Department of Supply and Services has entered into contract with Canadian Media Corporation for the provision of agency of record services.

2. Canadian Media Corporation was incorporated on April 16, 1980.

3. No.

4. Yes. (a) Media Buying Services Limited, (b) For convenience.

In so far as the Minister of State (Multiculturalism) is concerned:

5. At a press conference in May, 1980, a public invitation was extended to the advertising industry to express interest in the agency of record. Presentations were subsequently made to the Government by two organizations with agency of record experience. After studying these presentations a decision was made to enter into a contract with Canada Media Corporation.

DEFENCE CONSTRUCTION (1951) LIMITED

Question No. 1,806—**Mr. Herbert:**

Does Defence Construction (1951) Limited have access to government telephone lines, and (a) if not, has this been considered (b) if so, what is the estimated value of the service?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): Yes. (a) Not applicable. (b) Defence Construction (1951) Ltd. paid $62,437.10 for this service in 1979-80.

Question No. 1,807—**Mr. Herbert:**

1. Does Defence Construction (1951) Limited pay interest on security deposits and, if so, at what rate?

2. Are coupons clipped from bonds submitted as security deposits?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. No. However, in accordance with the Financial Administration Act, interest is paid on contractor security deposits (certified cheques) cashed into the Consolidated Revenue Fund by the government (Department of Finance). The rate which fluctuates monthly is equal to 90 per cent of the simple arithmetic mean of the accepted weekly three-month treasury bill tender rates for the month immediately preceding the month in which interest may be paid. For example, during 1980 the rate ranged from 9.10 per cent to 14.8 per cent per annum. No interest is paid on bonds or on certified cheques which, at the request of the contractor, are held uncashed.

2. No. However, at the request of the contractor any matured coupons will be detached and forwarded to the person who provided the security deposit.

Question No. 1,813—**Mr. Herbert:**

Since April 1, 1970, who have been directors and officers of Defence Construction (1951) Limited and (a) on what date were they appointed (b) who had previous experience in the construction industry?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence):

(a) and (b)

Present Directors

Name	Date of Appointment	Previous Experience in the Construction Industry
Mr. A. G. Bland	June 26, 1963	Yes
Mr. L. G. Crutchlow	June 22, 1972	—
Mr. A. W. Allan	June 23, 1976	Yes
LGen J. J. Paradis	September 15, 1977	—
Mr. L. E. Davies	September 15, 1977	Yes
MGen N. S. Freeman	October 12, 1978	Yes

Past Directors

Name	Date of Appointment	Previous Experience in the Construction Industry
BGen G. L. Meuser	May 31, 1965	Yes
Mr. P. Mathieu	May 31, 1965	—
BGen E. W. Henselwood	June 23, 1966	Yes
Dr. J. C. Arnell	January 31, 1967	—
Mr. J. H. DePuyjalon	June 25, 1970	Yes
BGen N. C. Brown	June 16, 1971	Yes
Mr. T. C. Greig	June 7, 1973	—
Mr. E. A. Booth	June 7, 1973	—
LGen J. Chouinard	June 7, 1973	—
MGen R. E. Ashton	May 5, 1975	Yes
Present Officers		
Mr. A. G. Bland	July 1, 1963	Yes
Mr. J. H. Stitt	August 18, 1975	Yes
Mr. J. D. McIlveen	August 18, 1975	Yes
Mr. W. J. Mulock	January 1, 1977	Yes
Mr. T. D. Heavens	April 1, 1977	Yes
Past Officers		
Mr. N. Tokaryk	July 1, 1958	—
Mr. N. J. Smith	February 24, 1964	Yes

CNR PENSION TRUST FUNDS

Question No. 1,839—**Mr. McKenzie:**

1. In each year 1960 to 1979, what was the total cost of administration for the CNR pension trust funds?

2. For each year, were the administration costs charged to the CNR or were they charged to the pension trust funds?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The management of Canadian National Railways advises as follows: 1 and 2. Prior to 1968, administration costs for the Pension Trust Funds were assumed by the railway and were not separately recorded. The CN Investment Division has been responsible for the administration of the CN Pension Trust Funds since 1968 and the related expenses have been charged against the income of the Pension Trust Funds.

Such Expenses total:

	$ Thousands		
1968	$413	1974	$1,003
1969	543	1975	1,174
1970	647	1976	1,299
1971	716	1977	1,486
1972	782	1978	1,803
1973	861	1979	1,723

The apparent rapid increase in the aforementioned expenses must be viewed in light of: (a) growing costs due to inflation; (b) expanding assets under administration; (c) growing complexity of operations.

Nevertheless, administration expenditures have been maintained well below one tenth of 1 per cent of assets under administration, a rate which compares favourably with fees charged by trust companies and other investment managers.

DSS PAY OFFICES

Question No. 1,950—**Mr. Anguish:**

1. Was a decision made to have all pay offices operated by the Department of Supply and Services, including central and regional pay offices, operated on one computerized pay system and, if so (a) on what date (b) who made the decision and for what reason?

2. Was a completely new pay system developed and subsequently abandoned in the mid-1970s?

3. Which system was chosen, the central or regional, when all offices were moved onto one system?

4. Were studies undertaken to support the decision to move to one system and recommending the decision to move to that system and, if so, who did the studies and are they available?

5. Are Privy Council staff paid by a system which bypasses the single computerized pay system and, if so, for what reason?

6. Is the old central pay system still being used to pay Post Office Department employees?

Order Paper Questions

7. What is the average length of time it takes for a pay increase to take effect for a worker in (a) the Post Office Department (b) departments served by the new central pay system, from the time the increase is granted until it appears on the worker's cheque?

8. What is the average length of time it takes for employees in (a) the Post Office Department (b) departments being served by the new central pay system, to start receiving regular cheques from the time they commence work?

9. On what date was the new central pay system implemented?

Hon. J.-J. Blais (Minister of Supply and Services): 1. Yes. In July, 1968, Treasury Board secretariat approved a plan put forward by DSS that envisaged a total payroll system which would allow the Comptroller of the Treasury to standardize procedures and methods while affording the maximum flexibility to respond to user demands for a more effective reporting of expenditures and personnel costs. The plan supported the basic concept for the creation of a central processor containing pay account data on all government employees and common computerized central processing combined with the remote issue of pay cheques and activity reports. A reduced number of pay offices, all operated by DSS, was to be linked with the central processor through communication lines. The reasons given for adopting the new concept were: to meet the demands of collective bargaining being introduced to the public service in 1969 along with various provincial medicare plans; to standardize payroll accounting procedures, improve efficiency and reduce costs, and to meet the central government needs for consolidated and timely reports on personnel information.

2. Yes. The development of a new pay system based upon central computer processing was begun in 1972; and in the spring of 1974 it had reached the stage of trial conversions to test the proposed system. As a result of these trials it became apparent that the centralized concept had severe limitations and would be incapable of administering the approximately 300,000 pay accounts distributed across Canada. Consequently the decision was taken in November, 1974, to terminate further development of the system.

3. The regional pay system.

4. Yes. In late 1974 study groups were formed in DSS to examine the potential of the various options for payroll administration. A formal report was submitted in March, 1975.

5. The Privy Council staff is paid through the regional pay system.

6. Yes. The central pay system continues to administer Post Office pay accounts except for term and part-time workers who are paid by local regional services offices.

7. The length of time for processing a pay increase depends very much on the workload current in the pay office where the account is administered. Recent statistics monitoring work in progress indicate very little time difference between the office processing postal pay accounts from the offices servicing all departments. Although separate reports are not maintained on the processing time for pay increases from other actions the statistics for the last two months show that more than one half the requests received in the pay offices were processed within two weeks, while 85 per cent were completed within a four-week period. The remaining 15 per cent are currently outside the four-week limit due to a backlog situation created by the CR labour disruptions. It is expected that the temporary backlog will be eliminated by March, 1981. These times do not cover processing within the employee's department. This applies to normal pay increases, however revisions negotiated through collective agreements are permitted a 90-day implementation period.

8. As indicated in the reply to question 7, there are no significant differences in times between the pay office servicing the Post Office from the pay offices giving service to all departments. Priority is given to the processing of pay of newly joined employees and on these requests our objective is to issue the pay cheque to the employing department within two weeks of the request being received at the pay office.

9. Following the selection of the regional pay system in 1975 to be the standard system for administering the payroll for all public servants, a development plan was originated for the progressive redesign of the system to meet standards of processing to be set in conjunction with Treasury Board. The enhancement process is continuing today; by April, 1981, the payroll of all departments, with the exception of Post Office, will have been transferred to the regional pay system.

GRAPHIC DESIGN SECRETARIAT

Question No. 2,002—**Mr. Herbert:**

Is there presently a Graphic Design Secretariat and, if so, where is it located and what are its present responsibilities?

Hon. Donald J. Johnston (President of the Treasury Board): The Graphic Design Secretariat was established as a part of Information Canada for the general purpose of improving the over-all effectiveness, efficiency and quality of graphic design and design management in the government. The secretariat ceased to exist in 1976 with the termination of Information Canada. The secretariat's responsibilities associated with the Federal Identity Program (FIP) were transferred to Treasury Board along with some staff. Two design advisers are presently located in Treasury Board, with responsibilities for developing design standards and policies for the FIP, and for advising government organizations on implementation. FIP objectives and policies are set out in chapter 470 of the Administrative Policy Manual, which is available on request from the Administrative Policy Branch, Treasury Board Canada. Chapter 470 makes reference to the former graphic design secretariat in describing the background leading up to the development of the Federal Identity Program.

PERSONNEL RELEASED FROM CANADIAN FORCES

Question No. 2,008—**Mr. McKinnon:**

For each year 1970 through 1980, how many service men and women were released from the Canadian Forces?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence):

As of December 31 Each Year	Servicemen	Servicewomen	TOTAL
1970	10,620	370	10,990
1971	9,443	286	9,729
1972	9,435	211	9,646
1973	8,675	328	9,003
1974	10,328	470	10,798
1975	10,860	728	11,588
1976	10,026	797	10,823
1977	10,193	924	11,117
1978	8,719	712	9,431
1979	9,992	764	10,756
1980	10,105	995	11,100

DND—PURCHASE OF SPONGES

Question No. 2,085—**Mr. McKinnon:**

Did the Department of National Defence purchase $10,865 worth of sponges from P. F. Thompson Associates Ltd. and, if so, for what purpose?

Hon. J.-J. Blais (Minister of Supply and Services): A competitive contract valued at $10,865 for sponges was issued by the Department of Supply and Services to P.F. Thompson Associates Ltd. on behalf of the Department of National Defence. Usage indicated is "General Janitorial".

DND—CONTRACT WITH TRUE SOUND MUSIC LTD.

Question No. 2,086—**Mr. McKinnon:**

Did the Department of National Defence place a contract for $11,500 with True Sound Music Ltd. for an organ and bench and, if so, where is the instrument to be located and for what purpose?

Hon. J.-J. Blais (Minister of Supply and Services): The Department of Supply and Services (Calgary district office) purchased from True Sound Music Ltd., on behalf of the Department of National Defence, an organ and bench to be delivered to the Canadian Forces Base, Calgary, Base Supply Section. The Department of National Defence requisition stated that the instrument was for the church located on the CFB, Calgary.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Madam Speaker, if question No. 5 could be made an order for return, this return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 5 be deemed to have been made an order for return?

Some hon. Members: Agreed.

Economic Policies

[*Text*]

SPEECH WRITERS FOR CABINET MINISTERS

Question No. 5—**Mr. Cossitt:**

1. Between January, 1976, and May 22, 1979, on how many occasions did a cabinet minister employ or otherwise arrange for the services of a freelance or contract speech writer or speech writer of any kind?

2. In each case (a) who was the Minister (b) what was the fee (c) what was the occasion of the speech and in what location was it made (d) who was the writer?

3. What was the total cost to the taxpayer for all speeches in the categories mentioned in Part I?

Return tabled.

[*Translation*]

Mr. Evans: Madam Speaker, I suggest that the remaining questions be allowed to stand.

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY S.O. 58—ALLEGED FAILURE OF GOVERNMENT'S ECONOMIC POLICIES

Mr. Harvie Andre (Calgary Centre) moved:

That this House condemns the government for its failure to introduce economic policies that would restore the economy to its full potential and give Canadians confidence in their future.

He said: Madam Speaker, last Saturday several newspapers in Canada carried the results of a recent Gallup poll in which the people sampled were asked the following question:

Do you think the federal government's policies for tackling the country's economic situation give you a feeling that they are or are not handling the situation properly?

Sixty-one per cent of the population said no, the federal Liberal government is not handling the economy properly. Twenty-five per cent said yes.

Are the people right? Is the federal government handling the country's economic situation properly? No, the people are wrong, said the Minister of Finance (Mr. MacEachen) in a speech in Montreal yesterday. He said that problems in the economy are not his responsibility as Minister of Finance. They are, he said, the responsibility of the private sector. The problem in our economy, according to the Minister of Finance, is that Canadian workers are greedy and lazy. He did not use that language, obviously; he is too good a politician to do that, but he says that the root cause of our inflation is that Canadians want better wages, pensions and benefits but are unwilling or unable to produce more to finance these benefits. What an affront to the Canadian worker, and what a colossal

cop-out by the Minister of Finance, the man who is supposed to be responsible! Does the minister really believe what he is quoted as saying in his Montreal speech? He said, and I quote:

—the nature of productivity is such that the government can only play a supportive role. Ultimately the productivity revival will have to come from the private sector and from individual initiatives.

If he really believes that, he should resign forthwith. To suggest that the government has only a peripheral effect on productivity is to show either incompetence or dishonesty. One would like to think that the integrity or honesty of the government and its ministers need never be questioned, but, regretably, we know from sad experience with this government and its ministers that honesty is not a virtue held in high esteem.

● (1550)

For example, how can we accept or believe in the integrity of the Deputy Prime Minister and Minister of Finance when he said in his budget that there would not be an export tax on natural gas, but in the next breath announced a charge on natural gas sold to United States consumers? Let me say by way of an aside that I was taught, as I am sure everyone in the House was, that telling the truth is not only morally right, but is in your own best interests as well, because lies have a way of coming back to haunt you. That lesson has just recently been learned by the Minister of Finance.

Currently, the government of Alberta is challenging in court the legality of this charge on gas sold to United States consumers. They have argued in court that this charge is unconstitutional. Counsel for the federal government said that the federal government can certainly impose an export tax, that an export tax is constitutional. When the judge asked counsel for the federal government, "How is it that this charge on natural gas sold to United States consumers was described by the Minister of Finance as not an export tax? He said that there would be no export tax", counsel for the federal government was forced to admit that it was the same thing. The government's own lawyer was forced to admit in front of the judge that the Minister of Finance was not telling the truth when he stated in his budget document that there would not be an export tax on natural gas.

The statement of the Minister of Finance yesterday that the main problem in the Canadian economy is lagging productivity caused by the private sector is exactly in the same category as the statement that there is no gas export tax; it is simply untrue. The main problem with the Canadian economy is the one flagged by Canadian people in the latest Gallup poll, namely, the government's mishandling of the economy. The sad fact is that, in spite of being back in office for a full year now, the government and the Minister of Finance have yet to develop or articulate a coherent economic policy, or any policy, for the matter.

Hugh Anderson wrote an article about the governor of the Bank of Canada which appeared in yesterday's edition of *The Globe and Mail*. He started the article with a statement which I thought was revealing:

For a man widely credited with running the only national economic policy Canada has, Bank of Canada Governor Gerald Bouey remains remarkably unruffled—

As Mr. Anderson indicated, the only national economic policy of the country at the moment is the tight money policy of the Bank of Canada. Is Mr. Anderson fair in his assessment? Let us look at the record.

Aside from the monetary policy of the Bank of Canada or its responsibility in that area, the government's economic policy comes from the main economic ministers: the Minister of Finance, the Minister of Industry, Trade and Commerce (Mr. Gray), the Minister of State for Economic Development, the Minister of Energy, Mines and Resources (Mr. Lalonde), the Minister of Agriculture (Mr. Whelan) and the Minister of Transport (Mr. Pepin). If a single one of these ministers, or any of the ministers of state associated with them, has yet produced anything which can be recognized as a coherent policy, certainly it has escaped my notice and the notice of almost everyone in the country. Indeed, frequently their actions are at variance with generally-stated goals.

I should like to speak now for a moment about the Minister of Transport.

He has been in office for a full year. The only action he took, or attempted to take, was to try to undo the positive actions of his predecessor, the hon. member for Vegreville (Mr. Mazankowski), regarding the Prince Rupert grain handling facilities. Since then he has done absolutely nothing to improve transportation in this country. In nine months, the hon. member for Vegreville accomplished more than this minister did in a year or more than any of his Liberal predecessors did in their tenures.

Let us consider the Minister of Agriculture. I am not an expert in agriculture, but all I have heard from the Minister of Agriculture in the last year is his repeated statements that he is the world's best minister of agriculture. That is all I have heard, that is all anyone has heard. If there has been an initiative regarding agriculture, certainly it escaped my notice.

Where is the Minister of Industry, Trade and Commerce, that great paragon of virtue, that great human dynamo who was going to change single-handedly the economy of Canada? He was going to repatriate the economy, increase Canadian ownership and lower interest rates. He was going to resign if he could not lower interest rates; he was going to have an industrial strategy.

Mr. Mazankowski: Amazing Gray.

Mr. Andre: Yes, amazing Gray. Where is the industrial strategy? He was asked about it the other day and he said, "We have to wait for the Constitution". What is the connection between an industrial strategy and the Constitution? This was not explained by the minister. Apparently he and his entire department are twiddling their thumbs, worrying about the Constitution. When they have finished worrying about that, they will get around to developing an industrial strategy.

Then there is the minister in the other place, the senator from Alberta, the Hon. Bud Olson, the Minister of State for Economic Development. Has anyone told him what his responsibilities are? Has the Prime Minister (Mr. Trudeau) taken him aside and told him what he is supposed to do? I have been trying to keep track of that minister. I have read the speeches he made across the country in an attempt to discern the responsibilities of that department. They baffle me. I have yet to see any tangible evidence in support of what that minister is doing. He gives speeches and says that they are trying to make an adjustment. "Adjustment" was a key word in his speech to the Quebec Chamber of Commerce. He said:

—we decided early on that we needed some way to ensure that specific federal policies worked together to achieve the right goals. What we came up with was a framework of eight components, the "guts" of the economic development process, if you will.

Then he went on to talk about the eight components. He said:

The eight components are:

—human resources;

—capital investment;

—energy;

—natural resources;

—technology;

—infrastructure;

—market development; and

—institutions.

It is a marvellous list. Now let me take a look at what the government has actually produced in terms of the eight components, the guts of the Canadian economic development process which the minister is supposedly overseeing.

Human resources—so far all I have heard is that the government intends to cut the funding to universities by $1,600 million. Will it help promote human resources to cut the guts out of the funding to universities?

Capital investment—I wonder whether the minister can explain how this tight money-high interest policy is helping capital investment. The predictions of the Conference Board of Canada, the Economic Council of Canada, Data Resources of Canada and the Minister of Finance show capital investment going down next year. Where is the substance to back up this goal?

Energy—it has to be a laugh! The energy policy of the government ensures absolutely that we will be short of energy and will be held hostage to the whims of OPEC nations.

Natural resources—has there been a statement, a policy or an announcement on natural resources? If so, it has escaped my notice.

Technology—the government has cut back on its commitment of funds to the Natural Sciences and Engineering Research Council. The Minister of State for Science and Technology and Minister of the Environment (Mr. Roberts) indicated that he expected the private sector to make up the shortfall in the government's spending on research and development. He said the government cannot be counted on to do that.

Infrastructure, market development and institutions—these are fine words but they have no substance whatsoever.

What about the matter of energy? Government economic ministers, be it the Minister of Energy, Mines and Resources, the Minister of Industry, Trade and Commerce, the Minister of Finance or the Minister of State for Economic Development use the following phrase, in virtually every speech: "The key to Canada's future is development of our energy potential."

• (1600)

The budget cum energy policy given by the minister last October 28 stated three goals which sound marvellous. No one disagrees with those goals. They are self-sufficiency by 1990, 50 per cent Canadian ownership by 1990, and a fair and equitable revenue-sharing scheme. How could anyone disagree with that? But let us look at what, in fact, has been the impact of this budget cum energy policy. It has been predicted that by the middle of May, half the number of drilling rigs in this country—rigs and equipment which are necessary to explore for the oil and gas which we will need if we are to be self-sufficient—will have left or will be in the process of leaving. That industry is 90 per cent Canadian-owned. It is owned by Canadian citizens living in Canada. This policy, under the guise of Canadianization and self-sufficiency, is driving out half the number of drilling rigs. They are being driven to the United States. And all of this is under the guise of Canadian ownership.

The amount of money which is leaving Canada for greener pastures in the U.S. and offshore as a result of this energy policy is in the billions of dollars—not millions, tens of millions or hundreds of millions, but billions of dollars. This year alone, the estimates are as high as $3 billion, which could and should be invested here in Canada. It is going to the United States. It is not foreign money, Mr. Speaker, but Canadian money. It is money controlled by the Canadian independent oil and gas sector which has been responsible for, on average, 70 per cent of the exploratory wells drilled in Canada over the last ten years. It is the Canadian sector which is designed to Canadianize the industry, as stated by the government. That is absolutely absurd.

I would like to deal next with the question of fairness in sharing. The Minister of Energy, Mines and Resources, the Minister of Finance and those who speak in defence of this government's energy policy talk about the necessity of having a fair distribution of the economic rent from oil and gas. The figures they are prone to use for the existing sharing scheme are 45 per cent which goes to the province, 45 per cent which goes to the industry, and only 10 per cent which goes to the federal government. That is simply not true. The fact that they keep repeating this untruth is one of the root causes of the failure of this government to be able to reach an agreement with the provinces. Who would want to negotiate with someone who continues to tell untruths of this kind? Who would want to negotiate with someone who will not accept the facts?

What the government has done, and I use the favourite economic phrase these days of "economic rent", is to establish

the economic rent on a barrel of oil as being $40. By government fiat it has said that it will take approximately 22 of those dollars, which is a little more than half of the $40, and distribute it to the consumers. The government then says it wants to consider sharing the remainder, but it does not want to be asked to consider what has already been distributed by government fiat. To withdraw the $22 from the equation is a form of dishonesty, Mr. Speaker, if not something stronger. Even when the government looks at what is left, the numbers remain cockeyed and concocted to a point which makes them, in fact, untrue. A more realistic comparison has the federal government receiving in the vicinity of 20 per cent, not 10 per cent as it did under the old regime. Certainly, under the new regime it will be a lot more. I do not understand why the government cannot learn that simple lesson. If you want to reach an agreement with someone, the first thing you must do is be honest in your approach. No one will deal with someone they do not trust, not without their hand on their wallet.

If that sounds unduly harsh or critical, Mr. Speaker, I remind the House and the country of a quote which appeared in a newspaper article a few months ago. I believe it appeared in *The Globe and Mail* and it was about the national energy policy. I believe it was some time in November. In this quote, the assistant deputy minister of energy, one Edmond Clark, who is attributed by many to be the author of the national energy policy, said there was no question that if this were a unitary state we would be paying closer to world price. In other words, the price which is established in this country has nothing to do with the national good. This government does not see itself as having a national mandate; it sees itself as an institution, the federal government, in competition with other institutions in our economy. Therefore, in that competition, since it will be dealing the high cards, the trump, if you will, it will deal harshly so as to ensure that its will prevails. As I said, one of the ways in which this will be done will be by distributing 50 per cent of the economic rent and by talking about sharing the remaining 50 per cent.

I wonder if hon. members opposite ever stop to think about western alienation and the rise in separatism. I wonder if they realize to what extent this may be attributed to the attitude of our national government which says, "Look, we must be interested in the responsibility of the government before that of the country." It may come as a surprise to the Minister of Finance and hon. members opposite that Alberta is a part of Canada. We are a part of the whole. So is Saskatchewan and so is British Columbia. People in Saskatchewan, British Columbia and Alberta are baffled by this thinking. They wonder why the federal government thinks it is virtuous to buy from Mexico at world price but a sin to buy from Saskatchewan, British Columbia or Alberta at three-quarters of the world price. Quite frankly, they do not understand that. I do not think this could be rationalized by a government which thought of Canada and not just of Ottawa.

Then there is that absurd Canadianization program which is nothing more than a nationalization program. There is also the PetroCan tax, which caused a constituent of mine to write a letter to me which I thought was rather interesting. If you accept the wisdom of the PetroCan tax, wherein the consumers across the country are being asked to pay for the purchase of Petrofina, then why does the government not put the public to a real test and have that PetroCan tax applied only at PetroCan stations? Since this is such a marvellous idea, a constituent of mine wrote to me and suggested that if the government believes in the National Energy Program, then it should establish a national automobile program. His suggestion should appeal to the government. The goals of the national automobile program would be threefold. They would be to establish at least 50 per cent Canadian control of the automobile manufacturing industry by 1990; to assure Canadians of an adequate supply of new cars; and to apply a blended pricing policy which would shelter Canadians from world pricing pressures but which would still allow the federal and provincial governments to receive their fair share of the revenue. I think that would be a marvellous program. My constituent goes on in some detail, but the part that I thought would be particularly appealing to the government is his concept of a federal government Canadianization tax, an "AutoCan tax", if you will, of $500 on each new car sold. A new Crown corporation would be created. This money would be given to Auto Canada, a new Crown corporation. It would use the proceeds of this tax to buy out one of the multinational automobile companies, thereby establishing a 50 per cent ownership of the Canadian automobile business. I think that is great. I think we could next do the same for the clothing business, the mining business, and the pulp and paper business. I mean, it is a winner. All you do is put on this little tax and give the money to a Crown corporation, which can then buy up the foreign-owned industry. It is just a Jim-dandy idea. If the government likes the National Energy Program, they should love this national automobile program and any others which follow.

• (1610)

The National Energy Program is a disaster. I am convinced that it is so bad that the government will have to swallow it within a few months. The question is, how long will it be before they do change their mind? Will the Minister of Energy, Mines and Resources realize he has made a mistake sooner, rather than later, to save the country damage from what he is doing? Will the Prime Minister (Mr. Trudeau) have the courage to remove him and put somebody else in if the Minister of Energy does not change his mind? Those are the relevant questions.

I suspect that we will go through a few more months of hardship before that happens, but I would be willing to make a considerable wager that this National Energy Program will be altered, because it is absolutely unacceptable. Except for what Mr. Keith Spicer described in a newspaper the other day as "the handful of ideologues" in the Department of Energy, Mines and Resources, there is not a single person in Canada who supports this program. I do not have enough time to list all the industrial associations which criticize that program—manufacturers, pulp and paper companies, public real estate

companies, virtually every industrial organization in the country.

What has the minister of Finance, who has been in office a full year, done in that time other than bring in, over his signature, the National Energy Program? What else has he done? He describes his program to the press as a program of "gradualism". He says he believes in gradualism, and he is gradually trying to make things better, too. What he has, in fact, done is to take a bad situation and make it worse. That is not my opinion; that is the opinion of the experts who make their living assessing the economy and the impact of government action.

The minister introduced a budget which declared war on one industry in one part of the country. That might perhaps be forgivable if there were some over-all benefit to the country, of which there is none, according to the experts.

Let us consider, for a moment, some of the observations being made about the performance of this Minister of Finance as the result of the budget brought in last fall. I have the assessment made by the Conference Board, which is considered to be the expert in short-term projections on the economy. It projected in 1981, just prior to the budget, that gross national expenditures would increase by 1.9 per cent; after the budget, the board dropped its growth projection to 1 per cent. Prior to the budget, the board thought that real disposable income would rise by 2.8 per cent; after the budget its projection dropped to 1 per cent. Before the budget, the board estimated that the consumer price index would rise by 10.5 per cent during the next year; after the budget it said it would be 11.7 per cent.

Instead of having a disastrous situation, we will have a calamitous situation. Productivity, before the budget, was predicted to grow by .8 per cent, which is not much; but after the budget, it was projected to drop by .2 per cent.

The Minister of Finance had the gall to go to Montreal yesterday and say that it is the private sector that is lousing up productivity in our country, and they must pull themselves up by their bootstraps. The Conference Board says that it was the minister's budget which caused a drop of 1 per cent in Canadian productivity. Instead of going up by .8 per cent by next year, as would have been the case before his budget, it will drop by .2 per cent.

The minister says that there is nothing the government can do, and it is up to the private sector. The evidence is right here. It is what the government did and is doing that is driving down the productivity.

What does Data Resources of Canada say? The minister thinks highly of this group, because he quoted them in his budget. They said:

> The budget therefore represents one more force weakening the prospective recovery in 1981 to 1982.

This is the independent organization of people who make their living predicting trends in the economy. They say that this budget will make matters worse.

What does the Economic Council of Canada say? The general impact of the federal budget appears to increase the rate of unemployment. That is what the budget did. The Minister of Finance stood up here during question period today and said that he feels for the people; yet he authored a budget which the Economic Council of Canada says will increase rates of unemployment. He went to Montreal and said, "It is not my fault; it is the private sector's fault; it is the individual's fault. You must pull up your bootstraps and be more productive."

If that is what he feels, why does he not get off people's backs? If that is what he feels, he should stop bringing in stupid budgets like this. If he is concerned about the people of this country, when is he going to put together a coherent set of economic policies? When will he stop relying totally on the governor of the Bank of Canada to implement the one national economic policy we now have, namely a tight money and high interest policy? When will he start balancing that out?

The minister is engaged in what is described as "the big lie technique", the technique of pulling out hair, the gall to state these objectives by using flowery language to describe these attractive goals of Canadianization, increased productivity, more industrial development, and fairer revenue sharing, and then taking action which is exactly opposite to those goals.

When I read the speech which the minister made in Montreal yesterday, I found it difficult to know whether to laugh or cry. Given the total lack of any economic development policies during the past year since this government took over, I wonder whether it is not fair for the Canadian people to ask us to turf these members out of office.

Therefore, I take pleasure in moving this motion, and request that the House give serious consideration to condemning the government for its failure to introduce economic policies which would restore the economy to its full potential and would give Canadians confidence in their future.

Some hon. Members: Hear, hear!

Mr. Nelson A. Riis (Kamloops-Shuswap): Mr. Speaker, these days, a number of words have become almost household terms, such as "unilateral", "divisiveness", "alienation", "separation", and so on; but Canadians around the country have indicated unanimously, whether it be in the halls of the House of Commons, the streets of Ottawa, or in the towns and hamlets in rural areas across Canada, that they have a question, which is, "What, in God's name, is going on there in Ottawa?"

A few days ago, one of the members of the Liberal Party across they way, while discussing the Constitution, indicated that now is the time to patriate our Constitution because it is the last vestige of colonialism in Canada. At the time I did not know whether I should laugh or cry on hearing that comment. Obviously, the individual did not understand the true meaning of colonialism, or he equates it with political symbolism along with economic realities. But if one were to look at the definition of "colony", one would find it is land or territory where resources are exploited for the benefit of a foreign country.

That is us, Mr. Speaker; we are a branch plant country, a colony. For example, let us consider our negative trade balance for fully manufactured goods. In the 1970s, it was nearly $90 billion but in 1979, it was $17 billion for the year, and 1980 was no better.

● (1620)

Just the other day I read in a newspaper that Canada is a rich, developing country and that like all underdeveloped countries, we are experiencing a chronic state of underdevelopment and a chronic state of underemployment.

Let us consider as well the current crisis in the automobile industry, and the past, present and proposed lay-offs in that sector. Let us consider too, the problems being faced by Massey-Ferguson and the deteriorating situation at McDonnell Douglas that was brought to our attention today. There is no question that Canada is being held back by a government which continues to support a branch plant economy; it has indicated clearly time and time again that it has set its mind on a branch plant approach to solving our economic problems.

A "visionary paralysis" would be a good way to describe the government's position and policies. Unfortunately, it is preoccupied with the present and, as the previous speaker indicated, it is preoccupied with the Constitution. It is composed of short-term, tunnel-vision thinkers who spend all their time devising simplistic methods of levying new taxes in an equally simplistic effort to reduce our increasing deficit.

What we need is for some clear national objectives to be established, some clear, definitive intertrade policies, some new long-term financial policies. If one were to ask members of the government, leaders of business and leaders of labour what the objectives and goals of this government are for 1990, what would the answer be. I suggest that if one looked at the fields of agriculture, mining, forestry, fisheries or self-sufficiency in food production, one would not find the goals clearly stated or precisely identified, either for the government or for Canada.

I must give the government credit for one goal, and that is the goal of ensuring that a measly 50 per cent of the oil industry in Canada is owned by Canadians by 1990. This is a tiny step in the right direction.

We have to ask what the Tories' goals and objectives are. It is easy to recognize that the philosophy of the Liberal Party, by definition, has no long-term goals. What are the goals of the Tories? What are the clearly stated objectives of the Tory party in Canada?

An hon. Member: Back to the eighteenth century.

Mr. Riis: Back to the time of the wealth of nations, of Adam Smith. Presumably they are based on the policies of 1776; the gospel according to the Tories. God help us all.

What Canada needs is for the government to state very clearly now what its job-creation objectives are; what percentage of unemployment should be dropped—should it be 2 per cent or 3 per cent? I think it is a shame that we have come to agree that 8 per cent or 9 per cent is acceptable. What is our target? What are we aiming for?

We should consider, too, our target in home construction. We say that we are going to build 240,000 homes in Canada this year but why not build 500,000 in the next two or three years? Why not build more decent homes that Canadians can afford?

What is the balance of payments goal for Canada? What are the small business policies designed for the entrepreneur? And as the previous speaker indicated, what is the industrial strategy for Canada? During question period today we heard vague references to the beginnings of an industrial strategy. We have been waiting for it for years and years. The minister responsible for an industrial strategy indicated that he will be saying something about this in the months ahead. He has to spend a considerable amount of time discussing it with the various vested interests concerned, and I am not convinced that it will be to the benefit of Canadians if it is based on the past record of the Liberal Party.

Productivity is a topic that has been before the House a number of times, and it was raised again today by the Minister of Finance (Mr. MacEachen). He spoke of productivity goals but he had the courage to suggest that the output per worker has decreased and that, by and large, that is one of the crucial factors which hinders Canadian development today, and he said that Canadian workers will have to bite the bullet.

I think it is clear to anyone with even a rudimentary understanding of economics that technology and equipment are problem areas which affect productivity. Money must be spent on research and development, but with a branch plant economy in no way can we expect serious research and development to occur in this country.

Mr. Minister, you have the courage to suggest that Canadian workers are a part of the problem of Canada's lack of productivity and, Mr. Minister, I suspect that we should identify the real problem in this. Indeed, one could suggest it is yourself.

Some hon. Members: Hear, hear!

Mr. Deputy Speaker: Order, please. I would ask the hon. member to address his remarks to the Chair.

Mr. Riis: Unquestionably, what this country needs now is strong political leadership to bring government, labour and business together and to address what my leader so aptly identified a number of weeks ago as the pending economic crisis that this country is about to face. We need to establish an open dialogue between these three parties in an effort to create a greater awareness amongst Canadians about our economic problems and to develop positive, co-operative solutions to them.

We have inherited a legacy which is the result of both Liberal and Conservative policies. It emphasizes the competitive and destructive forces in Canada. The problems with our Constitution today are simply a reflection of these difficulties. I refer to the balkanization that has occurred in the regions of Canada and the provinces of Canada. The provinces recognize

that they are on their own, that their backs are to the wall, and they can no longer count on the comprehensive co-operative and economic programs of this government because they are simply not there.

Put in simplistic terms, the programs of the Liberals and the Tories have resulted in a directionless, accelerated, goalless exploitation of our resource wealth—dig the coal, dig the copper, export it as quickly as possible, as we did in the days of the fur trade and the squared timber trade during our early economic development.

Although I suspect the Liberals would deny it, they have taken us to the brink of a policy of continentalism over the years which recognizes the North American continent as an economic unit but has not paid much attention to the existence of the 49th parallel.

A few months ago when the Right Hon. Leader of the Opposition (Mr. Clark) led the previous government, he gave us another example of a blatant, unbridled rush to an even more aggressive and destructive form of continentalism. Under his policies, Canada would have been even more subservient to the dictates of the North American marketplace.

An hon. Member: Joey Reagan.

Mr. Riis: The Tories had little to say about a sound Canadian economic strategy. They wanted to return to the time of Adam Smith and the simplistic economies of the eighteenth century. Had the Tories been permitted to continue with their policy, I suspect we would now be in a permanent state of underdevelopment in this country, increasingly dependent on resource exploitation, and increasingly dependent on foreign imports. But Canadians soundly rejected that Tory program.

I hope and pray that the next time around, the people of Canada will soundly reject the hollow and shallow promises being made by the Liberal Party. I do not think there is a better example of a hollow promise than the discussion on research and development that is occurring in Canada today.

• (1630)

Research and development in Canada, except for Ireland and Iceland, places us at the very bottom of the industrialized western nations. At the moment our contribution to R and D is 0.9 per cent, and the minister has the audacity to stand up and say "we hope in five years to have it at 1.5 per cent of our GNP". I suggest that is a Neanderthal approach to research and development. Simply 1.5 per cent will condemn us to falling further behind in the race of western nations to participate in the development of a sound and sophisticated economy. Research and development will not even reach that in five years, as the minister has, in a sense, indicated.

An hon. Member: Like a piano player in a cathouse.

Mr. Riis: The best measure in research and development is not the percentage of money spent per GNP, but the number of people involved as a percentage of the total population. After all, it is not the money poured in for research and development but it is the creative, energetic, innovative minds of people following a clearly defined policy which results in the positive contributory research and development of a country.

Let us look at some figures for a moment. I shall refer now to industrial research and development. The figures I have selected are from 1977. The situation, of course, has not changed since then, some have even suggested that it has worsened.

In 1977, Canada, with a population of 23 million, employed 22,000 people in industrial research and development, whereas Sweden, with 8 million people, employed 24,000 people; Holland with 14 million people had 26,000 employed; France, with 54 million people, had 120,000 employed; West Germany, with 61 million people, had 197,000 people employed; Japan, with 115 million, had 306,000 employed; and the United States of America, with 217 million, had 394,000 people involved in industrial research and development.

All of these countries, with the exception of Canada, have on stream at the moment aggressive five-year plans to double and triple those numbers of individuals involved in research and development. What is so shameful is that Canada has no goal in this area in any meaningful way. Why is this? We have to ask why it is that we are so far behind and seemingly falling further and further behind. Either a great difference exists between our industrial objectives, policy or strategy and those of other countries, or we simply do not know what is going on. I am sorry to say that I am forced to accept the latter, that we do not seem to know where we are going. We do not seem to know what our economic objectives are in this country. Consequently, we are unable to have a decent post-secondary educational policy or a research and development policy because we do not know what it is we are trying to accomplish. As the previous speaker indicated, the government is suggesting consideration of cutbacks of $1.5 billion in post-secondary educational funding. This is at a time when more money should be spent in those areas in an effort to invest in the future of Canada than is being spent now.

In conclusion, we could end up in the next few weeks with a Constitution that is the envy of the world. However, if we are not careful, we will end up with a situation in Canada without the economic wherewithal to really do anything with the Constitution.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Mr. Speaker, I thank the hon. member for Calgary Centre (Mr. Andre) for giving me an opportunity to make a statement today on the economy.

Mr. Hnatyshyn: The silence is about to be broken.

Mr. Knowles: Is this another budget?

Mr. MacEachen: I must say I am not obliged to thank him for giving me any ideas as to how to manage the economy. In fact, the resolution which he has moved condemns the government for its failure to produce economic policies which would allow the economy to reach its full potential. In the course of his speech, the hon. member made not a single constructive suggestion which could be described as economic policy. In fact, the Conservative Party is groping, day after day, for a policy of some kind and it does its groping before us all during the question period as it searches for an economic policy. Because there is no co-ordination and because there is no real thought given to the question of the economy, contradictory statements are made day after day. The hon. member for St. John's West (Mr. Crosbie), supported by his seatmate, the former president of the treasury board, led an attack on what they consider to be government extravagance, the failure of the government to be more restrained, the failure of the government to reduce the deficit and the failure of the government to reduce even further the rate of spending.

That is that wing of the party. The other wing, for example, is represented by the hon. member for St. John's East (Mr. McGrath), who, day after day, asks for more spending and more social programs. At times, the Right Hon. Leader of the Opposition (Mr. Clark) joins that group when he calls for energy tax credits, and so on. I intend to say more about that later and I intend to say a bit more about the usually contradictory and often dangerous medicines prescribed by the official opposition for the Canadian economy.

First, I want to describe to the House some recent developments in the Canadian economy which are not only welcome but, in my view, are further evidence that the balanced, non-extremist approach, adopted in the October budget was the wisest course of action to take in the present situation in Canada. I stated in that budget that I rejected extreme solutions on either side. I stated quite clearly that I wanted to follow a moderate course and avoid the dangers of the extremists' positions, one adopted by the New Democratic Party and the other, not adopted by the Conservative Party but by the hon. member for St. John's West when, in his more right-wing moments, his true colours come to the surface, and he is permitted by the red Tories to show that bit of blue which designates his colours.

Mr. Broadbent: The Liberal Party is the party of the dead centre.

Mr. MacEachen: The most recent information I have on the economy, Mr. Speaker, makes it clear that there was an unexpectedly strong recovery in the economy in the second half of 1980.

Mr. Hnatyshyn: We all missed it. Where was it?

Mr. MacEachen: The growth in real output during the third quarter was at an annual rate of 1.7 per cent. The fourth quarter figures will become available at the end of this week, and I expect they will show a growth rate of more than 6 per cent.

Some hon. Members: Hear, hear!

Mr. MacEachen: I think that is rather remarkable in light of the gloom and doom which has been voiced by members of the opposition.

Therefore, for the year 1980 as a whole we may see a small increase in growth rather than a decrease in real growth which we expected at budget time. That recovery and that strength in the economy is most welcome and will be appreciated, I am sure, by all members of the House.

Another development is that employment has continued to rise. Almost one quarter of a million new jobs were created last year. Unemployment is still high but it is less than 7.5 per cent, less than I expected in the October budget. Of course, the main reason for this recent strength in the economy is the remarkable strength of our foreign trade. Our trade surplus in the fourth quarter was more than $11 billion. This is a record figure and probably exceeded our deficit on non-merchandise transactions. We may have had the first current account surplus since the first quarter of 1974. That is what is happening to the economy.

• (1640)

As well, there has been some recovery in consumer spending and housing helped by the decline in interest rates last summer and fall.

Mr. Andre: What decline in interest rates?

Mr. MacEachen: That decline may have gone unnoticed by the hon. member for Calgary Centre. In light of his comments this afternoon, I would say he has not noticed a lot of things that have happened in this country and in this Parliament. I do not want to exaggerate, but there has been some recovery in consumer spending and housing, helped, as I said, by the decline in interest rates last summer and fall as well as by the increase in employment.

To do this well in the troubled world environment we are now facing is evidence of the fundamental strength of Canada's economy. We could not achieve those trade figures without a strong competitive power. Our competitive power is strong because our costs have risen less than in most industrial countries and because our exchange rate is favourable to our exporting countries.

It is obvious that other countries envy our rich resources. The products of our mines and forests have swelled our export figures. As one of the world's great exporters of grain, we are benefiting from high international prices. These are some of the positives that one ought to lay on the record in discussing the Canadian economy. Of course, our varied sources of energy are of immense value. One of our greatest challenges is to ensure that we develop them in ways which will serve the interests of all Canadians.

I noted the comments made by the hon. member for Calgary Centre on the National Energy Program. It is obvious that he holds these views very strongly. They are not my views, not the views of the government or of the Liberal Party. Our views are quite different from those held by the hon. member for Cal-

gary Centre. The sooner we recognize that there is a vast difference between this party and the party opposite, the better understanding we can reach in the debates in this House of Commons.

Mr. Knowles: Tell us what is the difference.

Mr. MacEachen: The hon. member for Winnipeg North Centre (Mr. Knowles) is seeing one of those black spots. He is the one who told us that Members of Parliament sometimes see things that are not there. He has been having one of his attacks in the last moment or two.

We have also secured impressive success in the new growth areas of high technology. I am delighted that my speech in Montreal received as much attention as it did today. I have unusual experiences in my life. I am accused by the hon. member for St. John's West of being silent. When I break my silence, the first man to complain is the hon. member for St. John's West. However, I broke it yesterday and talked about the impressive success that the Canadian economy has had in the area of high technology.

In my speech I talked about the Dash-8, the Challenger, the PT-6 and Telidon. All of these are world class examples of Canadian technology. We need to develop more. The emphasis which the spokesman for the NDP, the hon. member for Kamloops-Shuswap (Mr. Riis) placed on research and technology is a priority which I share and which this government shares. That is why we have placed in our spending plans a high priority on the general area of economic development. One of the most important components in that area is further support for research and development, a well-placed emphasis which was echoed by the hon. member for Kamloops-Shuswap.

I would like to say as well that the regional patterns of economic growth are changing in Canada. I did not hear very much from the opposition this afternoon about the regional character of the Canadian economy, how varied the economy is and how different the rates of growth are in various parts of the country. We all know of the dramatic growth in the western provinces.

Let me tell the hon. member for Calgary Centre that my Canadianism is not restricted to my own region. I am delighted that Alberta is currently showing a strong rate of growth and Saskatchewan has a healthy rate of growth. British Columbia has a problem with housing and services. Why? Because of strong economic activity.

Mr. Andre: You will notice there are no Liberals there. Do you think it is a coincidence?

Mr. MacEachen: I want to emphasize that the pattern of growth is different in various regions. There is a strong and promising growth in western Canada. I assure the hon. member for Calgary Centre that the National Energy Program will assist and facilitate the further development and growth of western Canada rather than impede that growth, as he suggested in his speech. I will be ready to stand by that prediction a year or two down the road when the economy will be strong and definite.

There is a new promise of growth in Atlantic Canada. There is no longer any doubt that we have a major commercially viable oil field in Hibernia. There are new markets for the coal of Nova Scotia and new potential for the fisheries of Atlantic Canada as a result of the development of the 200-mile limit.

Let us not put down this country in an economic debate. Let us look at some of its strengths and acknowledge its weaknesses as well. There are weak spots in the Canadian economy. The weakest spots recently have been in the automobile industry, in the farm implements industry and in some other manufacturing industries located mainly in Ontario.

We have taken steps to support the automobile industry in this particularly difficult adjustment period. We have taken steps to assist the farm implement industry. We are absolutely determined to ensure that the manufacturing industry achieves its potential for further growth and development. I did not find the same pessimism among the businessmen who spoke to me before my budget, especially from the Canadian Manufacturers' Association. Their message to me was that we have regained our competitive position; we had lost it, but we have regained that position; we are in a good position now to compete vigorously and aggressively internationally; and "Please don't do anything in your budget through additional corporate taxes that will impede our future growth and development."

• (1650)

An hon. Member: And you listened to them.

Mr. MacEachen: We did listen because I thought that in maintaining the status quo in the tax regime in that area we were doing something quite constructive, and that has proved to be the case.

Some hon. Members: Hear, hear!

Mr. MacEachen: The main problems we face in Canada are closely interlinked. The first is the slowdown in productivity, and the second is the accelerating rate of inflation. These are the two problems we face as an economy. I have heard not a word from spokesmen opposite as to how we should cope with these seemingly intractable problems. One gets the impression that they are intractable as one sees each industrialized country wrestle with declining productivity. Even Germany and Japan, the model economies of the world, are struggling with the problem of declining productivity.

So what do we do about it? I receive no answers from members of the opposition. These are worldwide problems, but that does not make them any less serious for Canada. In my address yesterday I pointed out that output per worker has actually declined since 1973 after rising by nearly 3 per cent per year in the previous 12 years. That has happened in our economy; there is no point in attempting to avoid staring it in the face.

Mr. Andre: How come it happened?

Mr. MacEachen: It has happened for a variety of reasons, but it is important to understand that when one uses output per worker as a measure of productivity, that is not casting any slur on the workers of this country. When we use that expression, it is used as a measure. It is not an evaluation of how hard individuals work. It is not a moral judgment nor a political judgment; it is simply a way of measuring the productivity of our country.

What I was saying yesterday in Montreal is that if we in this country want—as I think we should have in the future—better standards of living, better security for the needy, better pensions and better wages, the only way we can reach that is through increasing productivity. There is no other way.

I made the statement that as a nation we are entitled only to what we produce. We are entitled to the gross national product, to nothing more and to nothing less. Rising entitlements can only be legitimized through increased economic growth. I demonstrated that because during the period 1961 to 1973 the gross national product nearly doubled. But how did that come about? It came about because of rising productivity. In the last seven years, since 1973, there has been declining productivity. Even though the rate of growth in employment has been about the same, we are now facing a situation in which we have the phenomenon of declining real incomes. If we want to turn that around, we have to do a number of things, and I discussed these matters quite fully in the address I gave yesterday.

Of course, inflation is a very serious problem. Prices have been rising rapidly ever since the early 1970s. There was some relief in 1976 and 1977 as a result of the anti-inflation program. Food prices declined at that time, but they have been accelerating steadily since then. The cost of living rose more than 10 per cent last year, and in January of this year, it was 12 per cent higher than a year earlier. We have not done quite as badly as some other countries, but we have not done as well in meeting the challenge of inflation as have Germany and Japan, which have done better than Canada. However, we have done better than quite a number of other countries.

An hon. Member: Name one.

Mr. MacEachen: We know that inflation is bad, unjust and discriminatory. It has strong elements of injustice because it affects different groups in the economy and in society differently. Retired pensioners, for example, and those who are not strong in the economy suffer most. That is why inflation is bad from a social point of view, but it is also bad from an economic point of view because it prevents us from reaching our full potential in the way of economic growth and in the way of employment growth.

The fact is that at the present time inflation is deeply embedded in our system. It is embedded not only in the system but also in the psychology of the population, all of us. That psychology has to be turned around. It will not be turned around quickly.

There are those who believe it can be turned around very quickly by what I consider to be punitive economic policy measures, by turning the screws and by pursuing policies which will have an effect on inflation and probably bring the rate of inflation down more rapidly through deep expenditure cuts, for example, or strong doses of monetary policy. Those things may bring down the rate of inflation, but at what expense? At the expense of declining output and rising unemployment.

If hon. members say to me, "Why don't you bring down inflation more rapidly through this type of measure," my answer is simply that I feel that the social costs are too great and that there is more to economic policy than the policy itself. One has to examine its impact on the community and society, what it will do and how well it will be supported by the population. All the evidence is not in on this particular question, but I would not recommend to my colleagues nor to Parliament a policy which would be Draconian in its application through monetary and fiscal policy in order to reduce inflation rapidly.

That is why I have opted for a policy of gradualism. I believe over time that would produce the results with the least possible damage to the economy and society. That is the stance I adopted in the budget, and it is still my stance.

All that has happened since the budget reinforces the necessity for a strong anti-inflationary stance in the economy. Let me repeat very briefly the elements of that anti-inflationary stance. First of all, there is the necessity for restrained growth in the money supply. The Bank of Canada has been successful in meeting its progressively lower growth targets and has had the government's full support in doing so. The reduction in the target band from 5 per cent to 9 per cent to 4 per cent to 8 per cent, recently announced by the governor of the bank, is a further step in this steady approach to achieving the monetary conditions for non-inflationary growth.

• (1700)

I fully support the further step of the Governor of the Bank of Canada. Of course our job and the job of the Governor of the Bank of Canada in administering monetary policy in Canada has been made more difficult by the volatility of the interest rates in the United States which we have all observed. Faced with these conditions, in my opinion the Bank of Canada has struck a reasonable balance between moderating the impact on Canadian interest rates and on the exchange rate.

When American interest rates rise and remain higher than Canadian ones, as they did for a good part of 1980 and the beginning of 1981, there is a pressure on Canadian interest rates and the exchange rate. You take it on either or on both. The governor has struck what I thought was a balanced approach by taking it on both. It is a matter of judgment. I do not think anyone has found a better way.

The fiscal policy is another element of our anti-inflationary stance. We are determined to reduce the deficit and our financial requirements. Relative to the size of the economy, our deficit and financial requirements this year have been held below the peak levels reached in 1978-79. Deficits as a percentage of the gross national product are projected to be cut in

half over the next three years under the budget's tax and expenditure plan.

So, we are winding down the deficit. But, why not a faster reduction of the deficit? In 1980 there was some weakness in the Canadian economy. If we had reduced the deficit and decreased expenditures more rapidly, we would have increased the weakness of the Canadian economy. That had to be taken into account. We intend to hold government expenditures to or below the trend growth of the gross national product. This is not only important from the point of view of reducing inflation, but also to ensure room, resources and incentives for sustained private sector growth. We will be able to achieve deficit reduction while hopefully avoiding general, personal or corporate income tax increases, further helping the economy to achieve its potential.

Obviously comparisons are drawn between our fiscal stance and the measures proposed by the President of the United States. I have no intention of prescribing for the United States economy; that is the exclusive responsibility of the authorities of the United States. But I would say that in substantial part, for example, the tax measures of the president represent a catching up to a system already in place in Canada. United States personal income tax cuts will not go much further than to make up for the past and prospective increases which result from the lack of indexation in that country. I believe the tax relief for 1981 which will be afforded to the Canadian taxpayer through indexation is greater than the tax relief which will be afforded through the cuts proposed by the president.

Some hon. Members: Hear, hear!

Mr. MacEachen: Also I would add that the proposed new depreciation rates in the United States leave our industry, especially manufacturing, in quite a favourable position relative to that country.

The hon. member for St. John's East (Mr. McGrath) asked me to take guidance from the economic package of the President of the United States. As I said, it is not for me to prescribe for the United States, but if we undertook at the present time the deep expenditure cuts inherent in the president's proposal, if we, for example, decided to reduce our expenditures to a rate of growth of 6 per cent per year, as is the presidential objective, we could not do so without harming basic fundamental social programs of vital importance to Canadians.

I believe that by 1983-84 the rate of growth in government expenditures will be about 10 per cent. In order to achieve this, we will have to secure a saving of $1.5 billion in intergovernmental transfers. We do not know where those savings will occur yet. The hon. member is premature in saying that they will occur from post-secondary education; that has not been decided. But even to achieve the savings I am projecting, which are less onerous than the ones projected in the United States, it is essential that we secure not only savings within our own programs but savings in intergovernmental transfers.

This is our gradualist stance; over time we will reduce inflationary pressures by following a moderate, gradual, medium-term, fiscal monetary and expenditure plan. That is where we are at as a Liberal Party. I believe this moderate course will ensure that the Canadian economy in the 1980s will achieve its full potential, that productivity and investment will be improved, and that we will not fall victim to some of the more extreme economic policies advocated from time to time by members of the opposition.

Some hon. Members: Hear, hear!

Mr. Fred McCain (Carleton-Charlotte): Mr. Speaker, certainly the presentation of the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) was from a purely political point of view. His arguments had very little relationship to economics or fiscal and monetary policies. He justified everything he has done.

It reminded me of being in the House during my first session when I believe the Hon. John Turner was minister of finance. It has been said on several occasions that that was the turning point in the Canadian economy, the turning point from management to mismanagement in basic government programs which affect the entire economy of the nation.

I remember seeing Mr. Turner standing in approximately the same location as the present Minister of Finance and defending policies which were critized by economists, businessmen, and the rank and file of the people as not being in the best interests of Canada. He defended them with an evangelistic fervour which has been unequalled in the House, even by the present Minister of Finance. It was the beginning of the decline in Canada's economy. Eventually that gentleman saw the folly of the ways of the Liberal government and without a word left the government, and properly so. The only regrettable thing is that he made his contribution to our present economic crisis—and we are very close to a crisis—and left without giving Canada any guideline as to what might better be done for this country than he was able to do following Liberal politicians and their bureaucratic recommendations. Today is a repetition of the bureaucratic recommendations which were obvious in the program of the then minister of finance to whom I have just referred.

• (1710)

This is a divisive program. It cannot be described in any other fashion. The Minister of Finance has stated that it is his objective to save $1,500,000,000 in cost-sharing programs, grants to the provinces, etc. All this is doing for Canada is transferring the tax responsibility and the service responsibility from the federal Minister of Finance and the federal Grits to whomever may be unfortunate enough to find himself in power in any province in Canada.

His dismissal of the idea that secondary education may suffer as a result of the reduction in the distribution of wealth to the provinces is just not worthy of a man of the intelligence which he is supposed to have. There is no question that if $1,500,000,000 is pulled back from the provinces, then services rendered by those provinces must suffer or they, in turn, must tax. Can the provincial governments then expect the political

repercussions which emanated from the Minister of National Health and Welfare (Miss Bégin) when in campaign against provincial governments and, in defence of the federal government she criticized the health programs of virtually every province in Canada after she had tried to cut the purse strings before they left Ottawa? That is the policy which this government is again projecting. It will reduce the grants to the provinces in one way or another. There is no question but that those programs in those provinces will suffer.

One provincial minister of health in Canada has said that there is no way that progressive policies which have been adopted historically can be followed. He says that they may be able to maintain the present medicare program and the present hospital program. He says that they have been trying to supply auxiliary services which have been expanding on a regular basis, but if there is a cut in the federal funds awarded for health to the provinces then that will be the end of the progressive programs of which he has been so proud. We will come to the position where we shall tax the provinces, if there is to be any progression in health. And so it goes throughout the provincial programs which have been so dependent upon the largesse of the Liberal government in Ottawa, which largesse is apparently shrinking today.

I was rather amused when the Minister of Finance said that he spoke to businessmen before handing down his budget. I wonder how many of them have given him the privilege of an address since he handed down his budget. His performance has certainly not pleased the business community. It has not pleased consumers. It has not pleased the manufacturers or the wholesalers' associations, or any other group. I wish I had time to give the minister some quotes to support this. Even that loyal paper, *The Toronto Star*, had a recent item on February 12 condemning the policies of the government in respect of its application of interest rates and the cost of doing business. The minister does not want a Draconian policy, but he is forcing one upon the provinces of Canada. Indeed, the provinces will take the blame and not the federal government, if there is any way that it can be transferred by the Liberal government to them.

We have conducted ourselves in a fashion which is very comparable to the German fiasco of inflation immediately after World War I. I challenge you who support this government to read the various steps which took place, and to compare the identical cash flow situation in Germany after World War I with the cash flow situation which we have here today. Yes, we have a favourable trade balance. No, we do not have a favourable balance of payments cash flow in this country. What is worse is that we must depend upon foreign sources for our borrowings and unless our exports go up immensely and our imports go down drastically then our cash flow, our balance of payments, will get worse, as it did in Germany after World War I.

The reasons are different. The reason over there was that they had payments to make as reparations to those countries which were victorious in that war. Our reasons are that we are spending in excess of our means. We are sending money out of this country in the form of interest and in other forms of cash flow, such as loans to other countries at no reasonable interest rate. We are not aware of just what the consequences of the unfavourable balance will be in the towers of Ottawa, as we build it and continue to build it by further deficit financing and further borrowing abroad.

There are those who have said of inflation that it just is possible that once it has reached the double-digit stage it is irreversible and that there is not the will of government. That is what the Minister of Finance said today. He said he does not have the will or the political courage. He said that he does not have the courage to apply to Canada those economic measures which could, in fact, reverse the inflationary tendencies which are so devastating to the total welfare of our economy.

I think you would find that at the moment, Mr. Speaker, we are resorting to any means possible. We are borrowing. We are giving the Canadian people a mild sedative to ease the pain for the short term. I want to tell you, Mr. Speaker, that the delusions of the opiate are there ahead of us in the long term, if we do not resort to a responsible position.

Let us take a look at a few of the little things that happened in 1980 versus the things which the minister was talking about today with respect to employment. According to statistics, the rate of job creation under this government is one half of that achieved by the previous government in its short term in office. We can take those months and compare them. But there is something even worse than that. The rate of employment in the private sector is only one quarter today of that of 1980. The real job creation has taken place in the public sector, at public expense—at taxpayers' expense. That is where the job creation has taken place. The minister smiles, but he is fully aware of that.

The rate of employment in the public sector has gone up 12 times in 1981, or since February of 1980 until today. So it is easy, as long as the taxpayers will pay the bill, to have job creation at public expense. But it is more challenging and beyond the scope of the imagination of this government to create an economic atmosphere in which employment will take place in the private sector.

The minister referred today to the psychology of inflation, those things that people anticipate and want. He has not referred to the government policy which might in any way deflate those inflationary expectations. He says he is going to turn the screws, but not on himself, rather on the provinces.

The two problems of productivity and inflation to which he has referred are real. I share his concern about the existence of both. I submit to you, Mr. Speaker, that as long as interest rates are as high in this country as they are, any small businessman—and small business employs about 60 per cent of all Canadians—is very hard-pressed to see the logic. To obtain a more productive plan, when the interest rate at this moment in time will cost more than the savings in higher productivity, is self-defeating. The only way we will achieve higher productivity is when the incentive for it is there in earnings for the labourer and in earnings for the employer. Both are absolutely

essential. There is a feeling of insecurity. No one knows which way the government will move next to collect its money.

I said in this House earlier, in another debate, that I agree with the Minister of Finance that, in fact, we do have an international problem. In fact there are similar policies in other countries. We do have interest rates which are too high—not only in Canada but in other countries. I submit this is self-defeating, if we cannot get together with some of the others who find themselves indubitably in the same position of declining standards of living.

• (1720)

We can talk about rights, we can talk about defence; we can talk about any number of matters on an international basis. Why does this nation not take the initiative and call an international conference to determine how, where and when we can get down to the point where people can afford to live? It is not impossible.

If we are as concerned as we claim to be about the Third World and about Canada—and we can express little interest in the Third World, economically, if we do not express an interest in prosperity at home—why have we as a government not obtained for this nation some opportunities to get rid of some of the products which others need and which we can produce in abundance? We are prepared to sell our raw materials to Japan. We need to sell them; I recognize that, but we have very much been denied the right to sell beef or agricultural products on the Japanese market. This activity is increasing very slowly.

We drive down the street, and we meet Japanese cars, but it will be very difficult to go to Japan and find a Canadian french fry— maybe a few. There are obstacles there which we must remove, and if the Minister of Finance wants that era of prosperity to recover, we must negotiate and develop a two-way street. We have a European Economic Community. Why are we not trying to put fish, agricultural products, building products, and pre-fab houses into their market? Why should we take the various European vehicles—cars, among other things? A Japanese car is not the only item which comes into this country from which we derive no employment benefit for the people of this nation, except when someone is needed to drive it up to meet a customer.

I ask the Minister of Finance, the trade ministers of this country, when did we list last get a contract in the European Economic Community for an up-to-date telephone system, an electronic system? I agree with the Minister of Finance who said that Canada has probably got the best technology in the world. But we are not successful in our tenders on these items which can turn the economy around in this nation, and all this is coupled with an element of desire on the part of the minister to turn the screws on himself instead of on the provinces, which is his present objective.

An hon. Member: Right on.

Mr. McCain: The Minister of Finance claimed that there are regional problems. Indeed, there are. There is regional difficulty in the industrial structure of Ontario. So we are, and I do not complain about this, offering assistance and incentives to the manufacturing industry, the auto industry and the machinery industry. Good! But what makes me angry is that we talk about Massey-Ferguson, with its 6,000 plus employees in Canada, getting $100 million, maybe $200,000 million in assistance from the Government of Canada. However, in the Atlantic region, we have 100,000 people in fishing boats, in processing plants, and in boat manufacturing groups, 100,000 people engaged in that industry. And we are not getting as assistance to that fishing boat industry, the equipment to modernize that fleet, and we are not getting the equivalent of the interest on the aid which has been extended to Chrysler and to others in that category. That is the division which exists, and that is why there is regret in Atlantic Canada that there are these problems. There are divisions.

In this country we are trying to apply a single forest policy across Canada, and yet in Atlantic Canada we have the budworm to a degree that no other part of Canada has. We cannot get the co-operation of this government to develop proper sprays, insecticides, pesticides, proper applications to preserve that forestry. One third of all the working people in New Brunswick are employed in forestry. But there is nothing coming forward there, nothing comparable to the assistance that is given to Chrysler.

I do not regret the assistance to Chrysler. I regret the division that the Minister of Finance mentioned. Why does he not exert some influence?

What about agriculture? I mentioned the necessary trade policies that we need, that if we are going to take all the goods from the European Economic Community, the Japanese, et al, then let us get some goods in there as well. Agriculture needs assistance. It needs a port in St. John's and in St. Andrews. It needs trading opportunity. Again, we are not getting the equivalent of the interest on the aid that has been extended to industry in central Canada. There is no quarrel with aiding central Canada, but let us not be divisive or regional, and let the Minister of Finance and the Minister of Fisheries and Oceans (Mr. LeBlanc) and the Minister of Agriculture (Mr. Whelan) speak up for those regions which need the help. They are very obvious by their silence, while people in need suffer.

The minister mentioned Hibernia. What is the story of Hibernia? If you talk to anybody who has any knowledge of that Hibernia oil field, what will they tell you? We are not going to proceed with development in the most productive way until such time as the federal government ends its era of uncertainty, until it gets down to brass tacks and tells us where we are going.

Some hon. Members: Hear, hear!

Mr. McCain: We talk about uncertainty. The government has given the country misinformation. It has said that it was new information when it was old. There is not any question but that all the statements which were made in this House, for instance about the removal of oil rigs from the west, were right and up to date, but the Minister of Energy, Mines and

Resources quoted figures which were two or three months old, and they were quoted to the public as if they were gospel.

On one day, when those figures were given in this House, I found that the Minister of National Revenue (Mr. Rompkey) knew how many rigs were going out, that the oil industry in Alberta knew how many were up on blocks and not working, but the Minister of National Revenue misled this House and the people of Canada to believe that the figure was one half of the 180 which were out of production. That is the uncertainty, the lack of trust which has been generated. No, you do not have to be Draconian, but you must show leadership.

● (1730)

The minister must show leadership in order to get the steel mill going in Sydney, an area that he represents. He must show leadership and courage as Minister of Finance in order to get the offshore resources going and to remove uncertainties and give them the regulation they need. We need the money that these things will produce, and there must be planning if that is to be forthcoming. We cannot go on in this way, with rail line abandonment and the removal of express services in Atlantic Canada. Some of the little communities will shrivel and die because they cannot get services. Only yesterday I received a message from a little village which is 25 miles from the nearest express service. It has been told there will be no more deliveries. And beyond that village there are people who live 50 miles from the CP Express service, and it is to be removed. These things are divisive, Mr. Speaker. They are divisive to western Canada, to Atlantic Canada, and to central Canada.

Let us start to serve Canada, Mr. Speaker, with an economic policy that builds, develops, and creates incentive. Let us not discourage people with high interest rates. Let us get on the track.

Some hon. Members: Hear, hear!

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, I listened with interest to the speeches given today by members of the official opposition and the opposition, and especially to the speech made by the Minister of Finance (Mr. MacEachen). I think that his was one of the best speeches and explanations of the government's economic policy ever given in this House. I am sure it was able to illuminate the government's policy clearly and concisely for hon. members opposite and for the public who may have been watching television.

The minister indicated that the government's policy is a balanced approach to gradual reduction of the deficit over time; the maintenance of social programs, of the basic core of the social programs that have been the backbone of this country and which have been a model for the rest of the world; the movement of our priorities within the envelope system toward greater economic development; incentives for energy development, and the National Energy Program. This is a program that I am proud of in spite of the comments of hon. members opposite. The minister has indicated that he is proud of it. We think it is the right policy and program and that in the years to come it will prove itself as being the right approach.

A great deal of misinformation has been passed around by hon. members opposite and the media about the nature and effects of the National Energy Program. I intend to deal with some of these in my speech, Mr. Speaker.

There has been a great deal of debate in the House in past months, particularly by the official opposition, which indicates that they believe the government does not have priorities, that it should undertake programs in a number of other areas, that spending should be increased, the deficit should be reduced, interest rates lowered, and that inflation should not be stimulated. I think hon. members of the official opposition will admit, if they think clearly about it, that to do all the things we have been advised to do would lead to utter and absolute economic chaos in the country. We cannot do all the things that hon. members opposite recommend. You cannot increase spending at the same time as you reduce spending; you cannot decrease the rate of inflation and at the same time dramatically decrease interest rates. Those things are inconsistent.

I would ask hon. members opposite, I would plead with them, to put the policy proposals they have into some kind of framework so that they can be understood and are consistent. If one thing has become clear with regard to the economic policy and the economic pronouncements of the opposition in past months, it is their total inconsistency. If the opposition expects the government to listen, it will have to take a consistent position on major matters of economic policy such as the deficit, inflation, growth and development. It must tackle the questions of cutting the deficit, of reducing government spending on the one hand and on the other increasing massively the money available for research and development, for industrial adjustment, industrial relocation, retraining programs, energy tax credits, subsidies on home heating oil, and so on. It must resolve how we can meet the problem we have with the province of Alberta about the price of oil, which it would like to see much higher, while at the same time we hold down the price of oil to the consumer.

When I read the motion put forward by the hon. member for Calgary Centre (Mr. Andre) I almost regarded it as a laughing matter. It has become clear during the past months that the opposition has no idea what a coherent, consistent economic policy is, one that recognizes all the factors to be considered in developing a policy that is in the interests of the entire nation.

We have to be concerned with unemployment at the same time that we are concerned with inflation. We have to be concerned with economic growth and development at the same time we are concerned with reducing the deficit. These things have to be balanced. In October last the Minister of Finance brought forward a budget that took a balanced approach and which will lead to a reduction in the deficit.

As the minister said, we could take a Draconian approach. I do not say, for example, that the United States has taken a Draconian approach, but from the point of view of expenditure

cuts their approach is much harder than the approach taken in this country.

I believe, as I think hon. members opposite believe, that our social policies form a sound, solid basis of social security for Canadians. They are a consistent, coherent set of policies and form a sound basis. Perhaps that is not the case in the United States and, as a result, perhaps the President of the United States in his wisdom believes that he could undertake much deeper cuts in some social programs than I believe we could in Canada. To make such cuts in Canada would undermine the basic integrity of our social security system and, to my mind, that is totally unacceptable.

There have been some accusations made against the government in the past, particularly in the debate on borrowing authority. The hon. member for St. John's West (Mr. Crosbie) and others regard the budget which he introduced in December of 1979 as a standard against which this government should be measured and against which the last budget should be measured. Today the hon. member for Calgary Centre implied that if the hon. member for St. John's West had been allowed to implement that budget the country would be in better shape, the deficit would have been reduced further and faster, interest rates and inflation would be lower, and there would be greater economic growth and development, the business community would be in better health, and so on. That is incorrect, Mr. Speaker. In a speech I made last week I indicated why it is not correct. Our budget indicates clearly that we are going to show a reduction in the deficit, and that our financial requirements will decline by an amount similar to that which would have been achieved had the budget of the hon. member for St. John's West been implemented.

Yesterday the hon. member for York-Peel (Mr. Stevens) spoke in Cornwall and indicated that when his government was in power a year ago it had a plan to cut the national deficit by $5 billion. He noted that at present our total deficit is $14 billion and indicated that the deficit under the Conservative government would have been much smaller. If all factors are considered, if we are intellectually honest and analytically correct in evaluating the situation, we will find that the deficit was grossly understated in the December, 1979, budget.

First, if we just look at late winter and the early spring of 1980 we find that the dramatic oil price increases were not anticipated in that budget. That alone would have increased the deficit facing the budget of the hon. member for St. John's West by some $2.3 billion this year as a result of the higher oil import compensation payments. Hon. members opposite can say "no, that is not correct, we would have done something about it". But what would they have done? Would they have reduced the oil import compensation payments? Would they have increased oil prices much faster than they promised in the budget? We never hear these kinds of things when hon. members say that they would have done so much better.

● (1740)

The hon. member for St. John's West has admitted the recession would have led to a deficit, and I will quote him again, "a few hundred million dollars" higher than he had projected in that budget, and with it interest costs. Over all, the deficit under that December, 1979, budget would have been $2.7 billion to $3 billion higher than the forecast found in the December, 1979, budget. If those figures were put together, hon. members would find that the deficit in the December, 1979, budget and the reduction between now and 1983-1984 would have been no better than the deficit reduction found in the budget of October 28, 1980, presented by the Minister of Finance.

If hon. members look at financial requirements, under the October 28, 1980 budget, they are to be reduced faster, and by a greater amount, than the financial requirements would have reduced under the budget of December, 1979. The facts are there, Mr. Speaker. Hon. members can evaluate the data I have put forward to them and I will be glad to explain it all to them in person if they need more help. I hope this indicates that, given the situation confronting this economy, the budget which the minister has put forward is a responsible, reasonable, and the best possible response to those economic situations.

We also hear that we have a high interest rate policy in Canada. In the past the minister has put forward an explanation of how these excessively high interest rates have come about. It is said honestly and in a straightforward manner that because of the federal reserve policy in the United States, there has been a rapid rise in interest rates there. In turn, that has caused an outflow of capital from Canada, causing our interest rates to follow theirs. If our interest rates did not follow those of the United States, the Canadian dollar would drop even further. The Bank of Canada policy, the policy supported by the minister and by the government, is a balanced response which takes some of the pressure in higher interest rates, some of the pressure in the decline of the dollar, and will try to balance out these pressures.

Mr. McKinnon: Herb Gray knew nothing about this. Explain it to Herb, too.

Mr. Evans: Hon. members opposite have said in the past and today that that is not true, that the United States policy had nothing to do with Canada or very little to do with Canada, that our policies are being brought about by mismanagement of the government or are being brought about by a government which does not care. We put forward the proposition earlier that other countries were experiencing the same kinds of difficulties as a result of that U.S. policy and hon. members opposite said "no, that is not true".

Helmut Schmidt in Germany, according to a press report the other day, said that he was greatly disturbed by that very policy in the United States because it was placing extreme pressure on the Deutschmark and other Euro-currencies in the European Common Market. It bears out what the minister put forward in the past, namely, that the U.S. policy has had a dramatic effect. When you consider the proximity of our two countries and the ease with which capital flows between Canada and the United States, the effect on us has been even

greater than the effect on those countries. When one considers that Canada is comprised of 24 million people versus 240 million in the United States, if U.S. policy has an effect on a country like Germany with 50 million to 60 million people, it will certainly have an impact on a country like ours with 24 million people and a much smaller capital market.

We faced those problems. The minister responded in a responsible way, and the governor of the Bank of Canada responded in a responsible way. We took that pressure, partially in interest rates—our interest rates did not go as high as those in the United States—in order to protect Canadians from even higher interest rates. But the price we paid was a reduction in the value of our currency from 87.5 cents to 83.5 cents, which I believe is today's value. Our dollar has dropped as low as 82.5 cents. To me, that is a clear indication the government understands the monetary system and that it is working in a balanced way to try to avoid the excesses which would be foisted upon us by hon. members opposite.

We have heard hon. members opposite say, "Drop the interest rate. Unilaterally keep interest rates 2 per cent, 3 per cent or 4 per cent below where they are now." That would be possible. There is no doubt that if you went stark raving mad, you could do that but consequently the value of the currency would drop like a rock. Once the public's confidence in the currency of a country is shattered, not only would you get a reduction in the value of the currency reflecting the economic situation, but you would get a reduction in the value of the currency caused by a serious financial panic in the country. That is not rational. It is not good economic policy. It is certainly not a policy that would be followed, was going to be or ever will be followed, by this government.

We hear comments from hon. members opposite that there is no development policy or economic policy which has coherence. I say that is not true at all. If we look at the budget figures we find there is a massive increase in 1981-1982 in expenditures by this government for economic development. The increase for economic development is 22 per cent. If we look at energy development, we find that expenditures for energy development will increase from $3 billion to $4 billion a year between now and 1983-1984.

If oil import compensation payments were taken out we would find energy and economic development expenditures would increase from $6.9 billion in 1980-1981 to more than $13 billion in 1983-1984. That is a massive increase in economic development funding.

We have also put in place a policy for assisting adjustment in manpower training. Clearly the government understands the difficulties. Clearly the government has put forward a rational and reasoned economic policy to deal with those difficulties.

What members of the opposition fail to understand is that one has to follow a balanced approach, one has to follow a consistent approach. Therefore one cannot devote all of the energies and resources of the government to dealing with problems in one particular area today and then shift those resources to dealing with another area tomorrow. That is what we hear from the opposition day after day. Today we hear, "We want more expenditures; more things to help people." Tomorrow we will hear, "Forget the people, we want more things now to help increase research and development, increase industrial development, increase energy development," and so on. The following day we hear that Draconian policies are wanted to get interest rates down, among other things. It is totally inconsistent. If hon. members are honest and listening closely today, they will see that the policy prescriptions and discussions which have been put forward are the right ones.

The hon. member for Calgary Centre did not put forth any policy alternatives. He just complained bitterly about what the government was doing. We find in fact there have been no policy alternatives put forward. There has not been a fair and rational analysis of the government's economic policy, which I am convinced is the right policy.

• (1750)

If I might close on one note. There has been a suggestion by the hon. member for Calgary Centre that the National Energy Program is the sole and total cause of a mass exodus of oil rigs from western Canada. The hon. member for Calgary Centre should once and for all come clean. The facts of that issue are clear. They are not as told by the hon. member for Calgary Centre. In fact an oversupply of rigs was generated over the past two to three years. Gas is found in most of the holes drilled in the west. There is now a glut of gas and no hope in the near future of either domestic or foreign markets for that gas. Small producers cannot shut in that gas and sit on it. They have to sell it. If they cannot sell it, which is the market situation, why drill for it?

The other fact is that the United States has gone to world prices for oil. If hon. members opposite want us to go to world prices for oil, they should say so. That is not what they said in the past. By keeping our price below the world price, oil exploration and development in the United States is much more profitable. That is why the rigs have moved out of the country. That is being realized and admitted now in the press, in the west, and by the oil industry. The truth is finally starting to come out that it is not the big, bad NEP that is causing all the problems.

You have indicated, Mr. Speaker, that my time is up. I think I have been able to show a few things today. One is that the government understands the situation we are in presently. We have a coherent and consistent policy for dealing with that. There has been an awful lot of hokum coming from the other side of the House for the last four to five months. I hope at some time they will come to their senses and it will stop.

Mr. Scott Fennell (Ontario): Mr. Speaker, I suggest that the Parliamentary Secretary to the Minister of Finance (Mr. Evans) forward that speech to his colleagues at university and get their reaction. I would like to point out to him that the outflow of capital has not only been a fact due to interest rates. It has been Canadians running their money out of the country to get it on the oil play in the United States.

The last time that I spoke in the House was before the Christmas recess. At that time interest rates were on the way up and the dollar was on the way down. Since that time the dollar has gone down even further and interest rates have gone up.

Mr. MacEachen: You are wrong there.

Mr. Fennell: It has gone down.

Mr. MacEachen: No.

Mr. Fennell: By a couple of points you are right. I acknowledge that.

Mr. MacEachen: It has never gone down as far as it was that day.

Mr. Fennell: Hopefully interest rates in Canada have peaked. They will probably head down again in a few months. We will have a few months' respite from this high interest rate policy of the Liberal government. All of a sudden the government will have marvellous new spending programs. That will push interest rates up again. They will have to borrow more money. That money they spend is not theirs. It belongs to the taxpayers of today and of the future.

The government has said that it never heard any good suggestions from our bench. I suggest that sometime the government members should sit down and read the 20 hours of debate that went into the December 18-19 discussion on the economy. Some excellent points were brought up in those debates, maybe not all, and maybe not all from one member. However, I maintain that the Minister of Finance (Mr. MacEachen) and his parliamentary secretary should go through every speech to find any essence they can grab onto in order to make this a better country.

That may get us out of the economic dilemma which is crucifying our youth, senior citizens, low and middle income earners, and the balance of the economy. The only economic development I have seen come forward from this dilapidated government is a bailout for Chrysler and Massey which may cost the taxpayers of this country hundreds of millions of dollars.

There was a spending spree which will cost the taxpayers between half and three quarters of a billion dollars more than Petrofina was worth. It will not add one cupful of oil to our reserves, which are rapidly disappearing. Perhaps the government will justify the price of Petrofina by suddenly putting the price of crude oil in Canada up to world prices. Ministers will then say they are heroes, that it was worth $120 a share. That is an expensive lesson for this country.

Next week marks the first week of reduction in production in Alberta and the commencement of an additional billion dollars expenditure per year for foreign oil. This is all brought about due to the total lack of communication and co-operation of the Minister of Energy, Mines and Resources (Mr. Lalonde).

The above-mentioned comments refer to bailouts, buyouts and sellouts. It will cost the taxpayers of this country $3 billion this year for this great budget. The minister talks about a 22 per cent increase. I have not worked it out, but it will be much more. What benefit are we in this country getting directly? It is time that the country stopped being fearful of plagiarism and found out how West Germany and Japan accepted world oil prices and overcame the economic disadvantages. The government continually says we cannot afford 75 per cent of world prices. Ministers should visit Japan and review the research and development in that country provided by direct grants and by tax incentives. They should send people to Texas to see the boom created by a sensible and fair energy program, both by the Democratic and Republican parties.

The government should study the American small business act which provides for reduced interest rates early in a company's origination or expansion. They do not refer to small business as a company requiring $100,000 to $500,000. They go as high as $25 million, and refer to corporations with 2,000 employees. The Americans have faced economic reality. Business today is larger than we realize it is. It must be larger in order to compete successfully in the 1980s.

Our alternative is pretty pathetic, a $100,000 guaranteed loan at one per cent over prime which works out to about 20 per cent at today's rates, or a $500,000 debenture which cannot be deducted for income tax purposes. The great Federal Business Development Bank charges 2 per cent over prime, which currently costs borrowers 20 per cent. Who can afford a 20 per cent loan on debt in this day and age?

Instead of all these Mickey Mouse plans the government should have put up guarantees to the chartered banks and subsidized interest loans. Say the interest rate is 20 per cent; the government would provide a 10 per cent subsidy to get the effective interest rate down to 10 per cent.

Assume they pay that 10 per cent directly to the banks and assume that there is a 20 per cent failure of the money that is guaranteed by the banks, which is very high. The government could have provided $10 billion in guarantees through the chartered banks to small entrepreneurial Canadians to create labour, reduce unemployment and help the industrialization of this country, from being a supplier of raw materials—

May I call it six o'clock?

The Acting Speaker (Mr. Blaker): It being six o'clock I do now leave the chair until eight o'clock this evening at which time the Chair will recognize the hon. member for Ontario for the completion of his remarks.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

The Acting Speaker (Mr. Blaker): Order, please. When the House rose at six o'clock, the hon. member for Ontario (Mr. Fennell) had the floor.

Mr. Fennell: Mr. Speaker, I seem to be put in this position quite frequently. When we were interrupted for the supper hour, I was making a concrete suggestion. The minister said we never come up with any concrete suggestions. I would like just to repeat it.

What I was getting at was that this government has used $3 billion of taxpayers' money on the various programs it has undertaken. My proposal, very simply, is that we look at the small business act in the United States. In the United States loans are guaranteed through the chartered banks. For example, the interest rate would be reduced on small business loans by 10 per cent. In effect, a 20 per cent loan would be a 10 per cent loan. Let us assume that there is a 20 per cent failure factor with respect to these loans, so we have to write off another potential $2 billion of what we are providing. Under this scheme the government could have spent $3 billion guaranteeing $10 billion to chartered banks to help small entrepreneur Canadians to create labour, reduce unemployment and create industrialization in order to take this country from being a supplier of raw materials, which we have been since the beginning of time, to being a processor and manufacturer of finished products. This would still cost $3 billion, and I think it would be a much better way of spending our money.

It would also recover its potential cost from corporate taxes, income taxes and sales taxes, and it would give the country the opportunity to make its citizens proud, productive people. They are ashamed now. They are not as productive as their neighbours. They would like to be more productive and, by putting money into investment in manufacturing, they become more productive.

With respect to inflation, I hope with the new leader at the helm of our neighbour we might benefit from some rub-off. If we do not, then we will face not only an energy crisis by 1985 but also an inflationary crisis which will erode all the basic values upon which this country was built. We will require wheelbarrows to carry our money and bicycles for transportation because we will not be able to afford to buy cars from countries with sound currencies. They will be too expensive, and we will not even have the fuel with which to run them. Are we to face the same crisis Germany faced in the 1920s and China faced several times in the first half of this century? It is time for us to get up off our backsides and develop a sound and practical economic and industrial policy to encourage Canadians to get away from what the minister said. He said that Canadians are a discouraged group right now. Canadians should be encouraged to become a successful industrial nation, to use our huge supply of natural resources, to process them and manufacture them and create unparalleled employment and pride in our country.

The greatest fear I currently have is for our youth. I have five children. We hear about makeshift give-away programs created by the Minister of Employment and Immigration (Mr. Axworthy). Some last for three months and some last for nine months, but they do not equip youth with any benefit which will help them in future employment beyond the period a particular program lasts. We must develop long-term apprenticeship programs which permit youth to develop skills using modern technology which will enhance the productivity of Canadians in the future.

What action are we taking to assist our senior citizens? Why must we be the judges who say that a productive Canadian must retire at the magic age of 65? Let us consider the mortality rate of those gentlemen—particularly gentlemen—who retire at age 65. How many deaths are caused by boredom after energetic, useful and productive lives in the labour force? Are we addressing the erosion of their lifestyle, or have we stuck our heads in the sand hoping the problem will go away? It will not go away.

We must control government. We must get our budget into balance and bring inflation under control. We must do more than just wrestle inflation to the ground, which is the argument we have heard from the other side.

Every time I hear about a regional grant, I think regional grants are a great idea, but all the money just flows back into the two central provinces. It does not help the provinces where the money is spent. We must reassess the regional granting system. Grants should be given to the regions to develop industries which are most suited because of the proximity of raw materials, convenience to the market or the adaptability of the labour force. We must allow the regions to develop their own industries rather than industries being imposed upon them by a group of bureaucrats in Ottawa.

● (2010)

The government does not acknowledge that this country is made up of many different peoples from different regions with different needs and lifestyles. This should be acknowledged by the centralist government in Ottawa. They should adapt programs in conjunction with the regions, rather than subjecting the regions to ones imposed by unitary government.

The government talks about Canadianization programs. Very clearly they are nationalization programs. Is this Russia? Are those the goals we are reaching for? Does nationalizing by paying millions of dollars out of the country increase employment? Does it bring more income tax back into the country? What about corporation and sales taxes? Could it simply be a method of acquiring successful tax-paying corporations and of turning them into bungling Crown corporations run by unsuccessful Liberal candidates and unemployed friends of the party?

The truth is that Crown corporations do not work and have not worked in the past. The president and chairman of Petrofina indicated that he would not stay with the corporation. The incentive to management, owners and labour is removed. This is what is disruptive about Crown corporations.

Mr. Caccia: How about Air Canada?

Mr. Fennell: Personally I fly CP if I can, and it is only a second choice.

The Auditor General indicated in his report that bureaucracy is not as productive as the private sector. I plead with the government to look at its policies and what it is doing to this country so that Canadians will have an opportunity to move ahead to the point where hopefully Canada will be a great nation of highly productive and proud people.

Some hon. Members: Hear, hear!

Mr. Peter Lang (Kitchener): Mr. Speaker, I should like to read into the record the motion we are discussing. The following motion was put forward by the Conservative Party:

> That this House condemns the government for its failure to introduce economic policies that would restore the economy to its full potential and give Canadians confidence in their future.

This motion is couched in the most broad and obscure language; it is singularly lacking in specifics. There are no specific criticisms and no constructive or positive solutions. One must assume that the opposition, despite its rhetoric, endorses our policy because it cannot come up with anything better.

The fact is that the Canadian economy, in common with nearly every industrial country of the OECD, has undergone a period of slow growth. However, on balance the record will show that Canada has done much better than nearly all other major countries of the industrialized western world. The record is much more credible than the doom and gloom assumptions inherent in this motion.

Canada had a rather small growth, as measured by the real GNP, in 1980. This is not surprising, in view of the fact that the United States also underwent a brief, but sharp, recession in 1980 which saw a decline in real output in that country. In fact, according to the latest OECD Economic Outlook report, the four major European countries of Germany, France, United Kingdom and Italy averaged a 1.25 per cent decline in real national output in 1980. The same report suggested that our recovery in real output this year, although modest, will be better than in any other major western country, with the exception of Japan. We all know that the quality of life in Japan, where one must pay $75 for a steak dinner, would not be acceptable in Canada. If we take the entire decade from 1969 to 1979, we find that the growth of real output in Canada averaged 4.25 per cent per year. This was a record growth among all major OECD countries, second only to that of Japan.

An hon. Member: Who was in power during that time?

Mr. Lang: In answer to the hon. member, for 90 per cent of that time it was the Liberal government.

Compared with the United States, Canada has been at least a full percentage point a year ahead in terms of economic growth over the past decade. Attaining one's full potential is not difficult when one's major trading partners are faring relatively well. However, it is difficult in the short-term if one's trading partners are undergoing a recession. After all, Canada is one of the major trading countries of the world. Germany is the only country in the entire world which has both a larger population than Canada and larger per capita exports or imports.

We hear very little from the opposition regarding Canada's record of performance in international trade. It is not often that Canada records a trade surplus of some $8 billion, despite the recession in the United States. Two thirds of the increase in Canada's exports last year were to countries other than the United States. The increase in our exports to non-American countries more than paid for our entire increase in merchandise imports. Our share of exports going to the United States last year of 63.4 per cent was the lowest since 1966. Our share of exports going to EEC countries other than the United Kingdom was the largest during the last decade, at 8.3 per cent. These figures indicate that we are broadening and diversifying our trade and that we are less dependent on a single trading partner, particularly the United States.

Our current account surplus last year in relation to our total GNP was the best since 1974. One used to hear opposition members belabour the fact that Canada's current account deficit was the largest among OECD countries. Why do we not hear them acknowledge the fact that it is now among the best? The latest OECD Economic Outlook in December, 1980, estimated that the total OECD deficit would be in excess of $73 billion, with Germany, Japan, France and Italy all recording higher current account deficits than Canada.

While much has been said in the media regarding the exchange rate of the Canadian dollar vis-à-vis the United States dollar, comparatively little has been heard about the fact that both Canadian and United States currencies have gone up sharply in recent months as against most of the major European currencies.

In recent years our underlying competitive position has definitely improved both at home and abroad. We are benefiting from a much more competitive Canadian dollar. Our unit labour costs in manufacturing have gone up comparatively less than in nearly all major industrial countries of the western world. Coupled with substantially lower energy costs and with net export positions in food, forest products, mineral products and energy, Canada can look to the future with more confidence than any other country of the free world.

Our record of performance as far as job creation is concerned has been consistently at the very top among western OECD countries. It is not often recognized by the opposition that we are one of the few major OECD countries to show increases in manufacturing employment. In 1979 the increase in Canadian manufacturing employment was 115,000, or 5.9 per cent. Even in 1980 there was an increase in employment in manufacturing of some 37,000, or 1.8 per cent, despite the recession in the U.S. If we look at the record of manufacturing employment in recent years of some of the major industrial countries, we find that there has been an absolute decline in manufacturing employment in countries such as Japan, Ger-

many, Australia, France, The Netherlands, Norway and Sweden, and I could go on.

● (2020)

In broader and more general terms, Canada's record of employment creation, even in the midst of a so-called recession, has been the best in the western world. In the last three years a total of over one million additional jobs were created in Canada.

An hon. Member: Not in the private sector.

Mr. Lang: The opposition is pointing out that Canada had a year of no growth for the first time since 1954. They should be pointing out as well that this is the so-called recession and that we added close to 300,000 persons to the employment rolls.

This government's record of performance on unemployment deserves some comment. The opposition used to insist that Canada's jobless rate was the highest of the OECD countries. However, despite that so-called recession in 1980, the unemployment rate in Canada did not increase. It remained at the same level as in 1979. More importantly, it actually declined on a seasonally adjusted rate as the year progressed. Our most recent unemployment rate of 7.3 per cent was the lowest monthly rate in the past 12 months. Despite the fact that Canada's labour force continues to grow faster than in any other major country of the OECD, current unemployment rates in this country are lower than in the United Kingdom and in Italy. They are now comparable with those of France and The Netherlands, which have stagnant labour forces or no unemployment growth.

The U.S., which only a short while ago had a lower unemployment rate than Canada, has now caught up with us. Its unemployment rate is now equal to ours. But its record on total employment and manufacturing employment gains do not compare with ours. We have done a much better job in terms of creating jobs than has the United States. It is fair to say that the policies of other countries have scarcely come near to the policies which this Canadian government has proved to be more effective in the past decade.

Let us turn now to the problem of inflation. To most people in Canada inflation is the number one problem we face. We find that it, too, is not confined to our country but that it afflicts every major industrial country of the world. It is true that the consumer price index in Canada increased by 10.1 per cent in the calendar year 1980. However, the OECD reports that the average rate of inflation went up by 11.5 per cent in four major European countries last year. It also points out that the consumer price index in the United States last year rose by 12.4 per cent, following a 13.3 per cent rise in 1979. Canada has fared much better than the United States in dealing with inflation.

Much has been made of the fact that the Canadian consumer price index rose by 12 per cent between January, 1980 and January, 1981. The fact is that energy prices, which increased by an average of under 10 per cent in both 1978 and 1979, increased by 16 per cent in 1980. Moreover, energy prices in the most recent 12-month period increased by 25 per cent in Canada, with the increase in fuel and gasoline prices being even higher than that. Thus, it is strange to hear criticism from the opposition that we are not moving our domestic prices of energy up fast enough to close the gap with world prices. And at the same time the opposition belabours the rise in inflation. They cannot have it both ways. If we accelerate sharply the pace of energy price increases, it follows that we must witness an escalation in the rate of inflation, which carries with it high interest rates. In turn, high energy costs become imbedded in the cost of producing food, tractor and combine costs, the price of fertilization, the cost of processing, transportation, communications, clothing and other elements of the cost of living. It is inconsistent and misleading to pretend that we can fully absorb in a painless fashion increases in energy prices, which are two to three times as fast as the underlying rate of inflation, without inflation being exacerbated, as the Conservatives would like us to believe.

In summary, Canadians can comfort themselves that while we are obviously not able to realize our full potential in the short run, because of international inflation and oil shortages, the Canadian economy is faring much better than that in any other major country of the western world. There are no quick fix cures for the inflation and slow growth which afflict all countries of the industrial world. The performance of the Canadian economy is most commendable in relative terms. Given our wealth of human and natural resources and our high technology, we can look forward with confidence to the medium and the long-term future.

There is growing evidence that in terms of growth the Canadian economy in recent months may have turned the corner. The growth in the Canadian economy in the second half of last year was appreciably faster than in the first half. Moreover, there has been a definite upturn in recent months in the newly published Canadian Composite Leading Indicator.

It would appear that Canadians have more faith than their U.S. counterparts that inflation can be brought under control. Personal savings in Canada, which reflect faith in bringing inflation under control, in recent years have been consistently higher than in the United States, about 10 per cent versus 5 per cent. The speculative bubble which has been present with respect to gold, silver and other commodities has burst. Wage rates, which have kept up with the consumer price index, have been relatively restrained for some time now. All in all, Canadians can look beyond the immediate problems to the medium and long term with confidence.

Before closing, Mr. Speaker, I would like to raise two concerns that I see with respect to our national economy. The first is that we must reach a speedy agreement on oil pricing to reduce uncertainty in the business community and to reduce the uncertainty of the people of Canada.

Some hon. Members: Hear, hear!

Mr. Lang: The second is that the doom and gloom prophecies and criticisms which come from the Conservative Party

create uncertainty in the business community and in the people of Canada. There is not much we can do about that.

The federal government has shown flexibility with regard to oil price agreements. It is up to the Premier of Alberta to recognize that we cannot go on any longer without an oil pricing agreement. He must recognize that we cannot go to world prices and that Canada as a whole cannot suffer increased inflation, increased unemployment and lack of energy security in order to allow Peter Lougheed to build his Alberta Heritage Fund.

There are also regional diversities in the economy of our country. This government deals with them. We have adjusted our industrial strategy so that we can deal with the problem of the west having a booming economy while the economies of Ontario, Quebec and the maritimes are slowing down. We also have DREE programs and equalization grants to support our social programs which are so important.

I think it is important to recognize that Canada has developed a national economic policy, in conjunction with a national energy policy, that provides a climate for the full development of our economic potential. I support this government's position right down the line.

Some hon. Members: Hear, hear!

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, I listened with interest to the hon. member for Kitchener (Mr. Lang), who just finished his remarks.

● (2030)

I cannot help but comment on some of the things he said. Everyone starts out by comparing our economy to others around the world and saying that we have done well in relative terms. The point must be made that other countries are not as fortunate in their physical and human resources as we are. Surely the only legitimate comparison is with our own potential.

For those hon. members from Quebec who follow hockey, I would point out that the Montreal Canadiens do not play in a league with the Sherbrooke Beavers; they play in their own league. Surely that is the kind of comparison we should make of our ability to perform in the sphere of economics. We should be talking about our own potential rather than comparing ourselves to countries less fortunate in physical and human resources.

Two or three weeks ago, the hon. member for Etobicoke Centre (Mr. Wilson) spoke in this House and told us that on one of his business trips to Hong Kong some businessmen had remarked on the opportunities and resources that Canada has, and said they could not understand how we managed to mess things up so badly.

This afternoon the Minister of Finance (Mr. MacEachen) spoke of an unexpected strong recovery and referred to a 1.7 per cent annual growth. I do not know how anyone could regard a growth of 1.7 per cent as unexpected. He pointed out that employment continues to rise but he did not mention that unemployment is also rising. For the first time in this country the total number of people who are out of the marketplace and looking for work is over one million. Hon. members opposite should be consistent, and when they speak of the rise in employment they should also speak of unemployment as a percentage of the total work force. Otherwise we only get half the story.

The Minister of Finance also spoke of an $11 billion trade surplus which he claimed was close to being cancelled by the deficit in the non-merchandise account.

I have some graphs here that were prepared by the hon. member for Capilano (Mr. Huntington). We all recognize the valuable work he has done on behalf of the business community of this country. They show that the monthly trade balance in food products, which are basically raw material, is on the increase. Exports of crude materials such as coal and products which do not have value added to them, are on the increase. Exports of semi-manufactured products are on the increase. When it comes to manufactured goods, however, there was an $11 billion deficit in 1977, a $12.2 billion deficit in 1978 and a $17.2 billion deficit in 1979. When we import manufactured goods, we import jobs, but when we export raw material we export jobs. In 1980 the deficit in manufactured goods was close to $18 billion. When we talk about trade surpluses, therefore, we should remember that the surplus is basically in raw materials. The things that create jobs and wealth for our citizens are end products, but in this category the graph zooms down to the basement. If we could have manufactured the $18 billion worth of end products that we imported last year, 350,000 jobs would have been created in this country.

That is the kind of thing we would like this government to do. We realize it cannot do everything and that things cannot be changed overnight but we must move to correct this horrendous balance of payments deficit in the manufacturing sector. We cannot ignore it or pretend, as the minister did, that we have a trade surplus of $11 billion, without pointing out where that surplus is. We cannot address the problem unless we recognize it.

The Minister of Finance is not in his place this evening. He was scheduled to appear at a meeting of the finance committee this evening to discuss Bill C-59, the borrowing authority bill. Hon. members will remember that the government introduced closure in order to get it to committee in a hurry. I understand that no notice was given of cancellation of the committee meeting and there was no meeting of the steering committee. A notice was sent to the offices of members of the committee that it would not meet this evening. The excuse given was that the minister would be in the House listening to our expressions of concern about the Canadian economy. The minister is not only silent, he is contemptuous. If he is not going to be in the House tonight, surely he could have at least gone to the finance committee meeting. The very able Parliamentary Secretary to the Minister of Finance (Mr. Evans) is in the House, and I am pleased to see him. Surely the minister should have had the courtesy to come to the House after cancelling the committee meeting.

This afternoon the parliamentary secretary covered many aspects of the Canadian economy in his speech. At one point he spoke of the opposition being intellectually honest and academically correct. I should like to remind him of his appearance at the finance committee in December, 1979, when the subject was interest rates, and quote from the proceedings of that committee to illustrate how he has been intellectually honest and academically correct, consistent and coherent, as he said in his speech. I should like to draw attention to some of the things he said when he was outside the government and to point to some of the policies this government is pursuing at the present time.

Speaking of the Bank of Canada, he said on December 11, 1979, as reported at page 21:14 of the committee proceedings:

When the chips are down, the bank cannot be relied upon to maintain its control over the money supply; as a result, would you agree that this should result in a removal of discretionary authority from the bank, and a directive, as you said, to maintain control over the monetary aggregates only?

The committee was considering a method of controlling the money supply as a means of regulating the inflation rate. He continued:

And I would go one step further, as I have in the past in this committee, and ask you if that would imply to you that the bank be given a directive to allow both interest rates and the exchange rate to find their own level in the marketplace without outside intervention.

The question under consideration was that of the Bank of Canada interfering in the marketplace to regulate the interest rate or the value of the Canadian dollar. When he was in opposition, the parliamentary secretary advocated that the money supply be set and the market allowed to determine the interest rate and the value of the dollar.

We know that the Bank of Canada regularly interferes in the marketplace—every Thursday at the auction—to do what it can to regulate the value of the Canadian dollar. When the parliamentary secretary talks about being coherent and consistent, I would urge him to set an example, which is not evident in some of the things he has said at the finance committee and some of the things he now supports as Parliamentary Secretary to the Minister of Finance. If the government wants to urge members on this side of the House to be coherent and consistent, I should like the parliamentary secretary to do the same.

Some hon. Members: Hear, hear!

Mr. Mayer: Mr. Speaker, the Minister of Finance has miraculously appeared. I hope he remains to listen to what I have to say. This afternoon, when he was congratulating himself on the performance of the Canadian economy, I was afraid that he might get a sore arm from patting himself on the back. Indeed, I was about to suggest that the House should send him a bottle of liniment to use on his arm so that it would not get any worse. However, he has returned to the Chamber and I am glad.

I should like to turn now to some of the things that the Prime Minister (Mr. Trudeau) has said. The government insists that we be consistent and coherent in all we say, but we all remember the occasion two or three years ago when, in a year-end review, the Prime Minister said we would have to accept more government interference in the marketplace, because a free market economy obviously does not work. In answer to a question put two or three weeks ago, the Minister of Finance said that the government still believes in the market economy, in the market approach. I would urge that the government get its own act together and decide what is consistent and coherent as far as its policy is concerned.

● (2040)

Let me talk a little about an area that I come from, and that is western Canada, and relate it to grain movement in particular. We all know that there are many problems associated with the grain transportation business in western Canada. There have been many positions advocated as to how to correct this problem. What I find rather unfortunate—I want to pick a word here that is not too hard on the government—is that the government itself cannot get its own act together to decide what kind of approach it wants to take to this problem.

An hon. Member: How about "stupid"?

Mr. Mayer: We have the minister in the other place responsible for the Canadian Wheat Board saying he does not want anything done with the statutory rate problem. We have the Minister of Agriculture (Mr. Whelan) saying, in a speech given in Edmonton some two weeks ago, that he would like to see the matter resolved within the current crop year, which would mean that there would be a solution to it by August 1, 1981. We had the Minister of Transport (Mr. Pepin) saying that he would like to refer the matter—or is trying to get a position through cabinet whereby the matter would be referred—back to the Canadian farmer through a position paper. We also have the minister responsible for economic development in the other place saying he does not want anything done until there is a chance to do some kind of study on the CPR and the land grants that it had, and whether those kinds of revenues from the land should be included in the revenues that the railroads are claiming against other things besides grain movement.

So, we have four ministers of the Crown taking different positions. I find this very unfortunate, because what has happened in the past two to three years, is that farm groups have come together and established a negotiating position. I might add that when you have several farm groups representing large numbers of farmers in western Canada coming together and agreeing on a position to take to the government, it is a position that is arrived at with a considerable amount of soul-searching, and yet that is what has gone on in western Canada, and that is the position that farm leaders have taken.

The Prime Minister (Mr. Trudeau) said here in the House, some two weeks ago, that he does not want to move on the statutory rate issue until the farm community has established its position. I find that, again, to be a very unfortunate statement because if the farm community was being irresponsible, I can simply say that our position is unified. We want

the government to assume all of the additional costs between the compensatory rate and the statutory rate, and that should be paid to the railways by the federal government, which would be a further drain on the federal treasury.

The farm groups in western Canada have not taken this position, although I think it would be very easy for them to do, and it would be a unified position, and they could take it to the Prime Minister, who says he wants to have a unified position presented to him. It would be very easy for the farm groups to simply get together and say, "We want the federal government to totally fund the difference between the statutory rate and the Crow rate," and yet the farm community has not done this. They have taken a responsible position, yet the Prime Minister castigates them because they do not have a unified position, and he is not going to move on it until they do.

I might add that it is not simply a problem for western Canada, as I pointed out in this House several times before. It is a major problem which affects all of Canada. It would help us in our foreign exchange earnings and help to add to the $11 billion surplus which, as the minister correctly pointed out, Canada had in its trading accounts. It would add to that. As a result, it would add to the value of our dollar. It would decrease the pressure on our interest rates and thus, we hope, lower the interest rate. It would help the manufacturing industry in eastern Canada, and, it would help Massey-Ferguson and Chrysler, so that presumably those companies could find themselves in a better financial position.

This is what I find to be inconsistent as far as this government is concerned. Again, I have to castigate them for standing up and simply saying that we cannot have it both ways. I am not asking for additional government expenditures, and at the same time expecting the government to go ahead and decrease its deficit. Nothing I have said this evening has pointed in both directions at the same time.

The government can do one other thing which would not in the least involve an increase in its expenditures and would show benefits as far as the economy is concerned. For a brief time, when my party was in power, we appointed a grain transportation co-ordinator to look after grain movement in western Canada. This is a position which has been long advocated by all parties in the House. The position was filled in October of 1979 by Dr. Hugh Horner, a former member of this House. He resigned from that position in October of this year, and that position has not yet been filled by the Minister of Transport. I find this unfortunate, because we all know that we have limited transportation capabilities in western Canada, and the co-ordinator was doing an excellent job of getting the best out of our grain transportation system. Most of the people to whom I have talked thought that he had done a very good job in terms of co-ordinating grain movement. This is a position that is now vacant.

We have an acting director of the grain transportation authority in western Canada. We have several people assembled from industry across Canada who have been on loan to the grain transportation authority, people from the grain companies, from the transportation companies. They are rapidly losing morale, and the information I have is that a lot of them will be thinking very seriously about resigning before the start of the spring planting season in western Canada. If we lose these people whom industry has loaned to the grain transportation authority, the whole grain transportation authority is in danger of collapsing. This is a responsibility of the federal government, and I would urge the federal government to go ahead and assume its responsibility. Again, it would not cost the federal treasury any additional money. The position is in place, and simply to let it die by default by not appointing a new co-ordinator, to my way of thinking, is a shame, because it is one way of making maximum use of the limited number of transportation facilities we have in western Canada.

I would like to point out another area in which I have concerns. When the hon. member for Vegreville (Mr. Mazankowski) was minister of transport, he made no bones about establishing the goal of increasing our exports of grain by some 20 per cent over the just-concluded crop year. We have not heard anything in terms of a target like that.

Let me back up. The target was to increase our capabilities, to export grain by 20 per cent so that by the year 1985 we would be exporting 30 million tons of grain. He came very close to increasing the amount of exports that we had by 20 per cent, and without the unfortunate accident in Vancouver in which the Second Narrows Bridge collapsed we would have reached it during 1979-80.

So far as I am aware, the government has not presently announced any intentions of what their target will be for increasing the amount of exports. Again, this would help our economy. It would help, as I said previously, our ability to foreign exchange around the world, because we know that grain is certainly going to be in demand around the world. Anybody you talk to who is in the grain export business knows that our grain will be sold if we get to export position.

As I pointed out, there are a couple of areas in which the government can do without spending additional amounts of money. It would help the government to earn more taxes, thus increasing the revenue base from which the government operates. At the same, it would not increase government expenditures.

In addition, we heard the western development fund announced in the Speech from the Throne. This is a commitment of money that is apparently made to western Canada. Some of us have made suggestions to the government as to how this money should be spent. We have suggested that it be spent on infrastructing on roads, on upgrading railroads, and things of that nature that will be an investment and will show a return as a result of that part of the country being able to produce more.

I understand, from the conversations that I have had with some of the members opposite, that there have really been no guidelines set as to how this western development fund would be used. There is an area that the government could pursue without committing any additional money, and thereby increasing the government deficit. I would urge the government to get on with setting the guidelines for how the western

development fund will be used so that we can proceed to use this money to help us generate more jobs and more economic activity in the country.

In the time remaining I would like to speak briefly about the small business community. As some of you know, the small business community—depending on whether you look at new jobs or the total jobs in the small business sector—accounts for roughly 50 per cent of the jobs in Canada. One of the things we tried to impress on the minister when we talked about the Small Business Development Bond is that it should be extended past the end of the current year, and that it should also be extended to businesses that are unincorporated. I have also had conversations with the Minister of State for Finance (Mr. Bussières), and I appreciate the opportunity I have had to speak to him. Any of the times that I have talked to them, they have pointed out that it is a very expensive program, and that it would be hard to justify extending the Small Business Development Bond past March 31, 1981.

Recently I received some information from the Canadian Federation of Independent Business which shows that the amount of money required to create a job under the Small Business Development Bond—to create jobs, not to maintain jobs, which is another aspect—is lower than for some of the other programs. For instance, the Canadian Federation for Independent Business estimates that it would cost $5,600 to create a job under the Small Business Development Bond concept. Under the Regional Development Incentive Program, the cost was $8,400. The Canada Works is roughly equivalent to the Small Business Development Bond. In the local employment assistance programs it costs $7,000 to create each job. I would urge the minister to have another look at the Small Business Development Bond. What appeals to me and to the small business community about it is that there is no paper work involved. We all know of the paper burden. We all know of the work which has been done by the office of paper burden reduction. I have to congratulate the minister on this. I think the office has done a good job and it is generally recognized that that office has done a lot to eliminate paper work which is a real headache for many small businesses.

● (2050)

So far I have just talked about the cost to the government to create a job in terms of lost tax revenue. It says nothing about the kinds of jobs that will be maintained. The Small Business Development Bond is of the most benefit to those businesses that are not taxable. In the main it will serve to keep those people in business. The Canadian Federation of Independent Business estimated they would create 36,000 jobs by a loss to government of $1.25 billion. I asked the CFIB for a figure, and I asked them if they had done any work on their models to show how many jobs would be saved if everybody who made use of the Small Business Development Bond were in a loss position or in a non-taxable position. The estimate was 63,000 jobs. Therefore it seems to me you could look at a considerably lower figure than $5,600.

If we look at the Small Business Development Bond, not only in terms of the additional jobs it would create but also in terms of jobs it would save you would find that the people who would benefit the most from it are those in a loss position, and a figure considerably lower than $5,600 to create one job would result. Even now $5,600 compares very favourably to the other costs of creating jobs under other government programs. As I said, the beauty of it is there is no paper work.

I hope that I have pointed out to the government that there are many things we have said on this side consistent with a lower deficit and increased economic activity which, in the long run, will generate more taxes for the government.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the hon. member for Kamloops-Shuswap (Mr. Riis) who led off our party in this debate began his speech by telling us that when he went home his constituents greeted him with the simple question: "Good God, what are you people doing in Ottawa?" I suppose members will not be surprised if I say that is precisely the question I am asked whenever I am home on weekends.

Last year the cost of living went up by 12 per cent. For food consumed at home, it went up by over 13 per cent. For fuel and utilities, the cost of living went up over 21 per cent. Therefore, it is not surprising people complain and wonder what they are going to do. It is not surprising that a Conservative economist, Michael Manford, of Merrill Lynch Royal Securities Ltd., is quoted in today's *The Globe and Mail* as saying that inflation in Canada in the next year will get worse rather than better. It is not surprising that workers who are still fortunate enough to have jobs, particularly when they belong to unions and have some bargaining power, are now beginning to demand and are trying to get double-digit wage increases. Workers need an increase of more than 10 per cent just to try to keep their standard of living where it was last year.

It was disturbing, to say the least, to read the speech given by the Minister of Finance (Mr. MacEachen) yesterday to the Canadian Club. In part it read:

> The simple truth is that as a nation, we are entitled only to what we can produce. We are entitled to our gross national product—to nothing more, to nothing less—and rising entitlements can only be legitimized through increased economic growth.

Last year's economic growth was less than 2 per cent. It will probably be less than 2 per cent this year. If that is all ordinary citizens can look forward to, then the minister is saying to them that they can expect and should get a decrease in their real income of about 10 per cent. This is not what the minister is expecting of other sectors of society, those who do not work for wages and salaries. He certainly has no right to expect that kind of approach from ordinary people in this country.

Also there are concerns about unemployment. I heard the hon. member for Kitchener (Mr. Lang) boast about how well we are doing in Canada. I do not think we have a right to boast when according to official figures 945,000 people were unemployed in January of this year. That is 8.3 per cent of the

work force. The figure for women and young people is substantially higher than that.

The former minister of employment and immigration implied on more than one occasion that unemployment was not very serious because often it is not the primary earner who is unemployed. Nothing could be further from the truth. People in this country are very concerned. They are not only faced with the kind of unemployment now prevalent in most parts of the industrialized world; they are now frequently seeing a very disturbing phenomenon in Canada. They see plants which have been in operation for 50 or more years being closed and the people who have worked in these plants for all of their working lives losing their jobs. These plants are being closed for reasons beyond the ability of the workers to do anything about it.

Yesterday morning before I came to Ottawa I met with a group of workers who had worked at the Maple Leaf Mills Ltd. plant which had been in operation in Winnipeg for more than 50 years. It closed very recently. Let me illustrate what unemployment and plant closure mean to one person. This illustration could be duplicated hundreds and thousands of times across Canada, but the situation in Winnipeg is not nearly as serious as that in the province of Ontario. My example concerns a woman, age 57, who worked at the Maple Leaf mills for 35 years. Just before the plant closed she was earning $8.61 an hour or about $344 a week. When the plant closed, this woman was laid off. At age 57, it is very unlikely she will ever get a job again, certainly not one that would pay her the kind of money she was earning. She worked in a unionized mill. The union contract had a clause in it about severance pay, so this woman will receive full pay for the next 35 weeks. In other words, she will receive 35 weeks of severance pay which works out to about $12,000. Also she will receive almost a full year of unemployment insurance benefits. However, after that she will be in real trouble because the mill did not have a good pension plan. She will get $81 a month until she reaches age 65. How is that woman to manage? How are many of the people who are being laid off to manage? Nevertheless, the minister indicated that workers in this country cannot expect any more in increased pay than the increase in productivity.

I have pointed out how wrong the minister was to have suggested that, but if he really believed it, he should have taken steps to see that kind of approach applied across the board to all sectors of our society. The hon. member for Kamloops-Shuswap talked about that this afternoon. While the minister has been telling the Canadian people to lower their expectations, the government never applied that kind of thinking to the business community in this country.

● (2100)

According to the business section of yesterday's *Globe and Mail*, the banks in this country increased their assets in the last year by 22.7 per cent; the Royal Bank, 22.1 per cent, Canadian Imperial Bank of Commerce, 20 per cent; Bank of Montreal, 30.3 per cent; Bank of Nova Scotia, 25.9 per cent and Toronto-Dominion Bank, 23.4 per cent. Therefore, we are not talking about small impoverished corporations but the largest and richest corporations in this country.

When we look at their profits, we see they are in the hundreds of millions of dollars. In 1980, the Royal Bank increased its profits after taxes by 21 per cent from $270 million to $327 million, the Bank of Montreal by 15.1 per cent to $263 million, the Toronto-Dominion Bank by 14.5 per cent to $121 million and the Bank of Nova Scotia by 22.3 per cent to $221 million.

The oil companies have gone on strike. When a group of workers in this country goes on strike, immediately we see editorials in newspapers and demands in Parliament and the legislatures that something be done to stop the strike because it creates difficulties for the people. The oil companies, among the richest corporations in this country, have gone on strike. They have refused to invest in Canada and are cutting back on exploration. Why? They are not making enough profits. The figures show that is untrue, that it is a lie.

The figures are very clear. In 1980, the profits of Imperial Oil increased by 38.3 per cent over 1979 to $682 million, Shell Canada by 37.1 per cent to $355 million, Gulf by 31.9 per cent to $380 million and Texaco by 41.5 per cent to $373 million. That is what is going on in this country, but the Minister of Finance tells the ordinary citizen of this country to cut back on his expectations. All he wants is to live the kind of life he lived in the past. He is prepared to work and do his share.

What did the minister say in his speech in Montreal? He said we are in trouble because our productivity is not growing. He said:

> Although we have enjoyed roughly the same rate of employment growth in the last seven years, output per worker has not only failed to increase—it has actually declined.

An editorial in some part of Canada will indicate we are not doing great because Canadian workers are not prepared to work. That is not true. If our productivity is not increasing as it was in other years, there are very clear reasons why. It is not because Canadian workers do not want to work. It is because government and industry have not prepared for the kind of society in which we live.

We have no industrial strategy in this country. Despite all the speeches he made while in opposition, the Minister of Industry, Trade and Commerce (Mr. Gray) has not brought forward an industrial strategy. The result is that our manufacturing industries are steadily declining. In 1970, 26 per cent of the work force was engaged in manufacturing. By 1979 that figure had dropped to 19 per cent. In 1970, 21 per cent of our exports were manufactured goods. Today it is 10 per cent. In 1970, we had a $3 billion deficit in manufactured goods. In 1979 the deficit was $11.5 billion.

Our factories are not operating anywhere near capacity. Plants which were designed to operate on two shifts now work only one shift. Workers who were working five and six days a week now work three. Corporations did not use their profits in years of high profit to modernize and retool their plants and equipment.

For many years the automobile industry made tremendous profits, as did the pulp and paper industry. Now they come to government cap in hand asking for help. The percentage of our labour force in the service sector is increasing every year. That sector is not as productive as the manufacturing or mining industries or the oil and gas industry which is highly mechanized and automated.

Lastly, we have the spectacle of Canadian corporations and the multinationals involved in a rash of takeovers; Thomson buying FP Publications and Hudson's Bay, CP busily trying to buy corporations in the United States and Seagrams wheeling and dealing. These takeovers do not add anything to the productive capacity of this country. This is why our productivity has not increased in recent years.

This country is and will continue to be in trouble as long as the government refuses to do what every other country in the industrialized world has done, with the exception of the United States and Canada. Government must take the lead in planning, together with industry and labour, to use human and natural resources to the fullest capacity in order to produce our food and the goods for which we have a natural advantage and compete for sales in the international markets in order to keep Canadians working.

Until the government gets involved in that kind of planning and devises the kind of industrial strategy the Minister of Industry, Trade and Commerce spoke about so volubly when in opposition, this country will not only continue to be in trouble but the trouble will get much worse.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, the discussion this evening centres on the goal of greater economic growth, a goal we all desire. We look for growth to be sustained over time and growth to be balanced in a regional as well as in an industrial sense.

In seeking those broad goals, we have committed ourselves as a government to reducing the deficit in our total balance of payments. Second, we have undertaken to reduce the rate of inflation. Third, we are seeking to promote employment and viable industries and to generate more exports. Fourth, of course, we want to implement those policies in a way which benefits all regions of Canada. This evening I want to say a word about broad goals in terms of the National Energy Program announced in the budget last autumn.

• (2110)

We seek a reduction in the current deficit in our balance of payments by eliminating, as a major goal of that program, the need for imported oil. We are also doing so through a fundamental commitment to conservation, which has been absent in Canada in the past. We are also doing so through a commitment to substitution of more plentiful forms of fuel for scarce and expensive oil. We seek also, through incentives to the industry, to bring on-stream new supplies of domestic petroleum.

As the House knows and as most Canadians know, Canada is today more than energy self-sufficient. We are, in fact, net exporters of energy. With the National Energy Program, we have set ourselves the additional goal of becoming self-sufficient in oil by 1990. Those programs will help us to correct the deficit in our balance of payments, one of the principal goals of our current economic policy.

With regard to its effects on inflation and unemployment, we have not undertaken in the National Energy Program, a cheap oil policy. However, as the national government of our country we must manage our national economy. We must protect consumers just as we must ensure producers a fair return.

I might note in this connection that in estimating the impact of inflation resulting from higher energy prices, the Economic Council of Canada recently estimated that a one dollar increase in the price of a barrel of oil will add about .5 per cent to the consumer price index. Rather than push inflation even higher, we want Canadians to pay less than world price for their oil, leaving the difference in the pockets of people rather than in the coffers of governments.

I have referred to industrial growth, and the employment that is generated from such growth, as another principal economic policy commitment of this government.

We see the energy policy and, indeed, the energy industry as principal motors of the further growth in our economy. In that connection, we have distinctly Canadian assets. We have become a leader in the technologies associated with oil sands, enhanced oil recovery, natural uranium reactors and frontier petroleum exploration, particularly in sensitive environments.

I do not need to remind the House of the commitments made in the national energy policy to major expenditures between 1980 and 1983 which will give further incentive to growth in this most dynamic segment of our total economy. Those who have consulted the National Energy Program will recognize that almost $12 billion has been allocated to a variety of activities which will bring additional growth to our economy, but growth on a basis which will promote regional balance throughout our country. We look toward equalization, the sharing of benefits and, indeed, the sharing of the costs in developing further in that most prosperous sector in our economy. But by doing so in a way which brings advantage to all regions of Canada, we are nevertheless ensuring that the principal oil-producing province, Alberta, will receive over $100 billion in revenue from petroleum during this decade.

In the National Energy Program, Canadianization is also a major element which makes for economic growth. We want to ensure that more benefits resulting from the growth of our petroleum sector go to Canadian workers and that more of the profits remain in Canada to be reinvested in our own economy.

The means of enhancing Canadian participation in our petroleum sector involves four principal methods. First, we seek to encourage companies already active in the oil and gas industries, by grants and other incentives, to become more

Canadian in ownership and control, such as in the recent case of Dome.

Second, we are encouraging Canadian companies not now active in the petroleum sector to enter the oil and gas industry.

Third, new companies which were not in place in the past are being formed. I refer, for example, to the initiatives taken by the co-operatives in Canada to enter the petroleum industry.

Fourth, the vehicle of Petro-Canada is available to play an active role in attempting, on behalf of all Canadians, to acquire outright, foreign-controlled firms. We have recently seen the example of its acquisition of Petrofina, which ensures that a fully-integrated national oil company will be operating for the benefit of all Canadians.

In giving further substance of our National Energy Program, we have consulted the private sector in order to benefit from its suggestions about how the program might best be applied. We remain determined to achieve our goals, but we remain equally flexible with respect to the ways in which we may achieve them.

The National Energy Program is one of the most comprehensive, far-reaching economic initiatives undertaken by any government in Canada in recent decades. The very size and complexity of the challenges we have faced have made necessary detailed and continuing consultation with the petroleum industry and, indeed, all those sectors of our economy affected by the program. That need was recognized from the start. It has gone forward. Several significant adjustments have resulted from consulting with the petroleum industry in the elaboration of the National Energy Program.

I wish to take a few minutes to record for those interested some of the initiatives we have recently taken. First, the industry indicated to us that a new definition of Canadian exploration expenses proposed in the budget would have had an adverse impact on the industry's ability to finance such investments. We responded in Bill C-54. It contains amendments to ensure the immediate deduction of expenses incurred in drilling dry holes, whether for development or exploratory purposes.

Favourable tax treatment will also be continued for wells drilled in frontier areas before the commencement of production. In addition, the existing treatment of drilling costs of wells which qualify for exploration expenses was extended for a further year, to the end of 1981.

Second, the industry suggested to us that the value of the incentive payments outlined in the program could be increased if investors had access to a full tax deduction for exploration and development expenses prior to fulfilling all the requirements for a grant. The rules which we first set forth were subsequently amended to accommodate the industry's suggestions.

• (2120)

Third, while the payment of the generous incentive grants to eligible investors would increase their available cash for petroleum investment, an accounting problem arose in the treatment of grants in their annual operating statements. A typical Canadian company receiving petroleum incentive grants might show an encouraging rise in reinvestment capacity but at the same time a discouraging external appearance of reduced income, unless the grants could be fully reflected in income from the beginning. Accordingly, the government has been working with representatives of the petroleum industry in order to explore ways in which full and favourable impact of the incentive grants may be reflected in the financial positions of companies.

Fourth, the House may recall that in recent days new rules governing the Canadian ownership requirements were announced. They result from the response of industry to an invitation from the government some time ago to discuss tentative proposals for the measurement of beneficial Canadian ownership to determine the eligibility of individual companies for incentive grants. After consultation with more than 100 corporations, individuals and associations active in the petroleum industry, significant changes were recently incorporated in the Canadian ownership rating rules.

These include a provision to deem as 100 per cent Canadian all shareholdings of less than $50,000 and with Canadian addresses. We shall enable small companies of less than $5 million in assets or $10 million in revenue to complete a short form application for their Canadian ownership measurement. Numerous other changes designed to streamline the necessarily rigorous process of establishing true Canadian ownership and grant eligibility have been made.

Fifth, there have been intensive discussions of the petroleum incentive program with industry. Those discussions resulted in a new phased-in approach to Canadian ownership targets, including the creation of a new intermediate level of incentive grants. Under the new sliding scale of targets, companies with Canadian control and at least 65 per cent Canadian ownership in 1981 will be eligible for maximum incentive grants. The minimum requirement for these grants will rise by two percentage points annually to reach 75 per cent, the goal we originally proposed for 1981.

Sixth, a new intermediate category of incentive payments will be available to Canadian-controlled companies with at least 60 per cent Canadian ownership in 1981, rising by one percentage point annually to 65 per cent by 1986. The creation of this new category of eligible companies will enable many corporations to spend more on petroleum exploration than had been previously anticipated. This will provide an attractive intermediate target for those companies with Canadian ownership of between 50 per cent and 59 per cent in 1981.

The government regarded as reasonable and creative the view of the petroleum industry that a phased-in approach would ease the pressure on Canadian capital markets enabling greater access to new equity financing by the many companies now responding to the Canadianization proposals in the National Energy Program. At the same time, oil and gas supply for the benefit of all Canadians will be enhanced by a more vigorous pace of incentive-assisted investment.

The evidence is there. We have been flexible. We shall continue to be so. Ideas for making the National Energy Program more practicable and effective have been welcomed and are clearly producing results. We look for more of the same kind of reasonable, ongoing consultation as the National Energy Program is put into full effect. Co-operation is essential, for example, for the successful implementation of our ambitious off-oil or substitution program on which the total goal of Canadian oil self-sufficiency by 1990 depends so much.

The Government of Canada has clearly assumed a strong leadership role in the national energy policy. But strength should not be mistaken for inflexibility. There are those who argue that our willingness to make adjustments in the National Energy Program is beside the point. From time to time we hear from critics that although they may profess full support for our basic goals, they hasten to reject our methods as mistaken or unworkable. I submit that any examination of the National Energy Program and the particular elaborations we have brought forward will show that not only will Canadian ownership be enhanced by the program, but Canadian supply and self-sufficiency in oil will also be strengthened.

Some hon. Members: Hear, hear!

Mr. Chuck Cook (North Vancouver-Burnaby): Mr. Speaker, first I should like to compliment the previous speaker; never in the history of this Parliament has the rape and pillage of private industry in this country been made to sound so dull.

I do not understand why the more important issues of this country must be discussed on opposition days. When I return to my riding in British Columbia, those people tell me that we should not be discussing the Constitution in the House of Commons, but we should be discussing the cost of living. They do not want to hear about a charter of rights; they want to hear about a reduction in interest rates. They do not want to hear about an amending formula; they want a means to lower unemployment and create jobs.

I wonder how many members on the government benches, when they wake up in the morning, instantly think of the nuances of the Constitution which is before the House.

Some hon. Members: We do.

Mr. Cook: Perhaps two members, but I can tell them what happens in the rest of the country when people wake up in the morning.

Mr. Chrétien: Will the hon. member accept a question?

Mr. Deputy Speaker: Will the hon. member for North Vancouver-Burnaby (Mr. Cook) accept a question?

Mr. Cook: Mr. Speaker, I will accept a question at the end of my remarks.

Some hon. Members: Oh, oh!

Mr. Cook: Mr. Speaker, may we have a little order? If I am pricking them, will Your Honour ask them to please bleed quietly?

Mr. Deputy Speaker: Order, please. The hon. member for North Vancouver-Burnaby has the floor.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Cook: We on this side of the House and a good many members on the other side can freely admit that at the moment this country has absolutely no industrial strategy. There has been a total failure. When we think of what is going on in terms of regulatory reform in the government, when we consider the many changes which have already been made to the energy policy, we realize that there is very little communication and consultation with either business or the people of this country. Otherwise, this kind of debate could be taken up for matters which are important to the people out there, not what is important to one arrogant old man trying to go down in history, with a good many people following along behind him.

• (2130)

What this government does is govern by fiat, not by fairness and not by interest in what the people are doing. We heard the previous speaker talk about what in my view is the deplorable oil policy. I would like to give a couple of examples of what is taking place in the west and what this oil policy is doing to small business in the city of Vancouver. On April 1, according to the oil policy, Canadian suppliers of heavy bunker oil will be trying to sell a product for which there will be a very insignificant market.

I hope the Minister of Finance (Mr. MacEachen) will listen to me, since what we have is a fight between the Department of Transport, which understands a bit about this situation, the Department of Finance, which does not understand the situation, and the Department of Energy, Mines and Resources which wants but will not receive those tax dollars.

The current Canadian price of Bunker C is $28.20 a barrel. The proposed price with the new tax included will be $38.59. The current Puget Sound price for Bunker C is $31. That means there will be an increase of $13.45 a barrel Canadian, or a 47 per cent increase in price. For the benefit of members opposite I should explain where Puget Sound is, since one of the officials in the Department of Finance, when questioned on the matter, asked me where it was. It is immediately south of Vancouver. I suggest maps be provided to the various departments so that they can find out a little bit about their own country and the neighbouring shores.

Mr. Andre: Where is Vancouver?

Mr. Cook: For the benefit of the hon. member for Calgary Centre (Mr. Andre), Vancouver is 800 miles west of Calgary.

The new tax will bring marine diesel fuels up to $53.34 a barrel. This represents an increase of $18.95, or a 55 per cent increase. What will happen when these taxes come into effect on April 1? Perhaps the government will change its mind, and all service industries will be hit, along with all hotels, restaurants, ship repair establishments and longshoremen.

I would like to give a more concrete example of what is taking place. At the present time there are 40 Polish fishing vessels off the coast of Canada. They are serviced by the *Kuszuby II*, a factory ship. When in Vancouver for refuelling, price changes were announced, and it left immediately for Puget Sound. The loss in taxes to the federal government was $500,000. The loss to British Columbia through provincial sales taxes was $44,000.

The Poles expressed difficulty with respect to forecasting whether to ever again enter the port of Vancouver in order to refuel. Those taxes and differences in prices are destroying the marine bunkering industry. Five companies involved will now be out of business because most of the ocean-going traffic will go south. Why? Because the Department of Transport, the Department of Finance and the Department of Energy, Mines and Resources cannot sort out the situation among themselves and do not realize what they are doing to the west coast. One example of what they are doing with your energy policy—

Mr. MacEachen: "Our" energy policy.

Mr. Cook: It is yours, not mine.

Another example of the kind of foul-up which is occurring, not only on the west coast but on the east coast as well, has to do with the current Canadian price for marine diesel fuel of $34.39 a barrel. The current Puget Sound price is $42.81. This government proposes to increase the price by 55 per cent. The proposed Canadian price will then be $53.34, substantially higher than the American price. The export tax will go into effect when the destination of a Canadian vessel is a foreign port, regardless of any other ports of call. We will lose 25 per cent of the jobs for seagoing and associated personnel. This does not include losses to the berthing and maintenance service industries. Smile, if you will, but bear in mind we are talking about 2,000 jobs.

Canadian vessel owners must bid for contracts in competition with U.S. companies which have access to cheaper fuel. Towing cement from Gibsons Landing, British Columbia, to Adak in the Aleutian Islands will cost a Canadian firm $58,000 more than a U.S. firm for the same contract, the same service. The reason is the government's ruddy export tax which should not be applied in this case as it is costing Canadians their jobs. It is costing the west coast a good deal and I suspect the same is true on the east coast.

Mr. Andre: They are just jobs in British Columbia.

Mr. Cook: They are jobs in British Columbia. I also suspect they are jobs in Halifax. When the government talks about its magnificent energy policy, it should get down to the nitty-gritty, talk to the people in business who are dealing in these areas, the small companies, the backbone of this country, which the government is destroying.

I ask the ministers responsible to look at what is happening. Any sensible person will realize that the oil export tax applied at the level it is on the west coast will destroy all kinds of jobs. I suppose this matters not to the government, since the government representatives from the west coast have not brought this to their attention.

I would like to talk about other insensibilities of this government. We have a government which is economically insensitive to what is taking place in this country.

An hon. Member: It is bad all over.

Mr. Cook: It is bad all over. What causes that? A government that will not address itself to issues important to Canadians.

Let us talk about some Department of Fisheries and Oceans regulations. On the west coast there are new regulations in connection with salmon sport fishing. These will damage the B.C. tourist industry substantially. They will hamper small resorts, and marine operators who cater to U.S. sport fishermen along the coast. The ban imposed by the government includes a total four-month ban on all sport fishing in the Georgia Strait beginning next December. It includes an immediate ban on downriggers and one chinook a day limit starting April 1. Everyone is concerned with chinook salmon on the west coast, even the sport fisherman, but there must be a better way of imposing the regulations. There must be a way that fisheries officials could consult with sport fishermen's associations to arrive at some form of ban or reduction that makes sense.

Let me give some shocking figures with respect to something else. I do not care what regulations there are on sport fishing, until the government does something, those regulations cannot be enforced. In 1948, there were 109 fisheries inspectors on the west coast and approximately 3,000 private small boats at that time. Today, at latest count, there are 204,404 rowboats, inboards, outboards, sailboats, canoes and, for all I know, some tubs as well. How many fisheries inspectors does it take to handle some 204,000 sports fishermen?

• (2140)

In 1948 there were 109, and in 1981 there are 120. That shows a total neglect of enforcement in the area of sports fishing. If the government wants a proper fishery on the west coast, it should realize this cannot be achieved using the same number of inspectors as in 1948. As well, changes will have to be made in the regulations which will ensure the continued growth of the tourism industry in the province.

I had four other points to make, Mr. Speaker, but I see that I will not have time so I will go over a couple of them briefly and quickly. The first is the economic insensitivity of this government. British Columbia has a great opportunity to develop its north-eastern area through the B.C. coal agreement. The amount of money involved is staggering and the benefits to Canada could be colossal. These include a 72-mile railroad costing $350 million. Through the National Harbours Board and the CNR the line to Prince Rupert would be upgraded at a cost of $50 million and $80 million worth of new rolling stock would be purchased. A new coal loading port would cost $70 million. Over 15 years the shipment value of the coal is expected to reach $7.04 billion. Those are some of

the benefits. I cannot agree with my friends to my left who are afraid to sell a little coal. British Columbia has thousands of years of coal stocks, mountains of it. The development of the railway would open up a new portion of the province and allow ancillary mines and industries to develop through the area. Yet there are arguments, there is nit-picking, niggardliness rather than a push to make the deal and get the job done. The taxation accruing to the federal government from this deal would more than meet any up front money the government of British Columbia is seeking.

Early this afternoon an hon. member gave some figures for research and development in this country which illustrate how backward we are in this area. Out of a population of 23 million, 21,519 people are engaged in research and development. This must make us the laughing stock of the world. It is almost criminal that a government could avoid thinking about this, could avoid changing the situation.

This government spent all its time worrying about something the country is not worried about, that the country is not even thinking about. It forces us to do the same and ignores the real problems in the country, such as creation of more jobs.

I should like to see the government produce an industrial strategy for Canada, show concern for the small independent businessman, introduce a program to increase jobs and productivity, a program to bring in lower interest rates, a program to reduce inflation. The failure of this country and this government to deal with the key issues which concern the people brings shame on all who sit on the benches opposite. Mr. Speaker, this motion should be passed.

Some hon. Members: Hear, hear!

Mr. Chrétien: A point of order, Mr. Speaker. The hon. member invited me to ask a question at the end of his speech. He made a proposition, but I do not know if he was speaking on behalf of his party. We on this side of the House would be willing and eager to dispose of the Constitution tonight so that we can discuss the economy for the next two weeks.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Deputy Speaker: Order, please. It being 9.45 p.m., it is my duty, pursuant to Standing Order 58(9), to interrupt the debate and put forthwith every question necessary to dispose of the proceedings now before the House.

[*English*]

Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

Mr. Deputy Speaker: Call in the members.

The House divided on the motion (Mr. Andre) which was negatived on the following division:

● (2215)

(*Division No. 46*)

YEAS

Messrs.

Althouse
Andre
Anguish
Baker (Nepean-Carleton)
Beatty
Blackburn
Blenkarn
Bradley
Broadbent
Cardiff
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Coates
Cook
Cooper
Corbett
Crosbie (St. John's West)
Crosby (Halifax West)
Crouse
Dantzer
Darling
de Jong
Dinsdale
Domm
Ellis
Elzinga
Epp
Fennell
Fraser
Friesen
Fulton
Gilchrist
Greenaway
Gurbin
Gustafson
Halliday
Hamilton (Qu'Appelle-Moose Mountain)
Hamilton (Swift Current-Maple Creek)
Hargrave
Hawkes
Hees
Hnatyshyn
Howie
Huntington
Jelinek
Keeper
Kempling
Kilgour
King
Knowles
Korchinski
Kristiansen
Kushner
Lawrence
Lewis
Lewycky
MacDonald (Miss)
Malone
Manly
Mayer
Mazankowski
McCain
McDermid
McGrath
McKenzie
McKinnon
McKnight
Mitchell (Mrs.)
Mitges
Munro (Esquimalt-Saanich)
Murta
Neil
Nickerson
Nielsen
Nowlan
Nystrom
Oberle
Orlikow
Paproski
Parker
Reid (St. Catharines)
Riis
Robinson (Burnaby)
Roche
Rose
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Stevens
Stewart
Taylor
Thacker
Thomson
Towers
Waddell
Wenman
Wilson
Wise
Wright
Young
Yurko—102.

NAYS

Messrs.

Allmand
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Berger
Blaker
Bloomfield
Bockstael
Bossy
Breau
Bujold
Bussières
Caccia
Campbell (Miss) (South West Nova)

Messrs.

Chénier
Chrétien
Collenette
Comtois
Corbin
Corriveau
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
De Bané
de Corneille
Demers
Deniger
Desmarais
Dingwall
Dion
Dionne
(Chicoutimi)
Dionne
(Northumberland-
Miramichi)
Dubois
Duclos
Dupont
Erola (Mrs.)
Evans
Ferguson
Fisher
Fleming
Flis
Foster
Fox
Francis
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Harquail
Henderson
Herbert
Hervieux-Payette
(Mrs.)
Hopkins
Hudecki
Irwin
Isabelle
Johnston
Joyal
Kaplan
Kelly
Killens (Mrs.)
Lachance
Lajoie
Lalonde
Lamontagne
Landers
Lang
Laniel
Lapierre
Lapointe
(Beauce)
LeBlanc
Leduc
Lefebvre
Loiselle
Lonsdale
Lumley
MacBain
MacEachen
MacGuigan
Mackasey
MacLaren
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McCauley
McRae
Munro
(Hamilton East)
Nicholson
(Miss)
Olivier
Ouellet
Parent
Pelletier
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Regan
Reid
(Kenora-Rainy River)
Robinson
(Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Savard
Simmons
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Watson
Weatherhead
Yanakis—132.

[*Translation*]

Madam Speaker: I declare the amendment lost.

It being 10.16 p.m., this House stands adjourned until tomorrow at 2 p.m., pursuant to the provisions of Standing Order 2(1).

At 10.16 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, February 25, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

THE ENVIRONMENT

ACID RAIN—SUGGESTED TOPIC FOR DISCUSSION WITH U.S. PRESIDENT REAGAN—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that a recent Canada-U.S. scientific study documented in great detail the fact that acid rain is devastating the environment of both countries, including as many as 4,000 lakes killed in Ontario alone, I move, seconded by the hon. member for Don Valley West (Mr. Bosley):

That this House urge the Prime Minister to make the growing crisis of acid rain a major agenda item in his forthcoming discussions with the United States President in Ottawa.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

RESEARCH AND DEVELOPMENT

CALL FOR INDUSTRIAL STRATEGY—MOTION UNDER S.O. 43

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that research and development are the foundation on which rests not only tomorrow's jobs but upgraded career opportunities for all young Canadians, and in light of the fact that the most recent utterances of the Minister of State for Science and Technology (Mr. Roberts) have changed nothing in Canada with respect to research and development, and furthermore that only Ireland and Iceland, of the free-world industrial nations, spend less on industrial research and development, as a percentage of GNP, than Canada, I move, seconded by the hon. member for Scarborough East (Mr. Gilchrist):

That the Minister of State for Science and Technology stop playing roulette with the future of young Canadians, and develop an industrial strategy based on Canadian technological superiority.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ECONOMY

YOUTH ENERGY-EMPLOYMENT STRATEGY—MOTION UNDER S.O. 43

Mr. Peter Elzinga (Pembina): Madam Speaker, I too rise under the provisions of Standing Order 43. The unemployment rate for young Canadians between the ages of 15 and 24 was a staggering 14.6 per cent last month, yet at the same time the federal government continues to promote a National Energy Program that discourages the progress and expansion of the Canadian oil industry which has the potential to employ many thousands of these young people. In view of this disgraceful situation, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That this House direct the Minister of Employment and Immigration to confer immediately with his colleague, the Minister of Energy, Mines and Resources, to see if, between the two of them, they can produce a reasonable energy-employment strategy which will put our youth to work, and help Canada to reach its goal of energy self-sufficiency by 1990.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CONFLICT OF INTEREST

DEALINGS IN SHARES OF PETROFINA—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I rise under the provisions of Standing Order 43.

In view of the fact that Insiders Reports filed with the Ontario Securities Commission, dated January 23, 1981, show that four officers of Petrofina Incorporated sold shares and options over a short period in January of this year, resulting in a profit in excess of $400,000, and in view of the fact that one officer in particular purchased 1,000 shares on January 16 for

$60 per share and sold them on the same day for $90 per share, for a total profit of $30,000 in one day, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That since the Canadian public is purchasing this company, the Minister of Energy, Mines and Resources immediately set up a special federal inquiry into the share transactions on the Petro-Canada-Petrofina deal.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

INDEPENDENCE OF ESTONIA

TRIBUTE TO CANADIAN-ESTONIAN COMMUNITY—MOTION UNDER S.O. 43

Mr. Gordon Gilchrist (Scarborough East): Madam Speaker, I rise on a matter which I believe will receive the unanimous and enthusiastic support of this House. In recognition of the sixty-third anniversary of Estonian independence; in gratitude to the thousands of Canadians of Estonian origin and the valuable contribution which they have made to the greater good of Canada; in support of their continuing efforts to achieve freedom for their homeland; and in honour of those Estonian freedom fighters both in Canada and in Estonia who last week were presented with the Estonian gold medal, Messrs. Heinsoo, Niklus and Kukk, I move, seconded by the hon. member for Edmonton North (Mr. Paproski):

That this House pay tribute to the Estonian community in Canada and express the hope that one day soon their homeland will enjoy the same freedoms which they themselves have found in Canada.

Some hon. Members: Hear, hear!

Madam Speaker: I am sure hon. members want to show their appreciation of this community by their applause.

* * *

HOUSING

CUT IN SOCIAL HOUSING BUDGET—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Vacancy rates throughout Canada remain at criminally low levels making it almost impossible for Canadians to find acceptable shelter in many areas. Despite that crisis, the federal government has reduced its social housing budget for 1981-82. Therefore I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That this House urge the Liberal government to restore the 5,000 social housing starts which it has taken away from the Canadian people.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PROVINCIAL AFFAIRS

MANITOBA BUDGETARY DEFICIT—MOTION UNDER S.O. 43

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the announcement last Friday that Manitoba's Conservative government, a government that sought election on a platform of 'acute protracted restraint', has recorded a $178 million deficit for the nine-month period ending December 31, 1980, some $75 million more than for the corresponding period in the previous year, I move, seconded by the hon. member for Churchill (Mr. Murphy):

That this House grant leave to the former president of the Treasury Board, the hon. member for York-Peel, to visit his colleague Premier Lyon in order to investigate this matter and to recommend to the Premier of Manitoba what further drastic cutbacks are needed to reduce the provincial deficit and further harm the Manitoba economy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

CANADIAN-BRITISH MINISTERIAL DISCUSSIONS—MOTION UNDER S.O. 43

Mr. Otto Jelinek (Halton): Madam Speaker, I rise today under the provisions of Standing Order 43. In order to dispel the myth that I was nervous yesterday, according to misrepresentations by at least one national newspaper, and in view of the inconsistent and contradictory statements made by the Prime Minister when discussing his meeting or meetings with Mrs. Thatcher concerning the unilateral Liberal constitutional package, I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That the entire matter respecting the meetings and discussions held by any Canadian cabinet ministers and the Prime Minister—

Mr. Trudeau: Your hands are shaking.

Mr. Jelinek:

—with their British counterparts, be brought before the appropriate committee in order to clarify, once and for all, the many existing uncertainties and inconsistencies in this regard.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

FUNDING FOR CANFARM—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, it is clear to anyone in a rural community in Canada that farmers do not enjoy the benefits enjoyed by many other sectors in the Canadian economy, particularly ailing branch plants of American firms. The same government that in the same week can find $40 million to bribe a multinational oil company to stay in the tar sands while denying one fortieth of that amount to Canfarm has confused priorities. It cannot make up its mind whether we are going to starve or freeze. I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That the Minister of Agriculture help farmers everywhere and re-introduce the previously promised funding to help Canfarm survive.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

FEDERAL-PROVINCIAL RELATIONS

ESTABLISHED PROGRAMS FINANCING ARRANGEMENTS—INQUIRY RESPECTING TASK FORCE REPORT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is for the Minister of Finance and it has to do with the established programs financing arrangements. The minister will recall the House was informed that the government was considering cutting back the $1.6 billion it makes available to Canadian community colleges, vocational schools and universities across the country. Since that time there has been the establishment of a task force which will report in late June. Would the Minister of Finance tell the House whether the government has suspended absolutely all internal consideration of cutbacks in its contribution to community colleges, vocational schools and universities across the country until it has had the opportunity to receive and consider the report of the task force?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, it would not be necessary to suspend any such consideration because we have not reached the point where we are considering cutbacks to universities or community colleges.

Mr. Crosbie: Read your budget.

Mr. MacEachen: I am grateful to the Right Hon. Leader of the Opposition for giving me the opportunity to tell hon. members that we have reached no decision on this matter and, therefore, those who believe that we are determined to make cutbacks in these particular areas are premature in their conclusions. What we have said, which is clear in the budget projections, is that for 1982-1983 and 1983-1984 we expect to secure savings in the field of intergovernmental transfers to the provinces in the amount of $1.5 billion. The intergovernmental transfers amount to $17 billion, of which transfers for post-secondary education are a relatively small part. We have not reached any conclusions. We are looking forward to the examination of the parliamentary task force which will assist us in reaching our position before we present it to the provinces.

Mr. Clark: Madam Speaker, I have to draw the attention of the minister not only to his own budget, in which he indicated there would be cutbacks, but also to the statement of his colleague, the Minister of National Health and Welfare who, in a CBC television interview on November 8, 1980, talking about cutbacks in the EPF arrangements indicated that medicare and matters related to health would not be cut. She then went on to talk about education and said:

This is a candidate for savings which will be rechannelled differently.

In other words, the minister of health has said the exact opposite of what the Minister of Finance has now told the House of Commons.

Some hon. Members: Oh, oh!

Mr. Clark: Since his colleague, the Minister of Justice responsible for social development, has already admitted that there was consideration of cutbacks before the social development committee of cabinet which would affect community colleges, vocational schools and universities, what I would like to know, and I repeat my question to the Minister of Finance is this: has the government suspended absolutely all of that consideration of cutbacks of federal moneys which would go to educational institutions, and will it keep that absolutely on hold until it has the opportunity to receive and review the task force report?

Mr. MacEachen: Madam Speaker, I have no hesitation in telling the House that we do not intend to make any decisions on this question until we have received and studied the report of the task force which we have established. In the meantime, we intend to proceed with our own studies of this very important subject matter which will be, as the right hon. member knows, a matter for negotiations with the provinces.

At the meetings of ministers of finance in December, preliminary discussions were undertaken among the ministers of finance by way of preparing for these negotiations. When they

begin in earnest, the federal government will be putting forward its position to the ministers of finance but that stage has not yet been reached. Undoubtedly, we will want to hear from the parliamentary task force before we put our position before the provinces.

Mr. Clark: Madam Speaker, what we have had here today is an indication that the government is carrying on exactly as it was before the task force was established. The task force is simply a smoke screen to try to take the heat off the government, to try to keep away from parliamentary debate the fact that the Government of Canada is now actively considering cutting back $1.6 billion of aid to community colleges, vocational schools and universities across the country, and is transferring the burden away from the federal government toward students and their parents across the country. The Minister of Finance is just now finding out what is going on.

Some hon. Members: Hear, hear!

• (1420)

FEDERAL GOVERNMENT OBLIGATIONS

Right Hon. Joe Clark (Leader of the Opposition): Let me ask a specific question regarding the obligations of the Government of Canada. Does the Government of Canada believe that it has an obligation, legal or moral, to Canadian universities, community colleges or vocational schools to give three years' advance notice before terminating any assistance for education under the Established Programs Financing arrangements?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the first thing I want to say is that the Leader of the Opposition really does not know what is going on in this House of Commons when he says that the task force has been set up as a smokescreen by the government. The task force was asked for by the hon. member for Broadview-Greenwood—

Some hon. Members: Oh, oh!

Mr. MacEachen: —and by the hon. member for Mississauga South when he moved a motion under Standing Order 43, as I recall, asking that a parliamentary task force be established. We are doing it at the request of members of the opposition, and are glad to do it. The Leader of the Opposition is as mistaken on that point as he is on all the other points, particularly when he says that we have reached a decision to cut off funds to students in Canadian universities. How desperate is the Leader of the Opposition when he puts forward that misrepresentation!

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, the only cause for desperation in this House is the desperation of ever getting an answer from this minister who cannot find it within himself to give a straight answer.

Some hon. Members: Hear, hear!

Mr. Clark: We asked whether he was telling the truth or whether the Minister of National Health and Welfare was telling the truth. He has not answered. We asked him whether he believes there is a moral or legal obligation on the Government of Canada to give advance notice to the colleges and students whom he intends to cut off. He does not answer. Will he answer one of those two questions?

Miss MacDonald: Answer them both.

Mr. MacEachen: Madam Speaker, the questions are impossible to answer because each of the questions is based upon a blatant misrepresentation of the facts.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

POSSIBLE EFFECTS IF REDUCTIONS MADE IN EDUCATIONAL INSTITUTION FUNDS

Mr. Tom McMillan (Hillsborough): Madam Speaker, my question is also directed to the Minister of Finance. Will the minister tell the House if the federal government terminated the $1.5 billion that it pays to universities, community colleges and vocational schools across Canada for their operating costs, if the federal government did terminate that amount of funds—and there is a certain amount of credibility given to the assertion that the government is giving active consideration to that because of the statement made by the Minister of National Health and Welfare—does the Minister of Finance realize that would result in annual cuts of $100 million to the University of Toronto, $40 million to the University of Manitoba—

Madam Speaker: Order. The hon. member should ask his question and not give statistics.

Mr. McMillan: In light of that and the fact that the minister has not denied that the government is seriously considering or contemplating massive cuts in federal government support for operating costs of post-secondary educational institutions, will the minister tell the House, even if the government has not made its decision and even if it is just negotiating, whether it is at least contemplating cuts of that magnitude? If so, will he advise how the quality of education and research in Canada can be maintained in the face of such massive cuts?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member is basing his question on a hypothetical situation; if something happened, if this happens, if that happens, if the other situation happens. He is asking me to address hypothetical future developments. All that I said in the budget, and it has not been concealed, is that for the two fiscal years ending in 1983-84, in the negotiations with the provinces, some of which have very healthy surpluses I may add in passing, we hope to achieve savings in these intergovernmental transfers.

● (1425)

All the agreements to which we refer have termination dates at the end of March, 1982; so there is nothing unexpected in what we are doing. It is totally normal to renegotiate these agreements for a new phase, and I ask the hon. member not to engage in the rather shabby—

Some hon. Members: Oh, oh!

Mr. MacEachen: —tactic of trying to strike fear into the minds of students of universities in the country in anticipation of a decision which has not been taken yet.

Some hon. Members: Hear, hear!

Mr. McMillan: Madam Speaker, with all due respect to the minister, these are not hypothetical assumptions. On the one hand we have a statement from the minister of health saying that there will be substantial cuts in the area of federal government funding for post-secondary education institutions in the country.

How does the Minister of Finance reconcile that statement, on the one hand, with his own statement, on the other, made in Montreal earlier this week, Monday, February 23, to the Canadian Club in which he said, very briefly, Madam Speaker:

At a time of relatively high unemployment, areas and sectors of the economy are critically short of skilled manpower. There is a need for a major reorientation of our education and training systems to manpower requirements of the 1980s.

Madam Speaker, how does he reconcile that statement, and especially the concluding statement, "There is a need to ensure that the engineers and scientists—"

Madam Speaker: Order, please. The hon. member should ask a question. A supplementary should obviously be shorter than the first question, because it is a supplementary. I do have to apply some discipline to some hon. members who go on too long in their questions.

Mr. McMillan: Madam Speaker, how does the minister reconcile his statement, that there is a need to ensure that the engineers and scientists of tomorrow are effectively turned out by our universities, with the statement by the minister of health that the federal government is contemplating massive cuts in expenditures by the federal government for the operating costs of post-secondary educational institutions in Canada, including community colleges, universities and vocational institutes?

Mr. MacEachen: Madam Speaker, no matter how often the hon. member or his leader repeat the misrepresentations, they do not become facts. It has never been stated by the Minister of Health, to my knowledge, that we were contemplating massive cuts in support of community colleges. That is quite a false statement, and what I said in Montreal seems to me to be quite defensible. I do not take the view that the quality of education in the country is to be measured solely by the amount of money we pour into the system.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

* * *

EXTERNAL AFFAIRS

EL SALVADOR—CANADIAN GOVERNMENT POSITION

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Secretary of State for External Affairs. According to Sunday's *New York Times,* the only foreign military personnel known to be in El Salvador are from the United States of America.

In this context, I would like to ask the minister, considering that Canada firmed its opposition to such intervention by voting in support of the United Nations' resolution on El Salvador last fall, can the minister explain to the House why he stated in a letter to the editor in chief of the Halifax *Chronicle-Herald* just a few days ago:

In the circumstances, it is not Canada's role to mount a public protest against the United States.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, that letter was about a different subject, or a different aspect of the same subject. It had to do with other questions and not with the question of the presence of advisers.

We have no resident ambassador in El Salvador. We have only the same knowledge of events there which my hon. friend has. We, obviously, have presented our position to the United States, one which is concerned with the supply of offensive arms to any country which is in a state of civil disorder. We have communicated that view to the American government. That is what the letter which was quoted was about.

Mr. Broadbent: Madam Speaker, already some 13,000 lives have been lost in this bloody civil war in El Salvador. All objective observers pin down exclusive responsibility for this to the vicious junta which is in charge of that state right now.

Considering that church leaders representing almost every faith in Canada have joined church leaders in the United States and church leaders in El Salvador condemning outside military intervention, why does the Government of Canada not join the governments of Venezuela and Mexico in publicly condemning this outside intervention?

Mr. MacGuigan: Madam Speaker, of course our position is against outside intervention, and I understand that in fact the position of the American government is to attempt to prevent outside intervention on the part of Cuba and other communist countries.

• (1430)

OBJECTION TO INTERVENTION BY OUTSIDE FORCES

Mr. Edward Broadbent (Oshawa): Madam Speaker, I would like to ask a supplementary question of the Prime Minister, who has expressed interest in North-South problems and especially the problems of the emerging world. The Prime Minister knows very well that there are progressive forces at work in the Caribbean. Indeed, the leader of the movement in El Salvador is a social democrat working with Catholic workers in opposition to what can only be described as a fascist, vicious junta. Given the expressed public opposition of the Prime Minister to such repressive regimes, why does he not join the Presidents of Mexico and Venezuela in urging the Americans and all other people who are intervening from outside to get out of that country and to mind their own business?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, in his last words the hon. member has really reiterated the policy of the government. We do not think there should be outside intervention in that area but, as the Secretary of State for External Affairs just pointed out, there is intervention not only on the side of what the hon. member describes as fascist forces but also on the side of what he describes as progressive forces. There are arms going to both sides, and if the hon. member wants to be evenhanded, he should condemn not only the United States but also those who bring in arms to the other side.

Mr. Broadbent: I said that.

Mr. Trudeau: If the hon. member is saying that, he is repeating the position of this government.

* * *

YOUTH EMPLOYMENT

QUERY RESPECTING RECOMMENDATIONS AND INCENTIVES

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is to the Minister of Finance. Our youth suffer much more than their share of unemployment. Over 500,000 young Canadians are out of work today. Is the Minister of Finance so desperate for solutions to the problem that all he can offer the young people of Canada is to lower their hopes and expectations?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, absolutely not. The Tory party is the source of that despair in the country.

Some hon. Members: Hear, hear!

Mr. McDermid: Madam Speaker, it is very obvious to the Canadian people that the Minister of Finance has been living in a cave and is not tuned in to the youth of Canada. I will ask a supplementary question of the Minister of Finance.

Instead of handing out grants and goodies in a shotgun approach, which is not working—and statistics show that—will the minister not bring forward to this House specific recommendations and ideas so that through incentives the private sector can hire young unemployed Canadians?

Mr. MacEachen: Madam Speaker, yesterday I spoke in the debate in the House and attempted to set forward the views the government holds with respect to the general growth of the economy. I believe that is the way we provide for a growing labour force, including the youth of the country. What was notable yesterday was that while I put forward a large number of ideas, I did not receive any from the spokesmen of the hon. member's party during the debate.

Mr. Taylor: You weren't here to hear them. Where were you?

ENCOURAGEMENT OF PRIVATE SECTOR JOB OPPORTUNITIES

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, my question is for the Minister of Industry, Trade and Commerce, who will know that from January of last year until January of this year employment among young Canadians declined by 4,000. Why has the Minister of Industry, Trade and Commerce supported policies which have cost young Canadians jobs? What specific action is he prepared to take to ensure that the young Canadians about to graduate from post-secondary educational institutions do not find that their first experience with the labour force is to be told that their skills are not needed in Canada?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, we are building and putting in place policies based on the foundation of the budget of the Minister of Finance, which is designed to provide growing opportunities for our young people. I think these policies will have that effect in a way which will promote the wellbeing of young Canadians and Canadians generally.

Mr. Beatty: Madam Speaker, the minister has just achieved a new platitude of achievement.

In view of the fact that in Canada's manufacturing sector year over year January to January there was zero growth in employment in Canada, when will the Minister of Industry, Trade and Commerce take the responsibility for this area which falls under his jurisdiction and introduce policies which will get the private sector growing again?

Mr. Gray: Madam Speaker, we have been introducing policies which are achieving—and will increasingly achieve—just that effect. The electronics development program is one example, with major incentives to help this high technology industry increase and advance the program to bring about increased employment through rationalization of a segment of the heavy construction industry. The front end loader program is another range in which 1,200 jobs are involved.

An hon. Member: Front end loading.

Mr. Gray: When I refer to front end loaders, I am not talking about the way my hon. friend phrases his questions. We have put a number of programs in place in recent months, and there will be others to add to employment opportunities for young Canadians and all Canadians.

* * *

ENERGY

SUGGESTED REPLACEMENT OF WELLHEAD TAX

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Canadian people, including young people, are about to be the victims in the escalating conflict between the Minister of Energy, Mines and Resources and the government of Alberta. In view of reports that the Canadian government is about to increase oil prices to motorists and to home owners to raise $1 billion to pay the costs of more imported oil, will the minister indicate publicly that he is prepared to reconsider his 8 per cent wellhead tax and replace it with a profits tax, which would be more acceptable to Alberta and also raise money for the federal government?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, this is obviously a matter for the Minister of Finance because he is responsible for the budget. However, I can indicate to the hon. member that we have sent a letter to the government of Alberta indicating that we are ready to start negotiations and that we feel it is unnecessary to resort to cutbacks at this present time.

I hope the government of Alberta will reconsider its decision, but up until now I must say that the possibility of a change of mind by the government of Alberta does not appear to be very great.

Mr. Waddell: Madam Speaker, I read the minister's letter. I asked him to table it yesterday. It is very weak; there are no proposals in it. The Canadian people will not stand by and permit this thing to happen between Canada and Alberta.

Some hon. Members: Oh, oh!

Mr. Waddell: I ask hon. members just to listen and let me put my question to the minister.

Is the minister prepared to reconsider the tax on provincial Crown corporations? Would the minister put that as a new proposal to Alberta and thereby remove another aspect which disturbs the producing provinces of Saskatchewan, Alberta and British Columbia? Is the minister prepared to reconsider that tax on provincial Crown corporations, which is a new tax the provinces oppose in principle?

Mr. Lalonde: Madam Speaker, I have listened to the hon. member's suggestion with interest, and I will be happy to raise it with the Minister of Finance.

[*Translation*]

INQUIRY WHETHER GASOLINE EQUALIZATION FUND WILL BE CONTINUED

Mr. Gilles Marceau (Jonquière): Madam Speaker, my question is for the Minister of Energy, Mines and Resources.

The biggest French language daily newspaper in America, not to call it by its name, stated recently that the province of Quebec, which in the last few years has been dependent upon western Canada for half its oil requirements, will stop receiving a single drop of western oil in no more than two years from now, and will then depend exclusively on oil imported from OPEC countries. Can the minister tell the House whether his view of the future is that pessimistic and could he also state whether the equalization fund which allows all Canadians to pay the same price for their oil will be maintained whatever happens in the future?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I am certainly not as pessimistic about the future. As for the oil supplies for Quebec, it is clear that conventional oil from Alberta will be on the decrease during the next decade, but at the same time, the supplies of non-conventional oil from the tar sands and heavy oil deposits in Alberta and Saskatchewan should increase significantly.

While there might be a decrease in western oil supplies early in the next decade, we can expect a substantial increase in these supplies in the latter part of the decade. Moreover, if there are major finds off the coast of Newfoundland and the Beaufort Sea, Canada will obviously have no difficulty in becoming self-sufficient during this decade and Quebec will be assured of steady Canadian supplies to meet its requirements.

Finally, I would like to give the hon. member assurances that, whatever happens, the oil pricing regime all across Canada for basic oil supplies will be maintained by this government and Quebecers will continue to benefit from this policy as in the past.

* * *

● (1440)

[*English*]

TRANSPORT

DEVELOPMENT OF OFF-TRACK ELEVATOR PROGRAM

Mr. Albert Cooper (Peace River): Madam Speaker, my question is directed to the Minister of Transport. As the average age of Canadian farmers is rising rapidly, there is a very serious need to encourage new young farmers. These young farmers, unless they are very wealthy, must go into frontier agricultural areas to obtain land. Upon arriving in these areas they will find that grain transportation is extremely inequitable and that they will have to transport their grain up to 100 miles at their own very high costs. In light of this, will the minister now implement a program for off-track elevators?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I discussed this question of off-track elevators during the summer when I visited a great number of farm organizations and pools. I did not find a great enthusiasm for the concept except in some very special circumstances. I tried to generate some discussion of it but, generally speaking, people were more interested in branch line retention than they were interested in off-track.

The consequence of off-track elevators would be that the federal government would be invited to have a trucking assistance program and possibly after that it would be invited to contribute to the road expenditures of the provinces. With the limited money we have now, we are concentrating on the rail lines.

Mr. Cooper: Madam Speaker, I thank the minister for telling me that this applies to special circumstances; that is precisely why I asked the question.

We realize that we need something in these frontier areas because it is the only place where young farmers can go. In light of that, will the minister enter into negotiations with the provinces, grain handling companies and the federal government to encourage some form of subsidy to get the thing rolling so that there will be some kind of a trucking subsidy in order that the very serious needs of these young farmers are taken care of?

Mr. Pepin: Madam Speaker, I presume my hon. friend has in mind the Valleyview situation. I have received a number of representations on that. As there is no railway in the area, and as a number of studies have demonstrated that it would be exceedingly expensive to build one in this area, the question of pioneer zones is now considered to be essentially a provincial responsibility. The government of Alberta has a road program to improve the situation of grain transportation in pioneer areas. The other day I had a conversation with a couple of members of the Alberta government and they seem to consider it in the same way as I do.

* * *

HOUSING

GOVERNMENT ACTION TO INCREASE CONSTRUCTION

Mr. Doug Lewis (Simcoe North): Madam Speaker, my question is for the Deputy Prime Minister and Minister of Finance. Young people today who are seeking accommodation for the first time are finding that they have virtually nowhere to go. They cannot rent apartments because none are available or the costs are too high; they cannot buy homes because the costs, including mortgage interest costs, are too high. What specific action is the government taking to increase accommodations for Canadians?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, as I have mentioned several times in the House, in the budget statement I reintroduced the MURB program at the request of provincial financial ministers and at the request of the industry itself. I might add that this was the only specific proposal which I received from that sector of the economy for inclusion in the budget. I responded to that request. At the present time I have no new programs to announce because, for one reason, I am concerned about the state of our public expenditures and the necessity of not adding further to what I consider to be a very large deficit in our public finances.

Mr. Lewis: Madam Speaker, my supplementary question is directed to the same minister. We are faced with vacancy rates in St. John's, Newfoundland, of 0.1 per cent, in Toronto of 0.6 per cent, and in Vancouver of 0.4 per cent, when the industry indicates that 3 per cent across the board is the average. Surely this MURB program will not correct the situation quickly enough. Does the minister not have any other program which will do it?

Mr. MacEachen: Madam Speaker, as I stated yesterday, I was listening for suggestions from the opposition. I have no further program, but may I say—

Mr. Crosbie: You are the government.

Mr. MacEachen: —that if a large number of suggestions were made to assist housing at the present time, I doubt within the present fiscal restraint it would be possible for me, as Minister of Finance, to recommend the financing of these programs. I think the Tory party had better get its economic act together and decide whether it wants more or less spending.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

* * *

[*Translation*]

DISASTERS

INQUIRY RESPECTING GOVERNMENT POLICY ON AID FOR QUEBEC FLOOD VICTIMS

Mr. J.-Roland Comtois (Terrebonne): Madam Speaker, my question is for the hon. Minister of National Defence. In view of the urgent and even disastrous situation caused by flooding all over Quebec, and especially around the Thousand Islands River, near Terrebonne, and in view of the procrastination of the Parti Québécois government and even of the Parti Québécois caucus as far as requesting assistance is concerned, is the minister considering unilateral action by the federal government to provide assistance as soon as possible to the victims of these floods in spite of the inaction of the Quebec government?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, the question asked by the hon. member for Terrebonne is quite clear. I replied yesterday that the Canadi-

an Armed Forces were ready to act quickly at the request of the Quebec government. Unfortunately, it is not customary for the federal government to act unilaterally in such cases without the approval of the provincial governments. However, we are prepared to make available to the hon. member and his colleagues the equipment that he would need to visit the flooded areas so as to show everyone that the Canadian Armed Forces are ready to help Quebecers and other Canadians.

* * *

[*English*]

CANADA MORTGAGE AND HOUSING CORPORATION

CAPITAL BUDGET AND SOCIAL HOUSING CUTBACKS

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance, as the minister responsible for CMHC is obviously ashamed to show his face in the House today.

Some hon. Members: Oh, oh!

Mrs. Mitchell: The announcement today that capital funds for CMHC would be cut by over $2 million, at a time when costs are inflated, and that social housing units would be cut by 5,000, at a time when there should be a huge increase, is of major concern to all Canadians. Will the minister explain how he and his government can justify these drastic capital cost cutbacks to CMHC when he knows, as my hon. friend said, that vacancy rates are below zero in most Canadian cities, people simply cannot afford the cost of housing, municipalities are begging for community service grants, and native and northern housing is a national disgrace?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I will draw the hon. member's representations to the attention of the minister responsible for CMHC.

Mrs. Mitchell: Madam Speaker, I would consider that quite irresponsible, since the Minister of Finance is certainly the one who has a major say in the budget. Since the minister a few minutes ago was asking for suggestions from the opposition, he might consider the representation from Vancouver for $15 million for land banking, not to mention the repeated requests for increases in social housing money. Will the minister explain why he has cut back, instead of increasing the number of social housing units, when he knows that most Canadians cannot now afford private home ownership with interest rates at 16 per cent or over? People simply must have shelter for their children, and social housing is the only answer.

● (1450)

Mr. MacEachen: Madam Speaker, the hon. member has asked me to justify why we are not undertaking more spending in the Canadian economy. I would remind the hon. member that housing starts in January showed some considerable improvement.

Mr. Rae: Compared to 1965, or what?

Mr. MacEachen: The hon. member for Broadview-Greenwood asks compared to what—compared to the previous month of December.

Mr. Rae: Which was the lowest.

Mr. MacEachen: I remind the hon. member that if he looked more carefully at his statistics rather than barracking in the House of Commons he would make a more constructive contribution.

* * *

INDIAN AFFAIRS

SUMMER JOB OPPORTUNITIES FOR YOUNG PEOPLE

Mr. Peter Elzinga (Pembina): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. In view of the fact that the majority of the government's make-work programs are geared to the winter months, when the northern native population is involved in hunting, fishing and trapping, as opposed to the summer months, when the real level of native youth unemployment is highest, what specific funds will the minister make available to create jobs this summer for our native young people who so badly need summer jobs?

Some hon. Members: Hear, hear!

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, consideration is now being given to a policy which would provide job opportunities for native young people this summer.

INDIAN HOUSING PROGRAM

Mr. Peter Elzinga (Pembina): Madam Speaker, my supplementary question is also directed to the Minister of Indian Affairs and Northern Development. I refer to a comment made by the hon. member for Vancouver East who mentioned a report in the *Canadian Press* which revealed that cabinet has decided to reduce CMHC's special housing program by almost $2 million. This special social housing program includes housing projects for native people. What is the minister doing to ensure that this program, which affects our native population, will not be cut and that this badly needed housing will be built in the summer months by young native people, thus ensuring them jobs, training, and the badly needed houses? Will the minister promise that this area with regard to native housing will not be cut back?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, as the hon. member shoud know, this government committed itself to additional funding this year over and above what the previous administration had given for Indian housing. This was done not only because of the backlog which existed but also to provide job

opportunities for natives. We intend to maintain the same increase next year. In addition to that, further consideration is being given by my cabinet colleagues to increasing housing starts greatly to provide the very job opportunities the hon. member is talking about.

[*Translation*]

REGIONAL ECONOMIC EXPANSION

ESTABLISHMENT OF PULP AND PAPER MILL IN MATANE, P.Q.—GOVERNMENT POSITION

Mr. Bill Clarke (Vancouver Quadra): Madam Speaker, my question is for the hon. Minister of Regional Economic Expansion.

Two weeks ago I asked the Minister of State for Small Business about the decision to build a paper mill at Matane rather than in the Matapedia Valley as promised by the Minister of Regional Economic Expansion. The minister replied that no decision had been made. Matapedians must now forget their dreams. This is yet another example of the questionable methods used by the government to gain votes.

My question is as follows: Can the minister tell us whether he is happy with the mood that prevails in the Matapedia Valley after the action he has taken in regard to the paper mill promised to the people of the area, a promise which he has not kept?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): Madam Speaker, seldom have I heard such misrepresentations. I remind him that it is the government of Quebec which, on September 5 last, announced, without prior consultation with the federal government, the establishment of a paper mill in the Matapedia Valley, that it is the government of Quebec which a few days ago cancelled that decision on the recommendation of its department of the environment, so the federal government was not involved in that issue.

Mr. Clarke: Madam Speaker, the minister promised to pay, and I quote:

—even a prohibitive differential.

Can the minister tell the House when the government will keep the promises it made to these people and to others?

Mr. De Bané: Decidedly, Madam Speaker, the hon. member simply refuses to understand. I will say it again: it is the government of Quebec which recently cancelled that decision on the advice of its department of the environment which determined that the project could not be carried out without any damage to the environment. I made that commitment three years after the Quebec government told the people of the Matapedia Valley that they were entitled to their own paper mill, and at that time, the building differential which I was prepared to pay was minimal and to quote the Quebec Premier, practically non-existent. We have just learned that prior to their announcement of September 5, Quebec officials had never even considered the matter.

[*English*]

NATIONAL SEA PRODUCTS PLANT LOCKEPORT, N.S.—INQUIRY RESPECTING GRANT

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, my question is also for the Minister of Regional Economic Expansion. On July 23, 1980, a disastrous fire destroyed the National Sea Products plant in Lockeport, Nova Scotia, causing the loss of some 305 jobs. The plant represented more than 50 per cent of the economic base of the Lockeport area and the 1979 payroll was approximately $2.5 million. Almost seven months has passed since the date of the fire. In the interim officials of National Sea Products have provided government officials with detailed plans for a new plant in Lockeport. I therefore wish to ask the minister if he is in the position to indicate when a DREE grant will be made available to assist in re-establishing this much-needed facility.

Hon. Pierre De Bané (Minister of Regional Economic Expansion): Madam Speaker, I would like to compliment the hon. member for his genuine concern with respect to this problem. I am happy to report to him that at the moment my officials are discussing an offer with the owners of the company. I hope the offer which is being made by my department will be accepted by the company and that the plant will be rebuilt in the very near future.

Mr. Crouse: Madam Speaker, I thank the hon. gentleman for his answer. I would like to point out to the minister that his parliamentary secretary replied to a similar question on January 13, 1981, stating that a reply to this matter could be expected within the next few weeks. Of course, such delay in getting something started is costing the company an estimated $100,000 due to inflation, while increasing the burdens of the municipality which must provide welfare payments to the workers where unemployment insurance benefits have expired. I would like to ask the minister what other steps, if any, can the company take to expedite the reconstruction of this plant, bringing this situation to a final conclusion?

Mr. De Bané: Madam Speaker, I would like to be crystal clear in my response to the hon. member. The moment the company accepts the offer which has been made to it, on a confidential basis, then that is the moment I will be able to make a press announcement. But, of course, I must wait for the company's acceptance of the offer which has already been made by my deputy minister on my behalf.

● (1500)

AUTOMOTIVE INDUSTRY

RESULTS OF INVESTIGATION INTO APPLICATION OF REBATE PROGRAM

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I have a question for the Minister of Industry, Trade and Commerce. On Friday last my colleague from Broadview-Greenwood asked a question with regard to the rebate program in the United States. The minister answered that he would look into it. Has the minister spoken to the auto manufacturers involved, to whom did he speak, on which day did he speak, and what did he say?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, promptly after answering the question in the House last week, I instructed senior officials from my department to get in touch with management of the motor vehicle manufacturers. The reports I have indicate that there are equivalent and, in some cases, better programs of rebates available to Canadian consumers offered by the three great motor vehicle manufacturers which are being extensively advertised by them, and I would be happy to provide further details in a forum which provides more time to give a detailed answer than the daily question period.

An hon. Member: How about a statement on motions?

Mr. Deans: In light of the minister's answer, why are we paying substantially more for vehicles in Canada than the sale price for similar vehicles in the United States?

An hon. Member: Five or six hundred dollars.

Mr. Gray: As I recall, the question last week related to the matter of whether a rebate program on interest rates in the United States for motor vehicle sales there, was available in Canada. The information I have received indicates that equivalent programs are available here. If one looks at the general question of differences in prices, we must take into account facts such as the existence of a federal sales tax here which does not exist in the United States, as well as the difference in exchange rates; but in terms of the question which my hon. friend expressly asked me last week, I promptly looked into the matter, and I have given him a summary of information I have received. I will be happy to give him more detailed information in a forum enabling me to speak at greater length than the daily question period.

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[*Translation*]

MESSAGE TO HER MAJESTY THE QUEEN

CONGRATULATIONS ON ENGAGEMENT OF HIS ROYAL HIGHNESS PRINCE CHARLES

Madam Speaker: I have the honour to inform the House that a message has been received informing the House that the Senate has agreed to an Address to Her Most Excellent Majesty the Queen expressing our great happiness to Her Majesty and His Royal Highness the Prince Philip on the announcement of the engagement and forthcoming marriage of His Royal Highness the Prince of Wales and Lady Diana Spencer and have filled up the blank spaces left therein with the words "Senate and".

Message from the Senate

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MESSAGE FROM THE SENATE

ADDRESS TO HER MAJESTY THE QUEEN ON ENGAGEMENT OF HIS ROYAL HIGHNESS PRINCE CHARLES

Madam Speaker: I have the honour to inform the House that a message has been received from the Senate as follows:

RESOLVED: That the following Address be engrossed and presented to His Excellency the Governor General, namely:—

To His Excellency the Right Honourable Edward Richard Schreyer, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit upon whom has been conferred the Canadian Forces' Decoration, Governor General and Commander-in-Chief of Canada:

MAY IT PLEASE YOUR EXCELLENCY:

The Senate of Canada, in Parliament assembled, have agreed to an Address to Her Most Excellent Majesty the Queen expressing our great happiness to Her Majesty and His Royal Highness the Prince Philip on the announcement of the engagement and forthcoming marriage of His Royal Highness the Prince of Wales and Lady Diana Spencer, and respectfully request that Your Excellency will be pleased to transmit the said Address to Her Majesty the Queen.

ORDERED: That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed an Address to His Excellency the Governor General respectfully requesting that His Excellency may be pleased to transmit the said Address to Her Most Excellent Majesty the Queen expressing our great happiness to Her Majesty and His Royal Highness the Prince Philip on the announcement of the engagement and forthcoming marriage of His Royal Highness the Prince of Wales and Lady Diana Spencer, and request the House of Commons to unite with this House in the Address to His Excellency the Governor General by inserting therein the words "and Commons".

Hon. Yvon Pinard (President of the Privy Council): Therefore, Madam Speaker, I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That this House do agree with the Senate in the said Address to His Excellency the Governor General respectfully requesting that His Excellency may be pleased to transmit the joint Address to Her Most Excellent Majesty the Queen;

That the words "and Commons" be inserted in the said Address of the Senate; and

That a message be sent to the Senate informing Their Honours that this House unites with the Senate in the said Address.

Madam Speaker: Order, please. Hon. members have heard the motion moved by the President of the Privy Council (Mr. Pinard) and seconded by the hon. member for Nepean-Carleton (Mr. Baker).

Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to.

[*English*]

PRIVILEGE

MR. FULTON—ALLEGED MISLEADING MINISTERIAL STATEMENTS

Madam Speaker: Does the hon. Minister of Indian Affairs and Northern Development (Mr. Munro) now want to respond to the question of privilege raised by the hon. member for Skeena (Mr. Fulton)?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Yes, I do, Madam Speaker. I know what the hon. member for Skeena (Mr. Fulton) had to say, and I can only comment that the offence he seems to have taken is with reference to a conversation which he had with me in the House in which I indicated that I would be pleased to talk to him again about the panel of experts looking into the Alice Arm's situation. That is quite true. I thought that there would be an opportunity to talk to him further before a final statement was made by the Minister of Fisheries and Oceans (Mr. LeBlanc) and myself, knowing, as I did, that it would be made very shortly.

I did not anticipate, at the time of the deliberations between my colleague and myself, that a statement would be ready by the next day. When I did become aware of this, I looked around very quickly to see if the hon. member was there, in order to give him some indication of what was forthcoming, but I did not have the opportunity to do so. I think that it is simply a question of not having had the time necessary to talk to the hon. member again. May I indicate, however, that I have been talking to the hon. member off and on, trying to find a position that would be acceptable to all concerned, and I have endeavoured to continue to do that to the best of my ability, taking into consideration the constraints of time.

I would hope that that would be an explanation of the so-called offence which the hon. member has taken with reference to the fact that he was not consulted again, prior to the announcement having been made.

I will conclude by saying that it seems to me that my colleague, the Minister of Fisheries and Oceans—who has the paramountcy of responsibility in this particular area along with myself—has strived valiantly to meet many of the areas of real concern which have been expressed, not only by hon. members but certainly by the Nishga people with respect to public participation and the calibre of people on the scientific panel.

Also I have indicated to all concerned that we do not hesitate to make adequate funding available so that they can make well-researched presentations to this very high calibre scientific panel looking into the question. I hope negotiations will carry on so that we can have a meeting of minds with respect to the matter.

I take this opportunity to give this explanation on the basis that it might afford some understanding of the background.

May I just conclude by saying that, of course, we all know it is not a question of privilege in the first place.

Mr. Fulton: On the question of privilege, Madam Speaker?

Madam Speaker: No, I cannot hear the hon. member because he has already intervened on this question of privilege. But I am rising to say that I simply cannot remember the foundation of the point of privilege raised by the hon. member for Skeena (Mr. Fulton), because the question is a few days old, and also I cannot remember the arguments which he brought forward also owing to the fact that his question of privilege relates to events which go back to last summer.

I just have to reserve my ruling on this question of privilege. It looks as though it is an explanation between the two hon. members; but I will reserve, at any rate, and rule on it later.

The hon. member for Capilano (Mr. Huntington) on a question of privilege.

MR. HUNTINGTON—ACCESS BY MEMBERS TO PRESS LOCK-UP ON ESTIMATES

Hon. Ron Huntington (Capilano): Thank you, Madam Speaker, I have given you notice of privilege this morning. My privilege is that as a Member of Parliament, and particularly, as the official opposition new spokesman or critic of the Treasury Board, I was denied access to a lock-up for the press gallery, and members of the press this morning at eleven o'clock in Room 200 of the West Block.

In the past, members, elected or otherwise, have been allowed access to briefing sessions on the budget in advance of the presentation of the budget in the House, so that the spokesmen and the critics could properly prepare themselves and perform their functions in an efficient and effective manner.

As a former chairman of the Standing Committee on Public Accounts, we had the privilege of working with the Auditor General in the tabling of the Auditor General's report, which was a highly secret document until it was tabled by the Speaker in the House of Commons.

• (1510)

Much time was spent in debate on the question of Members of Parliament having access to the lock-up along with members of the press. In the wisdom of the committee at that time, and I believe with the full sanction of the House and the Speaker, Members of Parliament were allowed into the press lock-up so long as they left the Auditor General's report in the room with their name on it. The Auditor General's report would then be delivered to their desks in the House. In this way, members dealing with the Auditor General's report were at least allowed a sense of honour and duty and were given an opportunity to familiarize themselves with a very important document and with the issues involved.

It is my opinion that the action taken today by Treasury Board, which plans the expenditure programs of government and approves the programs of government, is in contempt of Parliament. Interested members with a meaningful role to play in the process of Parliament have been denied access to the

documents and proper time for, deliberation and study of them.

I might point out that the volume I have in my hand is the form of the main estimates for March 31, 1981, and the estimates ending March 31, 1982, will be at least as thick, as major and substantive changes of direction are involved. As you can see by the flag indicators in this document, there were many details that I wished to examine so that I could be effective in questioning the President of the Treasury Board (Mr. Johnston) in the House today. He had announced that he was going to table these estimates.

A great deal of work goes into this. I am not a graduate of a law school specializing in finance. I am not a graduate of the London School of Economics.

Mr. Baker (Nepean-Carleton): Thank God for that!

Some hon. Members: Hear, hear!

Mr. Huntington: I come here from the school of hard knocks. I have put a fair effort into trying to understand the structure in this House in the six years that I have been a member. I have tried to get a working knowledge of the estimates, but I do not find it easy. I think most hon. members do not find this volume with its maze of figures easy to understand. I confess that I find it difficult. I have to work very hard before being ready to hand it over to the public accounts committee and to understand the immense amount of work that committee does in trying to reorganize this information so that it is more meaningful to members of the House.

When the President of the Treasury Board tables his estimates today, he will be taking an historic step in the process of trying to bring control over expenditures back to Parliament. Parliament has lost control over supply. We have a guillotine hanging over our debating time. All of this works to the detriment of members of this House who represent the taxpayers and the people of Canada in overseeing the wise use and expenditure of the tax resource.

A new summary document is to be introduced which will deal with the "envelopes" and the flow of information so that we can have a bird's eye view of what is going on. This is an historic moment for me.

Some members of the opposition and members on the government benches have spent four or five years in the Standing Committee on Public Accounts, but the Auditor General's office has spent some $25 million, using the best brains in the country from the legal, accounting and management consultant professions, on devising and delivering a form of disclosure which will ensure accountability for the vastly expanded expenditures of the federal government.

As a member, I am denied a right given to the press gallery which is being fed information in a lock-up to which I and my colleagues are denied entry. We are fed steak over in the office of the President of the Treasury Board, then we are supposed to come here as representatives of the people and examine the minister who has all that staff behind him to make sure that he is letter-perfect.

As a member of the opposition, I want to do my job on behalf of the constituents of the country at large. I really resent being denied access to this information. For one thing, I am a privy councillor and I am a Member of Parliament. In the Standing Committee on Public Accounts the Auditor General of Canada, who is an officer of this House, treats us with a great deal of respect, but this is being denied me as a Member of Parliament by the Treasury Board.

I think the President of the Treasury Board will agree that my grievance is a very real one and I hope that he is sympathetic to it. I therefore move:

That the matter of a Member of Parliament being denied access to a Treasury Board lock-up on estimates at 11 a.m. on February 25, 1981, to which the press was invited be referred to the Standing Committee on Privileges and Elections for consideration and report.

Some hon. Members: Hear, hear!

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I respect the point made by the hon. member that there is a good deal of difficulty involved in absorbing the information contained in a volume the size of the main estimates in the short time available to him before coming into this House. I would suggest that attendance at a lock-up which was conducted with the press, for which there is historic precedent, would not have been of great assistance in that exercise. I would add, Madam Speaker, that this is a question which, I believe, should be addressed. The right of members of this House, as I understand privilege, is to receive the estimates when they are presented in the House of Commons, not before.

An hon. Member: What about the press?

Mr. Johnston: I will come to these points one by one, if I may. It is true that in other instances, a precedent has been established for a lock-up, such as with respect to the Auditor General's report. In addition, there is a lock-up with respect to the budget, but I do not recall being invited to a lock-up when the hon. member for York-Peel (Mr. Stevens) deposited his estimates in the autumn of 1979.

Mr. Stevens: They were your estimates.

Mr. Johnston: There was no such lock-up. There was no lock-up when the estimates were deposited in this House—

Mr. Andre: There were no estimates.

Mr. Johnston: —last year, in the spring of 1980. There were complaints from the press because we broke precedent with a tradition which had apparently existed for many years, and there was no press lock-up. There is a tradition according to which the critics for the opposition parties are invited to meet with the President of the Treasury Board before the estimates are deposited in this House. As the hon. member indicated, this took place today over lunch.

I regret very much that the hon. member feels that his privilege has in any way been affected. I suggest that the lock-up is a matter of courtesy, not privilege. The privilege of

all members of this House is to have the estimates made available to them in the House of Commons. If the hon. member is suggesting that there should be no press lock-up, that is another matter and perhaps it should be addressed by the committee to which he suggests his question of privilege be referred.

Mr. Harvie Andre (Calgary Centre): I will be very brief, Madam Speaker, but I want to address a couple of points raised by the President of the Treasury Board (Mr. Johnston). He suggested that the question of a lock-up and access to it by Members of Parliament or others, is a matter of courtesy, not of privilege. Surely that goes to the root of the matter. What we are suggesting is that it is a matter of privilege that Members of Parliament be extended the same courtesy as that extended to members of the press. Surely the President of the Treasury Board can understand that.

I think advantage should be taken of the suggestion of the President of the Treasury Board that this matter be examined by the Standing Committee on Privileges and Elections. The fundamental question is whether Members of Parliament are entitled as a matter of right to expect the same courtesies respecting the supply of information and official documents, as are members of the press. Or do we, as was suggested by a member of the New Democratic Party, need to be elected to the press Gallery in order to gain access to government information?

That is a fundamental question which ought to be examined by the committee. It is absurd to suggest that members of the media have privileges and the right to expect courtesies beyond those which Members of Parliament, elected by the people of Canada, have.

The President of the Treasury Board spoke about practices in the past. Granted, there have been practices in the past, budget practices and practices which, among other things, were examined most recently by the Lambert Commission's inquiry into the government's control and account ability for public expenditures. The fundamental recommendation of the Lambert Commission, whose recommendations in total were endorsed by the Liberal Party and by our party, was that it was absolutely essential there be a clear, open, honest approach to the whole question of government spending, that it was necessary for this openness to exist. I do not think I am being unduly partisan in suggesting that one of the reasons for this practice of a press lockup in the past, without the benefit of opposition members there, is that it is easier for knowledgeable staff or persons being paid a salary to make their minister and the government look good. They can present a case to the media without criticism from the opposition, resulting in press stories which are perhaps advantageous to the government. This clearly flies in the face of the recommendation of the Lambert commission which says that in order to bring government spending under control, there must be this openness and honesty about spending so the public really knows what is going on, and only through that knowledge can the question of public expenditures be brought under control.

• (1520)

For those two very good reasons I would heartily recommend to the Chair—and I think it is important that the Chair consider the role of members vis-à-vis the media—that the recommendation of the President of the Treasury Board be accepted. This matter should be referred to the Standing Committee on Privileges and Elections so that procedures more in keeping with the thrust of the Lambert Commission, and I might suggest with the thrust of the freedom of information legislation currently before committee, are followed and so that members of this House of Commons will not feel they are in an inferior position to members of the fourth estate.

Mr. Doug Anguish (The Battlefords-Meadow Lake): Madam Speaker, I share the concerns of the hon. member who has raised this point of privilege. Until the hon. member brought this matter to my attention, I was not aware there was a lock-up. As yet, I have not seen the estimates which are to be tabled in this House. The hon. member who raised the point of privilege, the President of the Treasury Board (Mr. Johnston), and I had lunch today about two hours ago during which we were given a press release kit to go over which was to help us come up with some kind of intelligent response to the tabling of the estimates in this House.

I understand this may not be a question of privilege, as the President of the Treasury Board pointed out, but if it is a courtesy extended to the press, I would at least expect that same courtesy to be extended to Members of Parliament so that we can respond intelligently. I am sure the reason for the press lock-up is so that they can respond intelligently to the media and to Canadians at large. As the critic at the Treasury Board for the New Democratic Party I think I should have that same right. It will enable me to go through this very complex document and to give an intelligent response in the House of Commons. The media can then pick up my views on this document as well. As a critic, I feel somewhat offended that I was not even informed about the press lock-up on the estimates which took place this morning. Therefore, Madam Speaker, I would ask you to give serious consideration to the point which has been raised.

Hon. Sinclair Stevens (York-Peel): Madam Speaker, I join in supporting my colleague's question of privilege. If you find a prima facie case in favour of his position, I will support his motion when it is made. I was not refused entry to the lock-up at the same time as my colleague, and I went to room 200 in the West Block at 1.45 p.m. in the hope that I could at least pick up a few details concerning the estimates yet to be tabled. I was confronted at the door by a Mr. Gerald Simoneau of the Treasury Board. He stated that I had no right to see the estimates, that they were solely for the press.

Some hon. Members: Shame!

Mr. Stevens: The President of the Treasury Board (Mr. Johnston) stated the case clearly when he said it was simply a matter of courtesy to the press. This minister, and presumably

this government, feel that it is proper to give courtesy to the press but not to members of this House.

Some hon. Members: Oh, oh!

Mr. Stevens: I found it ludicrous that when I asked to see someone senior to Mr. Simoneau, I was confronted by two other members of the Treasury Board, namely, Mr. David McEachran and Mr. E. R. Stimpson, who informed me that it was true, that the minister had specifically stated no one was to be admitted other than members of the press. I asked whether I would be admitted if, prior to three o'clock, I qualified as a member of the press. Mr. McEachran's answer was "yes, you may be accredited to the press. If you are, we will admit you as another press member", and he said I could quote him in the House.

That answer struck me as being absolutely ludicrous. It is government gone mad, on the one hand, to say to a member of this House that he has no rights and not to extend to him the courtesy of letting him see what the press already has access to, and, on the other hand, to say to a member that if he becomes an accredited member of the press quickly, he will be admitted.

I almost did get accredited as a member of the press. Someone overheard what had been said and offered to take me on staff if that would help. He said he would be very interested in seeing the same courtesy extended to me as that given to the press, namely, a preview of the estimates to be tabled.

Although I was able to get on the technical staff of the press, unfortunately, the Press Gallery has its own bureaucracy, and I could not be cleared for membership in the Press Gallery prior to three o'clock.

Some hon. Members: Oh, oh!

Mr. Stevens: But here I am, elected as a Member of Parliament for the riding of York-Peel, elected to represent, as I understand it, not only the people of York-Peel but generally the people of Canada, and I am told that if I could have cleared my membership in the press gallery quickly, I could have seen the estimates. But as a representative of the people of Canada, there is no way that this President of the Treasury Board would let me have access.

We are not naive. We know the real reason why members on this side of the House are not being permitted to see the estimates. In the estimates a spending program of approximately $70 billion is anticipated, a much higher figure than was ever anticipated. In no way does the government want to meet embarrassing comments which might be raised by hon. members on this side of the House, which, incidentally, might be heard by those same members of the press, and perhaps even reported. What we are witnessing here is, first, contempt of Parliament, and second, something which in no uncertain way is interfering with our activities as Members of Parliament. We should not tolerate two standards with respect to courtesy extended on Parliament Hill. If it is a matter of courtesy to allow the press a preview, it should at least be a matter of courtesy to allow all members of this House, to see the estimates prior to their being tabled in the House.

The president said there was no lock-up before the tabling of the 1979 Estimates when I was president of the treasury board. Of course, the President of the Treasury Board was a mere backbencher in the opposition ranks at that time. Perhaps he fails to realize that the critic of his party, a former president of the treasury board, did discuss the matter with me. He said, "In view of the fact that they are my estimates you will be tabling, there is no need to give me a preview of what I have already seen." That has no relevance to the situation today. The situation today is a clear question of privilege, and I hope, Madam Speaker, on behalf of my colleague you will find a prima facie case.

• (1530)

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, I will be quite brief. As a former minister of state for Treasury Board, I rise in support of my colleague, the hon. member for Capilano (Mr. Huntington). I am very much concerned about the fact that the President of the Treasury Board (Mr. Johnston) should make a conscious decision to exclude Members of Parliament from an information briefing which is being made available to the press gallery.

I want to make it very clear to the President of the Treasury Board that members on this side of the House are not in the least opposed to a lock-up at which members of the Press Gallery can be present. We believe it is essential that members of the press, who are charged with the responsibility of reporting on the estimates and other important announcements being made by the government, have full and complete access to government information. However, if it is essential that members of the press have access to this information to do their job of reporting to Canadians what is being done by government, surely it is even more important that Members of Parliament on all sides of the House be entitled to the same information. They should be entitled to receiving the same briefings and have the opportunity to raise questions and get information from the government as to its activities.

The minister says it is not a question of privilege but a question of courtesy. It is a matter of discourtesy. The President of the Treasury Board made a conscious decision today and gave orders that Members of Parliament should be excluded from that lock-up. That is what the officials said to my colleague from York-Peel (Mr. Stevens).

The minister says there are no precedents, it has not been done before. If the minister looked as far back as the budget produced by the Minister of Finance (Mr. MacEachen), he would recognize that there is a long-standing tradition in this House of Commons of an advance lock-up, that members of Parliament, and research staff in some instances, should be allowed in to get advance information about the government's plans so that when the information is released, they will be able to comment in an informed way about what the government is doing. This is the essential question on the issue.

What could there conceivably be in the estimates to make secrecy more necessary than in the case of a budget? What justification could there be for denying people the right of access to information about the estimates when we accept as a matter of common procedure that they should be entitled to have information in advance with regard to the budget?

My colleague, the hon. member for Capilano, mentioned as well the long-standing tradition whereby Members of Parliament for all parties are allowed into a lock-up with the Auditor General prior to the tabling of the Auditor General's report to be briefed as to the findings which will be presented in Parliament. Surely that is appropriate as well. To the best of my knowledge, there has never been an instance where the security surrounding a lock-up and the privilege granted to Members of Parliament has been abused. I cannot think of an instance where a leak has taken place.

Mr. MacEachen: I can.

Mr. Beatty: Nor can I think of a single instance where, in the case of a lock-up on the budget, there has been a leak as a result of a Member of Parliament being there to hear about it in advance. Surely this same courtesy should and could have been extended in this case to Members of Parliament.

It is not simply a question of Members of Parliament being over-sensitive about their prerogatives. If that is what it was, I do not think that any member on this side would expect you to have sympathy. The issue is how we represent our constituents. How are the people of Canada best served? Are they best served by a procedure which excludes Members of Parliament, which feeds them steak and mushrooms and press releases over lunch at the same time as the press is receiving a full briefing about information which is being withheld from Parliament? Or is it in the interests of Canadians that Members of Parliament, who will be called upon very shortly to respond to the President of the Treasury Board and ask him questions in this House relating to his estimates, be given the opportunity of having some advance guidance from the department as to the substance of that information?

As a former minister, I feel there is nothing more complicated which comes before Parliament in the course of a year than the estimates. It is not good enough for a Member of Parliament charged with the responsibility of responding on behalf of his party to the government's spending plan to simply receive a press release. Surely he is entitled to full information and to have his questions answered by the officials and the minister in the very same way as are members of the press.

Finally, I repeat that we are not objecting in the least to a lock-up for the press in order that they can get this information. We are saying if it is essential for the press to have access to this information, in order for them to do their job, then Members of Parliament serving their constituents and the people of Canada deserve no less.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, in my opinion the facts are relatively simple. In this instance members of the opposition want to enjoy the same consideration as the press, but everything has to be set in proper perspective. First we must find out if there was a breach of the standing orders and of the established tradition before deciding whether or not in this case there is a question of privilege or a simple lack of courtesy.

I suggest there is neither. In my opinion the President of the Treasury Board (Mr. Johnston) is being very humble when he says that out of courtesy perhaps he could have done more than he did today. Let me explain. First as regards the rules, S.O. 58(14) and 59 set forth the obligations of the government as they relate to the main estimates. All we need do under the provisions of S.O. 58(14) is to ensure that these estimates are tabled in the House before March 1 so that henceforth, through a motion moved under S.O. 59, they may be referred to the various appropriate committees which must report at the end of May. Therefore hon. members opposite and on this side will have three months to scrutinize, study and analyze these estimates.

That being the case, Madam Speaker, it seems obvious to me that the President of the Treasury Board did not in any way breach the standing orders of the House and no other rule exists under which he would have to serve notice or in any way whatsoever consult members opposite about the estimates. Therefore we religiously followed Standing Orders 58(14) and 59 without breaching the privileges of hon. members. Since the Standing Orders were respected, did we fail to follow our tradition or practice? When introducing the main estimates in years past, of course out of courtesy for newsmen, because of their obligation to go to press before a set time, they attended a lock-up to get acquainted with the estimates, but such was not the case for hon. members. So there is no precedent which members opposite can cite to say that today, in 1981, we are not observing a practice for that practice does not exist, and that has not been demonstrated by anyone here today. Besides, I think we started something new because the President of the Treasury Board was thoughtful and courteous enough to invite critics of the opposition parties for lunch to brief them on these estimates. That has indeed been confirmed by opposition members, they had that meeting beginning at lunch hour until the estimates were tabled, even if it was not necessary.

Now then, Madam Speaker, it is enough to compare what was done today with the procedure followed in the case of the budget, although there is a basic difference on which I will elaborate later. In the case of the budget, and it is not all that different, my colleagues opposite will admit that the critics and a few members of the opposition do not meet at the same time as the newsmen. That is false.

In the case of the budget, things are not much different: my colleagues opposite will agree that the critics and a few members of the opposition are not invited to meet at the same time as members of the press. That is false! In the case of the budget, the press is admitted for a lock-up at eleven o'clock in

the morning, while the critics and a few members of the opposition meet around six o'clock in the evening for a briefing on the budget before it is brought down at eight o'clock. That is not a breach of privilege but an established pratice. If, in the case of the budget, the press attends a lock-up six or seven hours earlier than the hon. members, if that is not a matter of privilege, why should it be now when the press was briefed on the estimates only at ten o'clock this morning, and the critics and a few hon. members opposite were invited for lunch by the President of the Treasury Board himself for a briefing on the estimates, which he is not required to do?

We see that, in the case of the budget, the press meets at eleven o'clock for a budget that becomes public knowledge at eight o'clock in the evening while the hon. members or a few of them are convened only at six o'clock; today, the press met at ten o'clock this morning, and the few hon. members met only two hours later, around noon or 12.30, having been invited by the President of the Treasury Board for a briefing. That is a fine example of courtesy on the part of the President of the Treasury Board, and not a matter of privilege nor a lack of courtesy; quite the contrary. So, I fail to see, Madam Speaker, how my colleagues opposite can possibly complain of any shortcoming on our part.

May I say in closing, very respectfully and unassumingly, that there is a fundamental difference between a budget and the estimates. The budget contains measures that are implemented immediately, which may justify a prior meeting with hon. members, which is not provided for in our Standing Orders, but which has become an established practice, and a precedent and which is part of our parliamentary procedure.

Moreover, the estimates do not come into effect immediately as some provisions in the budget do. Those estimates are only tabled in the House to be referred later, in the circumstances on Monday next, March 1, to the committees which during three months will examine and analyse them. The press conference was not held to deal with the estimates. The press conference was held to give newspaper men some information and enable them to write their articles in due time to appear in the news that same evening or in the newspapers the following day. The hon. members cannot complain. They will have three months to analyse and consider them in committee and discuss them during the allotted days. There will be 25 such days during the taxation year beginning after March 31.

Madam Speaker, I want to do my part as Leader of the Government in the House and support the measures helping hon. members to protect their privileges. I am fully aware of the importance of that matter.

We keep a careful watch over our prerogatives, rights, and privileges but in all sincerity I consider that in the present case, not only is there no breach of privilege, because it is not required by the Standing Orders, and I could perhaps be blamed for my legalistic approach if I restricted my comments to that, but there was no breach of courtesy for either of the reasons I have already mentioned. The facts are known, I shall not repeat them. Not only did we not break the rules of courtesy but we have fully respected standard parliamentary practice and even went further since the President of the Treasury Board kindly made himself available for questioning.

In a few minutes he will make a statement outlining the new format of the estimates. The hon. members opposite will have the opportunity to ask him questions during a period of time which is left at your discretion under S.O. 15(3), Madam Speaker.

This preliminary debate takes far too long, in my opinion, but since several hon. members have already spoken, I would like to correct the facts so that hon. members clearly understand that there is a difference between a private meeting with the press and a meeting with the hon. members and that we have never failed to follow the practice, or to comply with the Standing Orders or the rules of courtesy. On the contrary, we went further than we should have. I am pleased about it, and I even hope that this new practice will continue. But, Madam Speaker, I dwell on that point only to indicate that this matter is absolutely crazy.

● (1540)

[*English*]

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I am going to be quite brief with respect to this matter. I listened to what my hon. friend had to say, and what he is saying is that we have broken new ground. I do not really believe that we have broken new ground, since lunch, when the estimates are not seen but a press release is seen. I do not think that is breaking new ground.

If it is his intention, as the leader of the government has expressed his intention, to break new ground, then I think we have something that we might be able to work with. I want to say to him that his argument with respect to the distinction between budgetary matters, on the one hand, and estimates, on the other, is something that could be argued against if one wanted to take the time of the House to argue against it. In other words, it can apply both ways.

The fact of the matter is that over the course of the years we have expanded the rights of Members of Parliament with respect to the Auditor General's report, with respect to the budget, and what is important here is the expansion of the rights of Members of Parliament for separate briefings, not necessarily press briefings such as occurred this morning with respect to press briefings, but separate briefings, with the documents and with the advisers that are in existence for the Auditor General briefings and for the budget briefings. I do not know of any earthly reason why that principle ought not to be present. I did not find, in anything that the President of the Treasury Board (Mr. Johnston) indicated, that he would be unwilling to have that kind of arrangement made.

The point of this argument, the point of my rising, is to suggest to you, Madam Speaker, that you hold this question of privilege in abeyance so that we can discuss, through the

appropriate channels, the way in which a procedure can be established, satisfactory to all sides of the House of Commons, so that we would continue the expansion of the matter of openness with respect to the plans of government.

I did not think there was any unwillingness on the part of the President of the Treasury Board with respect to that. As a matter of fact, I think he was discussing that point with the President of the Privy Council (Mr. Pinard) when they were sitting together a little while ago, and I hope that would be the case. I hope that the Chair would recognize the position of Members of Parliament, and especially the critic for the Treasury Board, on the day on which these estimates are brought forward, who must leave this place or deal with a statement, but who must leave this place and deal intelligently in the public press with a media that has been prepared by a briefing.

I think a sense of fairness would be realized and accomplished if in the case—whether or not you find a question of privilege later on, I cannot comment on—but whether or not you do, if this matter was held in abeyance so that through the usual channels we might discuss continuing the expansion that has gone on and has been spoken to today with respect to the rights of Members of Parliament to do their job, because that is our job, in terms of government expenditures; in fact, it is our responsibility. It is not a question, Madam Speaker, of denying the press these rights because Members of Parliament do not have them; it is a matter of expanding the rights of Members of Parliament.

I hope that my friend, and the House leader of the New Democratic Party, would be agreeable to discussing this matter, holding in abeyance, of course, the question of privilege and reserving on it until we have had a chance to explore it.

Madam Speaker: I am afraid that if I do not try to put an end to this debate, it will be quite impossible for hon. members from all parties to be performing their duties that are coming up in the form of questions to the President of the Treasury Board (Mr. Johnston). If too much time is taken up now, it will cut in on the time that hon. members will have later in the day to ask questions.

So, because of that, I will try to put an end to this debate and say this much about it. The issue has been before the House several times—the hon. member for Capilano (Mr. Huntington) did give me notice and I did have a chance to look at other circumstances when this question was debated in the House—it has come up several times.

My immediate predecessor, after looking at all the arguments presented to him, was very reluctant to find a prima facie case of privilege in similar circumstances. I am inclined to agree with him that this does not constitute a question of privilege on the basis that members' duties do not require them—speaking of one hon. member in particular—to go to such a lock-up. This is not specifically one of the requirements of his duties. Therefore, it would be difficult to find a breach of privilege based on the fact that he was not invited to attend a lock-up. It is true that the hon. member was denied advantages which would have accrued from his attending such a lock-up, but that privilege was denied all other members of this House.

I appreciate the argument that the hon. member, as the official opposition critic, and the official critic of the New Democratic Party, will have to discuss these things quite early once the estimates are known to him and known to the House. I appreciate that, and that is an argument I certainly have weighed, but the advantage has been denied everybody. I am looking at privileges in this House, and I do not think one can say that the ability of the hon. member to perform his duties in the House has been impaired by the fact that he has not been able to attend the lock-up.

● (1550)

Hon. members have referred to procedures which are different in the case of the Auditor General's report. I simply make the distinction that the Auditor General's report is perhaps a special case because the Auditor General is answerable directly to Parliament. However, I have to take cognizance of the fact that procedures seem to be quite different from the budget to the estimates to the Auditor General's report, and perhaps the House would benefit from the standardization of those procedures. However, it is not for me to determine that. For that reason, and because nothing in our Standing Orders allows me to make a judgment that there would be a prima facie case of privilege, I will rule right now that this is not privilege, despite the fact that the hon. member for Nepean-Carleton (Mr. Baker) pleaded with me to keep the matter in abeyance.

Even if I say now that this is not a question of privilege, that does not preclude consultation between different members of this House in order to see whether some procedure, which would be satisfactory to all, might not be adopted or to examine whether these procedures should be standardized.

I noticed that hon. members referred constantly to a matter of courtesy. I will not say whether it would be a courtesy or something else, but I think it is up to the members themselves to get together and determine what procedure should be followed in these cases. It would help the Chair if hon. members did because the Chair is constantly asked to rule on this when there is no basis on which the Chair is able to rule on it.

I rule that this is not a question of privilege but urge hon. members to discuss this and consult each other, if they so desire.

Mr. Arnold Malone (Crowfoot): Madam Speaker, I rise on a point of order. I have heard your ruling and, of course, I cannot respond with respect to that ruling. I am well aware of that. I note the question of privilege, and I just wish to bring to your attention that the whole reason Parliament was started in the first place was so that Parliament could scrutinize the King's purse.

Madam Speaker: Order, please. I am sorry. The hon. member is reflecting on my ruling. I do not think we can go

into that. If the hon. member has a point of order, I can hear it, but I will not allow him to reflect on my ruling.

Mr. Malone: Madam Speaker, what I am saying—and I wanted to come to this in my next sentence—is that you obviously have ruled; I cannot challenge that, but I submit that you had to rule the way you ruled, in accordance with the rules we have in Parliament.

However, I do not believe that that takes away from the fact that there is a general feeling that there has been a privilege given to people in the media which has been denied to Members of Parliament. It is therefore necessary—

Madam Speaker: I am sorry. I have to call the hon. member back to order because he is still arguing the case. I assume he really does not have a point of order. I will have to recognize the hon. member for Mississauga South (Mr. Blenkarn).

Mr. Malone: Madam Speaker—

Madam Speaker: I have recognized the hon. member for Mississauga South.

Mr. Malone: I have not come to my conclusion.

Madam Speaker: The hon. member for Mississauga South.

Mr. McKnight: I think you have now.

Mr. Blenkarn: Madam Speaker, on the point of order, I was there at the time with my colleague, the hon. member for Capilano (Mr. Huntington), and there was indeed a telephone call made to the deputy secretary of the Treasury Board, who ordered his officials to make sure that the hon. member for Capilano and I were excluded.

Madam Speaker: Order. I think we have heard that argument. The hon. member has to recognize that he is still arguing the question of privilege.

Mr. Blenkarn: I have not argued yet.

Madam Speaker: The question is being argued. I am awfully sorry, but I think I will now have to hear the hon. member for Broadview-Greenwood (Mr. Rae).

MR. RAE—ALLEGED DISCREPANCIES AND MISLEADING ANSWERS BY MINISTERS—MINISTERS' RESPONSIBILITIES FOR RIDINGS

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I gave notice to the Minister of Finance (Mr. MacEachen) and to the Solicitor General (Mr. Kaplan) some time ago that I intended to raise the matter of the discrepancy between the answers which the Minister of Finance gave to me on Thursday, February 19, and answers given to me on Wednesday, February 18 by the Solicitor General with respect to the question of the appointment of ministers of the Crown responsible for individual ridings.

Privilege—Mr. Rae

Your Honour will recall that on February 18 I raised in the House the question of a letter addressed to a constituent of mine by the Solicitor General in which he described himself as the minister responsible for the riding of Broadview-Greenwood. I then asked a question the next day of the Minister of Finance with respect to the responsibilities of individual ministers and, as recorded at page 7455 of *Hansard*, the Minister of Finance said:

> First of all, Madam Speaker, I want to assure the hon. member that the Government of Canada does not believe that any minister has been given responsibility for representing, in this House of Commons, any riding other than the riding for which he has been elected. That is the view of the Government of Canada.
>
> What I would like to tell the hon. member is that ministers for various regions of the country have special responsibilities within the cabinet for representing the interests of those regions.

There then followed an exchange in which the minister reiterated at several points the fact that there were appointments made with respect to regions but that there was no attempt on the part of the government to usurp the functions of individual Members of Parliament. It seems to me that the answer which was given by the minister is in direct contradiction to the answer given the day before by the Solicitor General, and in fact is in direct contradiction to the letter which went out over the signature of the Solicitor General, because in that letter the Solicitor General did not describe himself as the minister responsible for a particular region, he described himself as the minister responsible for a particular riding. That riding happens to be mine, so naturally I have a certain interest in the nature of his correspondence with respect to this question.

That is my first question of privilege. The first point of the argument is that the Minister of Finance described ministers as being appointed to take care of regions, and then he proceeded to give me a lecture in civics and on the fact that there were certain ministers responsible in the cabinet for certain regions, and so forth.

My point here is that this answer is in direct contradiction to what are on their very face accepted as facts. A letter went out. In that letter the minister described himself not as the minister responsible for regions but as the minister responsible for my riding.

My second question of privilege has to do with the nature of the answer given by the Minister of Finance in which he described the duties of these so-called regional ministers, and the duties were that they were to represent at the cabinet table regions which required representation and which individual members of Parliament could not represent in cabinet. He then went on to speak about the case of a large grant in the province of Nova Scotia for Michelin and referred to the fact that the hon. member for Annapolis Valley-Hants (Mr. Nowlan) was not a member of the cabinet and therefore could not be there.

The implication of that answer is that the duty of these ministers is to represent regions with respect to major items of policy affecting those regions.

The second point of my privilege is that this has nothing to do with the subject matter of the letter which went out over the signature of the Solicitor General of Canada. The letter sent out over the signature of the Solicitor General had to do with a multicultural grant under the multicultural grants program, and I cannot believe—and I wait for the minister to contradict me—that the question of what was best for the "region" of Broadview-Greenwood was discussed in cabinet, for the simple reason that the grant had nothing to do with the riding of Broadview-Greenwood any more than it had to do with the riding of any Member of Parliament in this House where the teaching of English as a second language is carried on. It is carried on in most constituencies in Canada and certainly in the vast majority of the constituencies in every urban region in Canada where the absorption of new Canadians is a question of great importance.

• (1600)

The second point of my privilege is that the minister appears to have been misleading the House in indicating, in his answer to the question with respect to these ministers, that their responsibilities concerned regional representation and the work carried out by the Solicitor General, the onerous task of signing a letter in which a cheque for $15,568 was enclosed on behalf of the Minister of State for Multiculturalism (Mr. Fleming), had something to do with the representation of regional interest, when on its very face it had nothing to do with the representation of regional interest; it concerned something very different.

The third point of my privilege is that the minister indicated that these appointments were for the presentation or articulation of regional interest within cabinet. The Minister of State for Multiculturalism, who is the minister responsible for this grants program, is the Member of Parliament representing the riding of York West. The Solicitor General is the member of Parliament representing the riding of York Centre. These ridings are not exactly a million miles away from each other. In fact, they border on each other in northwestern Toronto. What I am saying is that the theory being put forward by the Minister of Finance that somehow this letter was part of the regional responsibilities of the Solicitor General just does not make any sense. The regional responsibilities of the Solicitor General respecting the riding of York Centre and neighbouring areas are exactly the same as those respecting the riding of York West represented by the Minister of State for Multiculturalism.

My fourth point really follows from this. Without asking you, Madam Speaker, to reconsider your decision, for which you gave no reasons last week, other than to simply indicate that, in your view, it was not a question of privilege, I would ask you to take a very careful look at the answer given by the Minister of Finance, as reported on page 7455 of *Hansard*. I have learned from listening to and watching the Minister of Finance, which is something my job requires me to do, that he chooses his words very carefully.

Mr. Nielsen: It is like watching those black spots.

Mr. Rae: As reported at page 7455, the minister said:

> First of all, Madam Speaker, I want to assure the hon. member that the Government of Canada does not believe that any minister has been given responsibility for representing, in this House of Commons, any riding other than the riding for which he has been elected. That is the view of the Government of Canada.

Quite apart from the implausibility of that answer, the fact is that this letter went out. I refer to the phrase "in this House of Commons", because the implication of those words is that the minister is responsible for my riding and for other ridings outside the House of Commons or at least is responsible in some other sense than within the confines of the House of Commons. I do not think Madam Speaker can rule on that question, with the greatest of respect, until such time as the Standing Committee on Privileges and Elections has had an opportunity to examine and, indeed, to cross-examine precisely what is the nature of the duties carried out by the Solicitor General in keeping with the letter which went out over his signature.

For those four reasons it seems to me that one of the two ministers involved—the Minister of Finance who answered on February 19 or the Solicitor General who answered on February 18—has not been describing the duties indicated in the letter which went out on February 12. I will not put it any stronger than that; it is not for me to do so. But I think someone is being less than accurate in the description of the duties which were put forward.

In his answers on February 18, the Solicitor General did not say a single word with respect to his regional responsibilities. Apparently the thought had not occurred to him on February 18. The thought came to the government overnight, some time during the night of February 18 and the morning of February 19. The thought occurred to the government that the only way out of this quandary was to say that this was in keeping with traditional regional responsibilities, but this is in no way the nature of the answer given in the House on February 18.

As reported on page 7426 of *Hansard*, the Solicitor General, in answer to my question of privilege, outlined his own description of his duties. His description of those duties was quite different from the description given by the Minister of Finance a day later.

It seems to me there is a contradiction between these two answers, a contradiction of fact which, in my opinion, has the effect of misleading the House and myself. Neither description accords with the letter which went out over the signature of the Solicitor General on February 12, 1981.

The letter which would form part of a grant program had nothing to do with regional responsibilities, it had nothing to do with politics, but it should have had everything to do with the simple act of making an application to a government. It should have had nothing to do with partisan politics. It should have had nothing to do with whether one is a Liberal, a Conservative or a member of the NDP. There is a discrepancy between that letter which indicated that the minister was taking responsibility for activities within my riding and the answer given on February 18 by the Solicitor General, as well

as the new explanation which was invented some time between February 18 and 19 and given by the Minister of Finance on February 19.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I want to enter into this debate on the question of privilege because I must confess or admit that I have been responsible for the setting up of this system of traditional regional representations in so far as my party is concerned.

Some hon. Members: Ah, ha!

Mr. Trudeau: In spite of the "ah ha's" from across the way, it is a time-honoured practice. I recall in the government of the Right Hon. Leader of the Opposition (Mr. Clark) that they ensured that certain regions which did not have many elected members found ways of sitting around the cabinet table by choosing members of the Senate. The whole purpose of cabinet, which forms the government under our parliamentary system, is to ensure that it hears the voices, understands the representations and, hopefully, fulfils the needs of the various regions of our country.

Some ten years ago, following this practice, which I believe dates back to the beginning of confederation, I received nonetheless complaints that because of the distinction between the legislative and executive branch, it very often happened that ridings which were well represented by members of our party or members of the opposition parties still found they did not have direct access to the government, as opposed to the legislature of this land.

I believe that is why the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) was very wise in including the words "in this House of Commons" which were quoted by the hon. member for Broadview-Greenwood (Mr. Rae) as part of his third point, I believe.

• (1610)

In this House of Commons we are all legislators, first and foremost, and we all represent one constituency in this country. But, under our system, there is also an executive branch, the government, which is sometimes chosen from this side and sometimes chosen from over there, whether we like it or not. Naturally, they are members of a given political party. But their job, over and above their job as legislators, is to ensure that in the execution of policies, and in the selection of policies, the different areas of the country are well heard, well understood and as well represented as possible.

It is on this basis that as far back as nine years ago, I believe, having heard from many people across the country that they lacked this direct contact with cabinet, I appointed a minister responsible for each region, or each province. In the case where there is only one minister from a province, whether or not there are other Members of Parliament, it was a simple matter of saying, for instance, that in the province of British Columbia the Hon. Ray Perrault, Senator, represents that region around the cabinet table—obviously not in this House of Commons, since many able members from the opposite side speak for the particular ridings in that province. But they are not present, unfortunately for us, at the cabinet table. Though we made an attempt to get some of them into our cabinet, none were willing. Therefore, we made sure that there was, at least, a voice from that province at the cabinet table. In that sense there are regional ministers.

The difficulty arises when, in a province, there are several ministers rather than one and, therefore, provinces where there are a considerable number of ridings, particularly Quebec and Ontario where there are 70 and 80 plus ridings. In a case like that, we make sure that the regional minister—and there is one who is senior, in that sense, for each of those two provinces—has the assistance of other ministers sitting in cabinet from that province. For reasons of convenience, we try to distribute the ridings in that particular province so that each minister would have a small number. They were not particularly designed to represent opposition seats, they were to cover all seats. If the House wants, and permits me later, I will be tabling the list of such ridings which are represented by the various ministers.

Once again, in the case of a province where there is only one minister, he represents all of the ridings in that province. When there are several, the House will find that several ministers have divided up the ridings, as it were, and paid particular interest to that particular riding, or those particular ridings.

Therefore, Madam Speaker, I think that the first point made by the hon. member for Broadview-Greenwood distinguishes between ministers for regions, which he seems to admit are traditionally correct, and have been traditionally recognized, and not ministers for ridings. I would point out that in light of my explanation, the hon. member's first point is probably invalid and spurious, since within a province there can be several regions and within each region there can be several ridings. Once again, it is a matter of making sure that the various regions, provinces and ridings in the country have direct access to the government. I believe this is essentially the point made by the Minister of Finance when he answered the question raised by the hon. member for Broadview-Greenwood. If I read *Hansard* correctly, and I was not present that day, the hon. member's question had nothing to do with a particular letter or the particular action of one of the regional ministers; it had to do with the theory. This theory is based on recognized practice since the time of confederation and some eight or nine years ago our government refined it a bit further to make sure that in provinces with large and numerous ridings there are several ministers to assist each other.

The origins of this practice go back a long time, as I explained, and the reason for it is to permit access to the executive arm of Parliament. But I found it is particularly urgent in times like ours, because of the size of our country, because of the remoteness of our capital, because of the lack of representation of members of a particular region or province on the government side, whether it be our government or the government which was presided over by the Right Hon.

Leader of the Opposition, that ministers carry out these duties and have the electorate understand that all benefits, all good laws and all good policies do not necessarily originate in provincial governments. The federal government is also the government of all Canadians. It is the job—the duty—of ministers, as I hope it would be of Members of Parliament from all parties, to insist on the importance of the federal government and of the national Parliament as being the government and Parliament of all Canadians rather than, as seems to be the increasing tendency, to believe that Ottawa is only some remote capital dealing with esoteric things and peace and war, whereas all the policies which have to do with everyday living and benefits of citizens—

Mr. Keeper: On a point of order, Madam Speaker.

Mr. Trudeau: I have almost finished my remarks, Madam Speaker. The hon. member has a point of order and I will gladly yield to him if he will just permit me to finish.

Mr. Keeper: On a point of order, Madam Speaker.

Mr. Trudeau: That is the point I want to make, Madam Speaker. The NDP cannot wait to hear itself, so let us hear them.

Mr. Keeper: Madam Speaker, there was no discourtesy meant. The reason I rise on a point of order is to inquire whether or not the Prime Minister would be willing to entertain a question with regard to this matter?

Mr. Trudeau: Madam Speaker, yes, I would. Perhaps it would have been more appropriate for the hon. member to wait. I insisted that I had almost finished my argument, but I will entertain his question.

Mr. Keeper: Madam Speaker, I had hoped that the Prime Minister would clarify this matter with respect to responsibilities, whether the responsibilities were for ridings or for regions.

I also have two other questions. One was whether or not these ministers would be made known, and the second was whether or not the ministers appointed with duties for regions, as the Prime Minister now says, will be effective. The reason I raise those questions is because I know that in my riding there is the impending closure of a postal station which serves the people of that riding.

Some hon. Members: Oh, oh!

Mr. Keeper: I hear laughter from some hon. members opposite. This is a sensitive matter. It is a matter of bringing the voice of the people to the cabinet table. Will the Prime Minister not acknowledge that he then has the responsibility to appoint ministers who are effective and who will bring the concerns of the people from the neighbourhoods to the cabinet table?

Madam Speaker: I will allow the Right Hon. Prime Minister to answer, if he wishes.

Mr. Trudeau: The member asks that I make these members' names and ministers' names known. I indicated earlier that if I had the authority of the House I would table the list, Madam Speaker.

Some hon. Members: Agreed.

Mr. Trudeau: With respect to the hon. member's second question, which has to do with the matter regarding the Post Office—

Mr. Nielsen: Is the Prime Minister tabling the document?

Mr. Trudeau: Yes, I will, incessantly.

Some hon. Members: Oh!

Mr. Trudeau: That is perfectly good English. Members opposite may not know it, but they can look it up in their dictionaries.

Some hon. Members: Hear, hear!

Mr. Trudeau: As a responsible member, he knows that he does have to raise questions like that in the House of Commons, but then he will want to raise it with the proper departmental minister, which will be the Postmaster General (Mr. Ouellet), who happens to represent a riding in Montreal.

Some hon. Members: Oh!

Mr. Trudeau: If the hon. member wants to make sure that his requests are also handled around the cabinet table by a minister who is from the area, then he will refer to this list and he will read, for example, "Manitoba—Hon. Lloyd Axworthy". If he is interested in getting a solution or redress for his riding, he will address himself to the executive branch of government, as I am sure he has done on other occasions. It will be helpful for him to know that apart from the departmental minister, he might be able to get assistance from the regional minister. I am happy to table this list in order to assist members of this House do their job when it comes to dealing with the executive.

• (1620)

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent of the House to table the document?

Some hon. Members: Agreed.

Mr. Knowles: Madam Speaker, on that point of order, in view of the interest in it, should it not only be tabled but made an appendix to *Hansard*?

Some hon. Members: Hear, hear!

Madam Speaker: Does the House agree to the suggestion made by the hon. member for Winnipeg North Centre (Mr. Knowles)?

Some hon. Members: Agreed.

Madam Speaker: Agreed and so ordered.

Mr. Trudeau: On making an appendage to *Hansard*, particularly in provinces where there are several ministers, it remains the privilege of the government to adjust these ridings from time to time; and with a view to achieving the greatest possible efficiency in serving the Canadian people, we reserve the privilege of doing that.

Madam Speaker: Then does that mean that there is not unanimous consent to append this list to *Hansard*? There is?

Mr. Baker (Nepean-Carleton): Madam Speaker, on a point of order—perhaps continuing the one raised just a few moments ago—I guess the government has every right to change these things, as they have the right to change acting ministers; but I would ask for an undertaking from the Prime Minister (Mr. Trudeau), if he is agreeable. If there are changes in these political ministers, will he table them in the House of Commons when they are made, having now established the practice, here in the House, of tabling the names of acting ministers? Would he undertake to do so, exactly as we do now with acting ministers who are appointed by order in council?

Mr. Trudeau: Since this list is made public for the convenience of the electorate and the members of the House of Commons and of the Senate, I would be happy, when it is drawn to my attention that there is a change, to make this change known in some way. I do not think that this particular aspect of government practice is a statutory matter. I think it is a matter of convenience. I undertake, in so far as it is practical, and I am reminded of it, to acquaint members of the opposition parties, as indeed my own members, about any change in responsibilities.

An hon. Member: Particularly your own.

Mr. Stevens: Thank you, Madam Speaker. My point of order—and I think it ties in with the last comment made by the Prime Minister (Mr. Trudeau)—is on this word, "incessant". According to the Oxford dictionary, "incessant" means unceasing, continual, repeated.

I would assume, if the Prime Minister used that word advisedly, and he said that we should consult our dictionary, he means that he is going to be repeating the tabling of this type of document—

Mr. MacEachen: As required, incessantly.

Mr. Stevens: —that it will go on in an unceasing way, that it will be a continual tabling of the document. If that is so, I think the Prime Minister should confirm his position that every time there is a change, without him being reminded, he will follow up what he has committed himself to do today and that is, table the revision to the document tabled today, that is incessantly, if you like, to use the Prime Minister's expression.

Mr. Trudeau: We are into semantics, at this point. What I can say is that incessantly, I will table these bits of information without cease, and—

Mr. MacEachen: Continuously.

Mr. Trudeau: —and continuously, as appropriate. If the hon. member consults his etymology, he will realize that to do something incessantly—

An hon. Member: How about phenology?

Mr. Trudeau: —means that you will do it without cease, meaning that you will continue to do it after you have sat down from speaking on one subject.

Mr. Rae: I wonder if the Prime Minister (Mr. Trudeau) would entertain one question. May I ask the Prime Minister one question?

Madam Speaker: Well, I want to remind hon. members that usually one does not enter into debate in the course of a question of privilege. However, the Right Hon. Prime Minister has accepted a question, and is now signalling that he will accept a second one. I do not think that we should indulge in that practice, but I will acknowledge the hon. member for Broadview-Greenwood (Mr. Rae).

Mr. Rae: Madam Speaker, if the Prime Minister will have a look at *Hansard* for February 18 with respect to the privilege which I raised, I wonder if he could tell us whether the practice with respect to letters going out to constituents in Broadview-Greenwood is the same as the practice for letters going out to a riding held by a Liberal Member of Parliament, or whether the Liberal Member of Parliament takes credit for grants in that riding rather than the minister politically responsible.

Mr. Trudeau: I have had a slight canvass made of ministers on this subject, and my understanding is that there is no absolute, firm practice. I have here one minister who makes announcements and ensures that cheques or announcements or pieces of paper, or whatever they are, are often dealt with through members of the opposition party when they have to do with that particular riding. Other ministers do not do that. I think the essence of it is that each minister acts in whatever way he thinks is more conducive to the public good of Canada.

An hon. Member: Which do you think is better?

Mr. Trudeau: The hon. member asks which I think is better; and that is the third question, and perhaps the last one that I have time to answer today.

In a better world, I would hope the method the hon. member prefers would be the one that we would follow. But I would point out to him that we are in a very practical world where there are provincial cabinets all across the land and provincial governments which are constantly trying to assert—

Mr. Knowles: Where is that better world?

Mr. Trudeau: The hon. member does not want to talk about practical politics. In that case, I will tell him that in a better world, we would all be in heaven.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Madam Speaker, I just want to warn the House with respect to a matter. The Deputy Prime Minister (Mr. MacEachen) is here in the capacity of Acting Prime Minister. Traditionally, we have been able not to question ministers of the Crown with respect to their particular responsibilities, such as the Postmaster General (Mr. Ouellet) with respect to the postmaster, etc.

We now have formalized a procedure which, I gather, was heretofore informal. There are now documents that have been tabled and have become part of the record of the House which indicate that certain responsibilities have been granted to certain ministers. I think it is well for the House to understand that what has happened is that, in terms of the question period, the questions with respect to specific subject matters can now quite properly be placed to ministers who have had some political responsibilities. I just think that the House should understand—I hope that was the intention of the Prime Minister—that if I had a particular matter relating to my area—for instance, in that list, the Minister of Transport (Mr. Pepin), is very likely the minister responsible for my area—that I have a right, as a Member of Parliament—

An hon. Member: Nonsense.

Mr. Baker (Nepean-Carleton): —to question the minister responsible for my area publicly—as well as by letter or behind the curtain, with respect to his area of responsibility.

If that is not the case, then this exercise today, and all the fine words of the Prime Minister, were masking a political boondoggle, and that is all it is.

• (1630)

Mr. MacEachen: I should like to comment on that point, Madam Speaker. I think one could have anticipated that the hon. member for Nepean-Carleton (Mr. Baker) would want to expand the question period and make it even more chaotic. What he failed to notice was that the Prime Minister (Mr. Trudeau) indicated his method of organizing the government in order to make it a more efficient instrument. This has not changed in any way the responsibilities that ministers occupy under statutes to Parliament. It is under that canon that we respond to the House of Commons. The duties assigned to ministers under this system are duties assigned by the Prime Minister in the way he organizes his government. It seems to me that ministers in the discharge of those responsibilities are primarily responsible to the Prime Minister.

Mr. Knowles: Madam Speaker, I have been trying to get the floor for a few moments on precisely the point raised by the hon. member for Nepean-Carleton (Mr. Baker) to which the Minister of Finance (Mr. MacEachen) has made a response. Indeed, Madam Speaker, you may be a bit disturbed as to other troubles you may have—if you do not have enough already—by the document the Prime Minister tabled today and made part of *Hansard*. We now have it official that certain of the responsibilities of ministers in the cabinet include various regions. He has told us, for example, that the Minister of Employment and Immigration (Mr. Axworthy) is the minister responsible for the 14 constituencies in the province of Manitoba. He told my friend the hon. member for Winnipeg-St. James (Mr. Keeper) that if he is not satisfied with the answer he gets from the Postmaster General (Mr. Ouellet) regarding a post office in that area, he can appeal to the minister responsible for his riding.

If I am not satisfied with the action I am getting from the Minister of Transport (Mr. Pepin) with regard to the Sherbrook-McGregor overpass I can put my question to the Minister of Employment and Immigration in his capacity as minister responsible for the 14 constituencies in Manitoba. I am trying to be letter perfect, Madam Speaker. I do not know whether I should say the minister for the Manitoba region or whether he is responsible for certain areas.

I admit readily Madam Speaker, not only do I admit, but I draw your attention to the fact that this contradicts what we have in the rule book. This is where your difficulties will increase. At page 133 of Beauchesne, fifth edition, citation 361, reads as follows:

A question may not be asked of a minister in another capacity, such as being responsible for a province, or part of a province, or as spokesman for a racial or religious group.

On page 132, citation 359(6) reads:

A question must be within the administrative competence of the government. The Minister to whom the question is directed is responsible to the House for his present Ministry and not for any decisions taken in a previous portfolio.

There is no question in my mind about that rule; it has been there for a long time. I have seen members in this House of Commons from Nova Scotia try to put questions to the Minister of Finance when he held other portfolios. The Speaker always said he had no right to answer questions for his province but could answer questions only in respect of his department. I have seen other efforts to get certain ministers into an issue because it was important for the province or the region. You may tell me, Madam Speaker, and the Minister of Finance may say, that I have read the rule and the rule is there. I have read it, and it has been there for years. We have often been told by other Speakers we cannot put questions to a minister regarding something that is outside his responsibility. But no less a personage than the Prime Minister (Mr. Trudeau) has declared today that he has assigned responsibilities to his ministers for regions and responsibility for the ridings.

I know that we can play with these words both ways, but in point of fact, just as the Prime Minister has appointed persons as cabinet ministers with administrative responsibilities, so has he appointed cabinet ministers as persons responsible for ridings or groups of ridings or for regions. That is something new. We have not known that before.

That now being official with a document on the table—it was tabled and put in *Hansard*—is it not going to make it difficult for you, Madam Speaker, to deny the hon. member for Winnipeg-St. James the right to ask the Minister of Employment and Immigration about that post office in Winnipeg, station D? How can you stop me from asking the Minister of Employment and Immigration about problems in Winnipeg North Centre or problems in Winnipeg generally in which he is interested, since it is there on the table that the Prime Minister has assigned him that responsibility?

I put my question rhetorically, Madam Speaker. I do not expect an answer from the Chair today but I make the point that the question of privilege raised by the hon. member for Broadview-Greenwood (Mr. Rae) is one that should be allowed.

It is now clear to me that this question ought to be sent to a committee so we can have it straightened out. We can have the Prime Minister come before that committee and give us again the lecture he gave us today. We can go over the whole civic course, the course on how cabinet is run, what cabinet ministers do when they have administrative responsibilities and when it is just for the glory of the Liberal Party or for the Solicitor General (Mr. Kaplan) to be able to send out cheques.

I submit that whether or not the committee finds there has been an error or impropriety, surely this Parliament has the right to know what the picture now is. It is for that reason I support the question of privilege raised by the hon. member for Broadview-Greenwood.

If I may speak for you, Your Honour, I think it would be good for your sake to have this matter sent off to committee so we may find out what the rule is from here on. Are we bound by the old rules that we can ask the Minister of Finance only about financial matters or can members from Nova Scotia ask him questions about anywhere in Nova Scotia? Must I stick to employment and immigration matters when I address the Minister of Employment and Immigration or can I ask him questions about Manitoba because he has been assigned those responsibilities?

As I say, at least let us get the matter cleared up. Maybe the result of such a discussion by the committee will put an end to all this and we will be back to what the rules say.

Mr. Peterson: You would never abuse the rules on this!

Mr. Andre: He is not abusing them. We have the right to ask a minister about his responsibility.

Mr. Knowles: I submit the hon. member for Willowdale (Mr. Peterson) is breaking the rule by getting on the record without being in his own seat. The rules are being severely strained by this new practice about which we have had no knowledge in the past. I think the least that should be done, Madam Speaker, is that you should give the House the opportunity to say yes or no to the motion of my hon. friend. I make the point again that you do not decide that there is positively a question of privilege, you do not decide that the hon. member for Broadview-Greenwood is right or that the Minister of Finance or the Solicitor General happens to be right, what you decide is that there is enough of a case for the House to make the decision.

You may well decide that there is a prima facie case for something to be looked into; a motion is put and the government may use its majority to vote it down. I think common sense would say that the matter ought to be sent to committee. I hope you will look at the whole issue in that light.

In other words, Madam Speaker, I am pleading with you not to look at it in the light of a contest between the hon. member for Broadview-Greenwood and the minister who represents his riding; I am asking you to look at it in terms of a confused picture which ought to be cleared up. The best way for the House to clear it up is to have the chance to vote on referring the matter to the Standing Committee on Privileges and Elections.

Madam Speaker: Order, please. I did not think my life had been further complicated by the remarks of the Right Hon. Prime Minister (Mr. Trudeau) because I thought I would abide by our rules whereby a minister may answer questions only on matters pertaining to his or her portfolio.

An hon. Member: Responsibilities.

Madam Speaker: I thought that what the Right Hon. Prime Minister had said to us was that these supplementary responsibilities were for the purpose of allowing members to have a further recourse in their work in support of their constituencies. However, if the Right Hon. Prime Minister had said something else, I will look into the argument. I am obviously going to take this question under advisement. If he has said something else, I will agree with the hon. member that my life has been complicated by what he has just done, but I hope it has not.

● (1640)

Miss Pat Carney (Vancouver Centre): Madam Speaker, I wish to speak to this question of privilege on a matter that affects my riding of Vancouver Centre, and it relates to remarks made on February 19 by the Minister of Finance (Mr. MacEachen) and by the Prime Minister (Mr. Trudeau) I will not quote in full what the Minister of Finance said, but as reported in *Hansard* at page 7455, he said this:

> —I want to assure the hon. member that the Government of Canada does not believe that any minister has been given responsibility for representing, in this House of Commons, any riding other than the riding for which he has been elected.

The Prime Minister has advised us that this technique of matching ridings is a government technique, that it is a cabinet management tool. I have a document which lists these twinned ridings, one of which is mine. It is not published by the government or by cabinet. It is prepared by the Liberal Party of Canada, dated January, 1981, and it is entitled "Ridings twinned with members". I shall read a portion from it as follows:

The idea of twinning was developed by the national caucus in response to a view that riding associations and members of Parliament could help those areas that do not presently have an elected member.

We are all elected members, Madam Speaker.

Some hon. Members: Hear, hear!

Miss Carney: It is only the Liberal party which will not honour or recognize that we are elected members even though we are not Liberals. In this document, I notice that my twin is the Minister of State for Trade.

Madam Speaker: Order, please. I believe the hon. member is going into a different question. The question of privilege which we are discussing now is a matter of ministers being given responsibilities for regions and constituencies. That is quite different from the practice of twinning, of which I know nothing, but I have heard about it in this House. However, they are two different practices. Therefore, the hon. member would have to address herself to the question of privilege raised rather than bring in a new question at this point.

Miss Carney: Madam Speaker, I will have to check this list against the list which has been tabled. If this list, published by the Liberal Party of Canada, is the same as that which has been tabled today, I would like to reserve my opportunity to speak.

Madam Speaker: Very well. The hon. member for Pembina. I will hear the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) on a point of order.

Mr. Collenette: Madam Speaker, I rise to seek some guidance from you. It was my impression that a few moments ago you had decided to reserve your judgment on this question.

Some hon. Members: No.

Mr. Collenette: Are you then going to entertain arguments from every single member from the other side this afternoon?

Madam Speaker: I indicated that I was probably going to reserve on this question, but I did not say definitely that the discussion was over. I do not think I will be able to listen to all hon. members who want to speak on this question, but I will listen to a few as I know the House is quite exercised about this question. In cases like these I think it is prudent for the Chair to hear a number of speakers. I will hear a number, but I am giving notice now that I cannot hear everyone. Perhaps hon. members notice the clock; we must do something about routine proceedings.

Mr. Nielsen: Madam Speaker, on the point of order raised by the parliamentary secretary and reflected upon by yourself, other dimensions to this same problem have been raised. These emerged when it was raised in the first instance.

I would hope, Madam Speaker, that you will not cut off members who wish to address themselves to those other dimensions so that you have the fullest of information and all of the facts at your disposal before coming to the point on which you will reserve judgment. I, for one, have a very important and additional dimension to add to this whole matter, and it is part of the same question of privilege.

Madam Speaker: I will allow any new dimension to be explored because it is important to hear interventions. The Chair wants to be as fully informed as possible so that it may rule on this question. However, I think I would insist upon making a distinction between a new dimension and a new question.

Mr. Gordon Taylor (Bow River): Madam Speaker, the original question raised by the hon. member for Broadview-Greenwood (Mr. Rae) was a question of privilege involving one minister sending a cheque to another minister to be sent to the riding. The question of privilege concerned undermining the work of the member. The Prime Minister (Mr. Trudeau) has sent up a smokescreen entirely hiding the original issue. In my opinion, we should be dealing with that particular issue where one minister is undermining the work of the Member of Parliament for that riding. This is simply a smokescreen. This is a totalitarian, communistic approach and I would suggest the Prime Minister take the paper he tabled and put it where the monkey stuck the peanut because that is all it is good for. We are missing the main point, that of a minister undermining a Member of Parliament. That is the point of privilege, and I think we should be dealing with it.

Madam Speaker: With all respect to the hon. member, I think that is exactly what we are doing. That is the question of privilege and that is the question being discussed.

I had recognized the hon. member for Pembina earlier, I will hear him now.

Mr. Peter Elzinga (Pembina): Madam Speaker, my contribution will be brief. Let me begin by saying I do support the question of privilege brought forward by the hon. member for Broadview-Greenwood that this matter be referred to the committee.

I want to comment on a few items which the Prime Minister mentioned. I am glad he has finally tabled the list of who are the various regional ministers.

There are a number of questions which have to be answered. It is obvious that these questions can only be answered in the committee, and that is the reason for my support. Who pays for the regional offices which a good many ministers have established throughout Canada? We have our so-called regional minister; Senator Olson, in Alberta. He has a regional office in the Calgary International Airport. In the event the taxpayer is paying for these offices, the taxpayer has a right to know what these offices cost. Rather than reflecting the wishes of a specific region before Cabinet, it is obvious that these offices are being used to pursue ministers' own political aims. By looking at Alberta's representative, and I am referring specifically to Senator Olson, his voice does not reflect that region. He has been rejected time and time again by the electorate of Alberta. My hon. colleague says he has been rejected three times.

The Prime Minister also indicated there was a lack of representation from the various regions of Canada. The basic problem is a lack of sensitivity on the part of this Liberal government for the various regions of Canada. If the government would show that sensitivity, there would be no need for these regional ministers.

In my opinion, it is very important that this matter be referred to a committee so we can find out what it costs for these various regional offices and so we can investigate the matter of the 20 Members of Parliament, which the hon. member from Vancouver brought to our attention earlier. If the purpose of this procedure is to undercut the role of the elected representatives here in the House of Commons, I say that what the government is doing is spending taxpayers' money to undercut the democratic process which has served us well for a good many years here in Canada.

● (1650)

The Prime Minister, of all individuals, preaches to us about being parliamentarians for all of Canada. If there is one individual in this House of Commons who has undercut the role of parliamentarians, it is the Prime Minister.

Mr. Gordon Towers (Red Deer): Mr. Speaker, in rising to support this motion, I wish to bring further information to your attention that will be beneficial to you in making a decision. No doubt part of the confusion came about because the Prime Minister (Mr. Trudeau) said that Members of Parliament are nobodies when they are off Parliament Hill. After the last election, he said he would listen to members of Parliament in the opposition. Up to the present time this has not been happening.

My colleague from Pembina (Mr. Elzinga) stated Senator Bud Olson is the minister responsible for the province of Alberta. We who have been elected in the province of Alberta feel we are responsible to the electorate of that province. I am sure that 95 per cent of the people in the province feel the same way.

In one of the weekly papers not too long ago there was a picture of Senator Bud Olson. Incidentally, it is a Liberal paper. The heading was, "Alberta's mad". In the Red Deer *Advocate*, there is a further bit of information. The article is headed, "Central Alberta oilmen give 'twin' a message for Ottawa". I quote:

> Red Deer's Liberal "twin" MP came to listen to the area's concerns this weekend, and this morning he got an earful.
>
> Liberal MP Ralph Ferguson, from the Ontario riding of Lambton-Middlesex, was told federal energy policies are forcing drilling equipment, skilled workers and entrepreneurs to leave the country.

The question is who is representing those people. Is it Senator Bud Olson, the MP for Lambton-Middlesex (Mr. Ferguson) or me? That is the question. The government, through individual members, backbenchers and members of the Treasury benches is subverting the parliamentary system by interfering with the duties and responsibilities of elected Members of Parliament in opposition.

I am referring to the twinning process apparently advocated by the Prime Minister for ridings not necessarily represented by Liberals. The suggestion of a cabinet minister twin is not acceptable to the people of Alberta. The way this whole matter could be cleared—

Madam Speaker: Order. I must interrupt the hon. member. I have to be fair to the hon. member for Vancouver Centre (Miss Carney). I said I had to distinguish between two questions. We have already discussed the one of twinning in this Parliament. I cannot recall under which terms exactly I made a ruling on it. The hon. member may have other points he wants to raise about twinning, and we can hear that in due course. But today we are discussing a question of privilege on the matter of ministerial responsibilities over regions and constituencies, which was raised by the hon. member for Broadview-Greenwood. The discussion must remain on that point.

Mr. John Bosley (Don Valley West): Madam Speaker, I will be very brief on the matter. It is not twinning. If you look at the list, it may be tripling. Many of these ministers have three, four and five ridings to look after.

I am interested in this for two reasons. I would very much like to see Your Honour take seriously the suggestion that it is a matter of privilege to all of us which should be dealt with in the committee and rule in favour of that position. The reason is very simple. After today, do I tell my constituents to write to me or the Solicitor General (Mr. Kaplan) who, according to that list, is the minister responsible for my riding? I will have to explain to those who think I am here to help them that the government decided one of their people will do that.

If you find this is not a question of privilege, Madam Speaker, I will then be on my feet to ask how we persuade the post office to send our mail to the ministers responsible because we clearly will not have a role to play.

The government is saying that the members for the constituencies are not the ones who will make the representations on behalf of their constituents to the ministers responsible for departments. If we accept their logic, we should make an appeal immediately and directly to the ministers the government decided in its wisdom would be responsible for our ridings.

The particular point for Don Valley West that hits home is this. The Prime Minister's list indicates a minister of the Crown who shall be responsible for the riding of Don Valley West. That minister of the Crown was rejected by the people of Don Valley West in 1972. He ran in the riding and was defeated. The government is suggesting that the people of Don Valley West should now turn to somebody, they directly and deliberately rejected, in order to get what is rightfully theirs from the Government of Canada. Speaking as a member of this House on behalf of my constituents, I find that offensive.

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I will be brief as well. My reservation about this document, of which I have now obtained a copy, is that it

defies the basic principle of representation by population. I do not know whether Your Honour has had the opportunity to examine the document which lists ministerial responsibilities for geographic areas. It singles out two provinces, Quebec and Ontario, where ministerial responsibilities are broken down by constituencies. Some ministers have responsibility for four constituencies and others for five. The Minister of National Health and Welfare (Miss Bégin) has responsibility for seven constituencies. All other provinces are represented by one minister.

In the province of British Columbia there are 28 constituencies. The whole province is represented by a minister who does not even sit in this House. He has not been elected.

Mr. Friesen: In fact, he was defeated.

Mr. Oberle: Is it the intention of this government to establish a one-party democracy? Let us not fool ourselves about this practice. This is a pork-barrel strategy to distribute public funds for political purposes. That is what this question of privilege is all about. It does not have anything to do with building a bridge or ensuring that a certain region has access to cabinet. It is about distributing public funds to a group of Canadians in a certain area to which they are entitled, and has nothing to do with politics. Is it the intention of this group of one-party democrats to place themselves in a position in the province of Ontario in the same way they are in the province of Quebec? Are they now saying the rest of the country does not matter? We all know that is their strategy because that is where the population is.

There are 21 constituencies in the province of Alberta. They are represented by Senator Bud Olson who does not even sit in this House. Alberta and British Columbia do not matter; Saskatchewan does not matter. They do not have a minister in this House. The only provinces that matter are Ontario and Quebec. That is where the raw political power is and that is where the pork-barrel has to be rolled.

That is the crux of this argument. It is on those grounds that Your Honour must consider this question. There is no way that we on this side will sit quiet. We will not let you curtail this debate until this matter is referred to the committee where it can be properly debated. If parliamentary democracy still means anything in this country, this matter must go to committee. If any matter had to go to committee, it is this.

● (1700)

Mr. Cyril Keeper (Winnipeg-St. James): Madam Speaker, the Prime Minister (Mr. Trudeau) told us today that ministers have regional responsibilities. The Deputy Prime Minister (Mr. MacEachen) lectured us the other day with regard to cabinet government and the responsibilities of members, and said that the hon. member for Broadview-Greenwood (Mr. Rae) had no understanding of cabinet government. Clearly, they were talking about the executive arm of government. When the Prime Minister spoke, he spoke about executive responsibility.

I think there is very definitely a prima facie case of privilege here, simply because once there is an executive responsibility there also has to be a parliamentary responsibility and, given the present rules, there is no room for ministers to be held responsible here in Parliament for those executive responsibilities which the Prime Minister has now assigned to them.

My constituents are not being heard in that cabinet. The Minister of Employment and Immigration (Mr. Axworthy) has been ineffective in bringing forward to that cabinet the concerns and pleas of the people who live in my riding, and the only way I can be assured that he will be effective and responsible, in a democratic sense, for that which the Prime Minister says he is responsible is to be able to question him in this House. So I feel very strongly, Madam Speaker, that we very definitely have a prima facie case of privilege here.

Madam Speaker: I will hear one more member. Does the hon. member for Yukon (Mr. Nielsen) wish to speak on this matter?

Mr. Nielsen: I have another dimension, Madam Speaker, which I will raise later on.

Madam Speaker: The hon. member for Yukon, then.

Mr. Nielsen: I will defer to my colleague, Madam Speaker.

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I think it is most important and commendable that you should grant an extended debate on this question, because a number of complications have come forward this afternoon and I would like to add to that list by raising a couple of additional dimensions.

The Prime Minister (Mr. Trudeau) came into the House this afternoon and made official a process which was first raised by way of the question of privilege of the hon. member for Broadview-Greenwood (Mr. Rae). He said to us here this afternoon, Madam Speaker, that he wanted to see a process which would bring government and Parliament to all Canadians, which is as it should be and I think, Madam Speaker, we all agree with that.

We must recognize that we cannot disregard this question of twinning, which is an initiative taken at the partisan level by the Liberal Party of Canada, because it is difficult to determine in this question where politics ends and the responsibility to service the constituents of Canada begins.

Madam Speaker, I would like to submit that there is something wrong about the attitude of the government in the manner in which this initiative has been taken, and I would like to illustrate it by making reference to a situation which occurred in my riding last Saturday. Last Saturday, Madam Speaker, I was invited to attend the sod-turning for a new, intermediate care home facility in my riding, and the sod-turning invitation came from the non-profit society which was initiating the project.

Upon arrival, I learned there was a representative of Canada Mortgage and Housing Corporation present, but no

one had taken it upon themselves to inform me that the federal government was in any way involved in this project. Indeed, Madam Speaker, when the chairman of the occasion on Saturday morning turned to introduce me and invite me to comment, he was rather embarrassed because he did not know whether I was enabled to speak on behalf of the government or not. He presumed that I was not, but he was rather embarrassed at having to introduce the Member of Parliament for that area and I was rather embarrassed to find that I knew very little about this project. In fact, I learned from an official of Canada Mortgage and Housing Corporation that the project was totally financed by CMHC funding by way of a low-interest loan to the extent of $4 million.

The point I would like to make, Madam Speaker, is that if we are to have this new process, I think it is a question that must be addressed very thoroughly when the matter comes before the Standing Committee on Privileges and Elections. If we are to have this process, then the whole matter of dialogue has to be in the form of a two-way street, because I think, aside from my expectation of the right to question my minister in this House, that minister should also be prepared to come to me and seek advice; and that could make his job, as representative of my constituents, much more simple.

In particular, he should take upon himself the responsibility to advise me of functions he is attending in my riding, as my ministerial representative was supposed to attend two weeks ago when he was invited to speak by the Fraser Educational Foundation on the question of salmon enhancement in the Fraser River, Madam Speaker; to address the members of the Chamber of Commerce in my riding on a subject for which I am spokesman for my own party and to which I am not even invited. The hon. minister, who is not even elected to this House, who speaks for the whole of British Columbia—the House leader in the other place—was to come into my riding, but in fact he never came. He apparently was called back to Ottawa on urgent business and, instead, sent a tape-recorded message via telephone.

The point I make, Madam Speaker, is that I could have been there, I should have been there, and I certainly should have been made aware of the fact that this honourable, non-elected minister in my riding was to be in my riding presenting a speech which, in fact, he never gave.

Madam Speaker, this is the point I would like to make. It is a matter of attitude. I think members of the cabinet, if they really want to establish improved contact with all the constituencies that elect members, from whatever party, to represent them in Ottawa ought to have an opportunity to have access to that minister, and that minister should seek their advice.

I raised the question of the political link a few moments ago, Madam Speaker—I will be finished in a moment—but, in fact, a week or two ago I learned that the former Liberal candidate in my riding had been appointed a commissioner of the North Fraser Harbours Commission. He was defeated, not once but twice, and he has received his due reward. I do not deny this member of the Liberal Party access to a cushy government appointment, but I would at least think I should have been consulted before that former candidate—who happened to have been defeated in two successive federal elections—was granted this appointment to the North Fraser Harbours Commission when, in fact, the north arm of the Fraser River represents one boundary and an important source of commerce within my riding.

Then, Madam Speaker, the previous Liberal candidate to that, who also ran against me and was defeated three elections ago, on his defeat was appointed to a very comfortable assignment with the Department of Indian and Northern Affairs. Madam Speaker, I am the member for that riding and happen to have been fortunate enough to be elected to this side of the House. At the very least I would have expected my views on that individual ought to have been sought, even if the government chose to disregard them.

The Prime Minister speaks of making government and making this Parliament more available to all Canadians, and that is as it should be. But I want to be consulted if we are going to have another bureaucratic tier within the political system. I at least want to believe that it is a two-way street, and I certainly want to have assurance, Madam Speaker, that that minister is not going to have special mailing privileges into my riding, financed by the taxpayers of Canada. After all, the government already enjoys a loaded deck by way of its tremendous advertising budget, some $30 million, we now learn, in relation to the proposed constitutional advertising program.

Will these ministers have an advertising budget, if they are non-elected and not accessible in this House? Do we have some means of questioning them? Will they continue the practice of having their photographs taken and placed on the front page of my local newspaper, handing over a cheque to the people? Why cannot Members of Parliament, of whatever party, be part of the process? Let us not call it patronage, Madam Speaker; let us call it serving our constituency, and let us give the elected Members of Parliament an opportunity to participate in that service and at least to be advised by the appropriate government minister when there is to be an announcement or a sod-turning or an appointment made in the riding for which we are responsible. Thank you, Madam Speaker.

Madam Speaker: Does the hon. member for Yukon wish to speak?

Mr. Nielsen: Yes, I do.

Madam Speaker: On the basis that he says he has a new dimension to this question, I would like to hear him.

• (1710)

He has indicated to me on a point of order that he wishes to bring a new dimension to this problem. I would like to hear it before I determine whether I am sufficiently informed. I do not know what other members who are rising have to say about this question, but I want to note that arguments are being repeated. Since arguments are now becoming repetitive,

the judgment of the Chair is that arguments have been presented to the point where they are being repeated and that therefore the Chair does have the views of the members on a particular question and can decide at a certain point that the Chair is sufficiently informed.

I will hear the hon. member for Yukon (Mr. Nielsen) on the basis that he does have a new dimension to bring to this debate.

Hon. Erik Nielsen (Yukon): Madam Speaker, I have several new dimensions I want to bring forward. The first one has to do with cabinet practices. We have heard the Prime Minister (Mr. Trudeau) say here today that it has been the practice in government—I believe I paraphrase him correctly—since confederation to establish regional ministers so that regions of more populous areas in Canada can have direct access to the executive, in addition to the access that population would have ordinarily through its own elected Members of Parliament.

We are in accord with the establishment of regional ministers throughout the country for the purpose expressed by the Prime Minister, but this government and this Prime Minister have carried this practice far beyond what has been the normal and proper practice of the appointment of regional ministers for the purpose enunciated by the Prime Minister.

When we were in office we had the practice of appointing regional ministers for each of the provinces and for each of the two northern territories, but that is as far as it went. The practice now being established, as evidenced by the document tabled today, expands that principle immeasurably. It deals with the two most populous provinces—and only those two in Canada—the provinces of Quebec and Ontario, and we no longer have regional ministers. The document on its second page is entitled "Quebec regional responsibilities" and beginning on the fourth page it establishes Ontario regional responsibilities but, clearly, a cursory examination of that document will disclose that it is not regional ministers which have been appointed but constituency ministers for each constituency of the province of Ontario and ministers responsible, so-called, for each constituency in the province of Quebec. That goes far beyond the customary practice, which has been established and existed for so many years in cabinet, of regional ministers.

Had the Prime Minister and the government stopped with the first page of that tabled document, we would then be following past, well-established and proper practices, because that first page deals only with regional ministers. That is the proper practice but, having gone beyond that, they have gone far beyond the time-honoured practices of the past and have in fact established an entirely new policy and a new practice.

I wondered why the Minister of Finance (Mr. MacEachen) became so incensed and waxed so eloquently when the hon. member for Broadview-Greenwood (Mr. Rae) raised the matter last Thursday, but I know now. They were troubled. They knew what they were doing was wrong. That is why the Prime Minister participated today. We never see him in debate in this House. In the past 12 or 13 years I think he has participated in debate about five or six times. That is why he was here. The Minister of Finance could have tabled that letter. Indeed, we all expected him to do so as a result of my questioning of him yesterday, but it was considered important enough, because it was trouble to them, for the Prime Minister to appear here today to do it personally.

Mr. Knowles: The Solicitor General let the cat out of the bag.

Mr. Nielsen: Some cat; some bag. Some bag, indeed, with this system of constituency ministers.

An hon. Member: Carpet bag.

Mr. Nielsen: That is a good name for it, the carpet bag. A new system of carpetbagging has been established now in these two provinces.

I am afraid the second dimension will escape the Chair because no attention is being paid by the Chair to the dimensions I am trying to convince the Chair it should consider. The Chair has heard the first one, and perhaps I should wait until the conversation between the Speaker and the Clerk is finished. I do not want my points to be lost on the Chair.

Mr. Lonsdale: We didn't miss much on the first one. Give us the second one.

Mr. Nielsen: The hon. member is not in his seat, so I do not know which is his riding. Undoubtedly he is speaking with his constituency office minister trying to get one of those envelope cheques fly out of every so often.

The second point I want to draw to the attention of the Chair concerns the establishment in some constituencies of so-called "ministerial offices" for which Treasury Board has approved person-years, salaries and rents. However, this appears to have been done on a very highly selective basis.

I know there is one in Vancouver. The minister who I believe has been authorized to establish that so-called "ministerial office" is in the other place. He has no ministerial responsibilities except to be the leader of the government in the Senate. I suggest that the President of the Treasury Board (Mr. Johnston) examine the guidelines for the establishment of ministerial offices to determine whether the existence of that office and the expenditure of those taxpayers' moneys for the upkeep of that office fall within Treasury Board guidelines. I do not suggest that, because that particular minister has no ministerial responsibilities being the leader of the government in the other place, but he certainly cannot be considered a minister with ministerial responsibility.

I cannot hear the hon. member opposite. If he wants to interrupt, he should stand so he can be heard.

Expenditures on ministerial offices should be in accordance with Treasury Board guidelines. That is a matter very directly related to this question raised. The other aspect of this is whether taxpayers' money is being properly expended in the establishment of these offices.

Edmonton has such an office. Was that office established so that the minister in the other place responsible for economic

development in the country could carry out his ministerial responsibilities in that province? If that is the rationale behind the establishment of that office and the justification for expending taxpayers' dollars, why is there not one in every province? I suggest that is where logic leads, unless logic compels us to the conclusion that the only reason for the existence of that office is political, as is the case with respect to constituency ministerial appointments in the provinces of Ontario and Quebec.

The city of Regina has such an office. The city of Whitehorse now, for the first time, has such an office, yet we do not even have a minister responsible for that constituency.

Mr. Knowles: Yes, you do.

Mr. Nielsen: No. We have a regional minister, and that is proper. We do not have a constituency minister, and therefore there is no rationale whatsoever and no logic for the establishment of that office. Yet it exists. Taxpayers are paying the rent and for the staffing. Taxpayers are paying for the person-years. For what purpose? For the first time in the almost 24 years I have been representing that constituency we now have two constituency offices. One is authorized by this House, and this House of Commons pays the rent and the salary. It has been there for the last eight years for the Member of Parliament to perform a service to his constituents. Now we have another one; we have a Liberal one called a ministerial office. It performs precisely the same function on the excuse, in a constituency where there are some 1,200 federal public servants, that somehow Yukon citizens lack access to the federal public service and to the federal executive.

● (1720)

The same situation exists in Yellowknife. I am not completely familiar with the circumstances there. The hon. member for Western Arctic (Mr. Nickerson) wants to address himself to the added dimension which exists in that territory. This must be given very careful consideration when we are discussing this matter.

Another reason the Prime Minister gave for establishing constituency ministers was that there would be a better flow from constituents to the executive because the ministers lived in those constituencies; they knew what it was all about; they were most closely related to the problems and the aspirations of the citizens or the electorate of the country who live in those constituencies. What utter rot!

The constituency minister who has the constituency office in Yukon comes from Hamilton. He has never lived in the north. Who is better able to represent the views of Yukon citizens to cabinet, to the executive and to this House than the person who has been elected and was elected to do those very things for the last 11 or 12 elections; I forget how many. It is a totally improper use of taxpayers' funds.

I have a further point which I wish to raise.

An hon. Member: Sit down.

Mr. Nielsen: I am sorry I did not hear the intervention. My third point was the residency given as a justification or an excuse by the Prime Minister for following this totally new practice. Madam Speaker should consider the dimensions I have added. I have expanded the peripheral boundaries of the question originally raised by the hon. member for Broadview-Greenwood. If Madam Speaker does not consider these matters and rule upon them as part of the question raised by the hon. member for Broadview-Greenwood, then I will feel compelled to raise them as a matter of personal privilege. Because this practice of establishing constituency offices affects me directly, I feel compelled to raise the matter as a personal question of privilege. I say that they are establishing constituency offices and not ministerial offices, because they are performing the exact functions of constituency offices.

The hon. member for Edmonton East or the former minister responsible for fitness and amateur sport—

Mr. McCain: Fun and games.

Mr. Nielsen: Yes, fun and games.

Madam Speaker: The hon. member for Edmonton North (Mr. Paproski).

Mr. Nielsen: I thank the Chair. That is where the constituency office is located. I do not know where the one in Regina is located, but I believe there is one there. I know where the one in Yukon is located, but I do not know where the one is located in Western Arctic.

My questions on the Order Paper ask the government for information which we never get for months and months—sometimes years. I asked how many other constituency offices similar to these have been established throughout the country. Will all these constituency ministers have the right to establish constituency offices in all these constituencies?

I see the President of the Treasury Board smiling, or is he groaning? They have done it in Yukon and Western Arctic. They will do it in Nunatsiaq. I understand they have done it in Vancouver, Edmonton and Regina. Where else have they done it? How much further do they intend to go? This is a prostitution of the process that brought us here.

Some hon. Members: Oh, oh!

Mr. Nielsen: I hear more groans. If we were to follow this new concept of the Prime Minister, in his attempt to justify the establishment of constituency ministers, what is the purpose of going through an election to elect Members of Parliament? We might as well not go through that process at all.

Mr. Knowles: Don't suggest that.

Mr. Nielsen: As I have suggested before, what they would really like to do, because they regard this place as a nuisance, is to do what was done in Ghana. A few very short months after democratic government was established there, they decided to abolish the opposition because it was a nuisance. That is my fear as to the direction in which we are headed

when the government establishes Liberal Grit constituency offices where they have no business being and where taxpayers' money is not justifiably spent.

Madam Speaker: At this particular point in the debate on this question of privilege, would members not agree with me that they are now in the course of practically exhausting arguments which would be brought forward if a motion were moved to send this matter to the Standing Committee on Privileges and Elections?

I must remind hon. members that the only thing they must do, in the course of discussing a question of privilege, is to show me where there is a breach of their privilege. I must say that members have not addressed themselves to that sufficiently, and, after listening to seven, eight or perhaps more members, I must conclude that I have heard arguments mostly on the substance of that question of privilege.

Members ought to know that the motion is not now before the House. I have not yet found a prima facie case of privilege, therefore, the arguments must be restricted to where the privilege has been breached. That has not happened, therefore, members must understand—

Mr. Nielsen: That is a generalization.

Madam Speaker: I am sorry?

Mr. Nielsen: Madam Speaker, I certainly did not mean to interrupt but I could say that I was being specific.

Mr. Pinard: In your judgment.

Madam Speaker: When consistently, after four or five speakers, no one is able to address himself or herself to the very fundamental question which must be addressed at this stage, that is to say, where the privilege has been breached, members must understand that the Chair is tempted to cut off debate and decide that it has been sufficiently informed. That is what I intend to do. I have heard many arguments from both parties on the opposition side of the House, and very few from members on the government side. But, I have heard arguments, and I will now cut off the debate and proceed to another matter.

Mr. Nielsen: Madam Speaker, I rise on a point of order. I presume it is the intention of the Chair to consider these matters very carefully. If Madam Speaker comes to the conclusion that there is a prima facie case of privilege, I presume you will be so informing the House so as to give either the hon. member for Broadview-Greenwood or someone like myself the opportunity of moving the appropriate motion.

Madam Speaker: I thank the hon. member for reminding me of that. It is exactly what I intend to do. I will take the matter under advisement, study all the arguments, and report later to the House.

MR. BAKER (NEPEAN-CARLETON)—PREMATURE RELEASE OF ESTIMATES

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I think we have disposed of that particular question of privilege, but I should like to raise another which is much more serious that the one that occurred earlier; this is in respect of the lock-up. Madam Speaker will recall that we indicated the importance of Members of Parliament having the same privileges which we believe are appropriate for members of the press, because Members of Parliament have the right to be informed about matters. I think it was made clear that the only right Members of Parliament have is to have these matters tabled in the House of Commons. The fact of the matter is that I have in my hand a photocopy of a wire story which has not gone over the wires, across the country, via Canadian Press, which reveals to the public in complete detail of the estimates, before the estimates have been tabled in the House of Commons.

• (1730)

Some hon. Members: Oh!

Mr. Siddon: So much for Parliament!

Mr. Baker (Nepean-Carleton): Yes, so much for Parliament. Either that lock-up was for something or it was for nothing. I assume the government had the lock-up for something, which was to inform the press of the estimates pending the tabling in the House. It had to be that or else it was a meaningless gesture. I suggest that is what it was for.

Now the government is saying we argued this matter this afternoon on a question of privilege, therefore the estimates would be released. The document is still not tabled in the House of Commons, yet the subject matter has already been released. That is a clear violation of my rights and the rights of other Members of Parliament.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): It is a contempt of Parliament. I think we must consider very seriously the question of the President of the Treasury Board (Mr. Johnston). I think there is an investigation owed to the House of Commons with respect to this matter. Indeed, the President of the Treasury Board must consider his own position within the government, given the fact there has been a release—

Some hon. Members: Oh!

Mr. Baker (Nepean-Carleton): Madam Speaker, I have in front of me the document handed to me. I am sure the Chair will want to look at it in order to consider it. The document deals with the matter of government outlays, the increase in those outlays from 13 per cent to 67.6 per cent—

Some hon. Members: Order!

Mr. Baker (Nepean-Carleton): I want to go through it, Madam Speaker, so that you will be able to understand its

importance. The document points out the skyrocketing interest rates on public debt and sharp rises in military spending. It sets forth that the government has reversed a program of cuts in the size of the public service made over the last two years. That information must have been obtained from the estimates and from no other source. It deals with defence spending, which will increase 16.6 per cent to $5.9 billion. It deals with new military hardware which includes fighter jets, patrol aircraft and tanks.

Mr. Beatty: With the stock exchange still open.

Mr. Baker (Nepean-Carleton): Yes, incidentally, the stock exchange was still open when this went over the wires. Surely that must mean that the lock-up was for something.

Some hon. Members: Shame on you!

Mr. Baker (Nepean-Carleton): I am sorry that I am inconveniencing members on the other side of the House.

Madam Speaker, I think it is a clear violation of the rights of members of Parliament for others to see these estimates before they are tabled. That is why we have a lock-up. That is why the press is set aside, so that these matters can be tabled in the House for Members of Parliament, who are responsible in some way for the expenditures of government and for its accounting.

If you find there is a prima facie case of privilege with respect to this matter, I am prepared to move:

That the matter of the dissemination of details of the estimates through the news media before tabling of the estimates in this House be referred to the Standing Committee on Privileges and Elections.

Some hon. Members: Hear, hear!

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, it is a shame to see how the Tories have set a trap for the press.

[*Translation*]

I cannot accept, Madam Speaker, that after displaying such childish behaviour all afternoon, the members of the Progressive Conservative Party now stand up and say that the estimates have not been tabled on time and claim that since the media reported it, there has been a breach of hon. members' privileges.

Madam Speaker, if someone did not respect the hon. members and this institution today on that matter, it is the members of the Progressive Conservative Party who have been wasting the time of this House since about three o'clock this afternoon. It is a shame to see those members doing what they did this afternoon, under the circumstances. This Parliament has now to assume responsibilities in the fields of economy, energy, the constitution and various sectors in the social area. I am aghast at the behaviour of the official opposition under those circumstances. We could perhaps understand that the forthcoming events during the weekend may have some influence on their behaviour but even so it is irresponsible.

What I want to say on the question of privilege which has just been raised by the hon. member for Nepean-Carleton (Mr. Baker) is that you stated earlier today that there was nothing reprehensible in the attitude of the government and especially in the action by the President of the Treasury Board when he disclosed the contents of the government estimates in a lock-up with the media. It is a fact, your decision has been made, we have done nothing—

Madam Speaker: I would like to interrupt the minister and ask him not to put words in my mouth. I dealt with the question of privilege which has been raised but I did not pass judgment on a government action.

Mr. Pinard: Madam Speaker, in connection with your decision, you stated that there was no question of privilege when the members opposite objected to the lock-up with the media and the failure to notify the members of this House and this is what I was referring to. Now if I do not interpret your decision correctly, Madam Speaker, I beg you to correct me and tell me where I am wrong. If you do not do so, I shall infer I was right. That was my point.

The fact is we did nothing wrong. If now, as a result of the filibustering of the Conservative members the tabling of our estimates is delayed and it becomes a known fact that some aspects of our estimates have been made public, the government cannot be blamed. It is not our fault, even if we held a meeting behind closed doors with the media, since you deemed the procedure was not objectionable but normal. Now who is to be blamed? Well, those who waste our time and who have made the press fall into the trap and take the blame.

Well, Madam Speaker, the facts are as follows: in addition to the lock-up with the press, I am told that the press signed an agreement containing an embargo under which the media agreed not to publish the contents of the estimates until they are tabled. So, if there has been a leak, of course, neither the President of the Treasury Board nor the government can be blamed, nor anyone, to my mind, who respected the embargo. I do not know whether or not the allegations of my colleague from Nepean-Carleton are accurate. I have no reason to doubt his word, but if one or several journalists have failed to respect the signed agreement, well, they can settle their accounts with the Progressive Conservative members who laid the trap for them to fall in; but, as far as we are concerned, we have nothing to blame ourselves for.

As a government, Madam Speaker, we followed the tradition. I mentioned it before: we briefed the media at a lock-up and also, as a courtesy, sometime around noon, the President of the Treasury Board invited to a briefing a few representatives of the Progressive Conservative Party and the NDP. Under those circumstances, the government merely respected tradition. There has been no impropriety. Your decision, Madam Speaker, confirmed that there was no question of

privilege when complaints were made ealier today. If, as a result of all that, because of the irresponsible, thoughtless and child-like attitude of the opposition members, one or several journalists violated their agreement with the government, we are not to blame. Once again, if you feel this is indeed a question of privilege, then it is up to the journalist or journalists concerned to settle their accounts with the hon. members of the opposition who made him fall into that trap.

[*English*]

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, the matter we are dealing with is far more serious than the President of the Treasury Board (Mr. Johnston) would have us believe—

Mr. Knowles: The President of the Privy Council.

Mr. Beatty: Your ruling earlier did not suggest that the government had no responsibility to ensure security over the estimates.

• (1740)

The question of privilege that you ruled on earlier was raised by a member on this side, by my deskmate, the hon. member for Capilano (Mr. Huntington). It dealt with one matter alone, whether the privileges of Members of Parliament had been breached by their not being allowed into the lock-up that was held for the press. That is what you ruled on.

The question of privilege raised by the House leader for the Official Opposition is very different. What we find now is that as a result of the decision of the President of the Treasury Board, Members of Parliament have been denied the opportunity of gaining information about these estimates directly. However, Canadians from coast to coast, if they had access to the CP wire, have been informed of the contents of these estimates in considerable detail prior to Parliament being officially informed.

I gather that my colleague, the hon. member for Nepean-Carleton (Mr. Baker), will be sending you a copy of the CP wire story, but to give you some indication of how long ago this leak took place, you will notice on the top it says, "Advance for release by wire, possibly about 3.45 p.m. EST today." That means that for about two hours now this information has been available to people who have CP wires.

The argument would be made by government members that because there was a reference to possible release around 3.45, the embargo was respected; but, in fact, any Canadian who had access to the CP wire would have access to this information. For example, this copy is off the teletype in PC research. What we have is the ludicrous situation where members of Parliament on this side of the House were specifically denied, because of the decision by the President of the Treasury Board the opportunity to gain advance information about the estimates on the grounds that there was a lot of fear, that security had to be respected, and yet we could learn about it through the CP wire which printed it out in PC research headquarters. Surely this underlines—

An hon. Member: Sit down.

Madam Speaker: I would have to warn the hon. member not to link these two questions. First of all, I ruled on the first one. They are not necessarily linked. At any rate, the member cannot refer to a ruling I have already made. But I will hear him on that particular question of privilege. I am interested in hearing his arguments.

Mr. Beatty: Gladly, Madam Speaker, I am simply indicating why the government House leader's misinterpretation of your ruling was so very unfair; and why it is that Members of Parliament, if there is to be an embargo, find themselves left in a very difficult situation if, indeed, the embargo applied only to Members of Parliament, and if the embargo cannot be made to stick.

Surely there is a purpose for the lock-up that was held. It is referred to as a lock-up. The government House leader referred to it as a lock-up; the President of the Treasury Board referred to it as a lock-up.

Presumably, the reason there was lock-up was that the government felt the government's interest would not be served by having premature release of this information. They felt they had responsibility, as they do under the precedents in this House, to table those estimates in Parliament first, before they are made publicly available. Yet what we find here is that it has been made available from coast to coast in Canada prior to being made available to Parliament. There has been no official tabling of those estimates in Parliament despite the fact that Canadians, from one coast to another, now have access to this information.

As my colleague the hon. member for Nepean-Carleton, pointed out, on the west coast the stock exchange is still open. Those Canadians, for example, are interested in defence industry stocks. You might very well have noticed the reference in the CP wire story to increases in defence spending for tanks, planes, and other items.

If it is nonsense, and if it is not a matter of concern to this House, why was there an embargo on us in the first place? If there was not any damage that could be inflicted upon the public interest by premature release, why was there a lock-up, and why were Members of Parliament told they could not have access to this information?

There has been a grave abridgement of the privileges of the House of Commons. I think, Madam Speaker, you have no choice but to rule that there is a prima facie question of privilege, and that this matter should be sent to the Standing Committee on Privileges and Elections. I feel that the President of the Treasury Board is responsible for actions taken by his officials. He is responsible for the security of this information, just as the Minister of Finance (Mr. MacEachen) is responsible for the security of the federal budget. If there was a leak about the federal budget from any source, there would be no question but that the Minister of Finance would be forced to resign. There is adequate precedent for that.

This minister is responsible for security of his estimates. That security has been breached. This minister has a responsibility to tender his resignation.

An hon. Member: Right on.

Hon. Donald J. Johnston (President of the Treasury Board): Thank you, Madam Speaker. I hope the transparency of the positions being put forward, and the kinds of games being played are obvious not only to the members of this House, but to the Canadian public.

Some hon. Members: Hear, hear!

Mr. Johnston: I think if there has been any breach of the privileges of the House, it has been by the hon. member for Nepean-Carleton (Mr. Baker) who gave information to the public and the House which has been the subject of embargo—

Some hon. Members: Oh, oh!

An hon. Member: It's already on there.

Mr. Johnston: I would be quite happy to send forward the embargo—

An hon. Member: Don't make a fool of yourself.

Mr. Johnston: —that declaration which appears on the wire, Madam Speaker. I find it shocking and irresponsible that we should be subjected to this kind of childish behaviour by people who should be interested in getting on with the business of this country—

Some hon. Members: Hear, hear!

Mr. Johnston: I have been sitting in this House since three o'clock to table the estimates they want to see. I had lunch with the hon. member from the other side who is the critic so that he would know what is in the estimates. We have followed the tradition that has been followed for a hundred years, as I understand it; and today, for the first time, I learned that members on the opposite side of the House are not prepared to accept their responsibilities as responsible critics and to accept the tabling of these estimates as planned for this afternoon at three o'clock.

Some hon. Members: Hear, hear!

Hon. Ron Huntington (Capilano): A point of order, Madam Speaker. I would certainly appreciate, through you, if the President of the Treasury Board (Mr. Johnston) would withdraw his last comment concerning members on this side not wanting to pick up their responsibilities.

Some hon. Members: Hear, hear!

Mr. Huntington: I am going through you, Madam Speaker—

Mr. Johnston: Did you have lunch, or did you not?

Mr. Huntington: Through you, Madam Speaker, I want to say to all members of this House that I tried, along with another colleague, to get into the lock-up with the press this morning in order to be fully informed in order to perform my function in this House. True, I was invited to a luncheon at the office of the President of the Treasury Board, and he gave me the press kit. It did not give me any answers or comparative statements to last year's estimates, which I need in order to handle myself responsibly here in reply and in a press scrum afterwards.

I would like the President of the Treasury Board to lighten those remarks or apologize for any inference that I do not want to perform my duties to this House and to my country in a completely responsible manner.

Mr. Baker (Nepean-Carleton): Apologize.

Madam Speaker: Hon. members in this House are allowed to express opinions, all of their opinions, and I have nothing to do with those opinions.

The hon. President of the Treasury Board has expressed an opinion about something which we are presently discussing and that is his privilege; unless he uses unparliamentary language. Unparliamentary language is described in Beauchesne, and I heard nothing in the intervention of the hon. President of the Treasury Board that was unparliamentary.

The hon. member for Capilano (Mr. Huntington), might not have liked what he said, but it was not unparliamentary, so I cannot comply with his request to ask the hon. minister to withdraw his remarks.

[*Translation*]

Mr. Pinard: Madam Speaker, I wish to speak briefly to this point of order since the hon. member has referred to Standing Orders to make his point. What the President of the Treasury Board (Mr. Johnston) said was that there was no evidence that the Canadian Press wire story has been published. And this has not been denied yet. On the contrary, what the Canadian Press says is not to release the information before the estimates have been tabled. So in order for you to make a ruling the House must have evidence that indeed release has occurred before the estimates were tabled. This essential fact has not been substantiated and even if it were, I would refer you to the remarks I have just made.

[*English*]

Mr. Baker (Nepean-Carleton): On the same point of order, Madam Speaker, I have been handed what purports to be a press release, and it says, "Advance—for release by wire, possibly about 3.45 p.m.", estimated today.

An hon. Member: Eastern standard time.

Mr. Baker (Nepean-Carleton): Eastern standard time, and it is headed: "Highlights of the spending estimates for 1981-82 fiscal year tabled in the Commons Wednesday."

An hon. Member: What's the department?

Mr. Baker (Nepean-Carleton): That is what I have here and I am going to show it to you, Madam Speaker. As I under-

stand it, your duty with respect to the question of privilege which I moved is to see whether there is a prima facie case of privilege; it will be up to the House to decide whether it goes to a committee or otherwise. That is the duty.

• (1750)

I think it is the duty of a Member of Parliament, notwithstanding what the President of the Treasury Board says, when there is a possibility that the privileges of members have been breached, to raise the matter if he feels he should. I feel that I should, Madam Speaker. I do not accept for one moment the appellation placed upon me by the President of the Treasury Board in a transparent defence of an obvious breach of the rights of Members of Parliament.

Some hon. Members: Hear, hear!

Hon. Sinclair Stevens (York-Peel): Madam Speaker, in supporting the question of privilege raised by my colleague, the hon. member for Nepean-Carleton (Mr. Baker), I should like to mention a few things that have gone unstated so far. Frankly, I find it amazing that the President of the Treasury Board (Mr. Johnston) faced with this serious infraction, should turn and accuse Members of Parliament for sharing what is already public information. How can that minister more effectively show the contempt in which he holds Members of Parliament. To say that we cannot share the same information—

Mr. Blais: It was not published.

Mr. Stevens: —that the press gallery is sharing at the present time—

Mr. Blais: Prove that it was published.

Mr. Stevens: It was published.

An hon. Member: Prove it.

Mr. Stevens: The President of the Privy Council (Mr. Pinard) has asked how we can prove that it was published. If this matter is referred to the appropriate committee I will be able to tell that committee that if any member of this House had gone to the proper print machine at Canadian Press they would have seen what I now have in my hand as copy coming off the Canadian Press machine. I personally took ten pages of the information that was put out over the Canadian Press wire and had it copied on our own facilities in the House of Commons.

Some hon. Members: Shame!

Mr. Stevens: The fact is that this is information any member attending the press gallery could openly get. For the President of the Privy Council and the President of the Treasury Board in their desperation to say now that perhaps it was not published, is absolutely ludicrous.

Not only was this information published but it was published with this lead: "Advance—for release by wire, possibly about 3.45 p.m. EST."

Mr. Pinard: Read the last line.

Mr. Evans: Read it all.

Mr. Stevens: Madam Speaker, I would point out to you that the Toronto Stock Exchange did not close until four o'clock, so this was actually out on the wire at least 15 minutes ahead of the closing of the Toronto Stock Exchange. It reads in part:

OTTAWA (CP)—Highlights of the spending estimates for the 1981-82 fiscal year tabled in the Commons Wednesday: Total government outlays will increase 13 per cent to $67.6 billion—a spending rate of about $129,000 a minute . . . Interest charges on the national debt—$137 billion as of April 1—will cost the average taxpayer $795 in the fiscal year.

It goes on to say:

The public service will climb by 1 per cent to 315,680 persons.

Mr. Pinard: You are announcing it.

Mr. Stevens: Here is where it gets very interesting. It goes on to say:

The annual spending predictions tabled in the Commons by Treasury Board President Donald Johnston are up from $59.9 billion a year ago and work out to about $129,000 a minute.

I want to emphasize that this is a wire that has gone out from coast to coast saying that the minister has already tabled the estimates for 1981-82 in this House.

Mr. Pinard: It was not published.

Mr. Stevens: The press release goes on to say:

The hefty blue book of spending plans—

Madam Speaker: Order, please. I just informed the House that it was important for hon. members speaking on a question of privilege to discuss the privilege. I do not think I need have the hon. member read the full press communiqué to the House. In the interest of saving the time of the House I would ask him to discuss the privilege, and not necessarily quote so extensively from the press communiqué, unless he feels it is very pertinent to his question of privilege.

Mr. Stevens: Madam Speaker—

Mr. Blais: A point of order, Madam Speaker.

Madam Speaker: I can't hear.

[*Translation*]

Hon. J. J. Blais (Minister of Supply and Services): Madam Speaker, on a point of order. You have indicated that the hon. member should confine his remarks to the matter under discussion.

Quite simply in order to reinforce your decision, I would like to indicate to the hon. member that with regard to the documents he is now reading to you, he has failed to give you

the most important words, the last ones, which are addressed to all Canadian Press editors and I quote.

[*English*]

It says the House is still debating the questions of privilege and there is no indication when the advance copy on the estimates will be released.

[*Translation*]

Madam Speaker, I want to draw your attention to the fact that on all the documents read to you by the hon. member the following words are to be found:

[*English*]

"Guard against premature release."

[*Translation*]

Madam Speaker, the combination of both indicates that there has not been any release under the agreement between the government and the press.

[*English*]

Mr. Oberle: Madam Speaker, Madam Speaker—

Madam Speaker: I must interrupt the hon. member for York-Peel (Mr. Stevens) as the hon. member for Prince George-Peace River (Mr. Oberle) is rising on a point or order.

Mr. Oberle: Madam Speaker, I am rising on the same point of order simply to ask the minister a question. I should like to ask him, through you, if he is an editor of Canadian Press because—

Some hon. Members: Oh, oh!

Madam Speaker: Order. That is not a point of order. It is debate. The hon. member for York-Peel was speaking on the question of privilege and I will have to continue to hear him because that was not a point of order.

Mr. Oberle: Madam Speaker—

Madam Speaker: It was not a point of order.

Mr. Oberle: Was his a point of order?

Madam Speaker: Neither. The hon. member for York-Peel.

Mr. Stevens: Madam Speaker, a point of order.

Madam Speaker: The hon. member for Timiskaming (Mr. Lonsdale) on a point of order.

Mr. Stevens: Madam Speaker, the reason I referred to the wire story saying "tabled" was because that showed how this question of privilege is clearly in order. Surely the interruptions—

Madam Speaker: The hon. member for Timiskaming on a point of order. I am sorry, but I have to advise the House that when someone gets up on a point of order I must recognize and hear that hon. member, at least until I realize it is not a point of order. I hope this one is.

Mr. Lonsdale: Madam Speaker, I am referring to the point raised by the Minister of Supply and Services (Mr. Blais). The hon. member for Nepean-Carleton (Mr. Baker), and the hon. member who spoke previously on the question of privilege, have not brought any evidence that their privileges have been breached because there is no evidence—

Some hon. Members: Order, order!

Madam Speaker: Order, order!

Mr. Lonsdale: There is no evidence—

Madam Speaker: I am afraid that is argument and I cannot allow it. The hon. member for York-Peel.

Mr. Stevens: Madam Speaker, surely even members on the government side will see how ludicrous their argument is. They asked how we know it had been published and then they stood up reading from it a few short moments ago.

Some hon. Members: Hear, hear.

Mr. Stevens: The Minister of Supply and Services (Mr. Blais) rose on a point of order saying he wanted you to know certain other sentences that were in the wire story going coast to coast. Then hon. members stand and ask how we know it has been published. Clearly the wire story not only refers to the minister tabling in this House, which has not occurred, but it goes on to say, "The hefty blue book of spending plans for the fiscal year 1981-82 beginning—."

Madam Speaker: Order. It is now six o'clock. Will hon. members allow me to say, "Thank God." After all, I have been four hours in the Chair.

The House stands adjourned until two o'clock tomorrow pursuant to Standing Order 2(1).

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

APPENDIX "A"

MINISTERIAL GEOGRAPHIC RESPONSIBILITIES

NEWFOUNDLAND	HONOURABLE BILL ROMPKEY
NOVA SCOTIA	HONOURABLE ALLAN MacEACHEN
NEW BRUNSWICK	HONOURABLE ROMÉO LeBLANC
PRINCE EDWARD ISLAND	HONOURABLE GERALD REGAN (ACTING)
QUEBEC	HONOURABLE MARC LALONDE
ONTARIO	HONOURABLE HERB GRAY
MANITOBA	HONOURABLE LLOYD AXWORTHY
SASKATCHEWAN	SENATOR HAZEN ARGUE
ALBERTA	SENATOR BUD OLSON
BRITISH COLUMBIA	SENATOR RAY PERRAULT
YUKON	HONOURABLE JOHN MUNRO
NORTHWEST TERRITORIES	HONOURABLE JOHN MUNRO

QUEBEC REGIONAL RESPONSIBILITIES

MONIQUE BÉGIN	Saint-Léonard—Anjou
	Bourassa
	Gamelin
	Hochelaga—Maisonneuve
	Laurier
	Mercier
	Rosemont
	Saint-Jacques
	Saint-Michel
	Sainte-Marie
PIERRE BUSSIÈRES	Charlesbourg
	Louis-Hébert
	Montmorency
	Portneuf
	Québec-Est
JEAN CHRÉTIEN	Saint-Maurice
	Berthier—Maskinongé
	Champlain
	Gatineau
	Hull
	Pontiac—Gatineau—Labelle
	Trois-Rivières
PIERRE DE BANÉ	Matapédia—Matane
	Bonaventure—Île-de-la-Madeleine
	Gaspé
	Kamouraska—Rivière-du-Loup
	Rimouski
FRANCIS FOX	Blainville—Deux-Montagnes
	Argenteuil
	Duvernay
	Joliette
	Labelle
	Laval
	Laval-des-Rapides
	Terrebonne
DONALD JOHNSTON	Saint-Henri—Westmount
	Dollard
	Lachine
	LaSalle
	Notre-Dame-de-Grâce
	Saint-Denis
	Vaudreuil
	Verdun
MARC LALONDE	Outremont
GILLES LAMONTAGNE	Langelier
	Beauce
	Bellechasse
	Frontenac
	Lévis
	Lotbinière

QUEBEC REGIONAL RESPONSIBILITIES

CHARLES LAPOINTE	Charlevoix
	Abitibi
	Chicoutimi
	Jonquière
	Lac-Saint-Jean
	Manicouagan
	Roberval
	Témiscamingue
ANDRÉ OUELLET	Papineau
	Beauharnois—Salaberry
	Chambly
	Châteauguay
	Laprairie
	Longueuil
	Saint-Hyacinthe
	Saint-Jean
	Verchères
YVON PINARD	Drummond
	Mégantic—Compton—Stanstead
	Missisquoi
	Richelieu
	Richmond
	Shefford
	Sherbrooke
PIERRE TRUDEAU	Mount-Royal

ONTARIO REGIONAL RESPONSIBILITIES

JEAN-JACQUES BLAIS	Nipissing
	Cochrane
	Grey—Simcoe
	Parry Sound—Muskoka
	Renfrew—Nipissing—Pembroke
	Simcoe North
	Timiskaming
	Timmins—Chapleau
PAUL COSGROVE	York—Scarborough
	Durham—Northumberland
	Ontario
	Oshawa
	Peterborough
	Scarborough East
	Scarborough Centre
	Scarborough West
JUDY EROLA	Nickel Belt
	Algoma
	Kenora—Rainy River
	Sault Ste. Marie
	Sudbury
	Thunder Bay—Atikokan
	Thunder Bay—Nipigon
JIM FLEMING	York West
	Brampton—Georgetown
	Etobicoke Centre
	Etobicoke North
	Mississauga North
	Mississauga South
	York—Peel
	York South—Weston
HERB GRAY	Windsor West
	Erie
	Lincoln
	London East
	London—Middlesex
	London West
	Niagara Falls
	St. Catharines
	Welland
BOB KAPLAN	York Centre
	Broadview—Greenwood
	Don Valley East
	Don Valley West
	Simcoe South
	Willowdale
	York East
	York North

ONTARIO REGIONAL RESPONSIBILITIES

ED LUMLEY	Stormont—Dundas	JEAN-LUC PEPIN	Ottawa—Carleton
	Glengarry—Prescott—Russell		Lanark—Renfrew—Carleton
	Hastings—Frontenac		Nepean—Carleton
	Kingston and the Islands		Ottawa Centre
	Leeds—Grenville		Ottawa—Vanier
	Northumberland		Ottawa West
	Prince Edward—Hastings		
	Victoria—Haliburton		
		JOHN ROBERTS	St. Paul's
MARK MacGUIGAN	Windsor—Walkerville		Beaches
	Brant		Davenport
	Cambridge		Eglinton—Lawrence
	Essex—Kent		Etobicoke—Lakeshore
	Kitchener		Parkdale—High Park
	Perth		Rosedale
	Waterloo		Spadina
	Wellington—Dufferin—Simcoe		Trinity
JOHN MUNRO	Hamilton East	EUGENE WHELAN	Essex—Windsor
	Guelph		Bruce—Grey
	Haldimand—Norfolk		Elgin
	Halton		Huron—Bruce
	Hamilton Mountain		Kent
	Hamilton—Wentworth		Lambton—Middlesex
	Hamilton West		Oxford
	Burlington		Sarnia

HOUSE OF COMMONS

Thursday, February 26, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

METRIC CONVERSION

SUGGESTION FARMERS BE PERMITTED TO USE IMPERIAL MEASUREMENT SYSTEM—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Merci beaucoup, madame le Président. I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas farmers across Canada do use, and want to continue to use imperial measurements, pecks, bushels and tons, to measure their products, and the Canadian Wheat Board is endeavouring to impose metric tons on the farmers, which makes the producers foreigners in their own country, therefore I move, seconded by the hon. member for Lethbridge-Foothills (Mr. Thacker):

That the government permit farmers to continue to use their imperial measurements, and if the Canadian Wheat Board wants to use metric let it do the conversion in its head office but issue all measurements to farmers in imperial bushels and tons.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EMPLOYMENT

COMMITMENT TO PROVIDE JOB-TRAINING PROGRAMS—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, under the provisions of Standing Order 43 I rise on a matter of urgent and pressing necessity. The CNR has refused to honour its commitment to the CBRT & GW Local 14 in Halifax for the training of employees in other job areas. This refusal to honour the training provision is an example of the lack of concern that the government has for jobs in this country, and particularly its lack of concern for the future of our youth. I therefore move, seconded by the hon. member for Prince George-Bulkley Valley (Mr. McCuish):

That the House insist that the Liberal government live up to its commitment to provide job-training programs and that it provide the youth of this country with a hope for their future which they are presently denied.

Madam Speaker: Is there unanimous consent to this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

LABOUR RELATIONS

B.C. TELEPHONE COMPANY DISPUTE—SUGGESTED ROLL BACK OF RATE INCREASE—MOTION UNDER S.O. 43

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the foreign-owned B.C. Telephone Company has refused to end the 14-month dispute with its workers despite the excellent efforts of federal mediator Bill Kelly, and since, because of the current strike lockout the company is in a position to rake in massive profits while its wage bill is sharply reduced, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles);

That the cabinet use its powers under the National Transportation Act to roll back the February 2, 1981, CRTC granted rate increase until B.C. Tel ceases its blackmail demands of still further rate hikes and agrees to sign the Kelly settlement package.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

REGIONAL DEVELOPMENT

AID SOUGHT FOR SYDNEY STEEL CORPORATION—MOTION UNDER S.O. 43

Mr. Howard Crosby (Halifax West): Madam Speaker, I rise under the provisions of Standing Order 43. Sydney Steel Corporation provides direct and collateral employment for thousands of persons, and is the backbone of the economy in Cape Breton in Nova Scotia. The failure of the federal government to date to fulfil its election promise of financial assistance to revitalize the steel plant has endangered this employment, demoralized the work force, and threatened the whole

economy. Therefore I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House direct the government to honour its promise to Sydney Steel Corporation and to Nova Scotians by providing the financial assistance required to revitalize the steel plant in accordance with the business plan submitted to the government.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. A recent article in the Brazil *Herald* describes Prime Minister Trudeau's visit in true form. In an entirely unprecedented situation, the Prime Minister is reported to have thoroughly embarrassed Brazilian soldiers by handing them bars of German soap while they were lined up to present military honours. I move, seconded by the hon. member for Red Deer (Mr. Towers):

That this House direct the Prime Minister to come clean, make a formal apology to the Brazilian government, and that he promise this House that in the future he will make diplomatic exchanges with Canadian soap, not foreign soap, and, above all, not soft soap.

Some hon. Members: Hear, hear!

* * *

● (1410)

METRIC CONVERSION

APPLICATION TO AGRICULTURAL CHEMICAL CONTAINERS—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the agricultural chemical industry is being forced to convert to the metric system so that future chemical containers will bear only the metric application measurements without equivalent imperial units shown for comparison and ease of conversion, and whereas miscalculations of the metric measurements could mean misapplication with disastrous results for farmers and the possible loss of an entire crop, I move, seconded by the hon. member for Assiniboia (Mr. Gustafson):

That this House take the necessary action to ensure that equivalent application rates in imperial units be displayed on all agricultural chemical containers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDUSTRY

WHITE MOTOR CORPORATION—DELAY RESPECTING FARM MACHINERY DIVISION—MOTION UNDER S.O. 43.

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, under the provisions of Standing Order 43, I want to raise the following matter. White Motor Corporation's continued delays in reaching a decision to sell its farm machinery division is causing great hardship not only to the approximately 1,100 workers laid off in Brantford, but also to its Kelowna, B. C. truck plant employees and its dealers across the country.

Close to 75 per cent of its export production has already been lost, and production for its Canadian market must be commenced immediately or that too will disappear. I therefore move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House unanimously endorse the sending of an urgent message to the president of White Motor Corporation in the United States informing him that the Canadian Parliament expresses extreme concern over the potential job loss if further delays are encountered and asking that an immediate decision be made.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HOUSING

CUTS IN SOCIAL HOUSING BUDGET—MOTION UNDER S.O. 43

Mr. Frank Oberle (Prince George-Peace River): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. Having regard to the fact that the government once again has misaligned its priorities in that commitments made respecting social housing programs have been betrayed, and that programs to which the government was committed under Section 40 of the Housing Act have never been delivered effectively in rural and northern areas of our country, and since energy and other input costs not considered by the program made it prohibitive for most northerners to participate, for whom the program was intended, I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That recent spending cuts in the social housing areas announced by the minister responsible for housing should not affect any programs that fall under Section 40 of the Housing Act and that such programs instead be strengthened in a manner which will account for the peculiar circumstances in the north with respect to high fuel and energy costs and other factors contributing to excessive and disproportionate living expenses.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PUBLIC SERVICE

DISPUTE INVOLVING VETERINARIANS IN ONTARIO AND QUEBEC—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. This morning most of the veterinarians employed by the health of animals branch inspecting slaughter houses and abattoirs serving Ontario and Quebec decided, for some reason, to be sick. A number of poultry and meat processing plants are unable to operate.

Because of the ineptness of the Treasury Board in organizing a proper contract with inspection staff, our food supply is now endangered. I therefore move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid).

That the President of the Treasury Board who has shown incompetence in handling labour relations with air traffic controllers, postal workers and now with veterinarians, immediately submit his resignation, and that this House direct the Prime Minister to appoint someone competent to handle this portfolio so that Canadians can depend on essential services.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

NATIONAL ENERGY PROGRAM

REPRESENTATIONS MADE BY UNITED STATES AND EUROPEAN COUNTRIES

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker—

Some hon. Members: Hear, hear!

Mr. Clark: After a while you get used to all of this.

Some hon. Members: Oh, oh!

Mr. Clark: My question is to the Secretary of State for External Affairs and has to do with energy matters. He will have seen reports that the United States and perhaps member nations of OECD have expressed concern that the federal government's energy policy might breach certain international agreements. The minister will recall that on December 18, in a correction to an answer he had given me to a question, he said

that American representations were "in the nature of comments and requests for clarification, and that successful discussions have since taken place with U.S. officials which reassured them." Does that statement stand that U.S. officials have been reassured, or have there been new developments to cause that statement to stand no longer? Can the minister tell us whether foreign representations regarding our energy policy were received as early as November 7, 1980?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I think it is fair to say that U.S. reaction to our energy program has sharpened in recent weeks, perhaps as a result of U.S. domestic pressures, perhaps as a result of the forthcoming visit of the President. In any event, we have received notice from the United States and indications from the European community of concern about some aspects of our National Energy Program. I should say that with respect to the two principal international instruments in question, on the Declaration of International Investment of the OECD, the Minister of Finance specifically entered a reservation in 1976, or rather an interpretation since it was a non-binding declaration, in which he said at that time that we would not be constrained with respect to the problem of foreign ownership in Canada by this declaration, and with respect to the GATT, the other instrument under which our action could be challenged, we said that we will not use the "buy Canadian" provisions in Bill C-48 in such a way as to contravene our obligations under the GATT.

Mr. Clark: I thank the Secretary of State for External Affairs for that information which indicates that American concerns at least have sharpened since that day in December when the minister thought the Americans had been reassured. The minister made reference to European nations, and to various of the other international obligations to which Canada is subject. Can the minister tell us specifically which other countries, whether in Europe or elsewhere, have made representations to Canada suggesting that our National Energy Program is in breach of the GATT, the International Energy Agency requirements, OECD requirements, or in breach of any other treaty or obligation to which Canada should be held? Can he tell us which other countries have indicated that kind of concern?

Mr. MacGuigan: To the best of my recollection, the questions have been asked by the United States and the European community speaking as a whole.

REQUEST FOR TABLING OF CORRESPONDENCE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the minister indicated that was to the best of his recollection. We would naturally like him to verify his recollection and make clear to us what objections have been received. I again emphasize that we are not concerned simply about IEA or OECD, but any obligations which Canada might have under any bilateral or multilateral treaty or undertaking which might be breached by this policy.

In light of the change in attitude by the Americans with regard to the very real importance to this country of having Canadian control over the Canadian energy industry, and the interest in this House in knowing exactly what parts of the program are at issue, will the minister confirm that ministers of the government have received letters from the United States? Will he agree to table those letters in the House of Commons so that everyone in this Parliament will know what is at issue between Canada and the United States and between Canada and other countries which might believe that Canada is acting in a way that breaches obligations?

● (1420)

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I do not believe that we would be at liberty to table such documents. We will have to find some other way of making the issues well known to the members of this House and to the Canadian public.

The Right Hon. Leader of the Opposition has also mentioned the IEA. I might add, with respect to our international obligations there, that of course there may be some concern on the part of other countries that one of the effects of our national energy policy will be to give a certain advantage to Canadians trading abroad. We believe that, if that is the case, it is the same thing as natural advantages which other countries may have in the international trading sphere, and it is a consequence which we are prepared to endure.

Some hon. Members: Hear, hear!

* * *

PETRO-CANADA

INSTRUCTIONS RESPECTING ACQUISITION PRACTICES

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is to the Minister of Energy, Mines and Resources. The minister, I know, is aware of the fact that a $400,000 profit was made on the sale of shares by four officers of Petrofina just prior to the Petro-Canada acquisition announcement. This illustrates the kind of profit that can be made if there is a degree of speculative activity surrounding these takeovers that Petro-Canada will be entering into in the years and months ahead.

The minister referred in a vague way, in answer to another question that I put to him some days ago, to "standing operating instructions to all Crown corporations ... and to Petro-Canada in particular." My question to the minister is, would he now state what those procedures are, would he table them in the House, and would he make it clear that these are procedures that we would hope would avoid the types of leaks which have resulted in these large profits being made by people associated with takeovers and would avoid having the price of shares driven up in anticipation of a takeover offer being made by Petro-Canada?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I know of no written instructions; they are standing instructions which are to follow the normal business practices in all aspects of the laws of the land. I have indicated that on the basis of past experience with previous takeovers, and my examination of what has happened in this particular case, Petro-Canada behaved in the best of ways in dealing with this particular issue.

If there has been speculation and then some profits made by some members of the management of Petrofina, or people of that nature, obviously this is a matter over which I would not have particular control. It is a matter that has to do with the seller and the management of its own operations.

I want to assure the hon. member, as I have indicated, that any specific information would be drawn to the attention of the proper authorities, if he has any. Some information has been tabled by Petrofina before the Ontario Securities Commission. It is examining this at the present time. In addition, I have referred this additional information to my colleague, the minister responsible for consumer and corporate affairs, to ensure that the provisions of the Canada Corporations Act have been respected by Petrofina Canada.

Mr. Wilson: Madam Speaker, the minister referred, and I quote, specifically to "standing operating instructions ... to Petro-Canada in particular". I have asked the minister to table the standing instructions to Petro-Canada in particular which will avoid these speculative leaks in the future, because Petro-Canada is a company that will be making these takeover bids, takeover bids that have been done sloppily, as this one has been, and it will cost Canadians a lot of money in the future.

My supplementary question, Madam Speaker, is this: has the minister, since these shares were sold pursuant to share options which had been exercised by the officers of Petrofina, received a report relating to the issue of these share options? Can the minister assure the House that the options which were exercised in January were not issued after early September when the negotiations started with Petrofina, but were issued prior to that date?

● (1425)

Mr. Lalonde: Madam Speaker, I would like to remind the hon. member who has had some experience in this regard that the price paid by Petro-Canada for Petrofina was felt to be appropriate in the circumstances and was judged so by most investment analysts. If there has been any profit taking by some members of management in this regard, it will have been profit-taking at the expense of other shareholders of Petrofina. This is a matter which is properly for the securities commission, the stock exchanges, and the corporation branch of the Department of Consumer and Corporate Affairs to examine under the Canada Corporations Act also. This will be done.

With respect to the specific question asked by the hon. member, I have indicated to him that I know of no written instructions as such. The standard instructions are that Petro-Canada run its operations like any other business would do. I

am not just confident but convinced that Petro-Canada managed its negotiations in the way these things should be managed in any business deal or in any business negotiations. I am quite convinced that there has been no leak of information from Petro-Canada in this regard. I have checked this matter personally. If there is additional evidence which can be brought forward, I will obviously have it investigated thoroughly, but there has to be some evidence, which is more than just vague allegations, to charge that anything improper might have been done by anybody having anything to do with Petro-Canada.

* * *

VETERANS AFFAIRS

DELAY IN PAYMENT OF PENSIONS TO WIDOWS OF VETERANS—REQUEST FOR REMEDIAL ACTION

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, my question is for the acting Minister of Veterans Affairs. My colleagues decided that this question should be our first one today in order to indicate our concern that there should be no further delay in the introduction of legislation respecting veterans and their survivors.

In view of the fact that many widows are having to wait four, five or six years for pensions to which they are entitled by a law passed by this Parliament last July, can the minister now say when he will be bringing in legislation to eliminate or shorten the phasing-in period in that legislaiton?

Hon. J. Gilles Lamontagne (Minister of National Defence and Acting Minister of Veterans Affairs): Madam Speaker, I appreciate very much the concern of the hon. member for Winnipeg North Centre about the veterans' question. I can assure this House that I am just as concerned that some improvement can be made to the present system for pensions. I can assure the hon. gentleman that I am examining this question today with my officials in the ministry. We will have a meeting next week with Legion officials to see what their preferences are with respect to improving the lot of veterans.

The following three questions will probably be debated: accelerating the phasing-in of widows' pensions over six and a half years and less; increasing the WVA single rate to persons under age 65; and extending the aging veterans program to include war veterans allowance recipients. These three major questions will be discussed at these two meetings, and I can assure the hon. member that I will be as diligent as possible in trying to introduce legislation in this House, provided our financial capabilities are there.

ADJUSTMENT OF BENEFIT RATES

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I am pleased to hear about next week's meeting and the attention which is being given to these matters. Will the Acting Minister of Veterans Affairs also put on that list the need to adjust the 100 per cent basic rate of the disability pension so that it will automatically stay in line with the average take-home pay of the five categories in the public service designated in 1972, and will he also consider the possibility of reviewing the rates of compensation for former prisoners of war?

Hon. J. Gilles Lamontagne (Minister of National Defence and Acting Minister of Veterans Affairs): Madam Speaker, I can assure the hon. member that we will look at these two questions in addition to the ones I just mentioned. I appreciate the collaboration of hon. members every time we present legislation in this House. I am sure that regardless of what we present in the future for veterans, hon. members will not be disappointed. As usual, this government will look after them.

• (1430)

Mr. Knowles: Madam Speaker, may I ask the acting minister when he makes his representations to cabinet to remind his cabinet colleagues that the Canadians about whom we are talking did not exercise restraint when they were called to serve their country and that the present so-called restraint policies should not apply to these veterans or their survivors?

Mr. Lamontagne: Madam Speaker, judging by decisions this government has passed with respect to veterans, I do not think a member of cabinet, the present and previous members of cabinet of this government, have ever exercised restraint as far as improving the lot of our veterans is concerned.

Some hon. Members: Hear, hear!

* * *

CORPORATE AFFAIRS

INVESTIGATION OF MATTERS RELATING TO ACQUISITION OF PETROFINA

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my question is for the Minister of Consumer and Corporate Affairs. It refers to the question of the alleged profits made by insiders on the Petrofina-PetroCan deal. The minister has just heard his seatmate, the Minister of Energy, Mines and Resources say that there is an investigation taking place into this matter by the ministry of Consumer and Corporate Affairs. My question to him is: what date was this investigation started? What is the legislative authority for conducting it? What are the terms of reference of the investigation?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I think the hon. member did not understand correctly what my seatmate was saying.

Mr. Hnatyshyn: Nobody ever does.

Mr. Ouellet: What I can confirm, though, is that, at the request of my seatmate, my officials are looking into this matter under the provisions of the Canada Business Corpora-

tions Act. I will be pleased to report to the House the results of the investigation which my officials will be making under the provisions of the act, with respect to this allegation.

Mr. Lawrence: I do not know what sort of fine point we are entering into here with the minister's language problems, when he says that looking into a problem is not necessarily an investigation of it. My questions to him were: under what legislative authority can there be an investigation? What is it? Who is looking into it? It is as simple as that. What are the terms of reference? What is the problem they are looking into? Who gave them the authority to look into it? What are the terms of reference of it? It is simple enough.

[*Translation*]

Mr. Ouellet: Madam Speaker, it is clear, I think, that under the provisions of the act the director of my department's corporations branch must ensure that the law is respected. The hon. member is asking what the terms of reference are. The very provisions of the act require that the director make sure that the interests of all those who hold shares in a company are protected and that all shareholders are treated on an equal footing. If privileged information was given to certain shareholders to the detriment of others it is the duty of the director to seek out the truth and I think that is what he is doing in the normal course of his duties.

* * *

[*English*]

NATIONAL ENERGY PROGRAM

DEVELOPMENT OF NEW BRUNSWICK OIL SHALES

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. The National Energy Program underestimates the potential and possibilities of the New Brunswick oil shales in Albert County. It is reliably estimated that there could be as much as 50 billion barrels in those shales, which is as much as the Hibernia field. Should the government give that potential its proper and due recognition, it could have a tremendous positive effect in Atlantic Canada, particularly with regard to security of energy supply and, of course, job creation for the entire region. My question to the minister is: what is the government's position with reference to this very exciting possibility?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I must say to the hon. member that the government is obviously very interested in the development of all existing Canadian reserves of hydrocarbons, particularly petroleum. The matter to which the hon. member is referring, that is whether there are certain reserves to be developed, is well known to the industry and the government and I can assure him that if it is possible to carry out the profitable development of those reserves it will be done of course.

[*English*]

Mr. Corbett: Madam Speaker, the government has offered Saskatchewan a five-year, $50 million heavy oil research and development program. The Government of New Brunswick has approached the federal government to participate in an R and D program which is substantially more modest than the offer to Saskatchewan. My supplementary question to the minister is: can Atlantic Canada expect a favourable response to its request and the same sort of generous support that the government seems so anxious to give to the west?

[*Translation*]

Mr. Lalonde: Yes, Madam Speaker.

* * *

[*English*]

THE ENVIRONMENT

ACID RAIN—EFFECT ON SALMON STOCKS IN ATLANTIC CANADA

Miss Coline Campbell (South West Nova): Madam Speaker, my question is for the Minister of State for Science and Technology and Minister of the Environment. It is now obvious that acid rain from sulphur dioxide and nitric oxide emissions is causing severe damage to Atlantic Canada. It is admitted that acid rain causes fatality to marine life, damage to soils, forests, and damage to structures. We have been told recently by Pat Schnut, chief, chemical hazards, Department of Fisheries and Oceans, that acid rain is causing the loss of 10,000 to 12,000 adult salmon. We have also been advised—

Some hon. Members: Question!

Madam Speaker: Order, please. Could the hon. member get to her question, please.

Miss Campbell: We have also been advised that at least seven Atlantic salmon spawning streams are—

Some hon. Members: Question!

Miss Campbell: —so acidic that salmon reproduction no longer occurs. Can the minister tell me what he plans to do to eliminate the effects of acid rain in Atlantic Canada?

Some hon. Members: Hear, hear!

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, clearly the hon. member is very right to be concerned with this question.

Some hon. Members: Hear, hear!

Mr. Roberts: Madam Speaker, I am glad to see that even members opposite appreciate the seriousness of the situation.

Some hon. Members: Hear, hear!

Mr. Roberts: The hon. member should know that the government has taken the decision to increase very significantly the funds available for acid rain research. Much of it will be used to develop strategies for combating the impact of acid rain on fish spawning grounds in the Atlantic provinces.

I know that the House of Commons subcommittee on acid rain will be visiting Nova Scotia soon. I hope that the visit will help make people in Canada, particularly people in that region, more aware of the significance of this problem.

Generally speaking, we are pressing ahead as vigorously as we possibly can with the signature of international accord with the United States government to help regulate this problem. It will be a subject of major importance on the agenda of discussions with the President of the United States when he visits Canada in early March.

* * *

FISHERIES

REGULATION OF WEST COAST FISHERIES—IMPACT ON KATZIE INDIAN BAND

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my question is for the Minister of Fisheries and Oceans. The minister must be aware of the controversy and concern which have greeted his new proposed regulations for fisheries on the west coast, especially as they affect the Fraser River and its closure. A particular Indian band, the Katzie band, in my riding near Pitt Meadows, depend on the Fraser gill-net fishery for 90 per cent of their income. They are protesting this closure in the strongest possible terms on two basic grounds. First, it is unfair because it hits one fishery and leaves the others relatively unscathed. Two, it is ineffective as a conservation measure.

As a result of these two basic grounds I have two questions for the minister. What steps does the minister intend to take to compensate these people, both native and non-native fishermen, if he does go ahead and proceeds with the full closure for the 1981 season? Will the minister reconsider placing a moratorium on the implementation of these regulations until the department and the minister himself can resume the consultative process which has not functioned for at least six months?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the hon. member says these measures are unfair. The fact is that all groups have found that the measures we have taken have been difficult to accept and many groups have protested, exactly as the group mentioned by the hon. member. However, the reality is that the Chinook stocks of the Fraser are very badly in need of protection. That is what we are endeavouring to do.

I have said to the hon. member before that we are trying to find alleviation and alternatives for those who will lose all opportunities, or most opportunities, of being engaged in the fishery. I have not excluded the possible measure of meeting with groups which are very directly affected. Certainly that group on the Fraser is being hampered and hurt, which I recognize.

As for the question of a moratorium or reconsidering, I have indicated if conservation measures can be effected in other ways, aside from the way we have proposed, that I am willing to look at them. The difficulty is that everyone wants to have his group exempted and other groups to pay the costs of conservation. That is not possible.

● (1440)

DISCUSSIONS WITH U.S. AUTHORITIES

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I agree with the minister that conservation measures need to take place, and that some other groups are also being affected, but the department has strangled the Fraser gill-net fishery.

Aside from the years of mismanagement which have taken place, the habitat destruction, the lack of enforcement in terms of illegal fishing, the pollution, or you name it, there are more Fraser-bound Chinook caught by the San Juan and Point Roberts American fisheries than will be saved by cutting off the Fraser for this year.

I should like to know what the minister intends to do to seek some kind of an agreement with the Americans so that they, instead of destroying our Chinook stock, can help save them?

Some hon. Members: Hear, hear!

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, we have been in communication with the United States authorities on this very question. My hope is that they will respond positively. They have indicated that they understand the Canadian problem. I think it will be a test of their good faith in the coming negotiations on the salmon interception problem and the whole area of interception between Canadian and American fishermen if they respond to the conservation measures we have taken. I will inform the hon. member when I receive an answer.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF SPEAKER OF NEWFOUNDLAND LEGISLATURE

Madam Speaker: I should like to draw the attention of members of the House to the presence in our gallery of a distinguished colleague, the Speaker of Newfoundland, the Honourable Leonard Simms.

Some hon. Members: Hear, hear!

PRESENCE IN GALLERY OF SECRETARY OF COMMERCE OF MEXICO

Madam Speaker: Also I should like to draw the attention of members of the House to the presence in our gallery of a

distinguished guest who just arrived, the Honourable Secretary of Commerce for Mexico, Mr. Licenciado Jorge de la Vega Dominguez.

Some hon. Members: Hear, hear!

* * *

CANADIAN PACIFIC RAILWAY

VALUE OF LAND AND MINERAL RIGHT GRANTS

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, my question is directed to the Minister of Transport. Could he explain to the House if he plans to initiate a study into the present day asset value of land and mineral rights which were granted to CPR in past years?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, mention has been made of that. It will be a decision for cabinet to make.

Mr. McKnight: Madam Speaker, I do not know the pecking order of the minister's cabinet. If it is not government policy and there has not been a cabinet decision on it, why is it that his assistant in the Senate, Senator Argue, was quoted yesterday in the Saskatoon *Star Phoenix* as saying that he will have it initiated before the end of this year?

Mr. Pepin: Madam Speaker, it is traditional in democratic governments when a decision has not been made by cabinet for members of the cabinet to express their views.

Some hon. Members: Oh, oh!

* * *

PUBLIC SERVICE

DISPUTE INVOLVING VETERINARIANS IN ONTARIO AND QUEBEC—EFFORTS TO REACH SETTLEMENT

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, my question is directed to the President of the Treasury Board. Salary negotiations have reached an impasse between veterinarians employed by the health of animals branch of Agriculture Canada and the Treasury Board. It has culminated today in strike action by veterinary inspectors in Ontario and Quebec closing all the federally-inspected abattoirs in Quebec and most of them in Ontario. In view of the fact that a general strike across Canada would have disastrous results for consumers, the livestock industry, the meatpacking industry and our exports, will the President of the Treasury Board intervene personally, meet with representatives of the veterinary group and bargain in good faith to formulate a salary schedule which will recognize a long overdue inequity to this group of dedicated public servants?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, my understanding is that both parties have been negotiating in good faith. There appears to have been an illegal walkout and I would hope that matters will return to normal in a matter of hours. It is also my understanding that considerable progress has been made through a mediator. I suspect a fair and just settlement will be reached in the very near future.

Mr. Mitges: Madam Speaker, my supplementary question is directed to the same minister. The health of animals branch recognizes that there has been a big problem in recruiting veterinarians for some time. According to the Public Service Commission of Canada there is already a veterinary vacancy rate of 32.4 per cent, caused primarily by a totally unacceptable low salary range. In view of the fact that no apparent effort has been undertaken to alleviate this very serious situation, would the President of the Treasury Board not agree that a starting salary of $17,660 for veterinarians in federal government service is not only a deterrent to recruitment, but an insult beyond any stretch of the imagination to every veterinarian in the country being offered such a ridiculous amount in this day and age after six years of university training?

Mr. Johnston: Madam Speaker, this particular group, as all other groups with which we bargain, is subject to our rules of total compensation comparability. I can assure the hon. member that if there are major inequities they will certainly be adjusted during the current negotiation.

With respect to the vacancy factor to which the hon. member made reference, he might direct his question to the Minister of Agriculture. But it is my understanding that there are a number of posts left vacant deliberately and that the Department of Agriculture is seeking to recruit, I believe, something in the neighbourhood of a 5 per cent to 10 per cent increase in those posts; not the 32 per cent to which the hon. member made reference.

* * *

WESTERN DEVELOPMENT FUND

IMPROVEMENT OF INSUFFICIENT WATER SUPPLIES

Mr. Bert Hargrave (Medicine Hat): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance respecting his recent speech to the Canadian Club at Montreal last Monday. I should like to draw his attention to the direct reference to the $4 billion western development fund, $2 billion of which will be spent over the next three years as a catalyst for co-operative efforts with the governments and people of western Canada to ensure that potential constraints to longer-term development, such as inadequate transportation services or insufficient water supplies, are addressed on a timely and effective basis.

Would the Minister of Finance enlarge somewhat on that very specific reference to insufficient water supplies in the west? It has a very special meaning for me, and I hope he will respond in some way to that reference.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I was speaking in a general way and focused upon the questions of transportation and water supply as important elements in the future development of the western economy. At the present time detailed work is being done within the government as to the best way in which we can respond to the requirements of the transportation system in the west and the water supply problems. When that detailed work is completed, it will be possible to give the hon. member the kind of information he obviously wants today.

Mr. Crosbie: Double-tonguing.

Mr. Hargrave: Madam Speaker, my supplementary question is directed to the same minister. With respect to the same reference to insufficient water supplies, I should like to ask the minister whether this is a reference to a much needed long-range contingency drought policy which the west is dearly in need of these days. Even though that high profile agency, the PFRA, is working on this, they need much more incentive. Could it refer to that, or possibly could it refer to the challenge of interbasin water transfers from rivers in northern Canada to southern Canada, in the west?

Mr. MacEachen: I thank the hon. member for giving me more detail on his concerns. Obviously it would be difficult to consider water supply programs in the west without concentrating at the same time on the question of drought and its incidence in the west, and both these areas will be addressed in our studies.

* * *

● (1450)

RAILWAYS

CROWSNEST PASS RATE—HALL REPORT RECOMMENDATIONS

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I would like to address my question to the Prime Minister, and it concerns recent statements regarding farmers' support of the Crow rate. Since the vast majority of farmers agree with the solution to the Crow rate which was offered by Chief Justice Emmett Hall in his report on grain handling and transportation, whereby the statutory rate paid by the farmer remains, and the government negotiates with the railways to determine the balance of any revenue required in return for service, is the Prime Minister talking about the same Hall recommendations when he talks about doing what the farmers want on the Crow rate?

Right Hon. P. E. Trudeau (Prime Minister): I wish I had the illusory self-assurance of the hon. member when he says that he knows what the western farmers want. I met—

An hon. Member: Voting for the Constitution.

Mr. Trudeau: Well, I understand.

An hon. Member: I wouldn't take his word very much at all.

Mr. Trudeau: I met with a group, just a couple of weeks ago, the Western Agricultural Conference, and they were presenting a different type of argument. As I have said in the House before, our purpose is to find out, first, if collectively the farmers and related industries in the west want a change in the Crow rate; second, if they do, can they agree on what a change could be? I do not believe the hon. member has a clear authority to say what they want out there, because, as he knows, the government of Saskatchewan is in disagreement with the governments of Manitoba and Alberta on this particular matter.

Mr. Althouse: I realize that some of the provincial governments are in disarray over this issue, but the Prime Minister was talking, in his—

Mr. Baker (Nepean-Carleton): Sleep.

Mr. Althouse: —replies on the radio programs out in the west, to farmer majority opinion. Chief Justice Hall, in his survey years ago, established what that farmer majority opinion was. If that report is no longer valid, then what absolute end of the line reassurance or absolute authority does the Prime Minister intend to accept, if his own royal commission report was not good enough?

Mr. Trudeau: I am not suggesting that the report is not valid. I am saying that we are hearing different views on that from different groups in the west, and I made it clear that the government would like to settle this matter in a way which could achieve the greatest possible consensus in the west.

* * *

ESTIMATES

PROCEDURE RESPECTING RELEASE OF MAIN ESTIMATES

Mr. Bruce Lonsdale (Timiskaming): Madam Speaker, my question is for the President of the Privy Council. With regard to the circumstances that occurred yesterday concerning the tabling of the main estimates for 1981-82—

Some hon. Members: Order, order.

Mr. Lonsdale: —as you know, there was an obvious attempt to filibuster, and the opposition knowingly set out purposely to prevent the tabling of those documents. It is difficult to understand how the opposition can knowingly set about to do anything on purpose. However, I would like to ask the President of the Privy Council, in view of the circumstances yesterday, what he is planning to do in terms of reviewing the lock-up procedures, and whether he feels that the opposition's irresponsible attitude yesterday will jeopardize the normal and traditional procedure of advance notice and access to information by the press.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the question is very interesting and quite appropriate. I intend to discuss it seriously with the President of the Treasury Board at the first opportunity and we will see how to proceed next year, that is, whether or not we should further extend the courtesy given to the press.

Personally I am inclined to extend the privileges of hon. members as much as possible. But what we had to debate yesterday was whether in the present context and according to the established practice there was a breach of the privileges or a lack of courtesy based on tradition. You have made your ruling, Madam Speaker, and we accept it.

* * *

[*English*]

MARINE TRANSPORT

REMOVAL OF DART CONTAINERLINE COMPANY FROM PORT OF HALIFAX

Mr. Howard Crosby (Halifax West): Madam Speaker, I have a question for the Minister of Transport who is responsible for marine transport and for the Canadian National Railways. The minister knows that there are published reports that Dart Containerline is terminating its operation in the port of Halifax, and removing its multimillion dollar business to the port of Montreal. Is the minister aware of this proposed change, and what does he propose to do about the loss of thousands of jobs at the port of Halifax, in direct and indirect employment, and the loss of millions of dollars of revenue, not to mention the $18 million loss to the CNR arising from the discontinuation of this service?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, this news is supposed to be confirmed this afternoon by the company, and, indeed, it will be a very bad announcement as far as the port of Halifax is concerned. The Dart company has decided to move container traffic from Halifax to Montreal. Again, this is a very severe blow. I agree with that. However, one would take into consideration, nevertheless, that the containers going for the Atlantic market, will not be moved, and that represents about 15 per cent of the traffic.

A second announcement which I want to make at the same time is that the Polish line is going to use terminal two in Halifax and that will represent 200,000 tons, beginning Saturday. So, there are some compensating factors, and no doubt, Ceres and Halterm will look for more traffic in the coming days.

Mr. Crosby: The minister must know that the ameliorating factors that he mentioned are not connected. The Polish line was already due to come to the port of Halifax, and the local traffic cannot go anywhere else but Halifax because of economic considerations. But I have warned the minister in the House, and elsewhere, of the involvement of CNR in Cast, and it is at the root of this problem.

Will the minister now explain why the CNR refused to become involved in Dart's operation at the same time that they were becoming involved in Cast's operation, but benefiting the port of Montreal to the detriment of the port of Halifax?

Mr. Pepin: The CNR is involved in Cast indeed, but the CNR is also involved in Halterm. There was a time when CNR wanted to get involved in Dart, and was not allowed to do so. But the main reason for this move comes from CP. CP operates from Montreal with smaller ships. It wanted to get bigger ships, and that is the main reason why the transfer of traffic was made from Halifax to Montreal.

* * *

LABOUR RELATIONS

WHITE PASS AND YUKON RAILWAY DISPUTE—QUERY RESPECTING EFFORTS TO SETTLE

Hon. Erik Nielsen (Yukon): Madam Speaker, I have a question for the Minister of Indian Affairs and Northern Development. The minister will have been alerted, by his alert staff, I am sure, that the rail workers of White Pass and Yukon route went on strike last night despite the recommendations of a conciliation officer.

What steps is the government now taking through his own ministry, or through the Ministry of Labour, or any agency of government, to restore the services of this singular and most vital link to tide water, which transports all of Yukon products out and most of Yukon supplies in?

• (1500)

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, as the hon. member knows this is the direct responsibility of my colleague, the Minister of Labour. As a result of the concerns of many in the Yukon as well as those expressed by the hon. member himself, the Minister of Labour has taken a very active interest in this matter. Certainly his officials and some of the key officials with long experience in trying to resolve strikes, especially Mr. Kelly, the assistant deputy minister of labour, have gone into the matter thoroughly and made the parties aware that the services of some of the most experienced mediators in the country, in my view, are available to try to resolve this strike. I can only hope that the offer of assistance and the resolve on the part of the Department of Labour will be effective in settling this strike.

Mr. Nielsen: Madam Speaker, can the minister inform us whether there is included in his current estimates sufficient funds to enable him to go forward with his publicly announced $5 million support for the railroad?

Mr. Munro (Hamilton East): Yes, Madam Speaker. I think the hon. member would agree that it is very much in the interests of all Yukoners that this money be made available. As he knows, this is for capital projects which are badly

needed; it is not to be used to defray in any way any deficits or operational expenses of the railway.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

Madam Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate have passed Bill S-17, an act to implement conventions between Canada and New Zealand and Canada and Australia for the avoidance of double taxation with respect to income tax, to which the concurrence of this House is desired.

* * *

THE ROYAL ASSENT

Madam Speaker: I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa
Government House

February 26, 1981

Madam,

I have the honour to inform you that the Honourable Julien Chouinard, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 26th day of February, at 5.45 p.m., for the purpose of giving royal assent to a bill.

I have the honour to be,
Madam,
Your obedient servant,
Edmond Joly de Lotbinière
Administrative Secretary
to the Governor General

* * *

[*English*]

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Baker (Nepean-Carleton): Madam Speaker, I wonder if I could direct a question to the government House leader. Would he be kind enough to inform us whether he can allot next Wednesday, March 4, 1981, as an allotted day.

While he is doing that, could he also inform the House whether the arrangements for the visit of President Reagan to Canada have been completed. I have particular reference to whether the President of the United States will be addressing a joint sitting of both Houses. If so, could he tell the House when that might be.

[*Translation*]

Mr. Pinard: Madam Speaker, next week, unless otherwise decided, we shall continue, at least we hope to, the closing debate on the Constitution. With regard to March 4, I cannot confirm at this point that it will be an allotted day. I am quite willing to discuss the matter later on today with my learned colleague and the House leader of the NDP.

With regard to the details of the visit to Canada of the President of the United States, I am unable to give my hon. colleague of the opposition complete details at this time. However, as soon as details have been confirmed, I shall advise him accordingly; it is quite probable that the President of the United States will address both Houses jointly, but the time and day have yet to be confirmed. As soon as they are, I shall advise my hon. colleagues.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, there are two other items. You will recall the all-night debate that we had in the House prior to the Christmas adjournment. At that time there was an order of the House by unanimous consent, and I am quoting now from *Votes and Proceedings* of December 18, as follows:

That the House of Commons employees who have worked all night in the sitting that commenced on Thursday, December 18, 1980, and is still in progress, be paid extra compensation for their service, and that the thanks of the House be extended to them.

I have heard from some employees that this extra compensation may not have been paid. I wonder if it would be possible for the government House leader, through the appropriate channels, to make that inquiry and see whether that is the case, and perhaps advise us on the matter.

Madam Speaker: I can tell the hon. member that this is under my jurisdiction and I can tell him that it is well in hand and he will be informed in due course.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am grateful to you.

My final question concerns the Minister of Energy, Mines and Resources, who is in the House, and it concerns House business. The minister will recall that some inquiries were made with respect to the takeover of Petrofina by Petro-Canada. As reported at page 7611 of *Hansard,* he was asked whether he would table the results of those inquiries when they have been completed. Have they been completed and could the minister tell us whether he will be tabling that information?

Mr. Lalonde: Madam Speaker, I was in touch with Petro-Canada at the time of the question and again this morning to ask when this information would be made available. I have been advised that I should have it early next week. I will be very happy to table it as soon as I have it.

PRIVILEGE

MR. BAKER (NEPEAN-CARLETON)—PREMATURE RELEASE OF ESTIMATES

Hon. Sinclair Stevens (York-Peel): Madam Speaker, if it is in order I would like to proceed with my comments concerning the question of privilege raised yesterday by my colleague, the hon. member for Nepean-Carleton (Mr. Baker). Hon. members will recall that he indicated that if Your Honour found a prima facie case of privilege, he would move:

That the matter of the dissemination of details of the estimates through the news media before tabling of the estimates in this House be referred to the Standing Committee on Privileges and Elections.

My arguments today will be designed to show that there is in fact such a prima facie case which would warrant you referring this matter to the House for a vote on whether it should be sent to the Standing Committee on Privileges and Elections. Yesterday, during the course of the debate, members of the government raised the question that perhaps what we were talking about was not in fact published.

Surely there will be no serious suggestion today that many of the essential ingredients of the estimates which we in this House have not yet seen, have been published; in fact, they have been on the front pages of various national newspapers. In short, I do not think I need plead that there is any question about publication. In fact, during question period, the Minister of Indian Affairs and Northern Development (Mr. Munro) assured us that in his estimates there was a certain expenditure item amounting to some $5 million about which the hon. member for Yukon (Mr. Nielsen) had inquired. So clearly it is a public document now, but it still has not been tabled in the House.

First of all, what is the nature of this privilege? What has been of such a nature that it has affected the ongoing operations of each member of this House? What breach has been committed by the President of the Treasury Board (Mr. Johnston) whom I see walking out of the House now? Has he been guilty of gross negligence in the way he handled this secret document?

In short, Madam Speaker, my remarks will be designed to show the degree of secrecy that is required with respect to such budgetary papers. I will be showing the nature of the impropriety that has been committed by the President of the Treasury Board. I have used those words very deliberately, Madam Speaker, because from the precedents it appears to be very clear that if that type of situation can be shown, then there is indeed a question of privilege that should be put to the House.

Having said that very clearly, there can be no question that these matters have now been published. However, the specific detail that has been published may not be as clear to certain members.

For example, let me draw the attention of hon. members to the fact that a local television station, the CJOH "Newsline" program aired last night around midnight, gave specific details with respect to estimates which contemplated expenditures in the national capital area. These details were certainly not known to me and, I presume, were not known to any member on this side of the House. Certainly none of us have been able to see the blue book which all of us are waiting to see. It included comments to the effect that the estimates contained an innovation, an additional $26.2 million allotted under the government's accommodation program. It went on to say:

There's a submission already before the cabinet to review the government's needs over the next five years. It means new government buildings so that the purchase and renovation of existing buildings in the country's major centres including Ottawa but there are no details. Among the projects definitely set for this year is a $730,000 letter carrier depot in Orleans.

The reason I am reading this into the record, Madam Speaker, is that this is partly what the question of privilege is about. The reason that these documents are to be kept secret before tabling in the House—and I shall read the precedents into the record subsequently—is to avoid the possibility of an unfair profit being made. Yet here is specific knowledge going out about buildings that are going to be built in the Ottawa area including a $730,000 letter carrier depot in Orleans.

The newscast went on to say:

Numerous energy improvements, what the government likes to call retrofits. The construction of a new virus lab at $1.9 million. A public information centre, $1.7 million, $6.8 million for the Rideau Centre, $12.8 million for the construction of a RCMP services building and $1.3 million for the rehabilitation and retrofit of the Rideau Falls generating station.

● (1510)

All of those items are a breach of cabinet secrecy rules. That is what occurred. Certainly those items, which presumably will be found in the blue book when we see it eventually, are not secret, they are openly being disclosed to members of this House generally. In reviewing the background as to the nature of this question of privilege I would suggest, Madam Speaker, that you consult a brief prepared in 1975 by the research branch of the Library of Parliament when the Standing Committee on Privileges and Elections was considering a certain reference concerning one of the members of the House. This brief is entitled "Background Information on Government Secrecy, Financial Measures and Parliamentary Secretaries", prepared by Mr. Hugh Finsten, dated August 8, 1975. I will not read into the record all of the background research which this employee of the library has put into his brief, but I think it is very significant how much he has dramatized the importance of what we are speaking about today, which is this whole question of government secrecy. The author writes:

In the process of developing government policy and legislation, it is a general rule that information on specific matters is not to be disclosed until it is made public, either by the introduction of a bill in Parliament or a public statement by the minister concerned. This permits the government to make its revelations at the most opportune moment.

One aspect of this secrecy which pervades the decision-making process is the principle of cabinet solidarity. The deliberations of the cabinet are held in private and its proceedings are considered confidential. The theoretical basis for this is that "a cabinet decision is to advise the Queen, whose consent is necessary to its publication."

The quotation given is from Ivor Jennings' book on Cabinet Government, Cambridge, third edition, 1959, found on page 267.

To expand on that quote, we find in Mr. Jennings' work a very interesting observation concerning the nature of cabinet secrecy and cabinet minutes themselves. In due course, I will be pointing out that the estimates are a cabinet document. That is the nature of the estimates. That is why they must be guarded with the utmost secrecy. In his book at page 267, Mr. Jennings said this:

The cabinet deliberates in secret; its proceedings are confidential. The Privy Councillor's oath imposes an obligation not to disclose information; and the Officials Secrets Acts forbid the publication of cabinet as well as other official documents. But the effective sanction is neither of these. The rule is, primarily, one of practice. Its theoretical basis is that a cabinet decision is advice to the Queen, whose consent is necessary to its publication. Its practical foundation is the necessity of securing free discussion by which a compromise can be reached, without the risk of publicity for every statement made and every point given away.

A minister who resigns from the cabinet usually desires to make an explanation in Parliament.

I will come to that point a little later. It is customary for a minister, caught in the present position of the President of the Treasury Board (Mr. Johnston), to offer his resignation. I am quite surprised that the minister has not tendered his resignation to the Prime Minister (Mr. Trudeau), but perhaps if he is given an opportunity to speak in due course, he will indicate that he is prepared to take that step.

Let me continue with Mr. Finsten's brief as follows:

It is not merely to protect cabinet solidarity and the publication of government policy prematurely that secrecy is maintained. There is also the aspect of private gain resulting from advance knowledge of government policy.

That is the crux of what we are talking about today. For example, Mr. Jennings, in the work to which I have just referred, at page 110 of his book quotes from a decision found in Westminster's *Hansard* in which the spokesperson, speaking on behalf of the prime minister of the day, put this very interesting comment on the record:

—inasmuch as the secrets of the Government are specially in charge of cabinet ministers, no minister, and particularly, no cabinet minister, must in any circumstances put himself in a position where he is not able to be the complete guardian of those secrets in that there is any possibility of any private interests being served through a knowledge of those secrets.

Clearly, the President of the Treasury Board has put himself in that position. He failed to maintain a position where he was the complete guardian of the secrets which had been entrusted to him.

What is the nature of the oath which the President of the Treasury Board took, and indeed all privy councillors take? Again, I would emphasize when we speak about impropriety, we must bear in mind that what happened yesterday was in direct violation of the oath of secrecy taken by every privy councillor, and presumably by this President of the Treasury Board. The oath, in part, reads:

—you will keep close and secret all such matters as shall be treated, debated and resolved on in Privy Council, without publishing or disclosing the same or any part thereof, by word, writing, or any otherwise to any person out of the same council, but to such only as be of the council, and yet if any matter so propounded, treated and debated in any such Privy Council, shall touch any particular person, sworn of the same council upon any such matter as shall in any wise concern his loyalty and fidelity to the Queen's Majesty, you will in no wise open the same to him, but keep it secret, as you would from any person, until the Queen's Majesty's pleasure be known in that behalf.

In effect, what that oath required the President of the Treasury Board to do was to keep in his custody, and guarantee that custody, the information contained in the estimates until the Queen's message is received by you in this House. Subsequent to the Queen's message being received, then, of course, the minister would have been free to table the estimates and make whatever disclosure, once having tabled the estimates, as he saw fit.

Let us be practical. We all know there have been lock-ups, we all know there have been pre-briefings, but up to this point, whatever the lock-up was, sufficient precautions have always been taken to ensure that no leak occurred, such as occurred yesterday. That is what is so different about this situation and other such situations which occur.

In short, I have determined, after some questioning, that on budget night, for example, it is customary really to have two briefing sessions prior to the budget being formally introduced by a minister of finance in this House. The first is a briefing session for the press on the understanding that nothing is to go out from the press corps until the minister rises in his place in the House and commences to deliver his budget. That is understandable. The press are given an opportunity—and in no way are we saying that they should not be given such an opportunity—to consider the budget beforehand so that presumably they can muster their thoughts, develop their line of reasoning, and write their stories. But the important thing is not to publish it by putting it on any wire or communicating with the outside world—

• (1520)

Madam Speaker: I must interrupt the hon. member to ask him to restrict himself to discussing the question of privilege. Whatever the hon. member is complaining about concerning the press does not touch on the privilege. I must remind him that privilege is defined as follows. In discussing the question, we must discuss whether freedom of speech has been impeded, whether it concerns freedom from arrest or molestation or freedom of access. Those are the matters that have to be discussed in a question of privilege.

I ask hon. members to keep very close to that. Otherwise it will be impossible, with the arguments made in the House, for the Chair to look at the question on its merits. Usually members are allowed to speak in order that the Chair can be better informed. In making their arguments, hon. members have a responsibility to stick to the strict question of privilege and not discuss the substance of the matter as though a motion were before the House, the Chair having already recognized that there is a case of privilege.

Mr. Stevens: Madam Speaker, granted, in such complicated matters as the one before us today it is difficult always to be sure that our particular points fit into the mosaic to which you were referring. It is important that we understand that to mean that, in addition to the privileges to which you have referred, one of the most sacred rights we have in Parliament is the right to examine the government's expenditure plans.

Our activities as Members of Parliament are being restricted to the degree the secrecy provisions are being broken, as I am demonstrating, and press comment is allowed. Members of Parliament are supposed to have the primary right to see these estimates at the first disclosure from a member of the cabinet. We are denied access to the same information which the press is distributing from coast to coast. I find it hard to see a more clear infringement of the privileges of members of this House.

In order to support my case, I was trying to demonstrate that there are all kinds of precedents to these secrecy provisions and what would be the consequence of secrecy being broken. I am relating the present situation to what happens on budget night. On budget night the budgetary process commences. I intend to put on record where Treasury Board and the tabling of the estimates fits into the whole budgetary process. Your Honour will find, on reading the precedents, that the situation is very clear when a budget is involved. It is less clear in the case of the estimates which, of course, are part of the budgetary process.

Madam Speaker: I will interrupt the hon. member to say this. I would like him to distinguish between the rules which apply to government and its practice as the government and the executive and the rules which apply to this Parliament. What we are discussing now is not the way that privilege is defined for Members of Parliament. The hon. member must prove to me that his own privilege has been breached. The Chair cannot rule on what rules apply to the government. If there is some discrepancy between the rules and what a minister or several ministers might have done, that is not the concern of the Chair. What is the concern of the Chair is whether the privileges of a member of this Parliament have been breached.

Mr. Stevens: I do not want to take the time of the House to repeat the arguments made by the hon. member for Nepean-Carleton (Mr. Baker), but very clearly the thrust of our remarks is that there is a contempt of Parliament here. The precedents show that if contempt of Parliament is demonstrated, in fact, or at least in a prima facie sense, there can be no question that there is a question of privilege.

Contempt of Parliament is shown by the fact that estimates were not tabled first in this Parliament and did not go through the normal parliamentary process before being made public. That has not occurred in this instance. As I indicated earlier, there has been extensive publication of the estimates. That is a breach of the secrecy provisions which generally ensure that this type of contempt of Parliament does not occur.

In building my case to show why contempt of Parliament has occurred, naturally I have to point out why it does not normally occur. The reason is that the cabinet minister involved lives by his oath and does not breach the secrecy provisions which he swore to uphold.

Having said that, it is important that we review, as I was doing, the question of what happens in fact on budget night. There are all kinds of precedents to show that if the minister of finance of the day does what the President of the Treasury Board did yesterday, there is absolutely no question but that he should offer his resignation.

Some hon. Members: Hear, hear!

Mr. Stevens: The process of this House is, first of all, to make a prima facie case, in the hope that Your Honour will find that there is such a prima facie case. Then, hopefully, the House votes to have the matter referred to the appropriate committee, at which time a complete airing of the matter can take place. That is what we ask.

If we want to refer to the precedents, we find that if it can be demonstrated that there has, in fact, been a breach of the privileges not only of mine but of those of other members of this House, it constitutes contempt of Parliament. I suggest, when we review the various authorities dealing with similar leaks or breaches of security, that contempt goes right back to the British North America Act. For example, we find that Section 54 of the British North America Act requires that measures requiring the spending of public funds must be introduced by the cabinet to this House. That did not happen yesterday. What happened was that the public had access to the spending plans of this government through the media before this House did.

The close control which is normally exercised by the cabinet—and I emphasize that it was not properly exercised yesterday—thus brings financial measures within the shield of cabinet secrecy and cabinet solidarity. Moreover, among the most sacrosanct of government documents is the annual budget. In fact, it is considered so confidential that even the cabinet colleagues of the minister of finance are not made aware of the budget proposals until shortly before its presentation in Parliament, and even then they are often provided only with the general outline.

• (1530)

Madam Speaker, it will be evident that if any information about government activity in the fields of planning, development, investment, etc., becomes known to private individuals, large profits could be made. Why, then, should they be considered any less serious a breach of secrecy than a leak of the contents of the budget?

I would refer you, Madam Speaker, in that connection, to a departmental committee on Section 2 of the Official Secrets Act that is referred to in the United Kingdom, Franks committee. In that document it is stated:

> Governments take particular precautions to maintain the secrecy of the budget, of their fiscal changes and of changes in the bank rate. These precautions include the rigid restriction of who may have access to such information, which is usually the most effective form of protection. These matters are traditionally included in any catalogue of secret, official information.

Madam Speaker, having said that, I would point out that the Treasury Board and, in short, the President of the Treasury Board, is very much a part of this budgetary process. In a document prepared by the Treasury Board secretariat communications division in 1979, this is how the Treasury Board describes its own function. It states:

The Treasury Board of Canada is a committee of cabinet, consisting of the President of the Treasury Board, the Minister of Finance and four other cabinet ministers appointed from time to time by the Governor in Council. The responsibilities of the Treasury Board, which have been delegated to it by the Privy Council, are set out in the Financial Administration Act. To discharge them, the Treasury Board relies on two administrative bodies: the Treasury Board Secretariat and the Office of the Comptroller General.

This document, Madam Speaker, goes on to describe how they function within those parameters. They point out that the Treasury Board was created by the Second Order in Council in Canada on July 2, 1867, and that the Treasury Board secretariat was part, initially, of the Department of Finance. It was part of the Department of Finance until 1966, when it became a separate department through the Government Organization Act.

Madam Speaker: Order, please. The hon. member should stop to recognize that he is debating just as though there was a motion before the House. I would like him, in the interest of the affairs of the House, to keep to the point of demonstrating the privilege. I do plead with him to do that. We have been quite a while on this question of privilege now, and I have no intention of hearing him for a long time unless he keeps to the point that is useful to me, as Speaker of the House, so that I can rule on this question of privilege.

An hon. Member: Do you understand?

Mr. Stevens: Madam Speaker, I thank you. If, in effect, you are ready to rule that you think there is a prima facie case, of course we have made our case and I do not have to continue any further with what, I think, is very substantive evidence to show that, judging from the precedents we have been able to review, there is a very clear contempt of Parliament in what happened as a result of yesterday's actions of the President of the Treasury Board.

Without reading into the record specific references, I would refer you to the seminar on the budgetary process held in Ottawa on Friday, November 18, 1977. There they have an Annex "A" that goes through the importance of this whole question to which I have been referring. It goes on for several pages that I think will give you a great deal of assistance concerning what is the United Kingdom experience and experiences in various other jurisdictions.

Our position is that not only was there the publication of these estimates, as I have said, but essentially many newspapers dealt with this matter. I have there the *The Toronto Star* that had the information from a separate source: they did not use the Canadian Press. Bob Hepburn, of the *The Toronto Star,* filed his own story. Madam Speaker, we have been given to understand that many papers across the country literally filed these kinds of stories at a time when this House did not have their rightful first-possession of the estimates, as they should have been tabled in the House prior to the minister disclosing the information to the public.

Let me touch specifically on that, Madam Speaker. There is some question as to what is "publishing". The dictionary says that to publish is to make generally known; to make known to a third party; to announce formally; to promulgate. That is exactly what the President of the Treasury Board did yesterday. Going back to one of the initial references that I put on the record, what the President of the Treasury Board failed to do was to guard the secret information that was in his possession.

As ministerial responsibility is ingrained in our system, when there is such a breach, the minister must accept the responsibility, he must resign and there must be a reference, I suggest, to the appropriate committee to find out if, indeed, our prima facie case is established that there has been, in truth, a contempt of this Parliament. Thank you, Madam Speaker.

Some hon. Members: Hear, hear!

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I want to spend a very few moments on this question of privilege to add to Your Honour's ammunition in this respect. My comments are based upon whether or not the privileges of myself, yourself and any member of this House of Commons have, in fact, been breached. I think that is a germane direction to give us and I think it is a very important consideration for us in terms of your consideration.

I hope to demonstrate, by dealing very specifically for a short period of time, that indeed what we have today is a very serious prima facie breach of the privileges of members of the House of Commons and a matter that should be accepted by you on that basis for reference, full deliberation and full discussion and investigation by the Standing Committee on Privileges and Elections.

Perhaps I could put it in a little different way, Madam Speaker. I think my colleague, the hon. member for York-Peel (Mr. Stevens), has made reference to the fact that there has been publication of this information prior to the time when the matter has been formally brought to the attention of the House of Commons. In essence, what has transpired—and I do not wish to dwell on the facts of the situation, but I have to do so to the extent of making my point—is that we in the House of Commons as yet have not received the formal estimates approved by cabinet; so we are not, in effect, on notice. We have no formal or official notice of what exactly is contained in those estimates.

The fact of the matter is that there has been—and this is acknowledged by the President of the Treasury Board—publication of the estimates in newspapers across the country, including the Toronto *Globe and Mail* this morning, and the *The Toronto Star*, to which reference was made by my colleague the hon. member for York-Peel. There has been publication through wire services, and although the caution was put on the wire services' copy to guard against premature release, the fact of the matter is that there was, in fact, publication at law. If you examine the legal precedents with respect to the definition of "publication", you will find that publication involves the conveying of information, not in a general sense of newspaper publications but to any other third party, as my colleague from York-Peel has pointed out. What

I wanted to do was simply to bring this point to your attention, Madam Speaker, as a point that I think is very germane and relevant to the question of privilege.

We in the House of Commons, as Your Honour will know, have a responsibility that is rather twofold traditionally, historically and in parliamentary terms. One part is, of course, to examine government legislation and government initiatives. The second, and equally important function of the House of Commons, is the control of expenditures of the government. This whole process does involve a number of steps: one is the budgetary process; the second is that involving the tabling of the government's spending plans in the estimates.

While we have changed the procedures with respect to the consideration of those estimates over the years, as Your Honour will note from personal experience, going from a Committee of the Whole system to a system of reference to specific standing and special committees for consideration, the principle still obtains: Parliament must be seized with the initial responsibility of having information at first-hand. Second, having been seized with the government's spending estimates, the House of Commons must then proceed within a specific period of time to pass on those estimates. What makes this privilege more important is this. A great many people watching this debate, may be wondering, why it is so important.

An hon. Member: That's right.

• (1540)

Mr. Hnatyshyn: The ramifications of premature publication are enormous in terms of the consequences on the markets of our country and in terms of information relied upon by the citizens of this country on the basis of reports other than the formal filing in the House of Commons.

This is a matter of some historical consequence and importance. The rules do not exist to make the government bow especially to the House of Commons or the institution of Parliament. The realistic situation is that until the estimates are formally filed, they are nothing other than a mere document. People who act on information in documents before they are filed do so at their peril.

I want to make two points with respect to this situation. First, I am sure Your Honour would find a breach of privilege by the President of the Treasury Board (Mr. Johnston) or the government if estimates were never tabled, that is to say, if the minister decided in this television era that all he had to do would be to give the estimates to the press in a lock-up and explain the government's plans for spending and hold Parliament in suspension without going through the process of referring the estimates to Parliament.

That is exactly the point which is to be made in this situation. The hon. member for Thunder Bay-Atikokan (Mr. McRae) is sitting over there at the back in anguish. No matter what he wants to make of this, that is the point I want to make. If the government decided simply to publish its spending plans in the newspapers, that would be a clear breach of the privileges of every member of this House of Commons. I ask Your Honour to look at that general proposition and at what I contend to be an extension of that argument. Either willy-nilly, by design or by practice the government is giving this information out and publishing it. No matter what members on the government side say, it is the responsibility of the minister to protect the interests of members of the House of Commons in this instance. This information has been published across this country. Members of the House of Commons have not yet been officially presented with this information. It has not been filed. I do not care if it is a matter of one hour, 24 hours or 24 days; the principle is still there. The government has allowed, by neglect or design—and I make no comment on that—information contained in the estimates to be published, and the House of Commons has still not been presented with that information.

The second point I want to make is that members of the House of Commons were denied access to this information before it was tabled. That practice has developed. There is a lock-up before submission. I sometimes wonder whether that particular practice is not in itself against the traditions of Parliament and the House of Commons, but the fact is that in this particular instance Members of Parliament were denied access to this particular information.

I want to ask a rhetorical question. Let us assume that the government, in its beneficence, allowed mere members of the opposition to go into that lock-up. Let us assume that I, as one of those members of the House of Commons, went into the lock-up and looked over the estimates for a period of two or three hours. Let us also assume that some time before the document was tabled in this House I went out and either sold or gave away the information contained in those estimates.

An hon. Member: Who would buy it?

Mr. Hnatyshyn: If I as a member of the House of Commons did that, I do not think there is any question that I would be guilty of a breach of the privileges of members of the House of Commons, and I would be liable to account for that action. I think that is a very valid point. I think we have to develop that particular analogy. What has happened here is that on the basis of its practice, tradition, or whatever we want to call it, this government has allowed the press to get this information. Perhaps we have become a little too lax in the way in which we deal with these very important documents with respect to government expenditure and government budgets, but there are reasons for these things. There are reasons why we have these rules. We do not have them for the sake of making members of the House of Commons larger people on the national stage. There are valid reasons in terms of the operation of government.

One way or the other, there has been publication prior to the time the matter has been formally put before the House of Commons, and I consider that to be a breach of my privilege. Under what basis of curious logic should everybody else in the country be able to have access to and an explanation of the government's spending program and the legislators be the last

people to have access to that information on an informal basis? That is an incredible situation.

Mr. McRae: You won't let us.

Mr. Hnatyshyn: Now members on the government side want to curtail our ability to speak up on a matter of privilege, and I resent that very much because I have a right, as much as any other member, including the hon. member for Thunder Bay-Atikokan, to stand here and question the integrity of the actions of the government and to ask Your Honour to look at the rights and privileges of your fellow Members of Parliament in the carrying out of their functions and duties.

Publication means a number of things. It means that perceptions and points of view are put across through briefings by departmental officials in properly carrying out their functions, but this tends to diminish the ability of the individual Member of Parliament to debate on the floor of the House. I think that is exactly the point Your Honour was asking about. How are the rights of the individual Member of Parliament affected by this action? I simply submit that my ability to deal properly with the spending estimates has been severely diminished by the premature and haphazard publication of regional reviews of what particular rights and benefits will accrue or what obligations will accrue to particular areas of this country. That is where the member of Parliament is affected. This is not a hypothetical discussion or an academic discussion. This is a discussion about the rights of the hon. member for Thunder Bay-Atikokan, the hon. member for Saskatoon West, the hon. member for York-Peel and the hon. member for Capilano (Mr. Huntington) to carry out their responsibilities properly.

Today we still have not had this matter before us, and yet it has been published, or extracts of it have been published across the country.

I will conclude simply by making those two points. One is that there is no question that, by virtue of the fact that the government publishes before it tables, it is in breach of the traditional rules of the House of Commons and Parliament and of the privileges of each and every Member of Parliament. Second, by delivering this information and allowing it on whatever basis, accidentally or by design—I make no distinction here because I do not know what went through the mind of the President of the Treasury Board in this connection—and publishing this information widely before members of the House of Commons are officially in receipt of the information, the government severely diminishes our ability to assess properly and discuss the estimates which are apparently to be tabled in the House.

Mr. Paul E. McRae (Thunder Bay-Atikokan): Madam Speaker, I do not recall any time in this House when I have been as angry as I have been in the last 24 hours. My anger results from the fact that my rights in this Parliament have been abridged.

Mr. Hnatyshyn: Hear, hear!

Mr. McRae: I listened all yesterday afternoon to an absolute filibuster on the part of the opposition so that the President of the Treasury Board (Mr. Johnston) could not get the floor. Then hon. members opposite had the unmitigated gall to say we were in some way responsible for not getting the estimates tabled. I will say it again; I have never been as angry in this House as I am now. Many situations like this have developed. I remember that on February 6, the hon. member for York-Peel (Mr. Stevens) came in here and gave notice of a spurious question of privilege. I have seen no record indicating that he raised it the next week. He used about ten minutes of the time of the House just to do that. I was prevented from giving a full speech, which I had intended to give. It is hyprocrisy for the Tory party, the official opposition in the House, to say that we are in any way, responsible for that document not being delivered. That is something I cannot accept.

• (1550)

Hon. John C. Crosbie (St. John's West): Madam Speaker, I rise on the point of privilege which is now being discussed. I will not be lengthy because I do not want to increase the anger of the hon. member for Thunder Bay-Atikokan (Mr. McRae). Even his anger must give way to the privileges of members of this House. It is easy to understand why he has not often been angry in this House. It is because he has not often been in the opposition and been subjected to the contemptible treatment the opposition receives from members of the government.

What I want to refer to first is that we are discussing not only the conduct of the President of the Treasury Board (Mr. Johnston) on this question of privilege but we are also discussing the conduct of the government House leader, who was the one who actually compounded the contempt of Parliament and the breach of privilege by authorizing at 6.40 p.m. last night that the public information on the estimates should be released. He can deny this, of course. If he does deny it, then I will believe him. But I would like to cite one article from the *Gazette* of February 26. The article reads in part:

Government House leader Yvon Pinard authorized publication of the estimates anyway.

That is exactly—

Mr. Pinard: The hon. member just mentioned that if I were to deny that he would accept my word. I formally deny it.

Mr. Crosbie: Madam Speaker, naturally I will accept the government House leader's word and say that the Canadian Press, the Montreal *Gazette* and a host of other news agencies across this country will have to explain why they took the name of the government House leader in vain by stating that he authorized the release and told them to go ahead. In this article from the Montreal *Gazette* it is stated that the Government House Leader authorized publication. The article then deals with the President of the Treasury Board and it states:

—he regarded the embargo as still in force.

This afternoon in the Senate Senator Perrault said that as far as the government is concerned the embargo remains in

effect with respect to detailed information on the estimates, although it has not been observed by certain sectors of the media. Consequently, he could not answer questions on the estimates. This is another strong argument, Madam Speaker, why you should find that a prima facie case exists so that this matter can go to the Standing Committee on Privileges and Elections. Let the facts be established.

Why should every news media say that release of this information was granted to them by the government House leader if he did not do it? The government House leader says he did not do it, so there must be some kind of mix up. Who did it? In any event, we know that due to the gross negligence of the President of the Treasury Board, information on the estimates went out over the Canadian Press wires after 3.45 p.m. We know that the information went to their clients in the news business. We know that it went to certain embassies, including the embassy of the United States of America. That is certainly publication of the estimates.

Your Honour might ask what the difference is if this went out. The difference is, Madam Speaker, that people had information in their hands which was not available to the rest of the world until all of this information was released by somebody, the press in any event, at 6.40 p.m. Therefore, a number of things could happen. For example, do the estimates show that the government will really battle inflation? Is it reducing the deficit for 1981-82 in some meaningful manner? A look at the estimates would reveal that, no, it is not serious about inflation. So, one would have to take that into consideration with what will happen to the Canadian dollar, what will happen with interest rates and that kind of thing. That is the kind of information which went out to certain privileged persons at 3.45 yesterday afternoon, which other persons did not receive until after 6.40 p.m.

I would like to refer to the same article prepared by the research branch of the Library of Parliament which was cited by the hon. member for York-Peel (Mr. Stevens). I am looking now at page 25:71 where the importance attached to financial measures is being discussed. Financial measures do not just include the budget speech which was brought down on budget night, in this case on October 28. Financial measures include tax legislation, changes in the Excise Tax Act, the Customs Act, etc. It is the estimates which carry out the expenditure side of the budget plan as presented on budget night. This is all part of the budgetary process. I quote from the article:

> On the spending side, the BNA Act requires that measures involving the spending of public funds be introduced by the cabinet.

I emphasize "introduced by the cabinet". This is the first place they are to be introduced. They are not to be introduced to the public or the media in a secret lock-up held in Room 200 of the West Block. As I understand it, you, Madam Speaker, representing us, the members of the House of Commons of Canada control Room 200 in the West Block. Yet that part of the parliamentary premises was used by the President of the Treasury Board to bring in a certain favoured group of people—the media of Canada or their representatives—to give them information on the estimates. This is part of the budgetary process, part of the financial measures which he was to introduce into the House of Commons. He excluded members of the House and, as a result of his actions, his lack of care and concern, his contempt for the members of this House, at 3.45 p.m. yesterday afternoon this information went over the wires to a number of news and radio stations across the country. At 6.40 p.m. because of somebody's additional negligence—it is alleged to be that of the government House leader who denies it—the rest of the world received the information. Therefore, we want to have the facts established. Is the government House leader right? Of course, I accept what the government House leader says as being correct. But I do not think the Montreal *Gazette* will. I do not think the Canadian Press will. I do not think they just made it up, so there must be some explanation.

Returning to the document which I cited from before, it goes on to read:

> The close control exercised by the cabinet thus brings financial measures within the shield of cabinet secrecy and cabinet solidarity.

Further on in the document it is stated:

> Today, the budget is not delivered until the stock markets have closed across the country.

The stock markets were not closed yesterday afternoon at 3.45 p.m. when this information went out over the wires. The stock exchange does not close until 4 p.m. in Toronto. It does not close until several hours later in Vancouver.

Mr. Johnston: I rise on a point of order, Madam Speaker.

Mr. Crosbie: A point of order! It is a point of shame when you get up.

Mr. Johnston: Would the hon. member for St. John's West (Mr. Crosbie) entertain a brief, simple question?

Mr. Beatty: On a question of privilege?

Madam Speaker: It is not at all usual. I would prefer if the hon. minister would, instead, rise on a point of order, if he has one. The hon. member for St. John's West (Mr. Crosbie) can answer the question if he consents. It really is not usual procedure.

Mr. Crosbie: I do not want to take much time—

Some hon. Members: Oh, oh!

An hon. Member: What a joker!

Mr. Crosbie: I would entertain—

Mr. Johnston: Madam Speaker—

Madam Speaker: Order, please. Two members cannot have the floor at the same time. The two hon. gentlemen are standing. I am asking the hon. member for St. John's West if he will entertain a question?

Mr. Crosbie: Madam Speaker, I will outside. I will try to counsel the President of the Treasury Board outside. I cannot do it in this place because I do not want to be too lengthy.

Some hon. Members: Oh, oh!

Mr. Crosbie: Madam Speaker, I would like to proceed with my reading of this article:

In Britain, at least two ministers have had to resign as a result of breaches in the security curtain. In the case of Hugh Dalton, Chancellor of the Exchequer in 1947, a "premature and unpremeditated disclosure" was made to a newspaperman shortly before the budget was to be presented.

Madam Speaker: Order, please. I do have to be enlightened on this question of privilege. I would ask the hon. member to answer this question. If it is true, and the hon. member is exposing facts whereby ministers have had to resign because of some breach in the rules which apply to members of the government, in the case he is citing, did this hon. minister also resign from the House? What we are discussing here are breaches in the rules of the House, not of government procedure or administrative procedure. We are speaking of the rules of this House. I would like the hon. member to address himself to that point. If the minister he mentioned resigned from the cabinet, that is one thing. But I would like to know if, as a consequence, he had to resign from the House.

Mr. Crosbie: Madam Speaker, in the particular case of Mr. Hugh Dalton, he did not resign from the House, he resigned from the cabinet, as should a gentleman who understands the parliamentary system. Because his breach of the privileges of Parliament was unpremeditated, he was not required to resign his seat. Mr. Dalton was on his way into the House at that time and he bumped into a newspaperman whom he knew. He just happened to make a remark which tipped off the newspaperman as to a certain tax which was to go up. He was not required to resign his seat.

It would be up to the Standing Committee on Privileges and Elections to decide whether the President of the Treasury Board should resign his seat as a member of the House.

Some hon. Members: Hear, hear!

Mr. Crosbie: I would hope that they would exercise some discretion or mercy in that respect. I would not want to have the hon. gentleman resign his seat in the House if he now makes a clear breast of the matter and promises not to do it again. But, yes, from the cabinet he should go.

● (1600)

I should just like to conclude my quotation from this document. The following page reads:

It would seem evident that if any information about government activity in the fields of planning, development, investment, etc. becomes known to private individuals, large profits could be made.

That is why this secrecy is so important. It continues:

Governments take particular precautions to maintain the secrecy of the budget, of their fiscal changes, and of changes in the bank rate.

The estimates which are to be introduced to this House are fiscal changes. They are clearly within the rules set out in the document cited by my hon. friend and also in the report of the departmental committee which sat in London in 1972.

Also I should like to refer to a precedent in our own House. Just after I brought down the budget on December 11, 1979, which brought down the House, a question of privilege was raised with respect to an alleged budgetary leak. I should like to refer Your Honour to the Wednesday, December 12, 1979, edition of *Hansard* at page 2283 where the now Minister of Justice (Mr. Chrétien) raised a question of privilege. He said:

Such practice is based on the principle that no individual, whoever he may be, must know in advance the details of a budget which he could use for personal gains.

I submit that the budget is a budgetary process. The details of expenditures, the total government spending, the amount of the deficit for the coming year, what the interest charges are to be on the budget, what the government's fiscal stance is, are they really practising restraint or not, are they following what they said in the budget, are all part of the same process.

Then the minister alleged that there was a leak of information in connection with the budget in a CTV broadcast. He went on in his remarks to deal with that situation. Then he moved the following motion:

That the Standing Committee on Privileges and Elections be instructed to investigate the advance knowledge by journalists and others of measures to be proposed in the budget, including proposed changes in corporate and commodity taxes, in advance of the delivery of the budget—

That was the essence of his motion. Here we are discussing knowledge by journalists and others. We know who the others are; there are thousands of others who had advance knowledge of measures proposed in the estimates of this government, a large part of the budget.

Also on that question of privilege, as the minister of finance of the day, I naturally spoke in response to that motion. I said that I did not take any responsibility for any leak of budgetary information, and in fact there was no leak. That was my response to that question of privilege. It was a flat statement of fact that there was no leak, and I would take no responsibility for it because there had not been a leak.

Your Honour's predecessor made a decision, as reported at page 2287 of *Hansard*. He said:

When the Minister of Finance at any time stands in his place and says, as he has said today, that there is no leak, that he has examined and attempted to discover whether there was and finds none, and therefore does not take responsibility for one and, furthermore, disputes the fact that one in fact took place, that word must be accepted.

That is not the situation here. We have a situation here where the President of the Treasury Board cannot stand in his place and say there is no leak. He cannot do that. There has been a gigantic leak. It is not a leak; it is a veritable flood. The news media of this country was given all of this information before the House was given it. So he cannot say that there is no leak. There was a leak from 3.45 yesterday afternoon and subsequent to that. There was a leak which, the news media alleged, was aided and abetted by the government House leader who, they say, gave them permission to go ahead at 6.40

p.m. with publication. He has not said that he examined and attempted to discover whether there was one and finds none. He cannot say he was not responsible for one. He arranged the lock-up. The President of the Treasury Board arranged a lock-up for the press only at eleven o'clock yesterday morning in the precincts of this Parliament.

I point out that ruling to show Your Honour that we have an entirely different situation. The Speaker of the day went on to say:

> I cannot find on the face of the motion, as I am being asked to find, that there has been a publication—

Your Honour can take judicial knowledge of the fact that it was in every paper of the country, that it was on television news broadcasts, radio broadcasts, and it appeared in *The Toronto Star* which was brought before the House this afternoon. So, there is no question about publication.

In conclusion, why is this important? Why does this have any importance, apart altogether from the fact that some people might have been able to take advantage of having some advance knowledge, a few hours of advance knowledge, before the rest of the public with respect to this matter? It is important for this reason. It is part of the pattern of conduct which Your Honour has observed in this Parliament since we came back here in the winter of 1980. It is part of the course of conduct by the government. If Your Honour does not stop it, then we on this side of the House cannot hope to have any effect whatsoever or to be treated with any of the normal parliamentary courtesies. We have seen this happen week after week. It is part of a process of making statements outside the House and refusing to make them in the House. It is part of a process which was brought out in a question of privilege by my hon. colleague the other day with respect to the Minister of Industry, Trade and Commerce (Mr. Gray). It is part of a process which was demonstrated in the question of privilege yesterday, which took up 1.5 hours, by the hon. member for Broadview-Greenwood (Mr. Rae) with respect to the rights of members of this House to represent their districts. One of the traditions of this House is that these financial measures should be introduced here first before they are given to any outside body.

It has become the custom in the last few years to have lock-ups for members of the press to help them inform the public, but it has also been the practice, when the media has been informed so that they can better inform the public, that the members on this side of the House are also informed so that we can carry out our function and respond to the estimates, the budget, or whatever it is, once it is tabled in this House and becomes public knowledge.

But if the President of the Treasury Board can decide that he will enlighten the news media, that he will give his version to the news media and the public of Canada, and he will not permit us to examine what he is doing until he actually tables it in the House, then surely it is a contempt of this House for him to be permitted to have a lock-up of the news media or anyone else in advance of this information being presented to the House.

It is part of a process whereby members of the House are treated with contempt. We are treated as nothing when we are treated as though there were no parliamentary tradition, when we are treated as though the government did not care so long as our question of privilege did not meet the technical qualifications of privilege. Of course, a question of privilege is extremely technical in any event, but as long as they can stay outside the narrow, technical confines of the laws of Parliament, it is in order.

Now we have the President of the Treasury Board, of whom we expect better, a gentleman learned in the law but already flawed by the arrogance of his government in his few short months in office, treating members of the House in that way.

All Madam Speaker has to find is that there is a prima facie case. In my opinion, this is clearly not an open and shut case. I would ask Your Honour to exercise your discretion and send this matter to the Standing Committee on Privileges and Elections. Let them establish the facts; let them decide what the rules should be. Otherwise, we can forget budgetary secrecy, we can forget that whole process, because anything will go and there will be no rules to deal with it at all.

Madam Speaker: I will now hear one speaker from the New Democratic Party, and then I will decide whether I have heard enough on this question.

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, certainly I will be brief, given that this matter has taken a considerable length of time. I must say, like many members who have spoken, that I have been disturbed over the course of the time I have been here by the practice ministers have followed of making important statements outside the House. However, this does not constitute a breach of my privilege. Sometimes I wish it did, but it does not.

What Your Honour has before you is a difficult question. There are three questions to be dealt with, as I see them.

• (1610)

First, is the release of the estimates prior to tabling a breach of our privilege? If you were to decide, upon reflection, that it is a breach of our privilege, the second question then must be: Is the method currently in use to protect the secrecy of the statements adequate? If you were to decide, upon reflection, that the answer to that question is no, then what further action must be taken?

I think those are the three questions which must be answered.

First, I want to say that there is a distinction between a budget, on the one hand, and the estimates, on the other. The reason for the secrecy of the budget documents is to guarantee that no one can profit from prior knowledge of the content and changes in the budget. When you compare that with the estimates, there is some distinction. It is somewhat more difficult to see where profit could be made from prior knowledge of the estimates, since there is no requirement that the government move any bill or motion on the estimates as a

matter of ongoing practice. Therefore, the estimates could be introduced to the House at any time. It would be very difficult to present a case that a person who is not connected with the House of Commons, having information of what is contained in the estimates hours or moments in advance of its introduction, could make a substantial profit.

The second point is one which concerns me greatly, and that is the current method used in protecting the secrecy of the budget and the estimates. The lock-up process that we currently have in place is fundamentally flawed and inadequate. I want to suggest to the ministers through you, Madam Speaker, that if they decide to use the lock-up process and give advance confidential information to the press or to Members of Parliament, they must guarantee that these individuals remain in the lock-up until the minister rises.

An hon. Member: Right on.

Mr. Deans: That is the practice which is followed in other jurisdictions, and that is the tradition followed in the Mother of Parliaments. Therefore, I suggest that the practice we follow—I, myself, have been involved in adjuring the most recent budget—of inviting both members of the press and members of the opposition to a pre-budget briefing, and then to allow any or all of them to leave before the minister rises to begin the delivery, is a flaw in the system. If the minister believes—and he may or may not do so—and if you, Madam Speaker, believe—and you, of course, will tell us shortly—that the estimate papers are confidential until such time as the minister rises, then the entire process is wrong, and the minister must then accept the responsibility for the fact that the press were permitted to leave the lock-up in advance of his tabling the documents.

However, if you come to the conclusion that the budget is somewhat different from the estimates and that there is no opportunity for individuals to profit from advance knowledge, then the minister—though his action is perhaps unacceptable to members of the opposition, and maybe even members of his own party, in terms of sharing government information in advance, of making it public to the general public—if you were to decide that that is the case, then I can only say that you must rule that there is no actual breach of privilege.

The information that government decides to give to the opposition, and the way in which it is given, is frequently inadequate. The member who just spoke, the former minister of finance, the member for St. John's East—

An hon. Member: West.

Mr. Deans: St. John's West (Mr. Crosbie), thank you—is expressing a frustration that many people feel: that ministers do not treat the House of Commons with the respect which it deserves.

I think that in your deliberations, Madam Speaker, you might give some thought to whether or not there are occasions when ministers should bring their statements to the House in advance of holding press conferences, because not doing so adds to the level of frustration and acrimony in the House of Commons. God knows, we do not need any more than we have. It makes the opposition suspicious of the government's motives, and it creates a sense of ill-will which does this country no good.

We are discussing more than a question about the procedure used by the minister. I am annoyed by it, and I think it is inappropriate. It would have been better to have had a proper lock-up with members of the opposition and members of the press present. That would have been the prudent and sensible thing to do.

If a lock-up is necessary, I think that it should extend to the point where the minister rises to table the documents. If that had been the case, this debate would never have occurred.

Some hon. Members: Hear, hear!

An hon. Member: He is just incompetent.

Mr. Deans: In the interest of not compounding the matter further, I think that we should stop the debate and let the minister table the documents so that we do not make an even greater mess of an already unacceptable situation.

Madam Speaker: I am going to inform the hon. members now that I feel that this consideration of the question of privilege has taken quite a lot of time; but that is not the point. The point is that I feel that I am sufficiently informed. The arguments are becoming repetitive, which is an indication to me that most of the points have probably been made. I quite understood the points made by five hon. members from the Conservative Party, one hon. member from the NDP, and in the three brief interventions from the other side. That is a sufficient number of speeches, not all of which were short, and I do feel that I have been sufficiently informed. I will take this matter under advisement and consider all of the arguments that the hon. members have submitted.

MR. BLENKARN—DENIAL OF ACCESS TO PRESS LOCK-UP BY DEPARTMENTAL OFFICIALS

Mr. Don Blenkarn (Mississauga South): Madam Speaker, earlier today I advised you of a matter which I thought was a question of privilege, and it was in connection with the use of the Houses of Parliament.

Yesterday, I attended at room 200 at eleven o'clock in the morning. Mr. Sproat and Mr. Hardie—who I understand are employees of the Treasury Board, and not employees of the House of Commons—barred my access to a room in this House of Commons. I was then accosted by Mr. Radborn—another employee of the minister of the Treasury Board and not an employee of the House of Commons, who phoned Mr. R. L. Richardson—who is apparently a deputy secretary of the Treasury Board, who then again denied me access to part of the House of Commons.

Madam Speaker, you are in charge of the House of Commons on behalf of Members of Parliament, and clearly you can assign to a Member of Parliament—whether or not that

Member of Parliament is a minister of the Crown—space and facilities in this House of Commons, and Parliament. However, that is not what happened. You may have made arrangements for the use of Room 200 by the President of the Treasury Board (Mr. Johnston) or a member of his staff; but neither the President of the Treasury Board nor his parliamentary secretary—or even a Member of Parliament—were in charge of that room. The only employees of the House of Commons present were the constables who look after the general security of that building. The people who denied me and my colleagues access to Room 200 were public servants who worked for a ministry and who have their offices elsewhere than in this House. The problem is that this minister and this government, in denying access to Parliament, are guilty of the same kind of thing as happened under the reign of Charles II.

● (1620)

Members of Parliament have been denied access to the facilities of Parliament by officers of the Crown. That goes to the fundamental principle of how the House of Commons, Parliament itself, is supposed to operate. The essence of the battle is that Parliament is a separate place; it is not part of the government. The government is a different thing than Parliament. Members of cabinet are often members of this House of Commons or members of the other place but that does not entitle them, other than in the course of their duties as members or as ministers of the Crown, to allow their public servants who run the departments of government to decide what Members of Parliament can or cannot do in the House of Commons. That is essentially what happened yesterday.

Without wasting the time of the House, Madam Speaker, or being accused of conducting a filibuster, I want to say that the essence of what happened yesterday is that Members of Parliament were denied access, and their privilege was interfered with, not by any Member of Parliament or an officer of Parliament who had assigned a particular room to a member of Parliament on your instructions through your service, but by officers of a ministry. That is wrong. That is a breach of the privileges of a Member of Parliament. On that basis, Madam Speaker, I would ask you to find that this matter should be referred to the Standing Committee on Privileges and Elections.

Madam Speaker: I think I can deal rather quickly with this question of privilege. I would say to the hon. member that whenever he asks me to let him have a room in which to conduct a meeting, to hold a reception of for whatever other reason the rooms in the House of Commons are used by members, he would be perfectly authorized to stop someone at the door in order to avoid having some people crash his party or attend a meeting to which they were not invited. I would have to assume that that person was there under his authority, even if that person was not a Member of Parliament. In the same way I would say that the President of the Treasury Board (Mr. Johnston) who asked me for a room and was given access to it, which is normal for any members of the House of Commons, would have the right to determine to whom to give access to whatever business he was conducting in that room.

If, under the guise of that question of privilege, the hon. member—I would not say he wishes to make me decide whether or not a room of the House of Commons was used—is saying that I would have to rule on who should be invited to the lock-up, I am afraid I have to tell him that that is totally outside my purview.

I can therefore deal quite quickly with this question of privilege. I do not think there is one.

ROUTINE PROCEEDINGS

[*Translation*]

MAIN ESTIMATES, 1981-82

A message from His Excellency the Governor General transmitting estimates with regard to sums required for the Public Service of Canada for the financial year ending March 31, 1982, was presented by hon. Donald J. Johnston (President of the Treasury Board) and read by Madam Speaker to the House.

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I am certain that my colleagues will allow me to introduce the following motion relating to the tabling of the main estimates.

[*English*]

REFERENCE OF ESTIMATES TO STANDING COMMITTEES

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I move, pursuant to the provisions of Standing Order 59, that the Main Estimates 1981-82 tabled this day be referred to the several standing committees of the House as follows. Because the list is rather long and there is a detailed allocation of the estimates to the committees, if it is agreeable to the House, I ask the list be printed in *Hansard* as if it had been read.

[*Editor's Note: The list referred to is as follows:*]

That the Main Estimates for the fiscal year ending March 31, 1982, Tabled on Wednesday, February 25, 1981, be referred to the several Standing Committees of the House as follows:

To the Standing Committee on Agriculture

Agriculture Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50

To the Standing Committee on Communications and Culture

Communications Votes 1, 5, 10, 15, 20, L25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90 and 95

Secretary of State Votes 1, 5, 10, 15, 20, 25 and 30

To the Standing Committee on External Affairs and National Defence

External Affairs Votes 1, 5, 10, L15, L20, 25, 30, 35, L40, L45, L50, L55, L60, 65 and 70

National Defence Votes 1, 5, 10 and 15

To the Standing Committee on Finance, Trade and Economic Affairs

Economic Development Vote 1
Finance Votes 1, 5, 10, L15, 25 and 30
Industry, Trade and Commerce Votes 1, 5, 10, 15, 20, 25, L30, L35, L40, 45, 50, 55, 60, 65, 70 and 75
National Revenue Votes 1 and 5
Privy Council Vote 20

To the Standing Committee on Fisheries and Forestry

Environment Votes 1, 5, 10, 15, 20, 25 and 30
Fisheries and Oceans Votes 1, 5 and 10

To the Standing Committee on Health, Welfare and Social Affairs

Consumer and Corporate Affairs Votes 1 and 5
National Health and Welfare Votes 1, 5, 10, 15, 20, 25, 30, 35 and 40
Social Development Vote 1

To the Standing Committee on Indian Affairs and Northern Development

Indian Affairs and Northern Development Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, L45, L50, 55, L60, L65 and L70

To the Standing Committee on Justice and Legal Affairs

Justice Votes 1, 5, 10, 15, 20, 25, 30, 35, 40 and 45
Solicitor General Votes 1, 5, 10, 15, 20 and 25

To the Standing Committee on Labour, Manpower and Immigration

Employment and Immigration Votes 1, 5, 10, 15, 20, 25, 30, 35, 40 and 45
Labour Votes 1, 5, 10, 15, 20 and 25

To the Standing Committee on Management and Members' Services

Parliament Vote 5

To the Standing Committee on Miscellaneous Estimates

Finance Vote 20
Governor General Vote 1
Parliament Votes 1 and 10
Post Office Votes 1 and 5
Privy Council Votes 1, 5, 15 and 25
Science and Technology Votes 1, 5, 10, 15, 20, 25, 30 and 35
Secretary of State Vote 35
Supply and Services Votes 1, 5 and 10
Treasury Board Votes 1, 5, 10, 15, 20, 25 and 30

To the Standing Committee on National Resources and Public Works

Energy, Mines and Resources Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45, L50, 55, 60, 65, 70, 75, L80, L85 and 90
Public Works Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, L65, L70, 75, 80, 85 and L90

To the Standing Committee on Northern Pipelines

Economic Development Vote 5

To the Standing Committee on Privileges and Elections

Privy Council Vote 10

To the Standing Committee on Regional Development

Regional Economic Expansion Votes 1, 5, 10, L15, L20, 25, 30 and 35

To the Standing Committee on Transport

Transport Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, L45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, L100, 105 and 110

To the Standing Committee on Veterans Affairs

Veterans Affairs Votes 1, 5, 10, 15, 20, 25 and 30

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, my only question with respect to that and on the agreement is whether the minister can assure me that the precedent on the reference follows the precedents of other years and that there is nothing unusual about it because I have not seen a copy of the reference, if he can do that, I am quite prepared to agree.

Mr. Pinard: Yes, Madam Speaker. I am told that it is the usual motion. I will make sure that within seconds or minutes my colleagues have a copy. I am sorry it is not ready. It was not distributed, but we thought we were to table the estimates much later.

Mr. Stevens: Madam Speaker, I wonder if the minister can clarify for me if the estimates have been tabled.

Mr. Knowles: Weren't you here?

Mr. Stevens: No, they have not.

Madam Speaker: The House has heard the suggestion of the President of the Privy Council. Is it agreed that this motion be accepted?

Some hon. Members: Agreed.

Motion agreed to.

EXPLANATORY STATEMENT BY PRESIDENT OF THE TREASURY BOARD

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, it gives me a great deal of pleasure to be able to make a statement following the tabling of the estimates which has taken an undue length of time. I am sorry that members of the opposition, of the Tory party, have played the role of *des vierges offensées* because I elected to follow the procedure which is the only procedure followed in the past with respect to the lock-up. I will undertake to ensure that in future the luncheon invitation will be extented to a greater number of members or that some other procedure is adopted in order to avoid the incredible inconvenience foisted upon us by the game that has been played in the past few days.

I find it interesting that the same members who have shown such concern about not attending a press lock-up, declined to accept an invitation from me several weeks ago when I offered to review the new form of the estimates with members of the opposition. Curiously enough, the hon. member for Nepean-Carleton (Mr. Baker) did not show up for that meeting, the hon. member for St. John's West (Mr. Crosbie) did not show up for that meeting, the hon. member for Mississauga South (Mr. Blenkarn) did not show up for that meeting, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) did not come to the meeting and, needless to say, neither did the hon. member for York-Peel (Mr. Stevens) show up for that meeting.

Before I go to the substance of my comments, I would draw to the attention of the House that members opposite were aware last week that I was to table the estimates on February 25. I would point out that no one from either of the opposition parties requested a lock-up with respect to these estimates. The press lock-up has been a tradition. As you know, the press are subject to an embargo. I pointed out yesterday, and I point out again by way of introductory remarks, that the traditional procedures have been followed.

Estimates

● (1630)

The statement which I am about to make bears a close resemblance to some of the material which has appeared in a number of newspapers. It is somewhat with a sense of *déjà vu* that I approach this task, but I insist that I should not be subject to any copyright infringement.

Mr. Baker (Nepean-Carleton): Dispense with the statement.

An hon. Member: Carry on.

Mr. Johnston: If I may, I will shorten the statement to a number of points in which members of the House will be interested.

For the first time, the estimates are contained in two parts. Part 1, entitled the "Government Expenditure Plan", is the new document of which I spoke when I tabled information on the new form of the estimates several weeks ago. Part 2 is the traditional blue book.

I would point out that the updated expenditure plan to 1983-1984, set out in part 1 of the estimates, provides for the same total spending level in 1981-1982 and the future years as was envisaged by my colleague, the Minister of Finance (Mr. MacEachen), in his budget last October. The expenditure plan I have tabled today reflects a more detailed costing of departmental programs, as a result of the review leading to preparation of these main estimates because the material was not available at the time of the budget. I should note the detailed spending plan is based on the same set of assumptions about the Canadian economy as were presented in the budget. Further, the fiscal plan presented in October provided specifically for the adjustments of detail which have been reflected in these estimates.

Total spending of $67.6 billion in 1981-1982 is 12.8 per cent higher than last year's level. This rate of growth, while somewhat higher than over the past few years, is below 1980-1981 growth. Total spending is forecast to increase by about 10 per cent in the two planning years beyond 1981-1982. I would stress that these increases meet the government's continuing commitment to expenditure restraint. In the budget, the government reaffirmed its commitment to keep the growth in spending to less than the trend in the economy as a whole, and this spending profile set forth in these main estimates honours that pledge.

It is important for members to place the spending plans of this government within the context of the government's continuing commitment to restraint adopted in 1975. You will recall that government spending in the 1974-1975 period increased over the previous year by 28 per cent at a time when inflation was approximately 11 per cent. From that time on, major reforms have been progressively implemented to give effect to a rational policy of restraint to approach spending cuts with what I call the carving knife rather than the meat axe. It is in this spirit that we have initiated and carried forward the improvement in management practices and controls through the office of the Comptroller General. It is in this spirit that we have introduced the new policy and expenditure management system. It is in this spirit that we have tightened up administrative practices so as to effectively address the problem of cost overruns on Crown projects, and it is also in this spirit that we have consistently, over the past several years, held the increase in authorized person-years to less than 1 per cent. In other words, our objective has been, and continues to be, to ensure that the taxpayers' dollars spent by the federal government are well spent, and that taxpayers receive value for money.

Last week, as members know, the President of the United States announced cuts in direct spending of $41.4 billion from the U.S. federal budget which will now be in the range of $700 billion for the fiscal year beginning October 1, 1981, this together with a proposed tax cut totalling 30 per cent by mid-1984. The President has also proposed reforms to reduce regulation and red tape, as well as major changes in the depreciation allowances for business and industry to expedite modernization and research and development.

The U.S. administration has embarked upon what we in Canada already know to be a difficult, painful, and often frustrating exercise. And I cannot help but point out, when considering the President's program, that what the U.S. government proposes to do for three years we have been doing for the past seven.

Mr. Blenkarn: Nonsense.

Mr. Johnston: Specifically, and this is for the hon. member for Mississauga South (Mr. Blenkarn), the indexation of personal exemptions and personal tax brackets introduced in 1974 has had the effect of reducing the revenues of this government in 1980-1981 alone by $7.5 billion. I might add these are the numbers which appeared in the budget of the then minister of finance, the hon. member for St. John's West (Mr. Crosbie), in December, 1979. Moreover, the changes in depreciation allowances and the new proposals for research and development proposed by President Reagan, bring the U.S. federal tax system in this area very much in line with the one we have enjoyed in Canada for many years. And as far as regulatory reform is concerned, designed to reduce both the cost of government and the cost to the private sector, we are rapidly moving ahead with work programs across the federal government to achieve exactly the same objectives as those proposed by President Reagan. I announced those measures some time ago.

I can assure you that we will continue to apply the policy of fiscal restraint within the parameters and within the philosophy that I have outlined. Let me now turn to a brief review of the highlights of the 1981-1982 estimates.

The 1981-1982 main estimates provide for budgetary expenditures of $64.6 billion which is 11.6 per cent higher than budgetary expenditures in 1980-1981. The 1981-1982 main estimates also provide for loans, investments and advances of just over $1 billion. Total reserves of $3.6 billion have been included in the expenditure framework for 1981-1982 to cover adjustments to statutory and voted programs as well as new initiatives the government might wish to undertake during the

course of the year and any other unforeseen requirements. If all these reserves are used for supplementary estimates, total estimates at the end of 1981-1982 would be $69.2 billion. Two adjustments must then be made in reconciling total estimates to planned total spending of $67.6 billion. First, total estimates must be adjusted downward for repayments of previous years' loans that are not offset by new loans. The current estimate of these repayments is $544 million.

Second, since the government cannot legally spend more money than Parliament authorizes and, in fact, always spends less, an adjustment for this lapse of expenditure authority must be made. The current projection of the lapse for 1981-1982 is $1.064 billion.

[*Translation*]

In summary, Mr. Speaker, these estimates and the Government Expenditure Plan of which they form a part, clearly indicate that this government is meeting the concerns of Canadians in a number of areas. The estimates continue to provide for the indexation of payments to the elderly, to help them cope with the higher costs of living. They include funds to cover this government's commitments in the areas of social needs, regional development, housing, employment development and assistance to native peoples. They provide for assistance to farmers and industry to help cope with the changing economic times. The expenditure plan includes $2 billion in total over the three years to 1983-84 which has been identified to help promote economic development in western Canada. In 1981-82, $350 million of this total is provided for, and specific information on the allocation of these funds will be included in future supplementary estimates. Finally, the estimates and the government spending plan will go a long way toward meeting the concerns of Canadians in the field of energy. The main estimates include about $700 million in spending under the National Energy Program. Other aspects of national energy plan initiatives will be included in future supplementary estimates.

● (1640)

[*English*]

I would now like to turn to a discussion of the size of the public service, Mr. Speaker. Ministers of the Treasury Board approached the growing demands for increased person-years with fairness but with a determination to keep over-all increases to less than one per cent. I am pleased to report that we achieved these objectives while at the same time not compromising the effective delivery of government services to the public. Members will note that substantial increases in person-years were made in some departments for that purpose. In particular, I would draw your attention to increases accorded the Department of Fisheries and Oceans and the Department of Energy, Mines and Resources.

The 1981-82 main estimates provide for 315,680 authorized person-years. This is an increase of 3,085 or just under one per cent from last year's level, which was our objective. This small increase follows two successive years of actual reductions in person-years and even with this increase we are still below the level of person-years authorized in 1975-76.

I would point our that of the total 3,085 increase in authorized person-years fully 1,373 person-years are for 1981-82 only, representing the requirements for the 1981 census. If one discounts this temporary increase, the total increase is only about 0.5 per cent. This 0.5 per cent rise is a net amount made up of increases in some areas of the federal public service which are partially offset by decreases elsewhere. The increases are largely in programs which deal directly with the public under conditions where the resources must be provided in keeping with the growing demand for services. In order to maintain an acceptable level of services, even after achieving reasonable productivity gains, the number of people delivering them must obviously increase. Examples include Revenue Canada, where the workload reflects the growing number of tax returns, and the Royal Canadian Mounted Police, where increased demands come partly from provinces and municipalities which contract with the federal government to provide a level of policing which meets their requirements.

As I have indicated, a particularly important area of increased person-year requirements is in the Department of Energy, Mines and Resources where 470 new person-years are provided in the first stage of implementation of the National Energy Program announced in last October's budget. Important new initiatives necessitate additional human resources to ensure effective delivery and control of programs to which substantial financial allocations are being made.

Similarly, the Department of Fisheries and Oceans will receive a sizeable increase in person-years. This increase will provide for the rationalization of activities in the areas of fisheries management and ocean science research. This includes a provision to cover work previously done under contract in the Salmonid Enhancement Program.

I would like to emphasize, Mr. Speaker, that this government, unlike the previous one, does not intend to implement arbitrary cuts to manage the size of the public service. Such arbitrary measures can cause serious damage to the level and quality of service of some very important programs and are clearly not a viable means for managing the public service.

Mr. Baker (Nepean-Carleton): You are absolutely right.

Mr. Johnston: Instead, this government plans, through an orderly review of all programs, to achieve savings by eliminating duplication of effort and by improving productivity and management.

[*Translation*]

In closing, Mr. Speaker, I would like to make a few comments on the new document, the Government Expenditure Plan, that I have tabled as Part I of the estimates for the first time today. As you recall, I have released the government's proposals for reform of the estimates. These changes were initiated at the request of my fellow parliamentarians and the general public. The Government Expenditure Plan represents the completion of the first stage in that process.

The document contains a statement of the government's expenditure plan to 1983-84 and an analysis of that plan by policy sector and associated resource envelopes. It places the 1981-82 main estimates within the context of the total expenditure plan and highlights certain aspects of these estimates. Finally, one chapter each year will be devoted to special analyses of expenditure issues that are of current interest. This year, chapter 5 contains a reference paper that explains the different definitions of the size of the public service and analyses historical growth in the part of the Public Service which is controlled by the Treasury Board of Canada.

I would stress, Mr. Speaker, that this is the first edition of the Government Expenditure Plan. I fully expect that the structure and content of the document will evolve over time. As it is intended first and foremost to serve the needs of Parliament, I wish to urge hon. members to study it with care and advise me on changes and improvements that would enhance its value to them and to the Canadian public.

Finally, Mr. Speaker, I would remind hon. members of the commitment given by the Prime Minister in August, 1978, namely to provide Canadian taxpayers with more for less. The 1981-82 main estimates demonstrate the continuing commitment of this government to that objective.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: Order. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Surrey-White Rock-North Delta (Mr. Friesen)—The Constitution—Query respecting telegram from British Columbia ecclesiastics; the hon. member for Halifax West (Mr. Crosby)—National Energy Program—Implementation in eastern Canada; the hon. member for The Battlefords-Meadow Lake (Mr. Anguish)—Drought Assistance—Request for extension of boundaries.

ROUTINE PROCEEDINGS

[*English*]

MAIN ESTIMATES, 1981-82

EXPLANATORY STATEMENT BY THE PRESIDENT OF THE TREASURY BOARD

The House resumed consideration of a message from His Excellency the Governor General transmitting estimates for the financial year ending March 31, 1982, presented by Hon. Donald J. Johnston (President of the Treasury Board) and read by Madam Speaker to the House.

Hon. John C. Crosbie (St. John's West): Mr. Speaker, we have only been presented with these estimates a few moments ago. Therefore, we cannot give an in-depth analysis at this stage. Even so, we have seen enough to know and to feel a great disappointment that the President of the Treasury Board (Mr. Johnston) is engaged in the same old shell game, the same old con game, that has been going on with this government for so many years in the past.

The President of the Treasury Board said there had been a game played in the last day. The minister hears nothing and he learns nothing. The game played in the last 24 hours has been a game by the President of the Treasury Board who has attempted to tamper with the right of Members of Parliament in ways that have been gone into in detail in the last few hours.

The President of the Treasury Board has learned nothing, and will continue to learn nothing, and unless you, Mr. Speaker, bring him to account nothing can be done, because we have to look to you for protection from the kind of arrogance that was exemplified in that remark.

The minister made a fatal mistake in his statement. He said "these estimates are based on the same assumptions as in the budget". I am quoting his exact words. The budget was last October 28, almost four months ago. He said "the assumptions on which our spending estimates are based are the same as in the budget." Has he not listened in this House for the last couple of months? The assumptions in the budget of October 28 of the Minister of Finance (Mr. MacEachen) have all proven to be completely incorrect in the last several months.

The minister's budgetary document forecast inflation for this year to be 10.2 per cent. The inflation rate for this year, 1981-82, is already 12 per cent. How can these estimates be based on an inflation estimate of 10.2 per cent, as is the case, if it is on the same assumptions as in the budget? If that is the case, they are completely out of whack already.

• (1650)

Then, Mr. Speaker, there was an assumption in the budget, and the documents that accompany the budget, that the Canadian dollar this year would trade in the area of 87½ cents U.S. Well, what is it trading at today? Just between 83 cents and 84 cents. What was it last week? Down around 82 cents. That is another assumption in the budget last fall which was completely wrong, and that is going to raise the cost of the

minister's borrowing outside Canada by a very considerable extent.

Interest rates, Mr. Speaker: what were the assumptions on interest rates in the budget of October 28? The assumptions there were that interest rates were going to decrease quite rapidly in 1981. Has anybody noticed interest rates decreasing rapidly? They have been high now ever since the late fall. Unless there has been some change today—and I did not get a chance today to hear what happened to the Bank of Canada rate—it is now 18¼ per cent at the banks and has not changed for a number of months.

So assumption after assumption of the budget of last October 28 has been shown by events to be wrong; yet this minister says that he has presented his estimates on the same assumptions as in the budget. Well, we can already see that his estimates are pretty well worthless.

Just look at his statement, Mr. Speaker. Examine the statement that the minister just gave. He gave it to the press yesterday and it went to the world yesterday, and we are getting it now and we can comment on it now, 24 hours later. He says that total spending—the first page—of $67.6 billion in 1981-82 is 12.8 per cent higher than the forecast for 1980-81.

It was the Prime Minister (Mr. Trudeau) of this government that, in a solemn commitment in Toronto in January of 1980, said that the rate of spending "under our government will not increase more than the real increase in the gross national product". That was his statement. It was proven to be entirely false last year, and this year, on these estimates brought before the House, it is false again. The Minister of Finance says we should change that because it was a trend line. How trendy the Liberal government is! They are always so trendy that they just suit many people up in Toronto, the sophisticated, trendy types, on the trend line of the gross national product. But it is not on the trend line of the gross national product. It is not on the gross national product at all. That is another promise broken.

Nor is the spending, Mr. Speaker, $67.6 billion. The minister there is trying to hide his real spending. What is he hiding? One item that he is hiding is $2.4 billion in spending for oil subsidization under the oil import subsidization program. That is not apparent in the estimates this year, Mr. Speaker. Why not? Because the Minister of Finance imposed new charges on the public, and the public is going to pay into a fund $2.4 billion this year that is going to be spent on the oil import subsidization plan.

So there are only several hundred millions of dollars still appearing in the estimates, rather than the total amount which would be several hundred million plus $2.4 billion. So why is the President of the Treasury Board trying to pretend to the people of Canada that his spending is only going to be $67.6 billion? You have to add to that $2.4 billion in spending on the oil import subsidy plan. That brings the spending, when you add that on, up to $70 billion. And it is not a 12.8 per cent increase; it is a considerably larger increase. Therefore, Mr. Speaker, there is another incorrect statement.

Let us compare this with the estimates of previous years. Last year, in the budget of October 28, the unemployment insurance contributions went up: a very considerable increase. Everybody employed in this country today who pays unemployment insurance premiums is paying more because of the minister's budget of October 28, and the increased sums paid in those premiums are being used to meet the increased employment costs. So additional hundreds of millions—I haven't got the exact figures here now—but a billion, or a billion and a half, or whatever the amount is, has to be added on to the $67.6 billion if there is to be any correspondence with previous years for actual spending by the government.

So it is not 12.8 per cent; it is not 13 per cent; it is not 13.5 per cent: it is something very much in excess of all of that. And the gentleman who is doing all the secret spending—or they try to keep it secret—is now in the House facing us, the Minister of Energy, Mines and Resources (Mr. Lalonde). So much for restraint!

Mr. Speaker, this statement of the President of the Treasury Board is so ludicrous, if it was not so serious for Canada. Let us look at page 2 of his statement. I quote him, Mr. Speaker:

> And I cannot help but point out, Madam Speaker, when considering the President's program—

That is the program of President Reagan announced a week ago. What the U.S. government proposes to do for three years we have been doing for the past seven years. Imagine, what President Reagan proposed last week, this government has done for seven years! Mr. Speaker, how does this square with *Hansard* of Thursday, February 19, when the hon. member for St. John's East (Mr. McGrath) put a question to the Minister of Finance about priorities and suggested to him that, if he wants guidance, he should take a look at President Reagan's economic package which he presented last night. That is at page 7454. The hon. member for St. John's East asked that. He said that if he wants guidance, he should look at President Reagan's economic package. And here is what the Minister of Finance said.

An hon. Member: Is that where you got your ideas?

Mr. Crosbie: Mr. Speaker, the untrammelled rabble over there are trying to heckle me, but it will not do any good; rabble can't bother me. At page 7455 of *Hansard*, here is what the Minister of Finance said:

> I want to tell the hon. member that I do not intend to take guidance, as he has suggested, from the message given last night by the President of the United States in terms of the reduction of expenditures.

Why don't these two get their act together? The President of the Treasury Board is taking guidance right from the President, and he says that for seven years he has been doing what President Reagan is doing; that is what his government has been doing. He said that we are rapidly moving ahead with work programs across the federal government to achieve exactly the same objectives as those proposed by President Reagan; and just last Thursday, February 19, the Minister of Finance scoffed at President Reagan. He said this:

Shall I take guidance and reduce spending on the arts and humanities? Shall I take guidance and reduce expenditures on welfare, as the hon. member suggests? Shall I take guidance . . . that is the kind of guidance I am not taking from the Leader of the Opposition . . . or from the President of the United States.

Who is in control of this government?

Mr. Baker (Nepean-Carleton): Nobody is in control.

Mr. Crosbie: Is it the Minister of Finance, who is anti-Reagan and anti-everything he stands for, according to *Hansard* of February 19; or is it the President of the Treasury Board, who today trots out President Reagan and says that he has "out-Reaganed" Reagan. That is what he said in his statement here today, that he is rapidly moving ahead with work programs. What are the work programs that he is rapidly moving ahead with that are going to cut our budget just as much as President Reagan is cutting the budget of the United States of America? The people would like to know that, Mr. Speaker. Let us move along; time passes; we cannot spend too much time on this preliminary look.

Mr. Speaker, the government is planning to spend $3.8 billion more next year than would have been spent were we still in office. They continue in their spendthrift ways. I do not know where President Reagan comes in on this. This President of the Treasury Board has had to admit to this serious situation—and it is serious. The public debt of Canada is going to cost us, in 1981-82, according to the estimate—and it is a low estimate because it is based on interest rate assumptions now out of date—$12,350 million. That is more than the entire budget of Canada was less than ten years ago. A huge amount of money!

The taxpayers of Canada are going to have to cough up in taxes this year, or they are going to have to lend to the government, sufficient funds to pay $12,350 million: 19.1 per cent of the government's spending, according to their own figures, and it is actually much higher, is going to go in interest payments and debt charges on the public debt. Hon. gentlemen over there may be able to say that that does not worry them. They are not worrying because they are only thinking of the short term. They never think of the long term. They are not worrying about what is going to happen to Canada in four of five years' time when this is up to 24 per cent, 25 per cent or 30 per cent, where it is headed to if hon. gentlemen opposite stay in office. They are not worried that so much of the revenue taken from the people of Canada has to go out entirely—it does not provide a service. It provides nothing. Just to meet their profligate spending of the last ten years, all these interest payments have to go out. They have had deficits every year since 1972-73, and this year they now say they are going to have a deficit of $13.7 billion. They say their deficit last year was $14.2 billion, and this year it is going to be $13.7 billion. If you apply 10 per cent only in interest to the $13.7 billion they are going to borrow this year, that is some $1.37 billion more in interest costs alone in the year following that, and on and on and on it goes under these gentlemen. But they do not care. They do not worry. They are not worried about anything like that. What are they going to do? Well, the minister talked about a document, or one of his releases deals with federal transfers to the provinces, territories and municipalities. Where the government thinks it is going to save some money next year and the years to come after that is on hospital insurance, medicare, post-secondary education, extended health care programs, equalization. Just look at the figures attached to this document of February 25, 1981, and see what the minister is going to do. The minister is now going to squeeze the provinces. The provinces that this government forced into a position where they could not refuse to come in on these programs are now going to be left stranded and told by the Government of Canada that they have to accept more and more of the burden for these programs that were instituted under the pressure and direction of the Government of Canada. This is where they think they are going to achieve their savings.

• (1700)

With respect to fiscal equalization, Newfoundland got $416.7 million in 1981-82, or that is the estimate. Newfoundland got $79.7 million for hospital insurance, $27.4 million for medicare, $50.7 million for post-secondary education and so forth. All together total cash transfers amount to $730 million. The total altogether across Canada is $13.783 billion. This is where the government says it is going to save the money. It is going to squeeze Newfoundland until the pips squeak because Newfoundland will not do its bidding, and it is going to squeeze the provinces. It is not going to worry about its debt payments or how they are mounting up or whatever else they are going to do. It is just going to squeeze the provinces, and the minister gives us the figures so we can see just what that is going to cost them.

There was a boast. The minister boasts. I am not sure whether he does or not. They have been boasting that they are spending more on economic development. Well, it is significant that they are spending less on economic development. The expenditure envelopes have changed. Instead of spending $7.155 billion on economic development, they are going to spend $6.873 billion. So there is a diminution in their emphasis and priority on economic development.

We have to point this out to show you how quick we are mathematically and how in a quick few minutes I could do this computation. The estimated cost of services for the government in 1980-81 was $4 billion. That is the cost of services performed, people carrying out services for the government, overhead. In the fall, the Minister of Finance projected that the cost for this year, 1981-82, would be $4.5 billion. But now in the document tabled by the President of the Treasury Board that spending is up to $4.7 billion, a 17 per cent increase in the overhead. Already, since October 28 they have had to revise spending on their own services, their own fat cat selves. They spend on the hiring of Liberal consulting firms, the hiring of Liberal lawyers—all these very, very valuable services, the doing of surveys, the carrying out of polls, this kind of service. The spending there is going from $4 billion to $4.7 billion.

The minister wants to try to tell us that he has real restraint in effect in government. We know different, and we will be pointing that out when these estimates go to committee.

What else can I say with this short notice? I have a newspaper here from St. John's, Newfoundland. It came up today, Thursday, February 26. *The Daily News* says this: "Feds to fund synchrolift". This is the synchrolift in my district of St. John's West that the federal government has refused to fund. It has advised the province and Canadian National that it will not provide these moneys that were supposed to be in the estimates last year and this year. This daily paper printed down in St. John's in the early hours of this morning said they have had a look at the estimates. Tom Sullivan of *The Daily News*, special from Ottawa, said that there is $11.5 million in the estimates for the synchrolift for the dockyard in St. John's. This will show you how accurate these estimates are because I will make the prediction right now that if that $11.5 million is in the estimates, it is not going to be spent on a synchrolift in St. John's; it will be spent on other little projects, public works projects in Canada, but not on the synchrolift. But if that turns out not to be the case, then I think that this is the one item in the estimates that I can look at and say it would be money well spent and the government would be carrying out solemn commitments and pledges it has made in the past.

It also has to be noted that the Minister of Finance and the President of the Treasury Board have to get together because the Post Office is going to have a further deficit this year. The figure is over $500 million. I do not have it right at my fingertips at the moment. Yes, here it is; no, it is not.

An hon. Member: Is it?

Mr. Crosbie: I am sure you will forgive me while I look to get the exact amount. There are so many papers. They have been pawed over by so many people before we ever got them that I cannot find them right at the moment.

An hon. Member: You are always mixed up.

Mr. Crosbie: I ask hon. gentlemen for patience. Here it is. The Post Office is going to cost more to run this year—1981-82—and it is going to wind up with a $557 million deficit. When we look at the budget speech of October 28, we see in that budget speech the statement that they are not including any spending on a deficit for the Post Office for the year 1981-82 because they say the Post Office is going to break even, it is not going to cost the government anything; and that is why the Minister of Finance in his budget speech explains that he has no expenditures under the Post Office, yet three and a half months later, what is to happen? It is going to have a $557 million deficit.

All of this is to say that we cannot take this statement by the President of the Treasury Board seriously. It is a con game. It is a gigantic shell game on the people of Canada. It is a charade. I only hope he comes through with his vastly improved estimates so that people will be in a position to understand them more easily, if they can understand them at all, when they are presented. But to date I am afraid he has been a very, very great disappointment in his position, which he has further added to by his behaviour in the last 24 hours.

So these are our first preliminary comments. My hon. colleague who is our critic on the Treasury Board will have a lot more and a lot more detail as to what is wrong with these estimates when he gets a chance. I assume we are going to have a chance, after the New Democratic Party has made its statement, to ask questions of the minister and get some more detail on this, but it is a disappointing charade. It is bad news for Canada. The spending is up. The debt is up. The government is not meeting its commitments. It is based on the same false assumptions in the budget. It will not help the economy. It will not help the Canadian dollar. It will further depress it because the evidence in here is that the government does not care about inflation and that it has no real fiscal plan. It is just lying there. The government is just drifting. The government is on a gradualist course of action. As I said last night, the government is like shaver soap. It does not sink, it does not float; it is just lying there becalmed in water. The only one doing anything—and he is doing a lot of damage to the economy—is the Minister of Energy, Mines and Resources.

It is a great disappointment. I am afraid there is no way we can congratulate the minister on his performance or on the detail he has given us today.

Mr. Doug Anguish (The Battlefords-Meadow Lake): Mr. Speaker, I am pleased to respond to the tabling of the 1981-82 estimates in this House on behalf of the New Democratic Party. I am not nearly as disappointed with the estimates as I am with the conduct of this House over the past 24 hours. I expected to be responding some time yesterday around four o'clock. I find myself responding a day later at five o'clock because of an error in judgment made by the Liberals and because of the activities of the Conservative Party which followed after that.

● (1710)

I would like to say that I am pleased with two other aspects, besides the tabling of the 1981-82 estimates. I am pleased with the new form of the estimates, Part I, which was brought before us today, the government spending plan. I would like to say a few words about the second part, being the new form of the estimates which will be before us in the coming years. I would like to commend the past public accounts committees of both governments for the work they have done in making Parliament more aware so that government is more responsive and accountable to the people of Canada. I am looking forward to the new form of the estimates which are to come before us. As I said, I would like to commend the work which has been done through the public accounts committee, the office of the Auditor General and the new office of the Comptroller General, which has done a lot of work in bringing about the revised form of the estimates.

I am looking forward to the government's expenditure programs, the estimates themselves, once they are revised substantially, and the guide which will go with it. I think these

measures will go a long way in serving members of Parliament, so that they can have a more enlightened view of what is actually happening in the government with regard to spending and making the government accountable to Parliament. I think these measures will save a lot of research for members and their office staffs, since the new form of the estimates will be much more understandable than it was in the past.

The expenditure plans, especially in terms of the programs, will make departments sit down and look in an objective way at the programs they are putting out. They will have to justify what the objectives of the programs are and the funding which will go along with those programs. We, as members of Parliament, and the public accounts committee, can check against those expenditure plans of programs in future years by comparing it to the public accounts of Canada. I think that is a big step forward. Those who have worked very long and hard to bring this about should be commended.

I do not think the government can stop in terms of having a revised form of the estimates. I would like to see it proceed further in terms of freedom of information and to have the President of the Treasury Board (Mr. Johnston) listen to recommendations made by the special task force which was set up this year to deal with regulatory reform. I would like the President of the Treasury Board to give some serious consideration to having permanent staff allocated to committees, such as the public accounts committee, so that there is some kind of consistency with regard to the people who are watching those committees.

I am concerned about the amount of the public debt. It is acknowledged that the public debt is the fastest growing envelope, increasing by 16 per cent. I do not see that the government has its public debt under control yet. That causes me some concern.

I would like to go on to say that the estimates have, in fact, increased the number of person-years by 3,085 for the 1981-82 estimates. I acknowledge the fact that many of these increases are in terms of the National Energy Program and in terms of the census which is to be taken this year.

I would like to say a few words about the National Energy Program itself. I feel there are some good objectives within it. I would like to see Canadians gain some increasing control of ownership within the petroleum industry in Canada. I feel that the political will is not necessarily being carried out in Canada with respect to this program. I fear that the government has placed the oil companies up against the wall and they are rebelling. Even though we do agree with many of the recommendations and objectives of the National Energy Program, we have a great deal of fear with respect to the way in which this program will be carried out.

I want also to respond to the inconsistency between the Minister of Finance (Mr. MacEachen) and the President of the Treasury Board in terms of one supporting the objectives of President Reagan and the other being opposed to them. I would like to reiterate that they should be getting together with respect to their approach to Canada's economy, decide the manner they will take to approach this and be consistent.

I would like to turn to the transfer of payments to the provinces, which was also touched on by the previous speaker. Including the statutory payments paid under the equalization program to the provinces, a large proportion of those payments is paid to eastern Canada as compared to what is paid to western Canada in terms of per capita population. I think this is a good sign. It shows an increase in the economic wealth of the western provinces. For example, 26.9 per cent of the population is contained in western Canada. In that figure I am using the 1976 census figures for the provinces of Manitoba, Saskatchewan, Alberta and British Columbia, which make up this 26.9 per cent. Yet those same provinces only receive 11.3 per cent of equalization payments. The large balance, of course, goes to eastern Canada, that is from Ontario east, including the Atlantic provinces, which are in a worsening economic position.

Mr. Blenkarn: Ontario does not receive equalization payments.

Mr. Anguish: The hon. member says that there are no equalization payments being made to the province of Ontario. I would like to point out that in these transfer payments Newfoundland receives $440.5 million, Prince Edward Island receives $100 million, Nova Scotia receives $ 509.5 million, New Brunswick receives $429 million, Quebec receives $1,707.2 million and Ontario receives $85.5 million. The provinces I have mentioned are the ones I consider to be eastern Canada. I would like to deal with the provinces of western Canada. Manitoba receives $369.5 million, Saskatchewan only receives $2.2 million under the transfer payments. This is the amount that was agreed to under the British North America Act for statutory subsidies. The province of Alberta receives $40.7 million, British Columbia receives $4.1 million and the Northwest Territories and the Yukon each receive $0.3 million. The point I am trying to make is that there is a great transfer of the wealth in this country to western Canada, in terms of the western provinces helping to carry the load for the rest of Canada in the bad economic times we are facing. I am happy to see this. I do not see it as a necessarily negative aspect.

Also, I would like to say that I am concerned about the government and its expenditure plans. It is transferring a great deal of the responsibility for payment of some programs to provincial and municipal governments. It is a cost which they cannot afford to be absorbing. The two programs that come to my mind immediately are the community services contribution program and the costs of policing. The community services contribution program provided a great deal of funding to needy municipalities across this country. This program has not been cut off. At this point in time there will be nothing to follow it up. This creates a void within some of the municipal governments across Canada.

In The Battlefords-Meadow Lake, the constituency which I represent, there are some communities such as Uranium City which will have its payments for policing costs go up this year over last by 95 per cent. In the town of The Battlefords the

cost is going up by 91 per cent. I would like to put the federal government on notice that there are some very serious concerns here about policing within many communities. These communities will have to look at alternative forms of policing. They do not want to do this because they are very happy with the RCMP and the arrangements which they have had with them. They may also have to cut back on their policing because of the policy of this government to transfer much of that responsibility over to the provinces and the municipal governments.

Before closing, Mr. Speaker, I would like to point out some inconsistencies between what the federal government is trying to do and what is actually written in their document. I refer to the press kit fact sheet number four, which deals with the highlights of the ministry. I would like to turn to the entry under energy, mines and resources and deal specifically with Atomic Energy of Canada Limited. AECL had a budget in 1980-81 of $144.2 million. That budget has been increased in the 1981-82 estimates by $133 million to render a total for 1981-82 of $277.6 million. This is a whopping increase for Atomic Energy of Canada Limited, especially when I know, as a member of the Standing Committee on Public Accounts, that this same Crown corporation came before that committee and asked for forgiveness of $893 million because of some management, planning and marketing problems. There is no indication at this point in time that those problems have been rectified. At the same time, the government is allocating an increase of $133 million to the same organization which is asking for forgiveness because of bad management, not necessarily now but certainly in the past. The things which enter into this are outstanding loans and bad planning, for example, with respect to the Glace Bay heavy water plant that is not promoting sales at the present time. That plant is stocking reservoirs of heavy water for future prospective sales and no marketing strategy has been outlined. Also the Laprade plant in Quebec is in a partially completed state and will never likely be used. AECL has mothballed it at a cost of several million dollars.

• (1720)

I should like to raise further questions on these matters when the minister is entertaining questions in terms of the estimates for this year. All in all, I do not see these estimates as being quite as drastic as do members of the Conservative party. Our party is concerned about the federal deficit and that there is a lack of control on the purse at this time, but I am very enthusiastic about some of the things which are happening in terms of improved accountability and improved information to Parliament respecting the revised estimates and the work of the office of the Comptroller General who, I feel, is doing a good job.

With those comments, I should like to close. I look forward to asking the minister some questions on the topic of the 1981-82 estimates.

The Acting Speaker (Mr. Blaker): Order, please. We are on statements by ministers. In the circumstances, there are no hard and fast rules. Accordingly, perhaps it would be advisable if I indicated what I think might be a reasonable procedure, but of course the Chair will be guided by the mood of the House.

First, I want to recognize the hon. member for Capilano (Mr. Huntington) who is the Treasury Board critic. Because he was unable to be here earlier, I would expect to recognize him for three or four questions.

Following that, my hope would be that hon. members might feel it satisfactory to deal with the matter by asking a question and a supplementary. As I said, it is not a ruling, it is a suggestion of the Chair, and matters will proceed in accordance with the mood of the House.

Hon. Ron Huntington (Capilano): Thank you, Mr. Speaker. I had to give a speech off the Hill at four o'clock and missed the privilege of replying to the President of the Treasury Board (Mr. Johnston) before this time.

I should like to refer him to page 2 of his prepared statement in which he compared the management direction of the Canadian government with the route upon which the United States administration has embarked. I notice that he tried to point out that the Canadian direction will be in line or parallel with the difficult task undertaken in the United States.

Recognizing that the President of the Treasury Board is a noted author of a book entitled: "Fiscalamity" and another book written in 1977, and recognizing his skill with the use of words, does he not feel he has gone too far in the third paragraph on page 2 of his statement? In actual fact, another way of putting it would be that the American deficit is 7 per cent of spending, whereas the Canadian deficit is 21 per cent of spending. In the United States, interest on debt as a percentage of revenue is $1 of tax out of $10 of revenue, whereas in Canada the interest on debt as a percentage of revenue is $1 of tax out of $4 of revenue.

In light of that information, I find a great deal of trouble reconciling or being sympathetic with his words in that paragraph, particularly when the direction in the United States is toward a balancing of its budget. If one looks at the projections in the estimates tabled by the minister, that does not seem to be the direction in which we are going. That is my first question.

Hon. Donald J. Johnston (President of the Treasury Board): Mr. Speaker, I would draw to the attention of the hon. member for Capilano (Mr. Huntington) the fact that my comments indicated that we have practised restraint. I pointed out in my text that the spending in 1974-75 was in the neighbourhood of a 28 per cent increase. Since 1975, the government has consistently applied a policy of restraint. Moreover, if one looks back to 1978 and to August, 1978, one will see that the exercise undertaken at that time was very similar to the one which has now been proposed by President Reagan. I suggest that the cuts, in terms of what is discretionary, are almost in the same order of magnitude. Going beyond that, with respect to the tax cut aspects of the United States package, I believe Canadians take for granted that they have

indexation in the personal income tax system in terms of exemptions and brackets.

Mr. Blenkarn: What has this to do with the estimates?

Mr. Johnston: I am saying that there was a tax cut each year for the past seven years in this country. In response to the ad hoc intervention of the hon. member for Mississauga South (Mr. Blenkarn), it has a lot to do with it.

Mr. Huntington: Mr. Speaker, I thank the President of the Treasury Board. I hope he will read his answers to these questions and blush a little.

Also I note in the estimates under Petro-Canada an item of $100 million, yet Petro-Canada purchased Merit, a downstream distributor of oil, in Burnaby, British Columbia for $10 million and recently entered into an extravaganza with Petrofina for something like $1.4 billion. If the advice I am receiving from rather substantial economists in the land is correct, that $1.4 billion will turn out to be $2.4 billion by the time financing and interest costs are included, and perhaps it will cost the Crown corporation a further $1 billion per year.

Would the President of the Treasury Board please tell us where the authority is and the vote is for the purchase of these corporations in which Petro-Canada is involved? Is it a loan or a grant, other than the $100 million of equity? There was $80 million in the previous estimates and $100 million in the new estimates. That is a total of $180 million, yet we are getting into billions of dollars of acquisitions on the part of Petro-Canada.

Are contingent liabilities being created which are not shown in the estimates and in Crown corporations? Are we truly moving toward getting Crown corporations under control, or are we really avoiding the true nature of the debt which is being created through these estimates?

Mr. Johnston: Mr. Speaker, I draw to the attention of all members in the House, particularly the hon. member for Capilano, that we are looking at the main estimates. There is no provision in this document, in the main estimates, which reflects the Petrofina acquisition. Obviously supplementary estimates will be tabled during the course of the year, but in any event the Minister of Energy, Mines and Resources (Mr. Lalonde) indicated in the House the procedure for the acquisition program.

With respect to the other question as to whether or not Crown corporations are under control, I would say that the answer is yes, very much so. As I have said before in the House, I hope we will be bringing in a comprehensive, omnibus Crown corporations bill in the very near future which will basically follow up on the legislation and improve versions of the legislation tabled several years ago.

● (1730)

Mr. Huntington: Madam Speaker, I gather that the President of the Treasury Board is saying that the Petrofina purchase will be brought in on the supplementaries under the $1 vote. I wonder if he could help me with my concern that once that $1 vote is accepted, no change can be made and we are then really into contingency account financing.

If I could then move to the matter of the public service, the estimates show that it has now increased by 3,053. I am wondering if the minister could clarify a problem that I am having with that figure. His predecessor had reduced the public service by some 5,000, and yet he is showing only an increase of 3,053. Is it true that the actual increase is probably closer to 8,000? Also, can the minister explain the productivity figures of the Public Service Commission of Canada whereby their person-years have been reduced by 200. Even Statistics Canada figures show an increase of 1,300. The President of the Treasury Board is probably going to tell us that these are temporary. Is that not a way of misleading the House? If some of us forget, in the next estimates, that the 1,300 person-years shown by Statistics Canada are there on a temporary basis for the purpose of the census, what kind of control will we have over temporary person-years? Does the President of the Treasury Board really think that that should remain in the person-year category when it is strictly a temporary category? I am a little confused in this area. Is the figure of 3,053 an actual figure in light of the reduction that took place in that interim period?

Mr. Johnston: The fact sheet, No. 6, I think, is quite explicit in terms of what is taking place. As I indicated during my earlier remarks, the increase is being held at less than 1 per cent, as a result of very deliberate decisions—by ministers of the Treasury Board, and of exercising that policy of restraint over the size of the public service.

If the hon. member looks at the increases that I have indicated he will see a temporary increase, because of the census. This temporary increase is reflected in two departments. It is reflected in Statistics Canada to the extent of 1,000 person-years. It is reflected in the Department of National Revenue, which also has a role to play with respect to the census, in the neighbourhood of 305 person-years. These are, indeed, temporary person-years.

The hon. member can rest assured that in the future, the Treasury Board ministers will very carefully police the requirements of these two departments to ensure that the obligations with respect to these temporary person-years are honoured. That leaves an increase which would be called a permanent increase of approximately one half of one per cent. These are spread over a number of departments. I indicated that the principal increases in that regard are in the department of my colleague, the Minister of Energy, Mines and Resources (Mr. Lalonde), who requires additional person-years, obviously, to implement this very major National Energy Program. They are also found in the Department of Fisheries and Oceans. Our colleague, the Minister of Fisheries and Oceans (Mr. LeBlanc), put forward very forceful and very convincing arguments which I am sure would be accepted by the member for St. John's West (Mr. Crosbie), were he here, to the effect that additional resources were required in that sector.

Some additional person-years, are taken up in the Department of National Revenue, for the purposes of enforcement and for the purposes of processing more tax returns which are, I suggest, areas of necessary increase. I believe I earlier made reference in my comments, to the RCMP where additional person-years are required in order to honour obligations to meet the requirements of provinces and municipalities, in large measure.

I think that the person-years we have agreed to and have authorized in these main estimates have been well justified by the ministers from whom the requests have come. However, I would again emphasize that we have looked at these very carefully. We are concerned this year, as we have been in past years, with uncontrolled growth of person-year authorization. I believe that the ministers of the Treasury Board took a very responsible and fair attitude toward the requests of their colleagues.

Mr. Bob Rae (Broadview-Greenwood): I have a couple of short supplementary questions for the minister with respect to actual cuts. On page 46 of the summary, the chart for the Canada Mortgage and Housing Corporation shows an increase. But when we actually look at the figures which are set out in the estimates, it shows that there were actual reductions in the level of expenditure for the next year over last year.

I would like to ask the minister how he accounts for that discrepancy? We have all recognized that the government is abandoning its responsibilities in the field of housing, but I suppose it would be unbecoming for it to admit that is what it is doing. I also recognize that there is this contradiction between the President of the Treasury Board's (Mr. Johnston) desire to be a clone of President Reagan and the parent policies of the Minister of Finance (Mr. MacEachen). But I would like to ask him how he accounts for the fact that item 23(4) of the estimates shows an actual reduction of over $100 million in the CMHC budget, while the little brief profile shows an increase.

It seems to me that there is something misleading in this and I would like the minister to indicate which of these documents is telling the truth.

Mr. Johnston: I have not had the opportunity to study this particular question in detail, nor do I think that this is the forum in which specific questions on individual departments should be asked. We are not sitting in Committee of the Whole or in the committee on miscellaneous estimates. If the hon. member would agree, I would be happy to try to find an explanation for the discrepancy to which he refers.

Second, with respect to his allegation of being a clone of President Reagan, I never suggested that I was a clone of President Reagan, nor did I suggest that we were implementing his policies. I said we have in the past, and we are continuing, to exercise a policy of restraint.

I noted that many of my colleagues seem to ask, "Well, where are your tax cuts?" We have had tax cuts for seven years. "Where is your restraint?" We have had restraint since 1975. That is the point. We are not trying to follow or in any way support the policies of President Reagan. This has to do with the fact that the government, since 1975, has consistently followed policies of over-all restraint.

Mr. Rae: I referred to a specific area because I was trying to demonstrate that there is a fundamental contradiction in the line being followed by the President of the Treasury Board. On the one hand, he is saying "We are a government that is doing all good things for all of the people," and, on the other hand, the government is cutting down on expenditures for programs which provide housing for the Canadian people.

An hon. Member: That is not so.

Mr. Rae: That is exactly what the President of the Treasury Board has done. All I can say is that it took me some time to look at the estimates and at one or two of these figures. In other areas, such as the Department of Industry, Trade and Commerce, the provision for the so-called "Industrial Restructuring Program" shows that that money has been taken out of other items of the budget. This means that the real, new additional expenditure is not as large as has been made out by the Minister of Industry, Trade and Commerce (Mr. Gray). We notice that there are capital cutbacks and expenditures in the Department of Indian Affairs and Northern Development.

• (1740)

These are just examples I have chosen, going through the estimates in the time available to me. I think we are entitled to know that the government is speaking out of both sides of its mouth at once. It is saying to the Canadian people that it will continue to provide programs when in fact it is cutting back. It holds press conferences to announce brand new programs to provide brand new ideas in terms of industrial assistance when in fact the money is being taken from another item in the department's budget. I think the Canadian people are entitled to know that not only does the government not have a clear idea of what it is doing but even as it does it, it attempts to mislead the people on the true input of the proposals.

Mr. Johnston: Mr. Speaker, I did not interpret that as a question but rather as a declaration or debate. I am quite happy to respond to specific questions. I suggest that this is a reconciliation that can be made in the economic development envelope if we are talking about the statements made by the Minister of Finance in October and some modifications made since that time which are largely due to loan repayments into those envelopes or to different costing of some of the programs. The over-all expenditure limits are identical to those established by the Minister of Finance in the October budget and the changes within the envelope structure, I would suggest to the hon. member for Broadview-Greenwood (Mr. Rae), who is obviously not interested in my point of view—

An hon. Member: He is walking out on you.

Mr. Johnston: —now that he is preparing to leave.

Mr. Rae: I am interested.

Mr. Johnston: The fact is that the statements that have been made by my colleagues are correct. I see no conflict. If the hon. member wishes to sit in committee and review the items with the ministers responsible for the various ministries, I am sure they will be delighted to accept questions and supply the necessary details.

The Acting Speaker (Mr. Blaker): Order, please. A considerable number of members wish to rise. I want to remind hon. members that we have royal assent at 5.45 p.m. or shortly thereafter. The President of the Treasury Board raised a point which I take to be quite in order, and that is that this is an opportunity for questions and answers, not for debate. I presume that hon. members are agreeable to short questions and short answers.

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I have two very short questions. Would the President of the Treasury Board table information from the compensation analysis branch on the number of people actually employed in the civil service to January, 1980-81? We could then compare that with the budget or with the allocation of 315,680 members of the civil service allowed in the estimates. I would point out that there is sometimes a difference of as much as 25,000 persons. Would he explain briefly how the numbers are rationalized and if he has some system of keeping control on what are necessary employees and why there is such a discrepancy between the authorization and the amount necessary.

Mr. Johnston: Mr. Speaker, there are frequently misunderstandings with respect to the force or strength of the public service. It is in part for that purpose I would say to the hon. member that we have prepared Chapter 5 in Part I of the estimates, which I think gives an adequate explanation of the different criteria used.

Let me point out a mistake which is often made by members of the public and of this House. The 315,000 does not represent people; it represents person-years. That means, for example, that if you employ one different person each day in the year, that is one person-year, theoretically. In fact, that is what it is. It is all measured in terms of person-years. The purpose of that and why it is used as a measure of control is fully explained in Chapter 5. It gives management more authority, more flexibility. It does not at all represent the physical number of people on strength at any given point in time. That is an important point to remember. It also refers to the people who are subject to Treasury Board control.

Other universes are used, for example, by Statistics Canada in terms of the size of the public service, which is a different yardstick. I suggest that my explanation is not nearly as complete nor as concise as that set out in Chapter 5. It was in response to the confusion that has arisen over the years that Chapter 5 was included in the estimates this year.

Mr. Blenkarn: It was stated in the budget that the public borrowing for interest charges this year would be $10,250 billion. The minister has $10.4 billion for his supplementary estimates. For the last ten or 11 weeks the government has been borrowing at very close to 17 per cent interest on treasury bills and rolling those over at least at $1 billion per week. Has the minister a Supplementary B for further interest costs for this year, and how does he recognize his cost of interest for next year at $12.35 billion when the budget showed $12.265 billion? How does he rationalize this?

Mr. Johnston: Mr. Speaker, as I indicated in my commentary, the entire plan of the main estimates, including the public debt costs, is based on the budget assumptions of the Minister of Finance for the Canadian economy. He has not indicated any intent to revise his projections at this point. It is sheer speculation to say what he might opt to do. Any substantial revisions to these numbers, as the hon. member suggests, would be included in supplementary estimates.

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, I should like to follow up on a question posed by the hon. member for Capilano (Mr. Huntington), who spoke of our public debt and related it to the U.S. situation. We are paying roughly—

The Acting Speaker (Mr. Blaker): Order, please. I want to remind the hon. member and all hon. members that statements have been made in response to the minister's statement. Statements are over. The only thing remaining now is the tradition of questions and these have to be brief. We have questions now, not statements.

Mr. Mayer: Mr. Speaker, I was not attempting to make a statement. I just wanted to give the background to the question so that I could get a full answer from the President of the Treasury Board. Could he give the House an opinion on the point at which our national debt becomes a burden? The U.S. is paying $1 out of every $10 tax dollars collected to service interest. We pay $1 out of every $4, and it seems that we may get to the point of paying one out of every three tax dollars to service debt. Does the minister have an opinion on the level at which this becomes prohibitive in terms of the functioning of a productive economy?

Mr. Johnston: Mr. Speaker, with respect, I think that is more properly a question which should be addressed to the Minister of Finance.

Mr. Taylor: Mr. Speaker, would the minister answer a question regarding the impact the reduction of federal moneys for the RCMP will have on municipalities and some provinces? Crime is increasing. The increased costs to municipalities will be as much as 95 per cent or 100 per cent in some cases. This will result in reduced policing and will give criminals a better chance to operate. Could the minister advise the actual amount of money being cut from the RCMP budget and whether there is still room and time for negotiations regarding this formula?

Mr. Johnston: Mr. Speaker, I should like to point out that this exercise is not an examination of the estimates before committee. I would think that question ought to be put to the Solicitor General (Mr. Kaplan). I would like to be in a position

to respond to all questions with respect to all departments of government. I think that exercise today would be impossible for me to undertake. In fact, it would always be impossible for me to undertake. The questions with respect to the RCMP should be directed to the Solicitor General.

● (1750)

Mr. Paul E. McRae (Thunder Bay-Atikokan): Mr. Speaker, my question will be brief. In view of the very large federal government deficit, in view of the transfer, perhaps 25 per cent of federal funds, to provinces, and in view of the OECD projections as well as the recent statement in the seventeenth annual review by the Economic Council of Canada that there will be an over-all government surplus in this country in the next two or three years, in spite of the large deficit which the federal government will incur, can the President of the Treasury Board tell me whether he is looking at the resolution of this strange phenomenon whereby one government has large deficits and other governments have large surpluses?

Mr. Johnston: Mr. Speaker, I do not like to be regarded as someone who likes to pass the buck—

Mr. Knowles: You pass a lot of them.

Mr. Johnston: —but the negotiations of the various transfer programs are properly the responsibility of the Minister of Finance.

The point which the hon. member makes is one which the Minister of Finance has made in speeches outside and inside this House and I believe it is one with which we would all concur. I would point out that if the hon. member looks at fact sheet No. 5 on federal transfers to the provinces, distributed with the budget papers, the hon. member will find the projected transfer of funds to other levels of government in the 1981-1982 year, consisting of cash transfers and tax points, totals $18.882 billion, or just under $19 billion.

The Acting Speaker (Mr. Blaker): There has to come a point when the Chair has to make some decision as to what is or is not appropriate in view of the fact that these matters are going to committee in due course. I cannot recognize the hon. member for The Battlefords-Meadow Lake (Mr. Anguish) on the grounds that he has already been recognized once. My understanding is that traditionally he is not permitted to have a second opportunity to ask questions. However, I will reconsider that point.

I see the hon. member for Winnipeg North Centre (Mr. Knowles) on his feet. I will recognize the hon. member for Portage-Marquette (Mr. Mayer) for one supplementary. In my view, other than the matter related to the hon. member for The Battlefords-Meadow Lake, I think that ought to be adequate for this discussion under statements by ministers. I said earlier that was not a ruling and I will take advice from members if they feel there is a need to go further. However, we are expecting royal assent any moment, and I thought we might tie that in with the completion of the questions.

Estimates

Mr. Collenette: Mr. Speaker, I rise on a point of order. We have been talking on these estimates for a while now and I realize that we have had a long statement by the minister and we did have time allotted for a reply by each of the official critics of the other parties. I hope that we do not prolong this debate any longer and that when we do come back from the Senate, we could get to orders of the day. In my view, this seems to have been a most lengthy time period for a statement by a minister and questions thereon.

ROYAL ASSENT

[*Translation*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Madam Speaker, the Honourable the Deputy Governor General desires the immediate attendance of this honourable House in the chamber of the Honourable the Senate.

Accordingly, Madam Speaker, with the House, went up to the Senate chamber.

● (1800)

And being returned:

Madam Speaker informed the House that when the House went up to the Senate chamber, the Deputy Governor General had been pleased to give, in Her Majesty's name, the royal assent to the following bill:

Bill C-54, an act to amend the statute law relating to income tax.

ROUTINE PROCEEDINGS

[*English*]

MAIN ESTIMATES, 1981-82

EXPLANATORY STATEMENT BY THE PRESIDENT OF THE TREASURY BOARD

The House resumed consideration of a message from His Excellency the Governor General transmitting estimates for the fiscal year ending March 31, 1982, presented by Hon. Donald J. Johnston (President of the Treasury Board) and read by Madam Speaker to the House.

Mr. Doug Anguish (The Battlefords-Meadow Lake): Mr. Speaker, I have a question for the President of the Treasury Board (Mr. Johnston). It concerns the notice I gave during my response on behalf of the NDP caucus and has to do with Atomic Energy of Canada Limited. I mentioned that, being a member of the public accounts committee, I know that AECL is asking for forgiveness of $893 million of debts they have incurred from a total of $1.2 billion. There is no end of reasons why they got into this problem, such as three heavy water plants, one partially completed at Laprade, one at Glace Bay and one at Port Hawkesbury, which they operate only to build up funds.

What did Treasury Board take into consideration to approve an additional $133.4 million in excess of their 1980-81 budget? How can Treasury Board justify approving that kind of increase when at the same time AECL is in debt to the tune of $1.2 billion?

Mr. Donald J. Johnston (President of the Treasury Board): Mr. Speaker, the question is one that would more appropriately be asked in committee of the Minister of Energy, Mines and Resources (Mr. Lalonde) who has responsibility for AECL. With respect to the $800 million-odd write-off to which the hon. member made reference, that decision was made on the recommendation of the Comptroller General of Canada in keeping with the over-all policy decision with respect to loans outstanding to corporations where there is no likelihood of repayment. It is deemed to be good accounting practice for the government to write off such liabilities. That is the reason for the change of status of that amount. With respect to the expenditure program of AECL and the necessity of increased capital, that question should properly be put to the minister responsible in committee.

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, I have a question of a general nature. We heard about the western development fund in the throne speech and reference to it by the Minister of Finance (Mr. MacEachen) in a speech in Montreal recently. I do not want to ask the President of the Treasury Board (Mr. Johnston) for specifics, but I would like some kind of indication as to whether that kind of fund has been allowed for in his estimates and if we can look forward to some announcement on the start of the expenditure of those funds. Many of us have written to the appropriate ministers asking for some kind of information on how these funds will be allocated. I would like an indication whether the expenditure of this money is allowed for in the present estimates. Can we look forward to some of these programs being announced under the western development fund in the near future.

Mr. Johnston: Mr. Speaker, the expenditure plan identifies $2 billion in total over a period of three years to 1983-84 of which $350 million is allocated to the year under consideration, 1981-82. The details of the expenditures in respect of that $350 million will be brought forward through supplementary estimates. The details are not included in these main estimates.

Mr. Gordon Taylor (Bow River): Mr. Speaker, the President of the Treasury Board (Mr. Johnston) mentioned there have been tax cuts since 1975. I wonder if the hon. minister can reconcile the fact that, with these tax cuts, there will be increased borrowings and increased deficits.

● (1810)

Mr. Johnston: Mr. Speaker, I think that is a question for the Minister of Finance (Mr. MacEachen), but it seems to me to be very easy to reconcile. If you take the year 1980-81, in which the tax cuts that I referred to contributed to lost revenue of $7.5 billion, had that revenue been received it would have gone a long way towards reducing the deficit.

Mr. Dave Dickerson (Western Arctic): Mr. Speaker, I have two very brief questions. In the amounts of moneys to be voted for transfers from the Department of Finance to the provinces, some $3.9 billion, I notice that the effect of the passage of Bill C-24, the Fiscal Transfers Act, has not been taken into account. I wonder if the President of the Treasury Board (Mr. Johnston) could give us a rough estimate of the difference that would make, the reduction in that estimate that would be brought about by the passage of Bill C-24.

The second question, Mr. Speaker, is as follows: The President of the Treasury Board refused to tell us, when questioned by the hon. member for Mississauga South (Mr. Blenkarn), what his estimate of the additional funds needed for the servicing of the public debt might be, in light of higher interest charges that prevail today and the low value of the Canadian dollar, which will affect the amounts of money needed to make interest payments on foreign loans.

I would like an assurance from the President of the Treasury Board, although he refuses to make this information public, that there are people within the Public Service of Canada who are studying these matters and have, indeed, made these estimates, because it would appear to me that a great deal more public funds are going to have to be voted by way of supplementary estimates for this very reason.

Mr. Johnston: Mr. Speaker, with respect to the first question, I am not unable to answer that, nor do I think it would be appropriate. I am here basically to answer questions in respect of the main estimates, which take into account the legislation as it exists at that time: it is a snapshot taken at a period of time.

With regard to the second question, the Department of Finance has responsibility for developing the kind of information to which the hon. member makes reference, and when that is conveyed to Treasury Board the appropriate adjustments are made. I would point out, however, that the spending plan provides, or the expenditure framework, provides for a total of $3.6 billion for the 1981-82 year. This is designed, of course, to provide for adjustments both to the statutory programs and to the voted programs; so that is where any adjustment would have to be made in terms of the public debt brought within the expenditure framework ceiling.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa-Vanier): Mr. Speaker, my question is of a general nature and relates to statements made last year by the President of the Treasury Board before certain committees, particularly the Standing Committee on Miscellaneous Estimates, and having to do with the reforms that were to be made to the presentation of the main estimates.

[*English*]

Mr. Speaker, I want to ask the minister if he still intends to present the members of this House, or a committee of this House, with the pilot projects he alluded to last year. I think one dealt with the service side of Supply and Services, and the other with the question of services. These were to be given to

committees, or we were hoping the miscellaneous estimates committee would get one of these so we could interest ourselves in this new format, this new presentation. This was a promise made by the minister last year, and I am wondering if he can inform the House when he intends to table these new pilot projects.

[*Translation*]

Mr. Johnston: Mr. Speaker, hon. members may recall that a few weeks ago I tabled in the House two pilot projects for the two departments in question. Although I did not then refer those two projects to committee, I have the impression that the public accounts committee is or might be studying at least one of those projects if not both. We still have three other pilot projects. I hope that I will be able to table them in the House perhaps within three weeks and that several committees, including the one chaired by the hon. member for Ottawa-Vanier (Mr. Gauthier), will have an opportunity to make an in-depth review of at least one of those special studies. Again I would like to insist on the fact that today I tabled for the first time Part I of the main estimates which gives us a general idea of government spending. It is the first time we have done it that way; so, to a certain extent, this is an historic day, perhaps for many reasons. But in any event I hope all hon. members will have an opportunity to give us their comments on the contents of this new project.

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MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Blaker): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate have passed Bill S-15, an act respecting the Royal Canadian Legion, to which the concurrence of this House is desired.

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QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 1,371 to 1,390 inclusive, 1,393 to 1,398 inclusive, and 1,401 to 1,413 inclusive.

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

[*Text*]

DIAND—INDIAN RESERVE PROJECT COST OVERRUNS

Question No. 1,371—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Water Supply Project at Pukatawagan?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $1,692.

2. No. A new revised total has been submitted to the Treasury Board for an additional $419,856.

3. (a) Yes, the project was stopped in February, 1979, and is presently being held in abeyance. If new Treasury Board approval is received, upon allocation of additional financial resources, the Department of Indian Affairs and Northern Development will complete the project using intense financial control and strict supervision.

(b) The directives outlined in chapter 148 of Treasury Board Administrative Policy Manual, cost control of projects will be implemented for each such project, namely: (i) a project manager to be appointed for each project which may require contract or project approval by the Treasury Board; (ii) the department to be responsible for complete and adequate project documentation; (iii) reliable estimates of cost that include all direct and related costs, that reflect contracting risks, contingency allowances for identifiable risk areas, inflation cost indices and which specify the base-year dollars in which the estimate is expressed is to be provided along with the source of the estimates for each project; (iv) each submission for project approval to include a statement to the effect that the department will not, during the course of the project, exceed the estimate provided in support of the project approval submission without the prior approval of the Treasury Board; (v) a reporting system to be established in order that immediate advice is given where there is evidence of a potential cost overrun.

In addition, the department has established a project control system, and is now ready to start initial implementation of a computerized project accounting system in response to the cost control directive. Also, a capital management branch has been established in the Indian and Inuit Affairs Program with one of its primary objectives to ensure that all aspects of cost control are adhered to and that all capital dollars are cost effectively spent.

Question No. 1,372—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Planning and Water and Sewer System Project at Canoe Lake?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the poject and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil,

2. Not applicable. Project not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b) answered this day.

Question No. 1,373—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's New School Project at Sandy Bay?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,374—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's School Addition Project at Pukatawagan?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. An overrun of some $1,109,000 in the final cost for project completion is anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the reponse to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,375—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's New School Project at Cross Lake?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,376—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's New School Project at Poplar River?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. No overrun anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,377—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's New School Project at Lake St. Martin?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. No overrun anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,378—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's New School Project at Jackhead?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $41,928.

2. No, total cost overrun is $190,000.

3. The project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day were followed.

Question No. 1,379—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's School Addition Project at Easterville?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $198,870.

2. No, total overrun is $308,000.

3. Project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day were followed.

Question No. 1,380—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Water and Sewer System at Fond du Lac?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. This project has been postponed.

3. When the project is resumed, it will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,381—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Multi-Purpose Building Project at Big River?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $179,000.

2. Yes.

3. The project has been substantially completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day were followed.

Question No. 1,382—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Carcross/Skagway Road, MI 50-85 in the Yukon Territory?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $700,000.

2. Yes.

3. Work is complete. This project, as well as the Liard and the Dempster Highway projects, was started before the new Treasury Board policy on procedures for cost overruns was formulated. Therefore, a large part of the overrun can be attributed to cost escalation, a factor not considered in the original estimates. Now, as a result of the above-noted policy, all projects started after July 27, 1979, have an allowance for this significant cost escalation factor. Steps taken to prevent further cost overruns include adherence to the Treasury Board policy which as well as allowing for cost escalation establishes procedures for ensuring better cost control. For further details see response to question No. 1,371, part 3(b) answered this day.

In addition to the above, DIAND is, along with Public Works Canada, continually seeking means whereby costs can be kept to a minimum while at the same time, building safe, quality highways. Areas under consideration include seeking methods and procedures for more efficient filed investigation as well as less costly designs.

Question No. 1,383—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Liard Highway MI 21-158 Project in the Northwest Territories?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable.

3. See response to question No. 1,382, part 3 answered this day.

Question No. 1,384—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Dempster Highway Project in the Northwest and Yukon Territories?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil for the total project although there have been cost overruns caused by unforeseen soil conditions on individual contracts on this highway.

2. The department cannot predict whether there will be a cost overrun as defined in the new policy but steps are being taken to ensure against it.

3. See response to question No. 1,382, part 3 answered this day.

Question No. 1,385—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Elementary School at Whycocomagh, Nova Scotia?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Order Paper Questions

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $394,500.

2. Yes.

3. Project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day were followed.

Question No. 1,386—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Elementary School at Eel Ground, New Brunswick?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $61,897.

2. Yes.

3. Project has been completed. It was initiated and approved prior to the issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,387—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Electrification Project at Fort Hope?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $62,750.

2. This is an estimate. Further delays, or unforeseen contingencies could result in additional overruns although this is not anticipated.

3. The project is being carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,388—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Water Supply Project at Red Sucker Lake?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. An overrun of some $37,227 in the final cost for project completion is anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,389—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Water Supply Project at God's Lake?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. No overrun anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,390—**Mr. Greenaway:**

1. What is the present amount of the cost overrun for the Department of Indian Affairs and Northern Development's Water Supply Project at Poplar River?

2. Is this the final cost overrun on the project?

3. Are steps being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. No overrun anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,393—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the gymnasium at Standoff?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable.

3. The project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in

the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,394—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school addition at St. Mary's?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $167,750.

2. Yes.

3. The project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,395—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school addition at Crowfoot?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $85,400.

2. Yes.

3. The project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,396—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school at Red Earth Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. No overrun anticipated.

3. This project was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed and are now in place.

Question No. 1,397—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school addition at Beauval?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $112,197.

2. No, the total overrun will amount to $159,000.

3. The project is being carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b) answered this day.

Question No. 1,398—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school at Montreal Lake Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b) answered this day.

Question No. 1,401—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the water and sewer system at Wollaston?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indians Affairs and Northern Development): 1. Nil.

2. Not applicable. This project has been postponed.

3. When the project is resumed, it will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,402—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the arena at Waterren Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $122,200.

2. Yes.

3. Project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,403—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the water and sewer system at Flying Dust Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,404—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the planning and water and sewer system at Jos Bighead?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable.

3. The scope of this project was reduced.

Question No. 1,405—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the planning and water and sewer system at Buffalo River (Dillon)?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,406—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the planning and water and sewer system at English River (Patuanak)?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,407—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the arena at Island Lake Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $18,400.

2. Yes.

3. The project has been completed. It was intiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,408—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the planning water and sewer system at Turnor Lake?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. This project has been postponed.

3. When the project is resumed, it will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,409—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school at James Smith Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable.

3. Project has been redefined, now seeking Treasury Board approval for revised project. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,410—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the planning and water and sewer system at Black Lake?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,411—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the planning and water and sewer system at Pelican Narrows?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. Nil.

2. Not applicable. Project is not yet in construction stage.

3. The project will be carried out in accordance with cost control procedures as outlined in the response to question No. 1,371, part 3(b), answered this day.

Question No. 1,412—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the school addition at Saddle Lake?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $111,206.

2. Yes.

3. The project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

Question No. 1,413—**Mr. Schellenberger:**

1. What is the present amount of the cost overrun for the arena at Sandy Lake Reserve?

2. Is this the final cost overrun on the project?

3. Are steps presently being taken to prevent further cost overruns on the project and, if so, what are they?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. $107,000.

2. Yes.

3. The project has been completed. It was initiated and approved prior to issuance of the Treasury Board directive on cost control, December, 1979. To the extent possible at the stage of construction, the cost control procedures outlined in the response to question No. 1,371, part 3(b), answered this day, were followed.

[*English*]

The Acting Speaker (Mr. Blaker): The questions as enumerated by the hon. parliamentary secretary have been answered. Shall the remaining questions stand?

Some hon. Members: Stand.

The Acting Speaker (Mr. Blaker): Orders of the day.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

[*English*]

The Acting Speaker (Mr. Blaker): In the absence, at the moment, of the hon. member for Burnaby (Mr. Robinson), whose time will not be lost as a result of this, I will now recognize the hon. member for Northumberland-Miramichi (Mr. Dionne).

Mr. Gauthier: I rise on a point of order, Mr. Speaker.

[*Translation*]

Mr. Speaker, I rise on a point of order.

The Acting Speaker (Mr. Blaker): The hon. member for Ottawa-Vanier (Mr. Gauthier) on a point of order.

Mr. Gauthier: Mr. Speaker, I merely wish by means of a point of order to seek advice from the Chair on the debate now in progress in the House.

[*English*]

Mr. Speaker, I would like, if I may, to explain my point of order to you and ask for your indulgence and direction. According to the traditions and the customs of this House, bills are usually amendable at the report stage, and it is at least my understanding that the Speaker gathers these amendments, sometimes informs the House that he or she has before him or her a certain set of amendments, some of which are grouped together, and before passing on the suitability of the amendments informs the House that she or he has reviewed these and that they will be taken according to the relevance and substance of the amendments.

● (1820)

We are here dealing with a resolution about which some backbenchers—and I am one of those—would like to get some instructions and information from the Chair regarding the procedure at hand. There has been a series of speakers on the amendment moved sometime ago by the hon. member for Provencher (Mr. Epp) when he spoke in this House. I understand that the speeches to date have been on that amendment. I also understand that every member of the House is entitled to speak for 40 minutes on this amendment, and while we are

discussing that amendment no other amendment, except possibly a subamendment, may be entertained.

Some of us do have amendments. I suppose Your Honour will appreciate that some of us are not experts as to the receivability of these amendments and, since it is a custom and practice to do these things with respect to a bill, I wonder if it would be possible for you, Mr. Speaker, to accept, or if it is possible for members of the House to accept by unanimous consent, that some of us may be allowed to table our amendments to this resolution. This would be for the purposes of informing our colleagues that we intend to move these amendments eventually. Possibly Your Honour could look at them as to their relevancy and substance, and perhaps group them together until some of us get together on issues we feel strongly should be incorporated in this resolution.

For example, I would like to move an amendment to include Ontario under section 133 of the BNA Act. I do not actually have any difficulty in doing that expect that the Table, the legal advisers of the House and everybody tells me there might be difficulty in respect of the receivability of this amendment. To avoid waiting too long I would like to ask for the Chair's advice, or perhaps for the unanimous consent of the House so that many of us here on both sides of the House who have amendments could have the benefit of tabling them, having them published in the Order Paper and having the benefit of the Chair's advice.

The Acting Speaker (Mr. Blaker): We might begin by the Chair indicating that in some sense the hon. member for Ottawa-Vanier (Mr. Gauthier) is requesting either information or possibly a ruling, but in another sense he is asking a hypothetical question. The Chair ought not to get involved in that because we would not be into debate, but into form of consultation as between hon. members and the Chair. I think there are other methods which may be more valuable to the hon. member with regard to how we might proceed.

I do appreciate the point he raises. I simply confirm to the hon. member that there is an amendment at the moment standing in the name of the hon. member for Provencher (Mr. Epp). That amendment is related to the referendum section of the resolution before the House. Accordingly, any further amendment would have to be, under our Standing Orders, a subamendment to that amendment. If it were not related to that amendment, then the Chair would have to find that it would not be receivable.

I understand the difficulty of the hon. member, which is why I continue, when perhaps I might or should not. The matter which the hon. member really did not raise is the question of relevance. If hon. members were to insist that members rising in debate address themselves to the matter before the House, then they would have to address themselves to the amendment, and accordingly if the Chair felt the mood of the House were to insist on relevancy, the Chair would have to persist in bringing to the attention of hon. members that they must address themselves to the question of the amendment put before the House by the hon. member for Provencher.

However, that has not been our tradition. This is the difficulty all occupants of the Chair have had. The difficulty has been whether we are to insist on the rigid application of the Standing Orders or whether we are better guided by the mood of the House. My impression is that hon. members want the Chair to be guided by the mood of the House in that regard and not to insist too much on relevancy. That being the case, unless the Chair is given some indication of the mood of the House, the Chair will continue to permit hon. members to address themselves in a very wide-ranging way to such subjects as they see fit relating to the Constitution.

I point out to the hon. member that he may wish to attempt to lead his colleagues to an instruction to the Chair to be more rigid in the matter of relevancy. Whether he will succeed is for the hon. member to work out.

That leaves us with the question of other amendments and whether they might be receivable or groupable. Since the Standing Orders prohibit receiving them unless they are in the form of a subamendment to the existing amendment, I need not worry about their being groupable, because I cannot receive them unless they are in the form of a subamendment to the existing amendment.

There is an exception, and that is why I think the hon. member has raised a very interesting question. It may well be the view of all hon. members in the House that it would be in the interests of the House to be informed of other amendments which might be brought forward. In such circumstances it may well be the wish of the House that some proceeding be permitted which would—and I think it would have to be by unanimous consent—permit and, in fact, even encourage hon. members who have amendments to bring them forward. That then would be followed by the whole business of relevancy, grouping and so forth.

The Chair is not in a position to make a ruling in that regard, but in so far as it may be of assistance to the hon. member, I certainly would say that I understand the desire of the hon. member to see an opportunity somewhere in the system to overcome this problem of relevance, which is in fact prohibiting other hon. members from putting forward amendments. I understand that, so there seems to me to be two options open: One is for the House to instruct the Chair to insist upon relevancy; the second is for the hon. member to seek unanimous consent for some method which would permit other amendments to come forward in this process.

Mr. Gauthier: That is what I am doing.

The Acting Speaker (Mr. Blaker): The Chair cannot make that choice for the hon. member. Because I think his point is very well taken I did go on at some length, but I think that is all that needs to be said at the moment. I should go on and recognize other hon. members in debate. I see there are other hon. members rising on the same point of order. I will recognize the hon. member for Winnipeg North Centre (Mr. Knowles).

Mr. Knowles: Mr. Speaker, I rise on the same point of order. I shall be very brief. Indeed, I shall simply make a suggestion to the hon. member who raised the point. My suggestion is that he discuss the matter with his House leader.

Mr. Gauthier: I have.

Mr. Knowles: The question of how this stage of debate would be handled was discussed among the House leaders. Various suggestions were made. The one we are now following is the one the government chose.

I make the point that we are not debating a bill, so the normal report stage procedure does not apply. We are not even debating a report from a committee. We are debating a brand new resolution put down by the government. I make that suggestion to the hon. member, because I also was concerned that at least it might be possible for hon. members who wish to make amendments down the road to give notice of them, but I do not see that there is any way that the Chair can provide that. However, perhaps there could be another discussion among House leaders.

What I suggest to the hon. member for Ottawa-Vanier (Mr. Gauthier) is that he speak to his House leader about it. He, of course, will tell the hon. member that we have already discussed it, but there is no law against discussing again something which has been discussed before.

Mr. Baker (Nepean-Carleton): Mr. Speaker, if the hon. member for Winnipeg North Centre (Mr. Knowles) had not said it, then I would, and I will repeat it. The discussion as to how this aspect of this resolution was to be handled was a discussion which took place among House leaders over a long period of time. This was the choice which was made. In fact, as my friend has said, the choice was made by the government. You know, Mr. Speaker, on reflection it was not a bad choice.

I can understand the position of the hon. member with respect to his amendments, but the rules of the House are designed, as we have seen from time to time, to protect the rights of hon. members, depending upon the matter with which we are dealing. Given the foundation for the rules and the reason for the rules and given the choice after long discussion, I think it might be better if the hon. member found another way to publicize what he wants. I would certainly be interested in knowing what he wants, and there would be another way outside the procedures of the House to deal with that, which would certainly allow the hon. member to make the point he wants to make.

• (1830)

If he had a statement he wished to issue I would be delighted to receive it. I must say that as the hon. member for Winnipeg North Centre was speaking I recalled the discussions we had. We had lengthy discussions with respect to the procedure that would apply. I see nothing thus far which indicates that the decision taken by the government with respect to the procedure to be followed is unwise or should be changed.

Mr. Collenette: Mr. Speaker, I wish to confirm the sentiments expressed by the hon. member for Winnipeg North Centre (Mr. Knowles) and by the hon. member for Nepean-Carleton (Mr. Baker). I was present at those discussions. If I am correct, this was a matter which was discussed over a period of months. The government chose to follow this course of action in consultation with the other parties. I think this has been quite apparent, but I would suggest this kind of discussion should really take place in another forum. I hope we will not unduly delay the hon. member for Northumberland-Miramichi (Mr. Dionne) who has been seeking the floor for the past two days to speak on the resolution.

Mr. Lewis: Mr. Speaker, I rise on a point of order. I do not want to interrupt the hon. member for Northumberland-Miramichi (Mr. Dionne).

Mr. Dionne (Northumberland-Miramichi): You cannot interrupt me when I have not even started.

Mr. Lewis: I would like to reflect back on your comments, Mr. Speaker. As I read *Hansard* for Monday, the hon. member for Burnaby (Mr. Robinson) was not finished and wanted to go on. The Chair has now recognized the hon. member for Northumberland-Miramichi. You made some reference, Mr. Speaker, to the hon. member for Burnaby temporarily not being in the House. Am I correct in saying that since you have recognized the hon. member for Northumberland-Miramichi, I will be the next speaker to be recognized?

The Acting Speaker (Mr. Blaker): No.

What I was referring to is a situation which sometimes occurs in the House; that is, where an hon. member has the floor then some intervention takes place, such as rising for dinner or something of that nature. There is often some confusion about that practice, to the extent that some hon. members feel that if the hon. member who had the floor prior to the recess was not back at the very next available opportunity in order to resume his remarks then he lost his opportunity. The fact is, that is not correct, he has not lost his opportunity. It is somewhat of a peculiarity of our rules, but he can come back at any given moment and pursue the remainder of the time allotted to him.

That was the reference and the explanation. Simply as a courtesy I did not want to leave the hon. member for Burnaby, in his absence, feeling he had been cut off. In a moment I will be recognizing the hon. member for Northumberland-Miramichi.

More specifically, I cannot promise to recognize any hon. member. For the sake of the peace of the hon. member for Simcoe North (Mr. Lewis) I will assume he will be the next to be recognized.

Mr. Baker (Nepean-Carleton): Mr. Speaker, I would like to have this point made clear. Is there some right now for the hon. member for Burnaby (Mr. Robinson) or, indeed, any member of this House, to be absent for two or three days and pick up where he left off? Is that what you are saying, Mr.

Speaker? I want to make the point that this is a departure from what I understand the rules to be. I do not know of any rule—subject to correction, naturally, from the Chair or the Table—that allows a member to carry on beyond the next available opportunity. Therefore, as I understand it, the hon. member for Northumberland-Miramichi (Mr. Dionne) will be next followed by the hon. member for Simcoe North (Mr. Lewis), at least with respect to this amendment. The member for Burnaby can speak on other amendments. I know of no right to reserve the time for him to speak at some later date. If there is such a right then it may have to be argued later, as I do not want to take up the time of the hon. member for Northumberland-Miramichi. I think the Chair would certainly have to point me to an authority.

The Acting Speaker (Mr. Blaker): I think the matter can be handled easily. I am relying on my recollection. It is a very clear recollection I have of an incident where this occurred before and, in fact, what I indicated is what happened. But it is not a ruling. I am simply indicating my purpose for making the earlier comment. The Chair will undertake to ensure that I have not lost track of myself, or of the procedures. Over the dinner hour I will verify what I have indicated. If I am wrong then either myself or the next hon. member in the Chair will make sure the matter is corrected. As hon. members can see, I am relying on my memory with respect to a previous occasion.

I now recognize the hon. member for Northumberland-Miramichi.

Some hon. Members: Hear, hear!

Mr. Maurice A. Dionne (Northumberland-Miramichi): Mr. Speaker, since I waited what seems like a week and a half to start, if I do not finish before the dinner hour I will come back in about a week and a half to finish.

This is an historic debate, Mr. Speaker, and one in which I am proud to participate. I want to take this opportunity to thank my constituents for having afforded me the opportunity to participate. Many of those who have participated in this debate have congratulated and thanked the co-chairmen of the special joint committee for the work they have accomplished. I want to add my voice to those who have gone before. I want to congratulate all members who gave so much of their time and talent to this great task. I simply want to say "thank you" to all of them.

I said at the outset that this is an historic debate, so I sought some appropriate sentence with which to begin my remarks on the motion before us. At his inauguration John F. Kennedy said to his countrymen, "Let us begin anew, remembering on both sides that civility is not a sign of weakness and sincerity is always subject to proof." Therefore, in my remarks, I shall try to be civil and I will grant to all concerned in this debate the opportunity to prove their sincerity.

However, I do believe it is time to begin anew—time for Canada to take her place in the list of nations which are truly independent and truly sovereign. No longer should we have to go begging to some other nation to amend our Constitution or ask some other nation to be the custodian of our individual rights and freedoms. I do not want to spend much time on the process, but rather on the substance.

I want to say I have no qualms of conscience about the Government of Canada wanting to remove the last vestiges of colonialism from this nation. Neither do I have any qualms about asking Great Britain to divest herself of any custodial charge over our Constitution, our rights and freedoms. Nor do I agree with those hon. members opposite who claim that any provincial legislature can speak for all Canadians, rather than the Parliament of Canada. I am proud that my party and my leader have taken both the initiative and the determination to make my country, at long last, truly independent—truly a nation.

We have heard a great deal about the need for consensus. Like motherhood, consensus is difficult to oppose. However, the arguments we continually hear in this place and in the press would lead one to believe that consensus is solely the responsibility of the national government and that the Government of Canada alone is responsible for achieving that consensus and any lack thereof is solely the fault of the national government. We have seen the continuous and constantly changing positions of the provinces making increased demands on the national government. Premier Hatfield, the dean of the premiers, has stated before the committee that consensus is not now possible and that it is never likely to be possible. But he correctly points out that this motion before us provides a two year period to achieve this consensus if all the players are truly serious. The Minister of Labour (Mr. Regan), himself a former premier, recently had this to say:

> I was on the other side of the table as a provincial premier for eight years and I participated in a number of conferences dealing with patriation of our Constitution.
>
> I saw the provinces demand more powers given by the federal government to the provinces before they would agree to bring home the Constitution.
>
> I took part in the conference at Victoria, where we came closer than at any other time, before or since, to total agreement on bringing it home. In the end, Quebec disagreed and asked for some power which the other provinces wouldn't agree to. But the significant thing is that this September, when the provinces failed to agree with the federal government after the negotiations had continued all summer long, not one of the issues on which the disagreement occurred had even been a provincial demand or under consideration or on the table nine years earlier in Victoria. And so if we continue to negotiate for another ten or another 20 or another 30 years, there will always be new premiers, there will always be new demands, and there will never be the possibility of total agreement.

● (1840)

So much for the demand by some for one more first ministers' conference where supposedly all differences will be automatically forgotten, where there will be a love nest, and everyone will get together.

I should like to deal now with the substance of the motion, in particular with two or three items. First I should like to deal with language rights. Early in our history we decided against the melting pot theory of nationhood and opted, instead, for the maintenance of the language and culture of our two founding nationalities. The BNA Act and Section 23 of the Manitoba Act guaranteed language rights within the provinces of Quebec and Manitoba. The Official Languages Act of 1969

gave all Canadians the right to communicate with and be served by the Government of Canada in either English or French. While the federal government would like to see constitutionally guaranteed institutional language rights at the provincial level, it will not impose such rights over the opposition of the provinces.

The charter provides minimum guarantees in attempting to achieve the widest consensus possible from provincial governments. Thus, when the provisions for institutional language rights at the provincial level, included in the draft charter tabled at the first ministers' conference in September, received virtually no provincial support, apart from New Brunswick, the provisions respecting the provinces were withdrawn. However, the status quo is preserved and both Quebec and Manitoba remain bound by existing constitutional rights. As New Brunswick officially requested that these rights apply to that province, this is being done. In addition, the amending formula has been modified to facilitate the opting-in of any other province to any or all of the language provisions listed in Sections 16 to 20 inclusive of the charter.

I should like to quote some comments of Premier Blakeney. He said:

> I do not object to the constitutional entrenchment of French and English language rights. The right to use French or English, or the right to receive some government services in either of those languages, is not, after all, a right which we claim as humans. It is an essential fact of Canada, an essential element of the Confederation bargain, and, as such, is an obvious candidate for inclusion in the Constitution.

The minority language educational rights reflect the unanimous agreement of the provincial premiers in 1978 to the principle that children of the French or English-speaking minority in each province should be entitled to primary and secondary education in the minority language where numbers warrant. The rights provided by the charter are minimum guarantees and do not preclude the provinces from providing greater rights, as some of them do now, such as allowing immigrants and citizens to send their children to minority or majority language schools as they may choose. For instance, this happens in New Brunswick.

I keep referring to the province of New Brunswick because hopefully we, in New Brunswick, are enlightened with regard to language rights.

The federal government agrees that ideally the rights should be extended to all residents of Canada. Although it might be preferable to provide for freedom of choice in language of education, the charter is designed not only to safeguard the interests of the majority, but also to protect the basic rights of the minority. If the majority language group in any province wishes the right to have their children educated in the minority language, they have the democratic means at their disposal to ensure this result.

The minority language education provision is being implemented on the basis of the premiers' Montreal agreement of 1978. This clearly specified the entitlement on the basis of "where numbers warrant". Thus, this qualification remains, but it will be a matter for review by the courts. When they determine that the minimum numbers have been set too high, they can direct that they be lowered so as not to render the right ineffective. The charter assures the right to minority language education, but it does not get into the details as to how this will be provided.

I should like to refer to the comments of Mr. Alex Paterson, Co-President of the Positive Action Committee, before the special joint committee. He said:

> We have seen what happens when a province like Manitoba wishes to take the fate of its minorities into its hands. It will wipe out with a stroke of the legislative pen a protection for its minority. Everything we can do to strengthen these protections for minorities by entrenching them in the Constitution will give more reason for the minorities to feel secure and expose them less to the mercy of their provincial governments.
>
> It cannot be left to the discretion of the individual provinces to decide. This is a right we wish every Canadian to have no matter in what province he resides. For that reason we think it is essential that rights of these kinds be entrenched and it is not in fact an invasion of the powers and competence of the particular provinces.

Now I should like to turn for a moment or two to the area of equalization. First and foremost, I suppose one should ask the following question: Why should the principles of equalization and regional development be enshrined in the Constitution of Canada? The commitments stated in Section 34(1) of the proposed resolution—to promote equal opportunities, to reduce economic disparities and to provide essential public services across the country—capture one of the most important elements of what it means to be a Canadian: a willingness to share our good fortune and our opportunities so that we can grow strong together.

I should like to remind hon. members that this commitment applies not only to Parliament and to the Government of Canada, but also to the legislatures and the governments of the provinces, although I emphasize this commitment does not alter the legislative powers of the two orders of government.

There is great merit in enshrining in the Constitution the concept of equalization so that sharing will be an important ingredient in the future of our national life, but there can be no doubt about the current commitment of the federal government to the principle of equalization. All provincial governments have supported enshrining the principle of equalization in the Constitution. Not only do all provincial governments in Canada support the principle of enshrining equalization in the Constitution, and not only has the federal government agreed to amend Section 34(2) in line with the preferences of most provinces, but I believe there is agreement among the three parties in the House for Section 34.

Mr. Baker (Nepean-Carleton): You are absolutely correct.

Mr. Dionne (Northumberland-Miramichi): When the joint committee considered this section of the proposed resolution on January 30, the hon. member for Yorkton-Melville (Mr. Nystrom) commended the Minister of Justice (Mr. Chrétien) for the amendment he introduced to Section 34(2). He said:

> But now what he has done is he has enshrined the principle of equalization payments. I commend him for that; it is a wise move; something that has been going on in this country for a long time; a good thing—

[*Translation*]

For his part, Senator Tremblay stated: "I would just like to say that for once I am pleased with a government proposal, without any reservation".

[*English*]

I was glad to see the nods of agreement of members of the official opposition when I indicated that they agreed with section 34 of the resolution.

The importance of the equalization transfers varies from one receiving province to another, but with the exception of Saskatchewan, it represents a large share of total provincial revenue. This share is around 25 per cent in the Atlantic provinces; more than 15 per cent in Manitoba; more than 10 per cent in Quebec; around 2 per cent in Saskatchewan.

So, we ask the question: Why are these rights necessary? I am referring to both language rights and equalization. They are necessary; first to maintain and enhance the special character of Canada; second, to guarantee that no Canadian who finds himself in a minority position will become a second-class citizen, and they are necessary in New Brunswick, for example, to ensure that Acadians have the same rights, privileges and opportunities as the rest of us. They are necessary to ensure that the valiant struggle of our Acadian brothers and sisters over more than two centuries, will not have been in vain.

[*Translation*]

• (1850)

For two centuries, the Acadians had to fight for their rights, especially for the right to be educated in French. For example, they had difficulty finding text books in French. That was the situation up to recently and it certainly was not acceptable. With this charter they will have the right to be educated in their mother tongue without having to experience the adverse conditions of the past.

[*English*]

The basis for this solution lies in this charter but it is not in and of itself, the solution. The real solution lies in education and job opportunites, in the sense of justice and fairness of those, like me, who belong to the linguistic majority. In vain shall they struggle if we pay only lip service to principles. In vain shall we all struggle if dedication to principles is not translated into determination for action to eradicate economic disparity and to promote—with our money as well as our mouths—equality of opportunity. For as long as an Acadian must learn English to find employment, so long shall he be chained. For as long as he must move from an Acadian community to find a job in Fredericton or Saint John or even Moncton, so long shall he and his children be assimilated, just as surely as if he had moved to the U.S.A.

I commend the government and the Premier of New Brunswick for the right decision they have made on linguistic and minority rights. I regret that the government and Premier of Ontario do not have the same sense of justice. But espousing principles is not enough. I now call upon the government and the Premier of New Brunswick to ensure that those areas of New Brunswick where the minority lives will receive a fair share of the economic activity and growth of the province. And I pledge myself anew to that goal and to work for its achievement.

Finally, Mr. Speaker, I want to say how happy I am that native and aboriginal rights will be enshrined. Our past treatment of our original peoples is perhaps our greatest national shame. We must endeavour to eradicate that shame and restore their pride and sense of worth, because in a very real sense they did not lose these characteristics, we have destroyed them. Our paternalism was never justifiable and can no longer to tolerated. Our past insensitivity and arrogance must end now. I want to live to see the day when our Indians, Inuit, and Métis will once again be able to proclaim their pride of citizenship and sense of human worth and dignity in this great land of ours.

Let us look at the positive side of this Constitution as far as this country is concerned. All great and united countries have their own constitution. It is the guiding light of all true democratic nations.

The opposition and certain provinces have been saying that our attempt, as a government, at patriation is creating disunity. They must realize that it is their negativism toward the resolution and personal attacks on the Prime Minister (Mr. Trudeau) that are causing disunity in our country. I hope they will forget partisanship and join with us in making this a glorious event for Canada; a unifying force.

It is time for Canadians to stand up and say they are Canadians first—not westerners first, not Quebecers first, not Acadians first, not British subjects first, but rather Canadians with a rich heritage—Canadians first. The Constitution will go a long way to ensure this; it is the real key to national unity in Canada.

And so, Mr. Speaker, let us here resolve to get on with the task; to end the acrimony and division so that, in a spirit of brotherhood, and with the help of divine providence, we may achieve our natural potential to become the greatest, the freest nation on earth, and the model by which all others will have to judge themselves. If we have that resolve, that determination, then in the words of Tennyson, "Some work of noble note, may yet be done."

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): Order, please. I want to recognize the hon. member for Simcoe North (Mr. Lewis) but, before I do so, I have to confess that unfortunately the Chair made a mess on its own doorstep and has to clear it up.

During the last few moments I have reviewed the statement I made earlier about the rights of hon. members to continue their access to the floor and debate if there has been some time intervening beyond the normal hour for rising at dinner or at ten o'clock. There is not even a vestige of a doubt; it would not be possible for me to have been more wrong than I was. Consequently, by the process of rubbing both digits of my I.Q.

together, I want to assure the hon. member for Burnaby (Mr. Robinson) that he has lost his opportunity to seek the floor again. I regret that I misadvised hon. members.

Some hon. Members: Hear, hear!

Mr. Doug Lewis (Simcoe North): Mr. Speaker, I rise on behalf of the riding of Simcoe North to take part in this historic constitutional debate. Simcoe North was one of the ridings represented in the House of Commons at the time of confederation, 114 years ago. At that time it was called North Simcoe and was represented by Thomas D. McConkey, a resident of Barrie. The original copy of the British North America Act which is lodged in Britain was handwritten by Robert A. Kent, a resident of Medonte township in Simcoe North. At that time he had a dual function as a clerk of this House and also the legislature of the province of Ontario. He had a reputation for outstanding penmanship.

I appreciate this opportunity to speak to the proposed resolution because I was one of the members not permitted to speak at second reading when the Liberal Party invoked closure, cutting off debate in this House. It will not be forgotten by the Canadian people that the Liberal Party cut off debate at a point when more Liberals than Conservatives had spoken. In any event, the proposed resolution has now come back from committee, somewhat improved from the original disaster, but far from acceptable.

I wish to pay tribute to the chairman of the committee, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) who handled his duties with dispatch and fairness. The disaster from the other place who served as co-chairman shall go unmentioned in recognition of his contribution.

Our committee members, under the leadership of the hon. member for Provencher (Mr. Epp), made a noteworthy contribution to the proceedings. Canada and the Progressive Conservative Party were well served by their efforts. I also compliment the hon. member for Yorkton-Melville (Mr. Nystrom) who represented his party so well and in the final analysis proved to be a man of principle. His partner, the hon. member for Burnaby (Mr. Robinson), the Emile Zola of the NDP, needs no further recognition, much as he may crave it. We on this side were pleased that we were able to bring television to the committee hearings. We regret what it did to the Liberal members of the committee.

Confederation is a partnership entered into freely by the partners operating in accordance with a partnership agreement known as the British North America Act. Partnership decisions are reached after consultation and discussion. They may not need the consent of all partners but they do need a majority. It is normal that no one partner should have a veto over decisions unless at the time of the decision that partner holds over 50 per cent interest in the partnership.

It is not unusual for one partner to have certain decision-making powers which he or she exercises in the interests of the partnership. That type of decision-making power must be exercised wisely, after consultation and an effort to reach a decision. Arbitrary decisions without consultation invariably lead to an unhappy partnership and dissatisfaction with that one partner.

May I call it seven o'clock, Mr. Speaker.

The Acting Speaker (Mr. Blaker): It being seven o'clock, I do now leave the Chair until eight o'clock this evening at which time, if he is present, I will recognize the hon. member for Simcoe North (Mr. Lewis).

At 7 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. Deputy Speaker: Order. The debate was interrupted at seven o'clock. The hon. member for Simcoe North (Mr. Lewis) had the floor.

Mr. Lewis: Mr. Speaker, before the supper hour, I was drawing an analogy to the British North America Act and the Government of Canada as a partnership. I would like to carry that argument on, if I may.

In this case, the federal government is suggesting that it is legally, morally and politically proper for the federal government, acting alone, to amend the partnership agreement without the substantial agreement of the provinces. With respect, I disagree. I suggest it is legally improper for the federal government to decide on its own to patriate the British North America Act without the substantial agreement of the provinces.

The Manitoba court of appeal was asked if it was constitutional convention for the federal government to request that Britain amend the Constitution of Canada, as affecting federal-provincial relations, or the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces. The court decided that there was no constitutional convention requiring that the federal government seek the agreement of the provinces.

I suggest that the court applied itself to the situation surrounding individual amendments, such as the unemployment insurance amendment of 1940, and the 1951 amendment regarding old age pensions. In these cases, there was general agreement that these were social measures which would benefit all Canadians. I suggest that the court does not address itself to the fact that the resolution which we are now debating completely revamps the British North America Act. It contains changes and additions such as a charter of rights and freedoms, referendum revisions, mobility rights, equalization payments, and an amending formula.

I am not debating or promoting the merits of some of these provisions, but I suggest they produce such sweeping changes that they will completely change the nature of the partnership, which is confederation. There is no legal justification to allow the federal government to rewrite the British North America

Act completely or substitute something which is entirely different. Surely, the partners; the provinces, must be consulted.

I suggest that it is morally improper for the federal government to decide, on its own, to patriate the British North America Act, without the substantial agreement of the provinces. The federal government hopes to pass this with a majority in the House and with a majority in the Senate. Britain will then be asked to approve a piece of legislation, when it comes back to Canada, which cannot be changed by Parliament using the same method. Other legislation passed by the House and the Senate can be amended or repealed by a civil majority.

There is no moral justification or principle for what the Liberal Party suggests. I am not surprised by the lack of moral justification for what they are doing, but I suggest to them that the end does not justify the means. By its actions, the Liberal Party is guaranteeing bitterness and acrimony across Canada.

I also suggest that it is politically improper for the federal government to patriate the British North America Act on its own. The Liberal Party has no political mandate on its own. A political party achieves a mandate as the result of campaigning on a platform, or making a promise and then being elected to office. Once elected, that party has a political mandate for the people to do what it promised to do.

The Liberal Party was elected to office on the promise that it would not raise the price of energy. One year and eight price increases later, the price of gas has gone up 28 per cent, and the price of home heating oil has gone up 36 per cent. The Liberal Party forgot about the promise the day of the election, if, indeed, it ever believed it.

How does that promise, followed by that performance, translate into a mandate to completely change the British North America Act? The Liberal Party proposes to change the very foundation upon which this country has grown and prospered for 114 years. Such a proposal demands more than a mere five-vote majority in the House of Commons. It demands a substantial agreement of the elected representatives of Canada, federally and provincially. It demands a consensus throughout Canada, from St. John's, Newfoundland, to Victoria, B.C.; from Windsor, Ontario to the Arctic Circle.

The Liberal Party is proceeding with its rock-hard, "My mind is made up, don't change my mind with facts" majority of 74 seats from Quebec, joined by what might best be called "political groupies" from Ontario and the Atlantic provinces; and two lonely members from Manitoba, representing the west. Stick around, they are dropping like flies.

● (2010)

How does it pretend to represent Canada? In fact, public opinion is running 64 per cent against what the Liberal Party proposes for Canada. This brings me to the subject of the Prime Minister's (Mr. Trudeau) actions with reference to this bill.

The Prime Minister berated the provincial premiers for their failure to deal with the patriation of the Constitution and the bargaining which went on. Who will forget his manufactured indignation when he suggested with disgust that the provincial premiers are bargaining fish for rights? Since he made that statement, he has made a few bargains of his own. He bargained for Saskatchewan's support by allowing his partner, the Leader of the NDP, to introduce an amendment respecting natural resources.

Mr. Baker (Nepean-Carleton): The little red rump.

Mr. Lewis: Unfortunately, he did not cut too good a deal because the Premier of Saskatchewan has rejected this legislation. He bargained for Senate support by allowing an amendment giving this appointed body veto power when he was faced with Senate revolt. I want to be here when the hon. member for Winnipeg North Centre (Mr. Knowles) stands on principle and votes for that. But none of his bargaining looked as bad as the treatment of his Solicitor General (Mr. Kaplan). Speaking for the government on a Friday, the Solicitor General gave a commitment to support an amendment enshrining property rights in the charter of rights and freedoms. The following Monday, the Minister of Justice (Mr. Chrétien) reneged on that promise. As a result, the reputation of the Solicitor General was sullied and shattered and members on all sides were saddened to see what happened to this minister of the Crown.

On various occasions it has been suggested that the Liberal Party was fulfilling a campaign promise made to the province of Quebec during the referendum campaign by bringing forward this bill. If this legislation was supposed to fulfil that promise, it is indeed strange that the Parti Québécois, the Union Nationale and the Quebec Liberal Party are all opposed to what the federal Liberal Party are doing.

Mr. Baker (Nepean-Carleton): So are the polls.

Mr. Lewis: I understand the polls today reflect that same sentiment in the province of Quebec.

Be that as it may, I would point out that this House made no commitment during the referendum campaign. During the time of the referendum, this House and the country were treated to the spectacle of Liberal cabinet ministers from Quebec reciting the litany of things they were doing for that province, and the governing of Canada ground to a halt.

The Liberal party has a duty to all the provinces, not just one. It has a duty to all of the people of this country, not just the people of one province. It has a duty to create a positive attitude in this country, but its actions have poisoned provincial relationships. I implore the government to think of the future of this country and not of the magnificent obsession of one man. I implore the government to seek the approval of the majority of the provinces before it proceeds.

Patriation of the British North America Act has been stalled because no agreement has been reached at first ministers' conferences as to an amending formula. I say to you, Mr.

Speaker, that prime ministers and premiers of every political party since confederation are to blame for not coming to grips with this issue and deciding it once and for all.

The amending formula which this act proposes provides that amendments may be made by the House of Commons and the Senate which are approved by six out of ten provinces including: every province that at any time before the issue of the proclamation had, according to any previous general census, a population of at least 25 per cent of the population of Canada;—that might just as well read Ontario and Quebec—two or more of the Atlantic provinces and two or more of the western provinces that have in the aggregate, according to the then latest general census, a population of at least 50 per cent of the population of all the western provinces.

The amending formula proposed by the government enshrines a hatred for Ontario and Quebec throughout Canada. What relevance does the general census of 1870 have to the 1980s and the future of Canada? Having 25 per cent of the population of Canada in 1870 is a pretty flimsy excuse for giving a perpetual veto to Ontario and Quebec. The people of Ontario seek to influence the affairs of Canada but we want to do it based on reason, not on the 1870 census. The people of Ontario seek to travel throughout Canada, to work and to live everywhere in this great country. We do not need a perpetual veto based upon the 1870 census. We do not want special status. We seek to go as equals, not preferred people. We want to go in peace and in harmony.

Let us look at what the United States does. In the United States amendments to the Constitution require the approval of Congress, the Senate and three quarters of the States. That amending formula allows for expansion, for growth and for population shifts without giving veto power to any one state. It is positive in its thrust whereas the formula proposed by the Liberals for Canada is negative.

In 1790, the first census in the United States showed that Virginia, the largest of the 13 states, contained 20.5 per cent of the population of the United States. If Virginia had been given a veto in 1791 it would today control amendments to the Constitution with 2.3 per cent of the population of the United States, although 13 states now have larger populations.

The Vancouver consensus provides for amendments to be made with the assent of Parliament and two thirds of the provinces, with at least 50 per cent of the population subject to an opting out proviso. That amending formula makes much more sense. All provinces are treated equally. No one province is singled out for special treatment. It is positive in its thrust. I agree that the opting-out formula may result in some checkerboarding but, as has been so ably pointed out in this House, Canada is a diverse country and checkerboarding is not new. Besides, the Vancouver amending formula, by definition only, allows for three provinces to make such a decision. It is my opinion that the Vancouver formula will allow us to change the Constitution more readily to meet the demands of the future.

In an excellent article entitled, "The Living Canadian Constitution" by Alan C. Cairns, published in the *Queen's Quarterly Winter Issue, 1970,* the author made the following point:

A constitution is not merely a piece of paper. It is a set of relationships between governments and between governments and peoples which has become embedded in the evolving habits and values of successive generations of Canadians.

I submit that we need an amending formula which recognizes the evolving habits and values of successive generations of Canadians and can react to them.

Finally, speaking as a Member of Parliament from Ontario, I would make one further point with respect to the amending formula. If this government intends to plunge ahead with the unfairness of the amending formula contained in the bill, I say please spare Ontario the grief of special status and, change it to read: the province of Quebec; two or more of the Atlantic provinces and three of the five provinces west of Quebec. We in Ontario believe in the equality of all Canadians.

Some hon. Members: Hear, hear!

Mr. Lewis: The people of my riding, Simcoe North, want a constitution made in Canada by Canadians. We reject the theory that the Liberal Party, without a mandate, should be asking Britain to amend Canada's Constitution. We reject this government's effort to make Britain a fall guy in this affair. Since the passage of the Statute of Westminster, Britain has been the trustee of the British North America Act. It has not had the right to amend the act except at the request of the Parliament of Canada.

● (2020)

It is a fundamental concept in law that a trustee shall conduct itself in accordance with the terms of the trust and that the trustee shall not suffer personal harm from acting as trustee provided it conducts itself in accordance with the terms of the trust.

Thanks to the diligence of the media and questions pursued in this House by our party, it is clear that the government told Britain it would do one thing in June and then did something else in October. If anyone is to suffer from deception, surely it should not be the innocent party.

Britain should not be embarrassed internationally because of Canada's internal differences. That is hardly fair. It is a traditional course of action for the Prime Minister to cover a failure of reason by picking a fight to divert attention. He has been doing it to the west for years. Now is the time to take the course of honour, not deception with Britain and with Canada.

The concept that Canada should not embarrass Britain internationally goes hand in hand with another theory. Canada is a sovereign nation. If we manage our own affairs, we control our own destiny. Whether or not we agree with what the Liberals are doing, I join my colleage, the hon. member for St. John's East (Mr. McGrath), in suggesting there should be no meddling in our affairs. When the Constitution gets there, it should be passed as presented, quickly, with no amendments.

Briefly, I wish to discuss the charter of rights and freedoms. I want to talk about the concept of such a charter, the content of the proposed charter, the mechanism for change and two specific improvements.

My ancestors and the ancestors of many of my constituents fought the lords and kings of England to establish their rights. They came to Canada as free men and women. They did not consider it necessary to draft a bill of rights. They considered that the individual had all the rights and freedoms necessary. They were prepared to delegate away certain rights and freedoms to the government in order to operate an orderly society.

Mr. Blais: Tell us about Penetanguishene.

Mr. Lewis: The minister asks me about the town of Penetanguishene. The situation there has split the community. The minister is not in agreement with many members of the Liberal Party in that community who feel that the community does not need a school which is going to split the community. The riding president of the Simcoe North Liberal Association told me that. I appreciate the minister raising the matter.

The Criminal Code is an example of such a delegation. It defines crime and stipulates punishment for citizens who commit crimes. Elected representatives of the people decided to take away an individual's freedom if he or she could not live within the rules of society. In certain other instances, rights were affirmed by documents such as the Magna Carta written in 1215 which enshrined the writ of habeus corpus confirming that the state must appear in open court and show just cause why an individual should be deprived of his or her freedom. I submit that the individual has all the rights and freedoms and, through his or her elected representatives, may delegate away certain rights.

I understand the concerns of my constituents who have come to Canada from other countries where the individual's rights and freedoms are not as sacred as they are in Canada. These people are concerned about the protection of their rights because they were deprived of them, in some cases by governments in countries which have a bill of rights. In no way should they feel that any individual right is threatened in Canada. There should be a certainty to rights. For that reason, I am personally prepared to support a charter of rights and freedoms.

If we enshrine our rights and freedoms as defined in 1981, we must be sure that the charter contains all the rights and freedoms now considered to exist and allow for quick, easy amendment to improve the charter. No one in this House is a Solomon who can state unequivocally that the Charter of Rights and Freedoms contains all the rights and freedoms that presently exist or should exist. The values and attitudes of society change. That is the nature of things. I have suggested to many audiences that anyone writing a charter of rights and freedoms in 1900 would not have included the proviso that women have the right to vote. Would such an amendment have passed in later years if it had to go through the government's proposed amending formula? If the amendment was considered premature by one province or another, it would have failed. Rancour, disappointment and discontent would prevail.

I am also bothered by the fact that my rights as an individual are to be determined by a judge, not an elected representative. As a lawyer, I have great respect for the judicial system, the judiciary and the rule of law, but I do not want to tell a citizen that a constitutional amendment is required to assert the rights which he thought he had. Government should be of laws, not of men. Rights not defined in the Charter of Rights and Freedoms should be capable of definition or improvement by elected representatives, not judges.

I appreciate that the point I am now about to make is not constitutionally fine tuned. I ask the government to consider some method whereby the charter of rights and freedoms could be amended by a vote in Parliament, improving and expanding the rights contained in the charter by a simple majority of Parliament. But if rights or freedoms are being reduced, they must be subject to the amending formula.

In the spirit that it is the duty of the opposition to suggest improvements, I wish to comment on two possible amendments to the Charter of Rights and Freedoms.

It is a glaring deficiency for the proposed charter of rights and freedoms not to contain a guarantee of an individual's rights to own property. The Progressive Conservative Party has proposed that everyone has the right to life, liberty and security of the person and the enjoyment of property and the right not to be deprived thereof, except in accordance with the principles of natural justice.

The Liberals and NDP have rejected protection for an individual's property rights. That is a glaring error. The right to own property and not have it taken away except by natural justice is a fundamental right of all Canadians. That right should be enshrined. We do not seek to prevent government from expropriating a citizen's property where it can prove a specific need that is fair and in the interests of society. But we are concerned that by omitting entirely any reference to property rights, the Liberals will be inviting a judicial interpretation that citizens have no right to own property. Socialists will rejoice.

I wish to put on record a letter I received from the Midland-Penetang District Real Estate Board. I quote:

> Our board and its 86 members cannot condone and further condemn the Liberal government's action of refusing to entrench property rights in the Charter of Rights and Freedoms.
>
> Property rights as presently provided for in the Canadian Bill of Rights should be included within any Canadian charter of rights and freedoms.
>
> We do acknowledge and commend the efforts of your party regarding the necessary inclusion of property rights within the charter of rights. Our board further endorses the Conservative party's wording of this proposed amendment.

In today's society, a person's privacy faces countless intrusions. Property ownership preserves a feeling of privacy. It allows us to "get away from it all" with a sense that we are retreating to something which is "ours" and cannot be confiscated by the state. That concept is precious to Canadians. It is a concept of personal independence. It also fosters a sense of permanence. Mark Twain once said, "Buy land, they stopped making it".

Surely the Charter of Rights and Freedoms should be expanded to include this basic concept enshrining the right of every Canadian to own property.

• (2030)

Lastly, Mr. Speaker, I deeply regret that the Liberal Party and its members do not understand the necessity for an affirmation of the principle of the supremacy of God in the Charter of Rights and Freedoms; because it is God, and it is not one political party, not any one man, it is not a charter of rights and freedoms, to whom Canadians should look for guidance. Faith in God gives meaning and purpose to human life. That principle should be enshrined in the charter of rights and freedoms.

In closing, Mr. Speaker, I wish to comment on the unseeming haste of the government in this matter. I reject the suggestion that there has been a 54-year delay in settling the matter of constitutional reform, just as I earlier criticized the premiers and prime ministers who have not applied themselves to this important subject. I am, however, in favour of telling the provinces to get on with their proposals. Instead of press conferences and premiers' meetings, they should decide on an acceptable amending formula, introduce the appropriate resolution in the provincial legislatures and give some finality to those things which they are so free to talk about at press conferences. There should be some finality to the provinces' position.

I would also suggest, Mr. Speaker, that if they applied a similar process to the Charter of Rights and Freedoms, all Canadians would benefit and we would then truly have something of which we can all be proud.

Some hon. Members: Hear, hear!

Mr. Gilbert Parent (Welland): Mr. Speaker, as the hon. member for Simcoe North (Mr. Lewis) has stated, we in this House of Commons cannot play the role of Solomon. We all come here with different perceptions of Canada, and I think it is time for each one of us, in his or her own way, to share with the others his or her vision of Canada.

I remember from the play "Cyrano de Bergerac" where the hero was once asked to write something which was flattering but untrue, and he stated in the play: "A man should neither utter nor write a word which he first has not heard in his own heart." Tonight, Mr. Speaker, I share with all of my colleagues in the House words that I have heard for the first time in my own heart.

With the return of the landmark constitutional resolution from committee, it is at last appropriate to speak of Canada entering the early minutes of a new era; in my opinion, Mr. Speaker, a splendid new era. The yeoman work of creating a new constitution has now been completed. Oh, there will be more debate and perhaps some important amendments; but with this major body of philosophical and technical work complete, it should now be possible for all of us to begin exploring the vital prospects that flow from constitutional renewal.

In our quiet moments, Mr. Speaker, many of us have wistful yearnings for a new way to articulate our nationhood. There are ordinary people everywhere in this country who feel something for Canada. They have been seeking a way to describe vague, but powerful, stirrings virtually bursting for release and each, in his or her own way, has wished to pay this amazing country its full due. But, somehow, in 113 years of confederation, we have not quite found the right words.

The Canadian nationalist, the person moved by an explicit love of this country, has been the exception, rather than the rule, through much of our history. Since the first European explorers staked claim to this part of North America, people living here have been inclined to focus attention outside of Canada. We have been shaped by foreign symbols and events, many of them from the distant past. With each generation, this focus has been less appropriate; and with each generation a sense of unease has increased for the substantial body of Canadians, like me, with deep roots in this country.

There have been no words to describe our place, those of us who were born here, maybe two or three generations of us. This is our land. There have been few symbols to which we could attach our meanings; the 69 years before we could proclaim our Canadian citizenship; the 97-year wait for our own distinctive flag, which is to your right, Mr. Speaker; and the 113 years without an official anthem served as much to underline this point as to correct it.

I have discovered, Mr. Speaker, that the stirrings that I feel—the stirrings that I share with so many Canadians—are those of the nationalists. I am a Canadian nationalist. I am not an Ontario nationalist, or a Quebec nationalist. I am not a western nationalist, and I do not put the maritimes before everything else.

My nationalism is reserved for what distinguishes all 23 million of us, from Swedes, or Frenchmen, or Britishers, or Americans. I am not talking here about the sort of nationalism that isolates a people, that makes them arrogant or narrow-minded or exploitative. That is the nationalism of ideologists. I am talking about the sort of nationalism that makes it possible for a people to reach out, to be magnanimous, secure in the knowledge that they have something unique and precious to give to the world.

This nationalism flows from a feeling of belonging, from a sense of national commitment. It hinges on the ability of thoughtful citizens to capture the inspiring essence of nationhood in words and in symbols. Without a sense of national commitment, without a pride that rises above local boundaries, what remains? The answer is painfully clear because it is currently being demonstrated in our beloved Canada. What is left is competition for spoils fostered by wealth that has not been committed to greater common ends. Without a sense of national commitment we could vigorously exploit our material treasure for a thousand years, and still be impoverished.

I want Canada to excel in spheres in which we are particularly gifted. I want us to produce goods better than anyone else. I want us to celebrate the forms of artistic expression that best reflect our soul. I want us to pioneer new branches of knowledge and to develop an even more humane social system.

The principles that will make those ends possible are now clearly stated in a constitution that will soon be entirely our own. I believe that the great symbol of a home-forged constitution embodying our most cherished conceptions, our most prized rights, is a great breakthrough. In swift chain reaction, it will urge us toward a quiet but a profound revolution of spirit. Let me look briefly at the elements of the constitutional resolution that I believe will be the active ingredients in this revolution of spirit.

[*Translation*]

To my mind, one of the most important aspects of this resolution is that it guarantees that all Canadians will be free to settle where they want in this country. How can we have a nation if its citizens are not free to move around as they wish? Only if we can look for work, put our children in schools where they will not feel out of place and become home owners and build in any area of the country will we consider ourselves citizens of a great nation. Otherwise, we shall only be residents of hostile and restricted feudal kingdoms.

Physical obstacles to travel have virtually disappeared. We can go nearly everywhere in Canada in a single day, and in most cases, much more quickly. The only real obstacles are psychological and legal. The psychological obstacles reflect fear, apprehension and uncertainty, fuelled by perceived regional divisions. The Constitution we have been offered can only eliminate such perceptions by guaranteeing unequivocally the freedom of movement and communications. The legal obstacles are those which give special employment and ownership rights to local residents. These are certainly the most insidious obstacles, as they discriminate between citizens from one area and those from elsewhere. This can be the cause of serious divisions and great bitterness. Without mobility rights, there can be no question of the national commitment to which I referred earlier. For this principle to prevail, all Canadians must feel at home everywhere in Canada. This will promote an enlightened nationalism.

● (2040)

[*English*]

The ideal with regard to language rights would be for each person in any part of this country to choose freely which of the official languages he or she wants to use, but in reaching this ideal there must be no hint of compulsion. This, as much as anything, will be the test of our wealth of spirit in the post-patriation period. If some provinces object and say that meeting this challenge of spirit will be inconvenient, that it will involve extra expense or that it may enrage some sections of the community, then that too will be a measure of our spirit.

The third principle, that of equalization, is also to be formally recognized in the Constitution. This is a mechanism operating largely outside the glare of publicity, but it too mirrors and emphasizes the principle of mobility, in this case a mobility of opportunity. You see, the freedom to move from one place to another is the flip side of freedom to remain in one's ancestral home without penalty.

Some have argued that without protection against movement each new discovery of wealth will mean a disruptive migration of Canadians from one region to another, but this need only be a fear if Canadians do not share equally the riches they jointly own. Equalization ensures a fair distribution of wealth through the mechanism of transfer payments. This enables Canadians with strong emotional attachments to their homes to enjoy continued residence without punishing tax burdens or confined horizons. To such Canadians equalization is the tangible evidence of the neighbourly concern of their compatriots in other provinces.

Mr. Baker (Nepean-Carleton): That is well said.

Mr. Parent: In my view it is right that individuals should have rights which cannot be arbitrarily tampered with by government.

Mr. Epp: Hear, hear!

Mr. Parent: In a sense this puts the individual above government, but it also gives the individual greater responsibility.

Responsibility and spirit are linked. What person could freely declare himself in love with his country if it offered him no fundamental rights and gave him no personal responsibility for exercising and protecting them?

[*Translation*]

I am therefore in favour of entrenching basic rights in the Constitution. I am also in favour of an amendment procedure which ensures the participation of a great majority of Canadians to any constitutional reform. Indeed, as far as the Constitution is concerned, as it is so essential to the articulation of our national spirit, the greatest number possible of citizens must be involved as directly as possible. When we have finally patriated our Constitution, we shall have a solid legal instrument to protect and promote our rights and freedoms. However, as I said earlier, it is perhaps the symbolic aspect of the Constitution which is the most important.

[*English*]

This is not to say that we are currently without home-grown symbols. As I mentioned, our flag and anthem are now recognized around the world as distinctly Canadian symbols.

Mr. Blais: Hear, hear!

Mr. Parent: Niagara Falls, the Centre Block we are in now, Lake Louise, the old quarter of Quebec, the Vancouver skyline: all of these have high recognition value and symbolic content. Our current leader, the Prime Minister (Mr. Trudeau), the Leader of the Opposition (Mr. Clark) and the Leader of the New Democratic Party (Mr. Broadbent) are all three united by a vision of a fully independent and responsible Canada. They differ on details.

With the patriation of our Constitution it is my belief that we will draw more fully on symbols and visions like these in forging our very own identity as Canadians. A Canada trans-

formed by a revolution of spirit will not be a Canada without disagreement. Passionate argument in the open over matters of consequence and aimed at peaceful resolution is one of the glories of our system here in Canada. Indeed, I see the vehemence of the debate over the Constitution as an awakening of passions rooted for all of us on all sides of this House in a deep love for this country. Who would want to argue in so lively a way over something worthless? And, to be sure, argument will not end with the passage of this resolution. Circumstances change, attitudes change and constitutions change. Nothing that is truly alive is cemented immovably in time.

The hon. member for Simcoe North mentioned that in 1790 the state of Virginia had 23 per cent or 25 per cent of the population of the 13 colonies. He pointed out that in subsequent years all the other 12 states became more populous than Virginia and that under our Constitution "Virginia" would always have a veto power. I believe this Constitution will change before 200 more years pass. It took us 114 years to get this one turned over.

Mr. Lambert: Why put it in there?

Mr. Parent: I believe what we should be looking at is not only a country that is growing but also a country that is flourishing, a country of which we and our children can well be proud of being part.

Argument will be required to establish the shape of that document in the years to come, but we must remember that argument is not the heart of the matter; it is merely the mechanism. Commitment and respect and love of country are the heart of the matter.

Outside this country there are no hyphenated Canadians. There are simply Canadians. There are no French Canadians, English Canadians, Hungarian Canadians or Japanese Canadians, but Canadians. That is how we are looked upon outside this country.

Is there a separatist sickness stirring in the west? I was out west, and I can tell hon. members that there are feelings of anger and frustration. I experienced them first-hand, but if there really is this separatist sickness, as our global neighbours look on us what is this compared with our united pursuit of excellence in all fields?

● (2050)

Is there a premier in Quebec who would like to build a fence around his portion of Canada? Outside this country he barely merits mention compared to the heroes and remarkable people who live here; the Ken and Pat Taylors, the Terry Foxes, who right this minute is fighting for his life, the Karen Kains and the Legers of today, or the Frederick Bantings, Norman Bethunes, Billy Bishops, Marshall McLuhans, and the Nellie McClungs of yesterday.

Where are the Rocky Mountains; not in British Columbia or Alberta but in Canada. Where is Niagara Falls? It is in Canada. Where is the Beaufort Sea, the St. Lawrence Seaway and Louisbourg? They are all in Canada. They are in provinces, but they belong to all of us. They are here in our Canada and, by God, they are ours.

Some hon. Members: Hear, hear!

Mr. Parent: Inside this country it could be the same. There is no need to reduce our cultural richness to averages. We do not all have to sing the same song. There is good reason to acknowledge the qualities unique to Canada which transcend political boundaries and political parties and make us one with our fellow citizens. Such are the qualities of the enlightened love of nation of which I speak. We perhaps back away when we speak of love of country. Perhaps these are words which should not be used by parliamentarians. Perhaps we should use the jargon of the bureaucrats in order to hide our feelings and not let anyone know what this land means to us. For me this love of which I speak, this nationalism, this love of country, is a statement which I have carried with me all of my adult life.

Each and every Canadian has the power to contribute mightily to this revolution of spirit. Let us not waste such potential by dividing our energies and battling among ourselves. Such is the importance I place on the constitutional resolution. It has been the unique opportunity of this Parliament to give it shape. Now it is our historic duty to give it a permanent place in the very soul of the Canadian nation.

Some three years ago, Mr. Speaker, I was at a dinner which was attended by the present Speaker of the other place. I take the liberty to name him—the Hon. Jean Marchand. At that dinner he was asked if he had his whole political career over again what changes he would make. He said if he had it all to do over again he would take one hour out of every week and he would speak to one of us, one of his colleagues, and we could tell him about our Canada and he could tell us about his. Perhaps if we did take one hour out of every week, we did talk about our Canada together, sharing our Canada without yelling at one another, and if we could truly sit down and listen to one another, perhaps then there would be the Canada that all of us visualize. After looking carefully into my own heart and to my own soul this is the significance I have of Canada, a Canada founded and growing and flourishing under God. Indeed, I believe that God is watching over and looking after Canada. I now ask myself a rhetorical question after these few minutes of sharing and I ask you, all of you, my colleagues, is my vision of Canada so very much different than yours?

Some hon. Members: Hear, hear!

Mr. S. J. Korchinski (Mackenzie): Mr. Speaker, I listened with great interest to the hon. member for Welland (Mr. Parent). He ended on a note which many of us on this side in the official opposition subscribe to. In the few remarks he made toward the end of his speech he recognized that there is a God. We in this party believe in the supremacy of God. We believe the concept should be entrenched. We will welcome him to join with us in opposition when the final vote is taken on this constitutional resolution which is not complete.

Practically everyone in Canada is in favour of patriation. Not everyone, indeed a vast number of Canadians, are not in favour of unilaterally entrenching this particular bill of rights in the way this government is proceeding. The entrenchment of the Senate veto and the formula for amending the Constitution by the provinces are matters which I oppose. I oppose the referendum proposal in the constitutional resolution. I oppose the veto to be given to the two provinces of Ontario and Quebec. It is a fence those two provinces are building around themselves. If you lived in any one of the other provinces in Canada, Mr. Speaker—and we have eight others—you, too, would subscribe to the theory that somehow we are secondary Canadians by the entrenchment of that veto for the two provinces. The failure to recognize certain Metis organizations, the failure to put the property rights, in fact, the failure to meet with and consult with the Metis and the insistence that certain Metis organizations and certain Indian organizations must belong to particular organizations before they will be heard, causes me to stand and oppose this resolution.

The absence of the supremacy of God is another reason which causes me to be in opposition to this particular bill of rights. In fact, I see nothing in this constitutional resolution but a divisiveness which will be in place forever and a day. Nothing short of separation or revolt will extricate Canadians from the mess we are in today.

Mr. Speaker, may I call it nine o'clock?

Mr. Deputy Speaker: It being nine o'clock, the House will now proceed to the consideration of private members' business, pursuant to the Chair's decision of Thursday, February 19, 1981.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

BRITISH NORTH AMERICA ACT

AMENDMENT RESPECTING ABOLITION OF THE SENATE

The House resumed, from Thursday, February 19, consideration of the motion of Mr. Knowles, that Bill C-243, to amend the British North America Act, 1867 (abolition of the Senate), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

• (2100)

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, the hour has come.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Knowles: It is time for the senators to realize that they have had their day.

The debate we have just interrupted, because it is time for private members' hour, is one in which, despite the differences we may have, we are all agreed that we want control of our own affairs here in Canada. One way or another, we hope we will soon enjoy that situation. It is perhaps significant we have turned from that debate on the patriation of the Constitution to another question which relates to the desire of Canadian people to control their own affairs. We do that in this democratic country by having a Parliament representative of the people in which we speak for those people and make laws on their behalf.

However, I suggest, as I have suggested a good many times in the last several decades, that it is not a democracy as long as there is a part of this Parliament—that other place—in which there sit men and women who have not been put there by the people of Canada, are not responsible to them, and in that sense do not represent the people of this nation. They are fine men and women. I number many of them as my friends, and some of them manage somehow to treat me as their friend. After one has said that, and after one admits they do good committee work, that they have produced some excellent reports on a number of subjects, and that about 25 of them work pretty hard at the job—

An hon. Member: Twenty-five?

Mr. Knowles: I am being generous. It is still a fact that according to the estimates tabled today we are spending about $20 million a year to maintain an institution which is completely undemocratic.

Every member of that other place is appointed to it on the recommendation of the prime minister of the day. Once a person gets into that place, he is responsible to no one. Certainly he is not responsible to the people of the province from which he comes. He is not even responsible back to the prime minister who recommended his appointment. I think the time has come for us to take the position that we are a grown-up democracy and, just as we want our Constitution in Canada, not residing in some other country, we want a Parliament which is thoroughly democratic.

Of course there are arguments on this subject both ways. I have presented the arguments on our side of the proposition a good many times. The bill usually gets talked out. One always hopes that maybe this is the night it will not be talked out. I see my friend over there. Where did you come from?

Mr. Deputy Speaker: I ask the hon. member to address his remarks to the Chair.

Mr. Knowles: You are quite right, Mr. Speaker; I know where you came from. I noticed my friend across the way who usually defends the Senate; I see he is here tonight. Maybe he has had his say and there might even be a willingness on the Liberal side of the House to let the subject matter of this bill go to committee to see if we cannot find some better way than letting a group of unelected people have a continuing veto over the decisions made by elected members of the House of Commons. Of course there has been the notion that there

needed to be these elderly people to have sober second thoughts in case the democratically elected people made mistakes.

An hon. Member: We do.

Mr. Knowles: We do; we can make mistakes in this House, but when we make mistakes, we have to go back to the people and let them be the judges. But their honours in the other place do not have to go back to anyone. They are there; it used to be for life, but now it is until age 75. There is just no way I can buy that as consistent with the principle of democracy. I hope, in these days when we are thinking about the constitutional set-up of our country, we will give serious consideration to the proposition that the other place ought to be abolished.

I know there are some who say it would be a reform to put it on an elected basis. That is something which can be considered, but in my view we have enough conflicts in this country already between the executive and Parliament, between the federal government and the provinces. This makes me feel that if we had two elected Houses, each with full moral authority, the chances are we might never get anything done. I go all the way and say let us abolish the Senate completely.

I used the word "reform" a moment ago. There have been some attempts to reform the Senate. Supposedly it was an important reform a while ago when their honours were given terms to the effect that they had to retire at age 75 instead of being there for life. That was really no reform. In fact, it cost us more money. Now we have to pay the ones who retired their pensions and then pay the new ones their full senatorial salaries. But, there has been kicking around for a number of years a proposal which was a bit of a reform, namely, a proposal that the senators have only a suspensive veto, that they not be permitted to veto a thousand times what we might pass in this House. That idea of a suspensive veto actually got into the constitutional resolution which we have been debating in other hours. It was Section 44 until it was put out. I want to register my strong objection to the government's action in yielding to the blackmail from some senators and cutting that Section 44 out of the constitutional package; it ought to have stayed. That is, indeed, another reason why we should abolish the Senate tonight. Let us show the senators what we think of the blackmail they gave the Government of Canada.

I do not want to take too long because I want a few others to have a chance to speak before we do the trick and finish off the Senate. That leads me to something I would like to say is very important at this juncture. With the removal of Section 44 from that other resolution, there are some people who are saying—some of them are some of our friends—that the Senate is being put in a position to veto its own reform or veto its own abolition which is a stronger position than it has ever had before. When that idea was spread around, of course some people asked me how I could agree to the constitutional package since I am so strong for the abolition of the Senate. I want to take a moment or two to point out that there is no truth to that assertion at all.

• (2110)

From the year one, which happens to be 1867, the Senate has had the veto over any bill put through the House of Commons. Even with respect to my bill we are debating tonight, if we were to pass it and send it to the other place, they would have the right to say yes or no to it. You heard what they said to the government about Section 44 in the package. They would probably say no. That has been the picture since the beginning of our nation's history. The Senate has a veto over any bill.

There is another way in which the Constitution gets amended. That is the one with which we are very familiar these days; that is, by the sending of a resolution from the Parliament of Canada to Her Majesty to be placed before the Parliament of the United Kingdom. I emphasize that what has to be sent is a resolution from Parliament, and that means a resolution from two Houses. That means that there is no chance at all of our sending a resolution, from this House of Commons alone, to Westminster asking for the abolition of the Senate.

That has been the case from the beginning of time, so their newly stated opportunity in the proposed Constitution to veto anything that is desired by this House, or desired as an amendment to the Constitution, is not something new.

I also point out that since 1931, when the statute of Westminster was passed, it has been clear that the Parliament of Westminster agrees to a resolution to amend the British North America Act only if it has the request or the consent of the Parliament of Canada. I heard those words just a few moments ago from another member who was speaking, and those words are there. It has to be on the request or with the consent of the Parliament of Canada. The Parliament of Canada consists of two Houses, so there we are.

From 1867 to the present, and particularly since 1931, the Senate has had a veto power over any move that might be made to reform it or to abolish it. The slightly different wording which appears in the constitutional package is not an increase, by one iota, of the strength and the power of the Senate. I have heard it said that surely if the House of Commons and ten provincial legislatures or governments wanted the abolition of the Senate, Westminster would do it; and that is a pretty far-out hypothesis, that the ten provincial governments would take that view and the House of Commons as well. But I submit that even then, the Parliament of Westminster would have to look at the statute of Westminster and say to itself, "This resolution came from one House, not from the Parliament of Canada".

When I talk in these terms, some people say, "Well, can we ever get rid of the Senate?" We can, when we have a government that has the will and the guts to do it. In this very country, we abolished, long ago, the Upper House of the province of Manitoba, we abolished the Upper House in Nova Scotia, and not many years ago the Upper House of Quebec was abolished. In none of those cases did those who were the members of those Upper Houses like it, but it was the will and determination of the government. Sometimes it was a life pension for those who held their positions; but when a govern-

ment has wanted to get rid of a second chamber it has been possible to do so. I think that is what we need in this country: a government that believes in democracy to the extent of saying that all of our law-making, all of our representing of the people of Canada, shall be done by men and women elected by the people of Canada, sitting on their behalf in a representative democratic institution.

As I say, that was a bit of a digression, but I thought it was important to make it. I regret very deeply that Section 44 was struck out of the resolution. I regret very deeply that the government yielded to the blackmail from the Senate; that some of them might vote against the package. I do not believe for a moment there would have been enough to do it, but the government was too scared and backed down. I regret all of that, but I want to make it clear that if the present constitutional changes are made, we will still have the right to fight for a totally democratic Parliament, we will still have the right to work for the abolition of the Senate; and if we do not make it in the next 45 minutes, I shall be back at it again next year.

Some hon. Members: Hear, hear!

Mr. Hal Herbert (Vaudreuil): Mr. Speaker, will you permit a very brief question?

Mr. Deputy Speaker: Will the member for Winnipeg North Centre (Mr. Knowles) accept a question?

Mr. Knowles: Gladly.

Mr. Herbert: I wonder why the hon. member for Winnipeg North Centre made no reference to Bill C-60 and the Supreme Court decision when he said a government that had the will to do so could do so.

Mr. Knowles: I thought the hon. member was trying again to raise the point of order he raised the last time; but with respect to that question, if he argues that two years ago the government had the guts, I will go along with him, at least to make my point. If the government had the will two years ago to try to change the Senate. What has happened to that will today? Why has it backed down, with respect to Section 44?

Some hon. Members: Hear, hear!

An hon. Member: Blackmail.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I enjoy the opportunity to speak on this particular bill. When I made my maiden speech in Parliament back in 1974, I spoke on this very same bill as introduced in the Thirtieth Parliament. I must admit that I have matured in my views over the years, and I have gone away from the blatant defence of the status quo that I presented when I made my maiden speech.

However, in saying that I believe my views have matured, I must say that I completely disagree with the bill before us which requests total abolition of the Senate.

In beginning my remarks, let me suggest it is certainly impertinent to discuss this question, at a time when we have a constitutional resolution before the House; a resolution which has an impact on the structure of government, the powers of the legislatures, of the fundamental constitutional direction of this country. But I realize there is no malevolence on the part of my friend the hon. member for Winnipeg North Centre (Mr. Knowles). It is the luck of the draw. You, Mr. Speaker, ruled last week, that it was very much in order to proceed with this bill at this point in time.

I would like to underscore one serious point the hon. member for Winnipeg North Centre has made tonight, which does have some bearing on the constitutional revolution—resolution—

An hon. Member: Revolution.

Mr. Collenette: A slip of the tongue.

An hon. Member: It is an important bill.

Mr. Collenette: —before the House, and that is on the powers of the Senate, as they may be, after the deletion of Section 44 in the resolution on the Constitution, because the hon. member for Winnipeg North Centre is absolutely correct. What the government has done by deleting that clause in the resolution affects or it enhances, in no way the power of the Senate. The power of the Senate, under the British North America Act, is total and is absolute. I think very few people in this country realize the full dimensions of power that the Senate has at its disposal. Unlike the House of Lords in the United Kingdom, which saw its power limited by the Parliament Act of 1911, when, as you may remember, the prime minister of the day might have been Lloyd George, Henry Campbell Bannerman—I am not so sure. I think it was Lloyd George.

An hon. Member: Asquith.

Mr. Collenette: Asquith. My friend for Broadview-Greenwood (Mr. Rae) is a great historian, so he knows the facts.

Mr. Asquith, the prime minister at the time, went to the king and said, in effect, "Look, Your Majesty, if we are going to have the power of the House of Lords continue to frustrate general social legislation"—and you must realize that that was the period of the great Liberal social legislation which heralded old age pensions, which, incidentally, the CCF, in this country, and the Labour parties stole from the Liberals in Great Britain; "if the House of Lords is going to impede that legislation, then, Your Majesty, we feel this is wrong, and that the power of the House of Lords should be circumvented." The king said, "Yes, I agree with you," and used the royal prerogative to threaten the creation of more peers so there could be a different colouring to the House of Lords. As a result of the Parliament Act of 1911, the power of the House of Lords was significantly curtailed.

● (2120)

In fact, today the House of Lords enjoys more of the suspensive veto powers that we have been proposing in this House for many years. We proposed it in the Thirtieth Parliament with Bill C-60. We thought it would be wise to limit the absolute power of the Senate and to institute a six-month veto, as well as change the method of appointment of senators.

There is a little bit of mischief going about in the country, perpetrated by the Premier of Saskatchewan, to the effect that what the government has done with the constitutional resolution, in deleting Section 44, somehow enhances the power of the Senate and encumbers Canadians with some anti-democratic demagogue. That just is not the case because what the government has done is to maintain the status quo.

My friend the hon. member for Winnipeg North Centre may deplore that. At least he is a man principled enough to stand in this House and say that is the truth. I admire him for that because in a sense he is challenging the assertion made by the Premier of Saskatchewan who is a member of his own party.

The one aspect of Senate reform that I should like to deal with briefly is the fact that senators themselves have advocated reform. When I sat on the special joint committee on the Constitution that studied Bill C-60 in the Thirtieth Parliament I did not see an obstructionist Senate that wanted to preserve its absolute veto for all time. Indeed, I found a group of eminently respected individuals who cared about this country and felt that perhaps their absolute powers should be curtailed to within a general scheme of parliamentary reform.

Incidentally, they disagreed with the procedure I described last Thursday when we debated the procedural aspects of the admissibility of debating this bill tonight. They disagreed that the House of Commons had the right to initiate a bill to amend an appointment to the Senate and, of course, the Supreme Court agreed with their assertion and struck that down.

At the time, the senators agreed that there should be significant reform of the upper chamber. I find it rather ironic that the hon. member for Winnipeg North Centre, coming as he does from the great CCF populace stock of western Canada and having been in this House since the early forties, should take the position that he does, given the fact that one of the great historians of the CCF and the NDP, Mr. Frank Scott, has matured in his views, as I believe I have in my views. He started, like the hon. member for Winnipeg North Centre, many years ago from the position that the Senate should be abolished. In 1970 when another committee was studying the constitution, he said:

> There have been about sixty new constitutions written since the end of World War II and in a great many of them there is a second Chamber . . . it is not an idea which is fading away gradually and I would think that there could be now some legitimate place for a Senate that had some regional representation.

That was the genius of Bill C-60 which, unfortunately, has not been fully appreciated by the public. In order to give the regions a better balance, a better impact upon national policies, the government proposed that the Senate would be appointed according to proportionate representation. Half the Senate appointments would be made by the federal parties represented in the House of Commons—not by the incumbent prime minister as is the case at present but by the leader of the opposition or the Leader of the NDP if they were ever to divest themselves of their emotional, philosophical hatred for the Senate and agree to work with a reformed senate. The other half of the appointments would have to be made by parties in the provincial legislatures; not the premiers of the provinces but the parties themselves, the leaders of the opposition; the Liberal, the New Democratic Party, Socred and all oppositions, perhaps even the Parti Québécois. It would be based on the strength those parties had in the legislatures.

I believe that was the real genius of Bill C-60. It got around the very dicey problem of proportionate representation in the House of Commons, a proposition which may be resurrected. The government is fully committed to electoral reform, as was stated in the Speech from the Throne last year. I hope all members will contribute to that debate.

I should point out that when we talk about electoral reform we are not just talking about proportionate representation in this House. Proportionate representation can be achieved in the upper house.

Mr. Knowles: Are you still committed to Senate reform?

Mr. Collenette: Despite the abhorrence of my friend, the hon. member for Winnipeg North Centre, I think the Senate has historically discharged its responsibilities with great dignity and wisdom. The Senate, which has the right to reject any bill whatsoever as often as it sees fit, has very rarely used this power. In fact, I believe it has not declined to pass a bill unless it has been endorsed in a general election. This was done with a naval bill in 1915. If I have my facts right, the Senate pronounced upon that bill.

There is great arbitrary power in the Senate but it is used sparingly. I would say that we are doing senators an injustice if we rile against the privilege which they have had for years but which should be changed. We all recognize that it should be changed but for other reasons, not the rhetorical, philosophical rantings and ravings of members of the NDP who approach this subject from an emotional rather than rational point of view.

Today in Canada we have need of another chamber that can review legislation at a more leisurely pace. Every day of the week we hear members speak of the pressures that we in this chamber are under to deal with the Constitution, the energy program and economic issues. Members of Parliament come before the members' services committee saying they are overburdened and that they need more staff. That may be the case. I am sure there is an element of truth in it but I think there is a need for another body that can be more reflective of the regions. I do not mean a body appointed solely by provincial governments. I do not want any bundesrat in this country. That was the proposal made by the official opposition and I remember the hon. member for Kingston and the Islands (Miss MacDonald) speaking at great length and with vigour

on the positive aspects of the German system with the bundesrat.

I would take great umbrage at the kind of provincial governments we have in this country today, provincial fiefdoms, appointing senators who would then have a veto over the work of the House of Commons. That is the real danger in Senate reform. We must be sure that this blatantly and patently false decentralist theory of confederation is not perpetuated by a Senate which becomes the mere puppet of provincial governments.

An hon. Member: It is a puppet of the Prime Minister (Mr. Trudeau) now.

Mr. Collenette: I shall not go on at length Mr. Speaker, except to say that—

Mr. Knowles: I thought you said you had matured.

Mr. Collenette: I think I have matured but obviously that is a very subjective viewpoint. I will leave it to other members to make their judgment on that.

In November, 1980, the Senate itself issued its report on certain aspects of the Canadian Constitution. This report was the work of the people who are in that place now, the people who will be asked to pass the constitutional resolution. In viewing Senate reform they showed a remarkable attitude of self-sacrifice. They are willing to give of themselves, to reform their chamber in accordance with the realities of modern-day Canada. In no way do I subscribe to the almost despairing view of some hon. members opposite, especially those in the New Democratic Party in western Canada, who say the Senate will never allow any constitutional amendment to pass which will have an impact on its own future. I reject that quite forcefully, Mr. Speaker.

In conclusion, I should like to welcome the sentiments of the hon. member for Winnipeg North Centre. This evening he made a very bold intervention which has an impact on national politics, and I hope that impact will not be lost on members here. He disagreed with the statements made by the Premier of Saskatchewan who has been dillying and dallying about supporting our constitutional resolution for these many months. But I do take exception to his almost irrational view that this federation, made up of a number of constituent parts, can only be served by the members of this House. That was not the intention of the Fathers of Confederation and hopefully it will not be the intention of all of us who are working together, irrespective of party, toward building a better Canada through constitutional reform.

• (2130)

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, I enter this debate tonight about abolishing the Senate and, although I am not the greatest protector of the Senate, I think we can say thank heavens we have the Senate today, we now know there are some responsible Liberals in this country. They are speaking out in the Senate and will oppose this Liberal-NDP coalition constitutional package. I will go into details about that in a moment by putting on the record some comments made by these responsible Liberals in the other chamber.

I do not support the way the Liberals have run the Senate over the last number of years. Their full-time national party organizer is a member of the Senate. I do not approve of that at all. There are members in the Senate of other parties who work for their particular party when an election is on, but they are not there full time working for their party as are certain Liberals.

I must give some credit to the Senate for the work they do in their committees, some of which travel across the country. One study in which I have taken some interest is the one on the economic conditions in Canada. The Senate committee involved went into great length about the exodus of capital from this country and our political climate. Their report showed that starting in 1975 there was a massive exodus of capital from Canada because of the nationalization of the potash industry by an NDP government and outlined the damaging effects that had right across the country. It set off a signal in the United States for people to be very careful sending money up here for investment purposes. The trend of investment money leaving Canada started in 1975. Many people think that nationalizing an industry is a wonderful thing. It is not a wonderful thing because it scares investment out of the country; it does not attract investment. This study on what happened when an NDP government nationalized an industry in Canada was excellent.

Very good studies have been done on the poor and the aged by the Senate. Although these excellent studies have been done, it is unfortunate the Liberal government ignores most of them. They just gather dust on shelves. If the Liberal government would just pay a little more attention and read some of the works which different committees of the Senate have compiled over the years, we would probably be a lot better off in this country. Not all senators are party hacks.

The Bank Act has been strengthened because the Senate finance committee did excellent work in that area. There is a lot of brain power in the Senate. Members of the Senate pick up a lot of things we miss. They are not all sitting there gathering cobwebs. Many of them are men with high principles.

It is interesting to note that Senator Lafond and Senator McIlraith are sounded out as opposing the government's constitutional package. However, I want to quote from the Senate *Hansard* for February 24, 1981, when the Hon. Eric Cook spoke. He is a lifelong Liberal who can no longer stomach what is going on in this country. What he said was this:

> I am opposed to the resolution because I am opposed to the federal government's unilateral action notwithstanding the disapproval of the majority of the provinces and the majority of Canadians.

Of course, we thank heaven we have about four NDP members here who have seen the light. The news media says they are men of principle. They are now going to vote against the government's package. I do not think it has anything to do with principle at all; they got a message from the electorate

back home. More power to them that they read the message from the voters. I fully support that.

Senator Cook went on to say:

I quote from Professor Peter Browne, a distinguished member of the Department of history of Carleton University:

"Most of the witnesses before the Special Joint Committee on the Constitution concentrated their criticism on the provisions of the proposed charter of rights. As a result, some of the ambiguities, contradictions, restrictions and omissions have been identified, and may be remedied. What has still not been adequately discussed, however, is the underlying question of whether the ultimate responsibility for defining our basic social values should be transferred from the federal and provincial parliaments to the Supreme Court."

As a matter of fact, I was just discussing this very subject with my colleague, the hon. member for Qu'Appelle-Moose Mountain (Mr. Hamilton) who happened tonight to be in the company of some judges who gave him a real insight into the dog's breakfast we will get into if this is left up to the courts. That is the point Senator Cook made in his speech. He went on to say:

There are, indeed, many good and sincere people who seem to fell that if we have a charter of rights, and pass over to the courts the duty and responsibility of enforcing and interpreting it, this will prove to be a panacea, a universal remedy or cure for all our ills. Furthermore, they feel that the charter of rights must be placed beyond the power of Parliament, a legislature or the elected representatives of the people to repeal or amend. Those who subscribe to this theory argue that the court can and will do all that is necessary to protect and safeguard all our rights. Will this indeed be the result?

He gives an example of a Supreme Court case of a number of years ago. Canadian people do not realize what will be involved to protect their rights. People will have to fight in the courts for years. It will be great for the legal profession. Mr. Justice Berger in the United States has pointed out that because their bill of rights was entrenched in a charter the United States judicial system today is an absolute jungle. Lawyers are getting smarter and smarter all the time and are finding more and more loopholes in the law. It goes on and on and on, and lawyers are making hundreds of thousands of dollars handling these cases. It does absolutely nothing at all for the person on the street. I shall now read the example which Senator Cook gave in the Senate of February 24. It just goes to show how involved and complicated it is when these things get into the courts. He said:

The last time there was a case before the Supreme Court of Canada dealing with human rights under the Constitution was in the year 1928. At that time the Supreme Court of Canada was asked to decide the meaning of the word "persons" in section 24 of the British North America Act, and whether "persons" includes women. The court ruled unanimously, with not one dissenting voice, that "women are not 'qualified persons'" within the meaning of Section 24 of the BNA Act, 1867, and, therefore, were not eligible for appointment by the Governor General to the Senate of Canada.

Did the court endeavour to reflect public opinion in 1928, and did it look to the future in order to decide this question, or did the judges look to the past to find some legal precedent on which they could hand their hats? Did they look at the state of public opinion in 1928, and did they endeavour to decide what should be the best decision for the future? A reading of the judgment indicates that they searched the past, and Chief Justice Anglin quoted with approval the words of Lord Esher of England, spoken in 1889.

Lord Esher had quoted with approval the words of Mr. Justice Willes, which Mr. Justice Willes had written in 1868, as follows:

I take the first proposition to be that laid down by Willes J., in the case of *Chorlton v. Lings*. I take it that by neither the common law nor the constitution of this country from the beginning of the common law until now can a woman be entitled to exercise any public functions. Willes J. stated so in that case, and a more learned judge never lived.

● (2140)

Can you imagine an ordinary person going into court, fighting for his rights and having to listen to a legal harangue like that in order to explain his rights. I look after people's rights every day of the week, as do all members in this chamber, without having to hire lawyers and go to court. I can take a matter up with a cabinet minister, speak on someone's behalf here or in committee. I do not have to go to court and have a bunch of judges deal with it.

Senator Cook went on to say:

In view of this record, why should we think that the courts will be pioneers in safegarding human rights?

We need to keep the Senate, at least for the time being. As long as we have this group of Liberals and New Democrats, we need some responsible Liberals in the other place to look after our rights. Thank heaven a few more of them are speaking out. Senator Cook went on to say:

Fortunately, the women's rights case had a happier outcome. The judgment was appealed to the Privy Council in London and the court held:

Of course, that went on for years and years in the courts. May I check one thing, Mr. Speaker. Is ten o'clock the cut-off?

Some hon. Members: Yes.

The Acting Speaker (Mr. Blaker): To put it more accurately, the hon. member's personal cut-off time is ten minutes to ten.

Mr. Knowles: Speeches are 20 minutes in this hour. In the Senate they have unlimited time.

Mr. McKenzie: Before I close I want to put a few more of these juicy quotes on the record. The senator takes our Secretary of State for External Affairs (Mr. MacGuigan) to task for threatening Britain with grave consequences. I quote:

Also, I have to point out to Prime Minister Trudeau that there are many Canadians who still have a deep affection and regard for the British, and we do not appreciate Mr. Trudeau's quite uncalled for rudeness. This conduct might ensure that Mr. Trudeau will get attention in the media, but he does not speak for many Canadians when he seems to try to be rude and to browbeat Westminster.

Three cheers for that Liberal in the other place.

So I say to the Prime Minister: Please, please, speak more kindly, out of respect for our feelings, if not for the feelings of the British.

Senator Cook gives many other examples of why the Liberal package will not work. While it is nothing but windowdressing, if any Canadian thinks his lifestyle will change because this bill of rights is passed, he had better think again because Liberals are politicians first.

I will give a classic example of what will happen. The contract for the new fighter aircraft will not be divided equally across the country. The Quebec and Ontario Liberals are already squabbling among themselves as to who will get the bigger part of the contract. Quebec will receive 48 per cent,

Ontario 39 per cent and the rest of the country 12 per cent. Will the bill of rights change that? Of course it will not.

I am glad to see the Minister of Supply and Services (Mr. Blais) and the Minister of Industry, Trade and Commerce (Mr. Gray) in the chamber this evening. I will be dealing with them in committee in the near future to try to get a little more justice across Canada. They talk about human rights and protecting the individual. They are not kidding me. They will look after their votes before looking after anyone's rights.

Mr. Blais: How about Bristol Aerospace? How about the increase in Manitoba over the last year?

Mr. McKenzie: Bristol Aerospace is one of five aerospace firms in Manitoba to receive any part of the NFA contract to date, and it was a very small portion. I recently met with members of the other aerospace firms. They are very concerned that they will not even get a slight smell of any contract. The bill of rights is nothing but windowdressing.

In conclusion, thank heaven we have some responsible members in the other place to protect us from the Liberal Party and the half dozen or so remaining NDP who support them in trying to ram this thing through.

[*Translation*]

Mr. André Maltais (Manicouagan): Mr. Speaker, I am somewhat reluctant to speak about the abolition of the Senate because I have not been a member of this House for very long. I would be tempted to share the views of my colleague for Winnipeg North Centre (Mr. Knowles) because when we are outside the House and hear people talk about the Senate often enough the impressions they give us are rather incomplete and somewhat tinged with negativism. I know that when people in my riding talk about the Senate the general impression is often that perhaps it is the most magnificent golden age club in the country, enjoying as it does permanent New Horizons projects and rather plush precincts. But people think like that because they are on the other side of the fence.

I think that perhaps the Senate is an institution whose operations ought to be completely overhauled because the fact is that it was established or at least set up at a time when institutions were very different from what they are nowadays.

We know that in the early days after the establishment of the Senate—and I have no intention of giving a lecture in political science to my colleague from Winnipeg North Centre who is probably much better informed than I am in that field—but at the outset the purpose of the Senate was to cool down the zeal of the elected representatives before the courtesans of kings and what not, so that now the role of the Senate compared with that of the elected House surely needs to be modernized if senators really want to meet contemporary requirements.

In that sense I suggest that the Pepin-Robarts report does make significant and challenging distinctions. Instead of endorsing outright the bill introduced by the hon. member for Winnipeg North Centre, instead of abolishing the Senate altogether, perhaps it would be interesting to see what could be done with that institution. Of course the problem there now may be that the senators are usually appointed by the parties.

Because of this, there might be a power imbalance. However, one might view senatorial appointments more objectively if senators were chosen among outstanding men and women in various fields in Canada and appointed for five or seven-year periods like appointees to certain Crown corporations. It would probably be interesting to see some kind of continuity between the work of elected legislators and related studies made by those appointed rather than elected.

In other words, it would be quite easy for the House of Commons to agree unanimously to the appointment to the Senate of some well-known men and women for a given period, which is how some provincial legislatures appoint an ombudsman. Such appointments would have to be approved by a simple majority or else by two thirds of the members of the House. These people would act as senators for a given period, whether it be five, seven or ten years, and try to improve the bills that we often pass rather hastily because, in this day and age, we have a tendency to legislate quite a lot and very regularly, which may be overlooked, and it would be a good thing to have such a regulatory mechanism. When we consider the role of the Senate and the critical review of legislation, this could be a great improvement. First of all, there would be more time to analyse measures, and second, this could lead to better legislation, as we have seen in the past.

The second important point concerns investigations. Because of the nature of its responsibilities and its role, the Senate could be asked to conduct investigations. Even among present senators, there are some, as the previous speaker said earlier, who have a great experience of life, and it is wrong, in my opinion, to condemn them offhandedly by saying that they are just a club of senior citizens and that they are not effective. What is not effective is the operation of the Upper House, and the same can be said about the House of Commons, where all members have been elected, because many changes certainly need to be made. The operation of this House is certainly not really effective if we consider the work that our constituents expect of us. We should take it for granted that those who have been elected have some experience and give them very specific responsibilities.

The first definition that I gave earlier is the possibility to make critical analyses of measures with a view to improving them, the second would be the capacity to conduct investigations, and the third would involve regional representation, a most important aspect. Proportional representation was mentioned earlier. This is an extremely bad idea. The philosophy behind it is quite valid, but I believe that we should go further than proportional representation as concerns the Senate. I come from an extremely vast territory. I am the only member for an area of 600 miles by 1,250 miles. It seems to me that it

would not be a bad thing if we had a senator to represent us, as long as it was a hard-working and useful person, well regarded by this House as a whole. I believe that even the hon. member for Winnipeg North Centre, who also represents a very large region, would like to have senators who could represent his constituents and his region. This would make exchanges here in Ottawa possible and would also double, I think, our work and action.

For instance, considering the amount of work which would be needed to develop ridings the size of the Manicouagan riding, I think that regional senators would be helpful, because they would greatly increase the amount of work done. That is a factor which would need being looked into as far as representation in the Senate is concerned. Another factor is the need to protect the rights of our minorities, those of the handicapped and those of people with a difference. I suggest that the Senate could play an interesting part in this respect, because I realize, having been here for the past two years, that when we legislate, we proceed in a piecemeal fashion. There is, of course, a logical follow-up with regard to the various bills based on centres of interest; on commitments in certain areas; this is why the senators could be responsible for an over-all view of the legislation. And also have as a main task to check some very specific aspects of our Canadian life, and in that sense, the protection of minority, native and handicapped people's rights could become part of their job description. Of course, we might look more fully into the whole matter, but that is not to say it would be better to abolish the Senate than to try to give it a much more worth-while role.

A well-conceived and modernized function of the Senate would include another important role, that of ambassadors of the Government of Canada: they could go out in the field to see what is going on, they could help with research, they could complement the members' work. I, for one, think that in the other place we have extremely valuable resources that could be maximized if we gave them in fact the means to do a good job and provided, of course, they wanted to use them. In the Senate, as elsewhere, there are people who are more or less effective, and it rests with them to enhance their prestige and make their work outstanding.

Some senators—I believe the hon. member for Winnipeg North Centre will recognize that—have accomplished rather outstanding work throughout the years, and have produced very satisfying work from the point of view of giving it careful thought; they certainly improved some bills and without their contribution we could not have reached, I feel, the same degree of perfection.

After two years of experience in this field, taking into account the speed with which we legislate, the number of bills we study and introduce, I think it is not a bad idea to have a second house whose role it is to analyse, to reflect upon and to put those bills into perspective, acting, of course, as an extension of our own House. On the other hand, the interesting aspect of the proposal of the hon. member for Winnipeg North Centre is that, as he said so aptly sometime this week, he managed to witness the exodus of, I believe, two thirds of the senators who were sitting in the other place when he first came here. So, without abolishing it, to some extent the hon. member did, in fact, see the disappearance of two thirds of the representatives or—

[*English*]

Mr. Knowles: All but for two.

[*Translation*]

Mr. Maltais: Oh, very well, it is more than I thought. So, as can be seen, he succeeded as an elected representative in superseding the institution itself, because from the time he came here to the time he still has to do, I suppose that the whole Senate will have been reformed in its own elements. What remains to be reformed now is rather the operation. So what has to be done, as a chamber, is to find formulae that are interesting and satisfactory to Canadians as a whole. Mr. Ryans' tan book also proposed the abolition of the Senate, but those measures in my view are too drastic for the time being. What we have to do here is to find a genuine role for that institution. I know that basically the hon. member for Winnipeg North Centre probably asks us to have the political will to change the Senate. I rather feel that his proposal is put forward with the real intention of asking legislators here to work out a real change in the operation of the Senate, and then he will most probably recognize it would be an error to abolish the Senate now. And for all those reasons, I feel rather inclined at this stage to vote against the proposal put forward by the hon. member for Winnipeg North Centre, in order to ask for a further study of the Senate as it now stands, and as it could be, and what real benefits we all could derive from it, we as legislators here and Canadians as citizens. My feeling is that the nation would be the better for it, and at this point in time where we are discussing the institution, the hon. member's proposal may be either too early or too late. However, this will be a most interesting discussion to consider at the conclusion of studies, to see what can be done with that institution.

I referred earlier to specific roles that could be given to the Senate, and I would like this discussion be taken up in committee with the hon. member, as well as with other members, to see what could be done. Certainly there are people in this country with tremendous experience that we should select in terms of the House rather than in terms of a party. And if they were given a specific role from the start, those people would be an asset to us, and everyone would benefit. Mr. Speaker, it being ten o'clock, I will conclude here.

• (2150)

[*English*]

An hon. Member: It is not ten o'clock.

The Acting Speaker (Mr. Blaker): The Chair has no choice but to admit that it is not yet ten o'clock. The hon. member for Surrey-White Rock-North Delta (Mr. Friesen).

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, I just want to make one very short point, and then I will turn the floor over to the parliamentary secretary.

The point is that in the six and a half years I have been here I have listened to the hon. member for Winnipeg North Centre (Mr. Knowles) on, I think, almost any subject which could be raised in this House. He is the acknowledged expert on rules. I have enjoyed listening to him. He has raised this matter of the Senate before.

What puzzles me is that there has been almost deafening silence from the hon. member on the Constitution. He has taken one aspect of the Constitution—namely, the Senate—and has talked and talked and talked. He has not talked about how the rights of Manitobans would be denied by the constitutional proposal or about how the rights of Manitobans would be emasculated by the constitutional proposal. He has not talked about the fact that the New Democratic Party in Manitoba is against the constitutional proposal. The hon. member for Winnipeg North Centre has spoken in this House on almost every topic, but he has maintained a deafening silence on that particular topic. I look forward to hearing a 40-minute speech with regard to his views on the constitutional package.

Mr. Knowles: That debate isn't over yet.

The Acting Speaker (Mr. Blaker): On the matter of the consideration of the motion of the hon. member for Winnipeg North Centre (Mr. Knowles) with respect to a bill to amend the British North America Act, the fact is that the hour provided for private members' business has now expired.

Mr. Knowles: The senators can sleep another night.

Mr. Collenette: They will never expire.

• (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

The Acting Speaker (Mr. Blaker): Before I recognize the hon. member for Surrey-White Rock-North Delta (Mr. Friesen), I note there is a possibility that some hon. members might be convenienced if the hon. member for Halifax West (Mr. Crosby) were to debate his matter first.

Mr. Friesen: I am a very tolerant person, sir.

The Acting Speaker (Mr. Blaker): In that event I recognize the hon. member for Halifax West.

NATIONAL ENERGY PROGRAM—IMPLEMENTATION IN EASTERN CANADA

Mr. Howard Crosby (Halifax West): Mr. Speaker, on February 17, 1981, I asked the Minister of Energy, Mines and Resources (Mr. Lalonde) when we in Altantic Canada, and particularly those of us on the east coast and in Nova Scotia, could expect to see the implementation of the National Energy Program and its various projects and programs listed in the document introduced in this House on October 28, 1980. The minister assured me in a very quick response that the government would implement the National Energy Program. I was not at all satisfied with his answer, and I am sure the people in Nova Scotia and on the east coast of Canada would not be satisfied with his answer because, since the National Energy Program was introduced in this House on October 28, 1980, we have seen not one tick of action on the part of the Government of Canada in the energy field.

We on the east coast have been well aware for some time of the energy problem because we were the first to experience the bad effects of shortages of supply and increases in price. The reason for that is that a great amount of our energy supply is foreign. As a result of the actions of OPEC, prices increased very dramatically in the period following 1972. We have lived with the problem of increasing costs of energy supplies for almost a decade. It was only in October of 1980 that the government finally came up with some attempt to solve the problem.

However, in the few months which have elapsed since October of 1980 we have not seen any action, so my question to the minister was then, and is now, what specifically the Government of Canada is doing.

In the weeks before the question was raised by me on February 17, 1981 we heard complaints that oil rigs were leaving Canada, jobs were being lost in the energy industry and that the government's program of Canadianization of Canada's oil industry was a failure. We heard denials from the Minister of Energy, Mines and Resources time and time again in this House with respect to the reduction of the activities of energy producers. In fact, quoted on many occasions statistics were to show that the level of development activity in Canada was just as great in January of 1981 as it was in January of 1980. But, in point of fact, in Nova Scotia we were informed that those graduates of job-training programs who were intended to be absorbed by this great development in the oil industry in Canada were finding that there were no jobs available to them. In fact, the director of manpower training programs on the east coast publicly admitted that the job training programs had been deferred because of the cutbacks in activity on behalf of the companies and industries engaged in this development. Indeed, this was proof positive that there was a dramatic effect on exploration and development as a result of the National Energy Program. We wanted to know, and we still want to know, exactly what the government is

doing in terms of specifics to implement the National Energy Program.

● (2205)

Let me say, Mr. Speaker, very clearly, that there is great difference between the energy program as it applies to eastern Canada and as it applies to western Canada. In western Canada it is the problem of the effect of the National Energy Program on the activities of the oil industry which has played so vital a role in the development of that part of Canada. On the east coast, which is supposedly the beneficiary of the program, we have found that the consumer is no better off now than before the program was announced.

There are a number of items of very special interest to us; first, the natural gas pipeline extension to the east coast which is tied up in National Energy Board procedures. We were told that the matter would be heard in January. It is now near the end of February and the matter has not yet been heard. No approval has been granted and not one inch of pipeline has been constructed to the east coast. We were told there would be coal development under the National Energy Program. It is the end of February and the assistance for the development of the Donkin and Prince mines in Cape Breton, which have been delayed for almost three years now, is only now being announced. Tidal power, which is so important to the long-term future of east coast energy supplies and our ability to export energy to the very important regions of the northeastern United States, is not even mentioned in the National Energy Program.

The very day I asked the minister a question he expressed interest in tidal power. I am not sure he knew just what it was but I hope he will find out, since tidal power is very much a part of the future of the east coast. We have the offshore development, which I have mentioned many times in this House. In fact, the federal-provincial dispute is impeding the development of offshore resources. I have no better proof than an article which indicated an exchange between the Newfoundland representatives and representatives of Mobil Oil. I want to know some of the answers. I want to know how the government will implement the National Energy Program.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, these nocturnal exchanges with the member for Halifax West (Mr. Crosby) are becoming something of a tradition in this House. I am glad to have a further opportunity to discuss with him measures being taken in the Atlantic region under the National Energy Program.

Of course, we recognize that the Atlantic region is totally dependent on offshore oil supplies. The National Energy Program, therefore, provides this area with a variety of special measures over and above those available to other regions of Canada.

For example, the federal government is prepared to act to resolve regulatory issues in an expeditious manner so that construction of the natural gas pipeline to the Atlantic region may begin as soon as possible. In the National Energy Program the hon. member opposite will recognize that the federal government has clearly stated it supports the gas pipeline to the maritimes. To ensure its financial feasibility the government has initiated the following measures: One, the city-gate price of natural gas in maritime communities will be the same as in Toronto; two, a contingency fund of up to $500 million will be available to assist in financing the pipeline if it is necessary; three, grants of up to $800 will be available to consumers converting from oil heating to gas heating; and four, grants will be available to distribution companies to assist them in developing gas markets.

● (2210)

In the area of conservation, special programs for the Atlantic provinces will provide grants to industrial and commercial firms to help finance the operation of their energy conservation investments.

Another important initiative for the Atlantic provinces is the utility off-oil program designed to reduce the amount of oil used to generate electricity in the Atlantic region and, consequently, reduce current and future electricity costs. The lowest cost alternatives are conversions of some existing oil-fired plants to coal, increased use of hydro power from Quebec, and regional use of power from the Point Lepreau nuclear station in New Brunswick.

Another program will be directed toward the increase of coal for the energy supply of Atlantic Canada by supporting the development of new coal utilization technologies up to the commercial application stage. Closely associated with the coal utilization package is a coal research and development program.

I could cite a number of other examples of initiatives under the energy program which will ensure a secure energy future for the people of the Atlantic region.

THE CONSTITUTION—QUERY RESPECTING TELEGRAM FROM BRITISH COLUMBIA ECCLESIASTICS

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, last Friday I rose in the House to ask a question on the Constitution as it affects group rights. I pointed out to the Minister of Justice and Minister of State for Social Development (Mr. Chrétien) that he had received a telegram from the archbishop's office of the archdiocese of Vancouver signed by all the bishops of British Columbia and the Yukon. In part it read as follows:

> In our opinion the imbalance between individual and collective rights in the proposed Canadian charter poses a threat to many groups and societies including the church and church-related societies such as schools, hospitals and social agencies.

The point, in fact, is that these people are correct in their view of this major omission in the Constitution. I think it points out the fact the government, in its haste to try to ram this Constitution through Parliament, made certain that many of the groups would not be able to appear before the committee. There were probably hundreds of groups and individuals

that did not even bother to apply to appear before the committee because they knew there would not be time and, therefore, they would be rejected.

But, the group was right, the major focus of the Constitution is on the individual. It sounds very democratic to focus all of one's attention on the individual, but if one looks very carefully at that document, the focus is on the individual as an existential entity, as though he is a little island separate from every other individual in the country. The fact is that seventeenth century writer John Donne was absolutely right, that no man is an island. We are all part of the main; we are all joined to each other. If one tries to separate or divorce one individual from every other individual in society, to focus only on the rights of that individual and to emphasize his rights as an individual only, one ends up with chaos; one ends up with anarchy. If every individual in the country demands and demonstrates on behalf of his individual rights, he will override the rights of the group; it ends up in chaos.

The constitutional proposal does nothing, not even in Section 2. I point out to the Parliamentary Secretary to the Minister of Justice and Minister of State for Social Development (Mr. Irwin) that not even Clause 2, which supposedly gives rights to an individual to belong to associations, does anything.

• (2215)

It just will not work. It will not wash. If we are going to have this kind of a constitution, there must be an entrenchment of the rights of the groups in our society. Ironically, the proposal allows individuals to vote, but gives no rights to the association.

The most important institution we need to protect in our society is the family. Take a look around the world. Any totalitarian society you look at makes certain that it can disintegrate the family wherever possible. They take children away from the family as soon as possible so there are no family loyalties of any great depth; and thus the disintegration of that society begins. This proposal rejects entrenching the rights of the family.

My colleague, the hon. member for Provencher (Mr. Epp) introduced a resolution in committee to include the rights of the family in the Constitution. It was rejected by the Liberal-NDP alliance. Second, all other institutions in society, whether they be churches, independent or public schools or hospitals, are support-systems to the family. It is through the family, and through these group institutions, that we pass on to our children and our children's children those values which we think are important. If there is no provision in these proposals to entrench the rights of these institutions, then we are in deep trouble. Other provinces have done so. If the minister will read the telegram from British Columbia, he will find that the British Columbia bill of rights has provision. I would read the Saskatchewan bill of rights:

12. (2) Nothing in subsection (1) (freedom of education without discrimination) prevents a school, college, university or other institution or place of learning that enrols persons of a particular sex, creed or religion exclusively, or that is conducted by a religious order or society, from continuing its policy with respect to such enrolment.

Why is there so much hurry? We have time. We do not have to get it done by the end of March. We should take enough time to entrench everything in this Constitution that ought to be entrenched. Thank you.

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, my one regret tonight is that I do not have an hour. I heard the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) telling us all the things we should entrench in this Constitution; yet the position of his party is to support nothing. They support patriation; at least, in October, they had the courage to say, "Patriation with amending formula". As of last week, they did not really have the courage to support an amending formula.

Mr. Friesen: Be honest, Irwin.

Mr. Irwin: I will be honest. Go to the speech of the hon. member for Provencher (Mr. Epp). He says we have a package; the first is a Canadian package and the second is the patriation package. The patriation package is the amending formula. The Canadian package is everything else.

Freedom of association does not talk about the collective rights of the union. When you vote against freedom of association you are taking away their rights—aboriginal rights, collective rights. Talk to the natives, when you vote against their rights. Talk about the English and French, minority language rights in the schools. Explain to the Francophones of New Brunswick, Ontario, the Anglophones of Quebec, that you will vote against their collective rights.

I say that the hon. member does not have the courage to vote collective rights or individual rights. I think we should put this to rest.

I have heard the name of God mentioned today, all day, by the hon. member. The fact is that it was a Liberal who put the name of God in the National Anthem; it was a Liberal who put the name of God in the Diefenbaker Bill of Rights at the parliamentary committee, on the last day, as mentioned by the hon. member for Burnaby (Mr. Robinson). It was God—it was a Liberal who put—

Mr. Friesen: A Freudian slip.

Mr. Irwin: It was the Prime Minister (Mr. Trudeau) who put the name of God in the preamble to the Constitution, and that was turned down by all the other premiers this summer.

You say you are going to support God. Where do you say that, in Section 1? That is part of the Canadian package. So, you are saying, put the name of God in section 1. Make it the subject of the Vancouver formula, and let all the premiers opt in on the name of God. How silly can you get? That is where it is: in Section 1. You say, "We are for the opting in of Section 1. Each premier can decide whether he wants the name of God put in or not, but we will not vote on this matter. We will not vote on this; freedom of religion in Section 15." That is your position. You will not support Section 15 in the Bill of Rights which deals with freedom of religion, because it is part of the

so-called Canadian package. The hon. member should either be for these rights, he should stand up here and say, "I am for them", or he should be against them. He should not come into this House and say, "I want property rights and I will let the Hon. Sterling Lyon decide if we are to have them, or I will let the Hon. Brian Peckford decide if we are to have them."

• (2220)

That is the position, Mr. Speaker. The hon. member must either be for them or against them. Within the next month he should decide whether history will record that the Conservative Party of Canada stood for rights or whether it stood for nothing in 1981.

DROUGHT ASSISTANCE—REQUEST FOR EXTENSION OF BOUNDARIES

Mr. Doug Anguish (The Battlefords-Meadow Lake): Mr. Speaker, four months ago I addressed a question to the Parliamentary Secretary to the Minister of Agriculture (Mr. Ostiguy) about the problems we have experienced with the herd maintenance program. At that time about 20 farmers in the Pierceland area of my constituency contacted me because they were outside the drought area. The program has changed somewhat since that time. They have now been considered. The government listened to our plea that they be included because they were affected by the drought just as much as some of the people within the area. We have now been assured they will be considered under the appeal process that was set up and that they will receive some funding.

The question I put to the parliamentary secretary tonight may not fit the answer he has prepared. I would like him to give the matter some thought before answering my questions about the herd maintenance program. If he does not feel comfortable answering this evening I hope he will respond at a later date, possibly by telephone or by letter.

Now that these people have been considered to come within the appeal process, it will still be a very long time before they actually receive any funding. Some other people who did come under the herd maintenance program were rejected for other reasons.

Last week in Regina I met with members of the appeal board. They are livestock producers so they can appreciate the problems farmers are having and they are trying to clear up the mess the government has got us into. A drought committee of some kind studied this problem for almost five years, I understand, in case difficulties ever arose. They have risen now and the program has proved to be totally inadequate.

The appeal board indicated to me that 35,000 appeal application forms had been sent out. Of these, 30,000 people replied. These were grouped into four categories. The first category comprised those who had been turned down because of lack of precipitation; the second were those who had been turned down because of low crop yield; the third, which concerned the greatest number of my constituents, were those who were adjacent to the drought area, and the fourth were the individual special cases that were being reviewed.

Because of the volume of applications received, the herd maintenance appeal board will not be able to deal with all of them until nearly the end of April. It is rather strange that, as part of the program, the producer is required to hold 70 per cent of the breeding herd until March 1, 1981. Some farmers and ranchers will not know if they qualify for the funding even after they have kept the herd all winter. I think this is unfair to producers who in many regions have had to buy feed because of poor precipitation or yield. They should not have to suffer this hardship.

For this year we have been assured that at some point those producers will get compensation if they qualify under the appeal process of the herd maintenance program. Will this drought committee function between now and next year? We may be facing another drought in western Canada because of lack of moisture and precipitation this year. I know that in many parts of my constituency the snow has now almost gone. Unless there are some heavy snowfalls between now and the spring, and if there is a lack of moisture subsequent to that when the rains start in the spring, western Canada will have a serious problem in its agricultural sector next year.

• (2225)

Does the government intend to carry on with this committee? If the government has learned anything, what will it do differently about a program in the future in place of this present disastrous program? I do not want to condemn the government for what has happened. I hope, however, that the government has learned some kind of a lesson. Hopefully we will not have to face a drought next year but the next time there is a drought in any part of Canada I trust that a program will be in place to ensure the situation is taken care of.

[*Translation*]

Mr. Marcel Ostiguy (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, I would like to answer briefly my colleague opposite, the member for The Battlefords-Meadow Lake (Mr. Anguish), who inquired about the eligibility of those 20 farmers under the herd maintenance program and I should like to point out to him that the Minister of Agriculture (Mr. Whelan), during a short visit in the west last week, stopped at his Regina office where all the cases are being reviewed. It is understood that this is being done according to specific criteria.

I would like to say to the hon. member that the program is designed to provide livestock producers who had to buy feed for their herd with the necessary funding. We now understand each other. Although the hay crops were not generally good in Saskatchewan the farmers in areas who had more than 60 per cent of precipitation or whose grain crops were higher than 80 per cent of the regular production usually are eligible for the cattle feed program.

In areas which received more than 60 per cent of normal precipitations from November 1, 1979, to May 31, 1980, as recorded by Environment Canada, people will not be eligible because they will have had enough rain.

In the area of Pierceland, which is in the riding of my colleague, the rainfall was above 60 per cent. Applications from producers outside the drought zone, including Pierceland, were automatically sent to the appeal office for checking. The managers of the program were responsible for making recommendations to the office concerning the eligibility of the applicants and local conditions. The managers recommended that all the applications for aid coming from the area of Pierceland be dealt with with fairness and the appeal office will soon issue guidelines for processing those cases.

Naturally, as I have just said, farmers should receive an answer from the board within the next few weeks, and that of course, follows the representations made by the hon. member, as I recall, when the funds were being considered during the visit to Regina by the Minister of Agriculture. As we all know, the Canadian Federation of Agriculture held a convention here in Ottawa last week where this issue once again was considered. So I want to assure the hon. member that the Department of Agriculture will give fair consideration to all requests made by farmers.

Now, will there be another drought next year? Let us hope not, Mr. Speaker. The west has known several while in the east we had heavy rainfalls. But we cannot plan the program for the years ahead without knowing whether or not there will be a drought.

The Acting Speaker (Mr. Blaker): Order. The motion to adjourn the House is now deemed to have been adopted.

[*English*]

If there were more membes present, I would be inclined to welcome all of those who have come to the city of Ottawa to participate oin the political involvement of Canada. Even in the absence of so many members, we wish them well.

Mr. Knowles: There are still four of us here.

The Acting Speaker (Mr. Blaker): Regardless of their purpose and affiliation, they constitute the very elite of Canada, and we welcome them.

This House stands adjourned until Monday at two o'clock in the afternoon.

At 10.30 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, March 2, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

EXTERNAL AFFAIRS

EL SALVADOR—CANADIAN GOVERNMENT POSITION—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, on February 6, 1981, the Secretary of State for External Affairs (Mr. MacGuigan) and the foreign minister of Venezuela agreed that there should be no foreign intervention in El Salvador. On May 27, 1980, the President of Mexico and the Prime Minister of Canada (Mr. Trudeau) jointly expressed a commitment to "the free expression of the will of the respective peoples of Latin America without foreign interference." Therefore, I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House direct the Secretary of State for External Affairs to make a clear statement of Canada's position regarding the military intervention of the United States, or any other foreign government, into the present civil strife in El Salvador.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

REGIONAL DEVELOPMENT

MINISTERIAL RESPONSIBILITY—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. The Prime Minister (Mr. Trudeau) appointed the minister of housing as the regional minister responsible for the interests of the constituents of Durham-Northumberland and Peterborough ridings. During his anointed reign we have lost the Parks Canada regional office to another minister in Cornwall, the Dash-8 assembly plant to the minister's own elected region of York, and the Eldorado nuclear plant in Durham-Northumberland to a Liberal cabinet minister in Nickel Belt. I move, seconded by the hon. member for Durham-Northumberland (Mr. Lawrence):

That the regional cabinet minister, the minister of housing, has shown a blatant political bias and a conflict of interest between his elected constituents and those whom he was appointed by the Prime Minister to represent, and that this House calls for his immediate resignation as the minister responsible for the ridings of Peterborough and Durham-Northumberland.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

CHARTER OF RIGHTS—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I am confident that all members of the House will unanimously support the following motion which I will move under the provisions of Standing Order 43. In view of the new constitutional position outlined by the hon. member for Provencher (Mr. Epp) on Friday evening, I move, seconded by the hon. member for Nunatsiaq (Mr. Ittinuar):

That this House congratulate the constitutional spokesman for the Conservative Party for stating for the first time that the Progressive Conservative Party of Canada favours binding the provinces to a charter of rights.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

ENERGY

REQUEST FOR EQUALIZATION MEASURES CONCERNING OIL FOR ALL CANADIANS—MOTION UNDER S.O. 43

Mr. Marcel Dionne (Chicoutimi): Madam Speaker, under the provisions of Standing Order 43, I ask the unanimous consent of this House to move a motion on a matter of urgent and pressing necessity.

Whereas the Alberta Premier, Mr. Lougheed, has acted despotically in reducing unilaterally by 104,000 barrels a day oil production in his province and whereas Mr. Lougheed has systematically refused all the offers of the Canadian government concerning oil prices, even during the seven months when

the Progressive Conservatives were in power, I move, seconded by the hon. member for Parkdale-High Park (Mr. Flis):

That the Canadian government refer to the provisions of Section 92, Subsection 10, paragraph (c) of the British North America Act and declare the oil sector to be for the general advantage of Canada, thus allowing the federal government to act in the interest of all Canadians.

Madam Speaker: The House has heard the motion of the hon. member. Under the provisions of Standing Order 43, this motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*English*]

NATIONAL ENERGY PROGRAM

CALL FOR ABOLITION—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43.

Whereas the Canadian Association of Oilwell Drilling Contractors, in their convention, recited a litany of negative statistics arising out of the National Energy Program, including the loss of 131 oil rigs that are leaving or have left Canada and that are worth $1.2 billion, with an economic activity loss to Canada of $2 billion, therefore I move, seconded by the hon. member for Edmonton East (Mr. Yurko):

That this House urges the Liberal government to stop using the National Energy Program as a smokescreen for political purposes and scrap the National Energy Program in the interest of Canadian unity.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENERGY

DISCLOSURE OF TAX MEASURES—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. In view of the fact that the government's oil and gas policies, especially the recent purchase of Petrofina, will place an additional tax burden on all Canadians, not only oil and gas users, I move, seconded by the hon. member for Red Deer (Mr. Towers):

That in future, before burdening Canadians any further, the whole issue of Lalonde levies, and Trudeau taxes in the energy field be openly and honestly divulged to Parliament, and not introduced through the back door.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1410)

NATIONAL ENERGY PROGRAM

CALL FOR RE-NEGOTIATION WITH ALBERTA—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the Minister of Energy, Mines and Resources' (Mr. Lalonde) continued stubbornness and inflexibility at the negotiating table have caused a reduction of Alberta crude oil delivery to eastern Canada, and whereas the contemplated federal tax will increase the cost of gasoline at the pumps and will serve only to subsidize the cost of imported foreign crude, increasing the flow of Canadian dollars out of our country, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That this House direct the Minister of Energy, Mines and Resources to end this ridiculous deadlock immediately by putting a new energy proposal forward to the province of Alberta so that Canadian money will remain in Canada to develop our vast energy potential, thereby securing Canada's self-sufficiency in oil by the 1990s.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENERGY

ALBERTA CUTBACK IN OIL PRODUCTION—MOTION UNDER S.O. 43

Mr. Maurice Harquail (Restigouche): Madam Speaker, I rise under Standing Order 43 on a matter of urgent and regrettable necessity. In view of the action of the Premier of Alberta reducing oil production and thereby cutting off millions of Canadians from their natural resource, I move, seconded by the hon. member for Madawaska-Victoria (Mr. Corbin):

That this House condemns the reprehensible action of the Alberta government which has shown that one part of this country has the ability to hold all Canadians up to a form of ransom.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

REGIONAL DEVELOPMENT

SUGGESTED STUDY OF VANCOUVER ISLAND PIPELINE PROJECT—MOTION UNDER S.O. 43

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas a group of companies have proposed construction of a fertilizer plant, methanol, and petrochemicals and possibly LNG facilities associated with the northern route pipeline to Vancouver Island, whereas this northern route project would create between 1,000 and 2,500 jobs directly in that area, and whereas the B.C. government by cabinet order has chosen an alternative which will make extremely poor utilization of the resource at high cost to residents, I move:

That the federal government before paying any subsidy conduct an inquiry into both proposed projects to determine which will provide maximum utilization of that resource and maximum benefit to the people of British Columbia and Vancouver Island.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL ENERGY PROGRAM

PROPOSED CONDEMNATION—MOTION UNDER S.O. 43

Mr. Arnold Malone (Crowfoot): Madam Speaker, since today marks the ninth increase in gasoline prices since the Liberals regained power in February, 1980, and since the government continues to practise a program of purchasing foreign oil at world prices, which includes Mexican Maya oil that requires 1½ barrels of Maya to equal the equivalent amount of gasoline from one barrel of western sweet crude, and in view of the fact that the failure of the federal government to reach a domestic pricing agreement has caused Canadians in every region of Canada the loss of thousands of jobs, an increase in our national debt, increased our tax burden, and dramatically increased the price of gasoline and heating fuel, I move, seconded by the hon. member for Hamilton-Wentworth (Mr. Scott):

That this House condemn the government for its irresponsible energy program which was conceived for self-serving political reasons and defies any concern for the nation's requirements or consideration of our country's abundant energy potential.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

PENSIONS

CALL FOR LEGISLATION TO PROVIDE BENEFITS FOR WOMEN—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for New Westminster-Coquitlam (Miss Jewett), I move:

That this House calls on the government to make a firm commitment to introduce legislation to provide women who work at home with pensions equivalent to those available under the Canada Pension Plan, and to provide pensions now for unattached women between the ages of 55 and 65 who are not in the labour market, such legislation to be introduced in time to be passed in this session of Parliament.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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AGRICULTURE

POLICIES AFFECTING FAMILY FARMS—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, I rise under the provisions of Standing Order 43. The economy of this nation is in a shambles. The policies of the government have maintained interest rates at levels which are intolerable for most businesses and disastrous for the family farmer. In view of this situation I move, seconded by the hon. member for Carleton-Charlotte (Mr. McCain):

That the government adopt policies which will significantly reduce the negative impact the agricultural community is facing and destroy the shameful neglect that this government has shown toward the family farmer.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

NATIONAL ENERGY PROGRAM

IMPACT STUDIES—REQUEST FOR MAJOR CHANGES

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is to the Minister of Energy, Mines and Resources, who will now know that two independent economic analysts, Data Resources and the Royal Bank's Global Energy Group, have released detailed reports which indicate that the government's National Energy Program is going to result in

losses in Canadian oil supply, in Canadian real economic growth, in Canadian real wages, and in Canadian jobs, losses that are both permanent and avoidable. The minister will also know that these findings are similar to those from the Economic Council of Canada report.

In light of the mounting evidence of the dangerous economic effects and energy effects upon Canada of the National Energy Program, is the minister now prepared to announce that he will make major changes in that program?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, what is clear from some of those studies—and particularly another study by the Alberta Energy Conservation Board, to which the Leader of the Opposition has not referred—is that a serious problem arises from the lack of agreement at the present time between the producing provinces and the federal government. The Alberta Energy Conservation Board study, in particular, indicates that the major impact of loss in terms of self-sufficiency during the eighties would come from the decisions of the government of Alberta in not approving the tar sands plants, and from reducing supply to the rest of Canadians.

That is the major impact on energy security in the country over this decade. I hope that through discussions and negotiations over the next few months, we will be able to resolve those differences and ensure energy security in this country. However, I remind the hon. member of this study of the government of Alberta which indicates that it will have to bear the brunt of the responsibility for the shortage that we may have during this decade.

An hon. Member: Black is white.

Mr. Clark: The minister has answered a question that he was not asked. All of us agree that the intransigence of the federal government has led to a failure of agreement with the producing provinces, which is one of the causes of problems right now.

Some hon. Members: Hear, hear!

Mr. Clark: The point of these three major independent economic studies is that it is abundantly clear that elements of the government's own National Energy Program—having nothing to do with agreement with the producing provinces—are going to cost us Canadian oil, cost us Canadian jobs, cost us Canadian security, and cost us increases in real wages in this country.

In light of that devastating economic impact upon the people and the security of Canada, I repeat my question to the minister; will he consider making major changes in those parts of his program which all economic analysts agree are going to do damage to Canada?

Mr. Lalonde: The Right Hon. Leader of the Opposition is still over-stating matters. He refers to "all economic analysts". I have just referred him to a very authoritative study made by the government of Alberta itself, the Alberta Energy Conservation Board, which has indicated that the impact of the National Energy Program, compared to the impact of the Alberta government decisions, was very small.

• (1420)

It is clear that we need to have agreements, and soon. So far as intransigence is concerned, I remind the right hon. member that we have already made several adjustments to the National Energy Program affecting industry. Most of the studies to which my right hon. friend is referring do not include the changes we have already included since October 28. I also remind my right hon. friend that I have written to the government of Alberta suggesting early meetings and that I have been turned down by that government, which says it wants to receive reports from its officials. The Government of Canada has shown a lot of flexibility since October 28.

Some hon. Members: Oh, oh!

REQUEST FOR DELAY IN IMPLEMENTATION OF CERTAIN ELEMENTS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the minister knows full well that the changes which have been made to the National Energy Program to date have been minor and relatively insignificant. He also knows full well that the economic studies to which I have referred indicate that it is the program itself which is causing the problem for Canada's future.

Let me ask the minister a question about one of the agencies of the federal government reporting to him, the National Energy Board. The National Energy Board is now conducting a study into the supply and demand situation in Canada. After the National Energy Program came down, that board asked for revised estimates by the companies which were doing exploration. All of those estimates indicate that Canada will be in much more trouble as a result of the National Energy Program than we were in before. Since it is important that the House of Commons and the people of Canada be given the full facts from an agency like the National Energy Board, I ask the minister whether he will delay passage of elements of the National Energy Program until there has been a report by the National Energy Board on the supply and demand situation in Canada.

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I have already indicated to the hon. Leader of the Opposition that the Canadian government has shown a lot of flexibility during the negotiations, that it has already substantially amended the Canadian Energy Program in that it offered to have with the Alberta government discussions before the regrettable cutbacks of last weekend were implemented.

As for the review undertaken by the National Energy Board, the hearings have now been completed. I would like to remind the Leader of the Opposition that the views expressed

before the commission were far from unanimous, as he stated himself, and that the board is now preparing its report, which I am certain they will want to release as soon as it is completed. In the meantime the House is dealing with other matters, such as the constitutional debate. I must advise the hon. Leader of the Opposition that when legislation is ready to be considered by the House, this legislation will be introduced without delay.

[*English*]

ROLE OF NATIONAL ENERGY BOARD

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, the report from the National Energy Board is not expected to be released until May at the earliest. In view of the fact that there is nearly a unanimous opinion on the part of the people who are appearing before that board with respect to the negative effects of the National Energy Program, would the minister advise the House what the role of the National Energy Board is in hearing these changed submissions as a result of the National Energy Program if it is not to have some impact on the National Energy Program? Is the minister going to allow all this good work to go to waste and force the House to hurry the passage of this legislation before getting the true facts on the table as a result of these hearings?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, most of the presentations—I would say, as a matter of fact, all the submissions—which have been put to the National Energy Board are already outdated because changes have been made to the National Energy Program, whether they be changes dealing with exploration expenses or with eligibility with respect to incentive grants. These changes are quite significant in terms of their impact on the industry, and in that sense all the representations which have been made are, as I said, out of date.

The National Energy Board will have to reach its own conclusions on the basis of the evidence it will receive and also on the basis of its own research and its own work. When this report is ready, obviously it will be made public, and everyone will be able to reach his own conclusions at that time.

As far as the National Energy Program as such is concerned, as I said there are some negotiations which still must be carried out with the provinces, and I certainly do not intend to delay those negotiations until we have received a report from the National Energy Board, any more than I intend to delay consideration by Parliament of any piece of legislation which would appear necessary.

● (1425)

CABINET CONSIDERATION OF PRICE CHANGES

Hon. Michael Wilson (Etobicoke Centre): The minister has just said he is going to ignore totally the most important energy advisory body in this country by rushing this legislation through and ignoring the very good work which has been done here. I do not know how the minister can say with a straight face that changes have been made which make those hearings past history. There has been no change in price; there has been no change in the production tax; there has been no change in the excise tax on natural gas. Those are the three primary reasons which are causing the changes in the exploration and supply outlook in this country.

My next question relates to the matter of price. Mr. Blair, of Nova corporation, one of the most balanced observers of the National Energy Program, said last week that he was recommending to the government a $10 a barrel increase in 1981 and 1982. This is being currently discussed, I understand, by cabinet. Would the minister state whether the cabinet is considering price changes of that magnitude?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, my friend should certainly not be surprised that the industry should always be asking for more money. There is nothing new in this. It has been doing this for as long as one can remember.

So far as discussions in cabinet are concerned, it is not appropriate to reveal cabinet discussions, but in that instance I certainly can tell him that there has never been consideration of any such figure in cabinet.

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EXTERNAL AFFAIRS

EL SALVADOR—GOVERNMENT POSITION RESPECTING U.S. ARMS SHIPMENTS

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Secretary of State for External Affairs. Last fall at the United Nations the Government of Canada voted for a resolution on human rights which called for the termination of all military assistance to the junta in El Salvador. I should like to ask the minister to explain the contradiction between this principled position which the government took last fall and the statement he made last week when he said as minister for the Government of Canada:

I would certainly not condemn any decision the U.S. takes to send offensive arms . . . the U.S. can count on our quiet acquiescence.

I ask this question also in light of the fact that the former U.S. ambassador to El Salvador is quoted in yesterday's *New York Times* as saying:

The chief killer of Salvadorans is the government security forces.

Hon. Mark MacGuigan (Secretary of State for External Affairs): I did not make any such statement last week, and in fact our policy is, as we stated at the United Nations last fall, a policy in which we do not approve of shipments of offensive arms, either from Canada or from other countries, to the states which are torn by internal strife. This has been our policy and continues to be our policy. I might add that, as the hon. gentleman knows, we have also made a continuing series of protests to the government of El Salvador with respect to human rights violations in that country.

Mr. Broadbent: It is interesting that the minister says he did not say it. The only correction which appeared subsequently in the press was that he did not use the word "acquiescence" but rather used the word "quiescence". The minister is nodding his head. If that is the only difference, what the minister said was that he was acquiescing. There is no difference at all in principle between the two assertions, and the minister should know that. In light of what he has just said, I should like to ask him, considering that over the weekend the U.S. increased its military assistance to the junta by providing additional military personnel, and considering that in the U.S. Congress itself more than 50 elected representatives of the American people are organizing an attempt to block all military assistance to the junta in El Salvador, would the minister state unequivocally now Canadian support for the principle of Congressman Studd's bill, namely, that all military assistance provided by the United States should terminate immediately?

Some hon. Members: Hear, hear!

Mr. MacGuigan: Madam Speaker, our policy has been, and continues to be, one of opposition to the shipment of offensive arms by Canada or any other country to El Salvador or any other country which is torn by internal strife. We look forward to a political solution, not to a military one, and it is for that reason that we oppose the shipment of arms from any country, and that includes eastern block countries as well, to such countries as El Salvador.

• (1430)

SUPPORT FOR NEW INITIATIVE BY FORMER WEST GERMAN CHANCELLOR

Mr. Edward Broadbent (Oshawa): Madam Speaker, the minister knows full well in a country where six leaders of opposition parties were assassinated by the government during the last year that regrettably the only resort of the people of that country to deal with a vicious military regime is to take counter military action. If the minister has another proposal which will work and achieve some justice for the people of that country, I am sure everyone in the world would like to hear it.

Will the minister follow up on what he has just said by having the Government of Canada, for example, request that Willy Brandt, former chancellor of West Germany, head of the North-South Commission and head of Socialist International, intervene directly to try to bring peace to that troubled part of the world? Will the government lend its support to such an initiative which might have some concrete results?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, it seems to me if the hon. member's comment suggests anything, it suggests that he welcomes or tolerates arm shipments from the eastern bloc to El Salvador, but not by the United States.

Some hon. Members: Oh, come on.

Mr. MacGuigan: That is exactly the implication of the words he was using.

Mr. Stevens: Hear, hear!

Mr. MacGuigan: It seems to me he ought to make that clear. Our position is one of opposition to the importation of offensive arms from all sectors into El Salvador. If Mr. Brandt's initiative is being sponsored by his own government and is a matter in which they are seeking the support of other countries, we will certainly give it full consideration. In the meantime, I expressed our position to Secretary Haig when I met him before, and we will be expressing that position again to the United States next week when we have an opportunity of meeting here.

STATEMENT ATTRIBUTED TO MINISTER

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I should like to follow up on the questions asked by the hon. member for Oshawa and the reply of the Secretary of State for External Affairs. I noted very carefully the quotation attributed to him wherein he said, "I would certainly not condemn any decision the United States takes to send offensive arms . . . to El Salvador . . . The United States can at least count on our quiet quiescence." He stated specifically that he had not made that statement last week. The report indicated that he made the statement on February 4. Is the Secretary of State for External Affairs prepared to stand in his place and make a firm denial that he ever made that statement?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I am prepared to say that there is a great difference between quiescence and acquiescence.

Mr. Broadbent: Explain it.

Mr. MacGuigan: We do not believe that we have either the responsibility or the opportunity of judging first hand the events in El Salvador. The Canadian churches tell us one thing; the Vatican specifically repudiates what the Canadian Catholic church tells us. When I met the diplomatic commission from El Salvador, they told me that they received no arms from the communist bloc; apparently the United States has conclusive evidence that they have. We do not have a resident ambassador in El Salvador. We have no means of judging the internal situation in El Salvador, and we do not propose to do so.

Miss MacDonald: Madam Speaker, therefore I take it the statement of the Secretary of State for External Affairs, that "I would certainly not condemn any decision that United States takes to send offensive arms . . . to El Salvador", stands as he put it initially; he did not deny that. He replied that it is not in Canada's interest to put forward any proposals, that he is caught in the dilemma of one group saying one thing and another group saying another, and since we do not have any representation there he just does not know what is going on and therefore cannot put forward any positive proposals. In light of the fact that Mexico, Venezuela, Brazil, and even West Germany, have put forward proposals, what is Canada prepared to do in an area close to home, within this hemisphere, where we have very serious obligations to help maintain peace?

Mr. MacGuigan: Madam Speaker, I am not aware that we have any serious obligations in that part of the world, in Central America, which is not an area of traditional Canadian interest.

Some hon. Members: Shame!

Mr. MacGuigan: It is not an area in which we have any particular claim to knowledge of what is going on. We are prepared to say, as I have been saying all along, that we stand for a political and not a military solution in El Salvador—

Some hon. Members: Oh, oh!

Mr. MacGuigan: —and that arms should be kept out. We have enunciated that position to all of those who have cared to hear us, including the opposition.

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ENERGY CONSERVATION

OIL CONVERSION PROGRAM—REQUEST FOR FURTHER DETAILS

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. It is with regard to the oil conversion program introduced last fall. The minister will know that in the recent Income Tax Act there was a provision for a taxable grant. The minister will also know that the winter is nearly gone now, that many people are not familiar with the details of this program, and that they are about due to file their income tax returns. I wonder if the minister could tell us whether or not there are any details of this program available yet, or when we might expect further information on this?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I thank the hon. member for his consistent interest in this very important program. The discussions with the provinces are almost completed; I should say that they are completed with some provinces. I would like to have them completed with all provinces before making final or comprehensive announcements. But if discussions with some provinces keep dragging on, I would proceed to make announcements concerning the provinces where we have agreements.

Our plan is to have offices operating in every province by April 1. As the hon. member knows, so far as conversion is concerned, all Canadians who converted from oil to natural gas since October 28 are eligible for the grant. As far as electricity conversion is concerned, it is still a matter to be resolved with some individual provinces. But I hope in the very next few weeks I will be able to announce final decisions in that respect.

Mr. Gurbin: Mr. Speaker, my supplementary question is also directed to the Minister of Energy, Mines and Resources. The minister knows that many people have had an interest in this program, particularly those with wood furnaces and that type of thing. I think the department has intimated that people will be able to convert to a number of different alternative energy forms and still have their taxable grants in place and honoured. A lot of people have either been misled, perhaps not on purpose, or maybe have information which they felt led them into positions where they are now using wood furnaces and so on. A lot of people will be in positions where either they will qualify or not. I hope the minister will seriously consider that.

My supplementary question to him concerns electricity, which he mentioned. The minister will know that this side of the House is very concerned about self-sufficiency. The fact is that some provinces, particularly Ontario and Quebec, have a surplus of electricity. Particularly in view of the failure to arrive at some conclusions with the tar sands and other forms of conventional supply, does the minister have any programs in mind, through the Department of Energy, Mines and Resources, which will take us through electricity and into energy self-sufficiency, apart from the oil conversion program?

Mr. Lalonde: Madam Speaker, as the hon. member knows, electricity conversion is very much under the direct control of provincial authorities through their provincial hydro commissions. I can report to the hon. member that most provinces, as far as I can see, will be agreeable to allowing for conversion to electricity as well as to natural gas, wood, or other forms of fuel, away from oil. However, in Quebec the government indicated that it wanted to impose certain restrictions. As far as New Brunswick is concerned, we have indicated that as soon as there is a firm commitment for converting from oil to coke, coal or other fuel, we would be agreeable to making electricity eligible in New Brunswick. I hope these discussions will be concluded very soon.

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● (1440)

ENERGY

ALBERTA OIL PRODUCTION CUTBACK—MEASURES TO COVER CONSEQUENTIAL ADDITIONAL COSTS

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Because of some incredible stubbornness both in Edmonton and in Ottawa, we have a situation today where Alberta has turned down—I think for the first time in Canadian history—the oil taps to eastern Canada. This will cost Canadians almost $1 billion. My question to the minister is one which I think is on everyone's mind today. Exactly what will the minister do to cover these extra costs? Does he propose a new tax? If so, how much would the tax be? If there is to be a tax, when will it come into effect?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the additional cost of the regrettable decision made by the government of Alberta yesterday will be certainly much less than the figure mentioned by the hon. member, at the first stage. However, it will still be in the

range of several hundred million dollars. This is a very regrettable expense to add to Canadians' costs at the present time.

At three o'clock today I intend to table a ways and means motion which will impose an additional charge on all oil, imported and domestic, to cover the additional cost of the decision taken by the government of Alberta. The figure will be about 75 cents per barrel, which will be equivalent to roughly 0.5 cents per litre at the pump. I hope the government of Alberta will be agreeable to abandoning its plan later on. As soon as the decision is taken by the government of Alberta to remove this particular cutback, obviously we will remove this additional duty.

Mr. Waddell: Madam Speaker, I note that the minister and the Liberal Party have just broken their election promise to stop the price of oil from going over $4.50 a barrel for 1981.

Some hon. Members: Oh!

Some hon. Members: Hear, hear!

Mr. Waddell: I know that two thirds of my friends to the right are heckling me.

FEDERAL AND PROVINCIAL NEGOTIATING STANCES

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my supplementary question is for the Minister of Finance. It is with respect to the question of flexibility. Last week I proposed to the Minister of Energy, Mines and Resources three possibilities with respect to making changes in the national energy policy. I put them to the minister of energy because I was referred to him. The first one was to change the 8 per cent wellhead tax, in terms of a general corporate tax. The second was to change the natural gas export tax. The third one was to reduce or do away with the western development fund and let the provinces have that money to spend. Is the minister prepared to be flexible in dealing with Alberta so that Alberta can be flexible, in order to get away from and resolve this incredible confrontation which we have in Canada at the moment?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the government has frequently stated that it is prepared to enter into negotiations with the province of Alberta in order to reach an oil-pricing agreement. Obviously any negotiations that are conducted in good faith must be premised on flexibility, otherwise there is no point in beginning such negotiations. I think the hon. member would agree that one does not begin to declare, prior to the negotiations, the type of flexibility that might be demonstrated. It seems to me that it can only be manifested once the negotiations are in place and once Alberta has also said, in this case, that they want negotiations and that they will also be flexible. That is the kind of atmosphere that is required before we can begin the very important work that the hon. member wants us to begin.

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EXTERNAL AFFAIRS

EL SALVADOR—REPRESENTATIONS MADE BY UNITED STATES GOVERNMENT

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, I would like to bring the Secretary of State for External Affairs back to the troubled and tragic scene in El Salvador. Obviously the minister's attitude and, I suggest, the attitude of the Canadian government, in respect to El Salvador, have changed drastically—changed overnight—as a result of representations made here in Ottawa by a representative of the United States government who obviously told the minister that the United States had evidence that the Socialist Revolutionary Council was receiving communist arms in its battle against the junta. What proof or evidence did the United States government representative indicate to the minister in support of its claim?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, what changed was our acquaintance with the facts, as a result of my meeting with Secretary Haig. Before that time I had seen the diplomatic commission representing the left in El Salvador. I had received its firm assurances that all the arms they were purchasing were purchased on the open, international market, and that none of the arms were being supplied by the eastern bloc.

Secretary Haig informed me that he had evidence to the effect that the arms which were reaching El Salvador were captured American arms from Vietnam which had been transported by a world communist route including Cuba and Nicaragua. Since that time the American government has sent representatives, not only to Canada but to many other countries in the world, to display the evidence. I have not seen it myself, Madam Speaker, but it has been shown to those in the department. It is based upon documents which have been captured in El Salvador by government forces, and includes letters which show rather conclusively, in the opinion of most observers, the eastern bloc involvement in the supply of arms to El Salvador.

NATURE OF EVIDENCE RESPECTING ARMS USED IN EL SALVADOR

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, as the minister now appreciates, there have also been some independent and apparently authoritative reports from South America, certainly over the last three or four days alone, showing that the only foreign arms now being used in El Salvador are western arms, not communist arms. I was really asking the minister to justify his attitude and action by indicating exactly what evidence was presented to him. Was it photographs of captured arms? What was it? We want to know the fact, too. What was the actual evidence that was presented to the minister which brought about this change in attitude?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I believe the United States has just published a white paper on this subject. I will endeavour to obtain a copy for the hon. member.

The evidence has mostly been captured documents in the form of letters and orders for weapons, that kind of thing, which show the source of the weapons. The fact that only American arms have been captured in El Salvador is exactly the point Secretary Haig made to me. They were American arms which were captured in Vietnam which could not have reached El Salvador if it had not been from Vietnam through Cuba and Nicaragua to El Salvador.

In fact, news reports today say that Nicaraguan government officials have admitted that arms have probably gone from Nicaragua to El Salvador. They have said it was not by official action on the government's part, but they admitted it was probably the case.

* * *

NATIONAL ENERGY PROGRAM

EFFECT OF OIL EXPORT TAX ON COASTAL ENTERPRISES IN BRITISH COLUMBIA

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, my question is for the Minister of Finance. If the oil export tax in its present form is applied to the tow-boat operators of the west coast—and there are 350 such boats—and if the export tax on oil is applied to the five companies involved in bunkering ocean-going vessels, severe hardship and possibly bankruptcy face these Canadian business enterprises. Will the minister reconsider the regulations and make realistic changes to protect these coastal enterprises?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I will be glad to consider the hon. member's representations, along with representations I have received from other interested parties who have raised the question of this particular tax.

Mr. Cook: The other night I was suffering under the delusion, when I made a speech in this House, that the minister was listening when I gave the facts with respect to this issue. Does the minister not realize that if he does not change this policy he will not be dealing with bunker C and D oil but with exporting not only jobs but tax revenues from this country? If the minister does not know this, then will he please consult with some officials of the Department of Transport who at least have some idea of the idiocy of the energy policy and the finance policy with regard to this export tax on oil and gas?

Mr. MacEachen: Madam Speaker, if an effort to place equity in the tax system is idiocy, then I plead guilty to idiocy.

• (1450)

IMMIGRATION

ENTICEMENT OF MALAYSIAN STUDENTS TO ATTEND TORONTO TRAINING COLLEGES

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is directed to the Secretary of State for External Affairs to whom I delivered notice by hand so I hope he has received it. Press reports in Kuala Lumpur allege that the Canadian authorities there, particularly the High Commission, are closing an eye to a questionable education racket practised by private Canadian concerns running so-called pre-university private colleges, primarily in Toronto. The allegation is that, through extensive advertising in the newspapers of that country, Malaysian students are being brought over in considerable numbers to the pre-university training colleges. This is not required as many of the students already have the necessary qualifications.

Has the minister had reports of this particular questionable enterprise? Has he had an opportunity, through his department, to investigate it and, if so, can he report to the House?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I have to apologize to the hon. member if there has been any inefficiency on the part of my office or the mails. I have not received notice of the question yet and I have not heard of this practice. I will have to take the question as notice.

SUGGESTED SCRUTINY OF INSTITUTIONS

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my supplementary question is for the Minister of Employment and Immigration, and I am sorry that I did not give him notice of it. Is it the policy of his department to allow students into this country for the purpose of so-called pre-university courses in order to upgrade their ability to enter Canadian universities? If that is the case, does he have knowledge of it and has he scrutinized those institutions which offer the service?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, when there is an application for a student visa, the normal practice is to determine the credentials of the institution concerned. I will be very pleased to look into the case raised by the hon. member if he will give me the information, and will determine how legitimate the institutions are.

* * *

NATIONAL DEFENCE

REPORTED PHASING OUT OF DEW LINE—NEGOTIATION OF NEW CANADIAN ROLE IN NORAD

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, I have a question for the Minister of National Defence. As the DEW Line and other land-based radar fades into relative

obsolescence as reported by the United States government, is Canada negotiating a new role in NORAD that will include land-based read-out stations and a share of the scientific and technological hardware available in the space radar market?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, as I mentioned in a statement to the media, there was discussion with the previous American administration about modernization and a new position as far as the DEW Line in Canada is concerned. When I saw Mr. Weinberger during the last three weeks I discussed the matter with him because he is part of the new administration. He said that nothing will be done about the DEW Line without consulting the Canadian government. We will be fully consulted before any action is taken on that matter.

Mr. Wenman: Madam Speaker, my supplementary question relates to the Pine Tree Line. Is the minister planning on phasing out or upgrading the Pine Tree Line? In such phasing out of the Pine Tree Line or the DEW Line, will consideration be given to the sociological impact on the communities of the phasing out, and is there compensation for this from the American government?

Mr. Lamontagne: Madam Speaker, when I had discussions with the Secretary of Defence for the United States, that was one of my concerns, the economic and social impact of modernizing or changing the DEW Line or Pine Tree Line. As I said before, and I repeat, before any action is taken, before reducing any sites on the DEW Line or Pine Tree Line, there will be a full discussion between this government and the United States. Nothing will be done to harm any of these sites before we have an agreement with them.

* * *

BANKS AND BANKING

JUSTIFICATION FOR SPREAD IN INTEREST RATE LEVELS

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, there is no question that all members of the House would agree that Canada is experiencing very serious financial problems. My question is directed to the Minister of Finance and it relates to Canada's chartered banks. In 1977 the spread betweeen the rate paid to depositors and the rate paid at the prime level was 2.5 per cent. By 1979 that had accelerated to 3 per cent. In the early part of 1981 it stands in excess of 5 per cent. Is the minister prepared to call in the heads of Canada's chartered banks and ask them to justify this 5 per cent plus spread in interest rate levels?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I am quite prepared to retrace the ground that I have covered myself in attempting to understand the differential that exists. The hon. member knows that there is a good deal of competition in the financial market at the present time and that other financial institutions are competing with the banks. As a result of the passing of the Bank Act, there will be increased competition facing the existing banks from foreign banks which will be permitted to operate in Canada. I believe that is the best assurance that the banks are operating in a way that does not harm the population of Canada. I have no evidence to support the hon. member's contention that the banks are taking unfair advantage at the present time. I would be prepared to consider any evidence that anyone might produce.

INCREASE IN PROFITS OF CHARTERED BANKS

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I think one could certainly question whether 5 per cent or more is fair. One could also question the assumption that we have a very competitive banking system in Canada.

My supplementary question relates to bank profits. In the last three months the profits for business in Canada have actually been down. During the same period, however, bank profits for the three months ending February 1, rose. For example, the Bank of Nova Scotia's profits rose 23 per cent; profits for the Bank of Montreal rose 41 per cent, and profits for the Toronto-Dominion Bank rose 67 per cent. Madam Speaker, we are talking about a 67 per cent increase in profits in Canada's banking institutions. I think we are very interested in recognizing that this money is not necessarily in the productive sector of the Canadian economy. It is not in the job-creation sector.

Will the Minister of Finance assure the House that the profits and performance of the chartered banks will be closely monitored over the next 12 months, as a first step toward ensuring that Canadian consumers and businesses are not overcharged by our banks?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member has referred to performance for a three-month period. This would not be a very reliable basis on which to judge the long-term profitability of Canadian banks. I should remind the hon. member that, as I understand it, the principal part of the profits currently being earned by Canadian banks is derived from their foreign operations and not primarily from their domestic operations.

* * *

GRAIN

STATUS OF COMPENSATION PROGRAM ARISING OUT OF EMBARGO ON SHIPMENTS TO RUSSIA

Mr. Gordon Towers (Red Deer): Madam Speaker, I have a question for the Minister of Agriculture. Farmers in western Canada are now preparing what will possibly be one of the most expensive seeding programs they have ever entered into, and they are trying to put their finances in place for that purpose. It is hoped that part of their finances will come from compensation to be paid to the farmers as a result of the embargo on grain shipments to Russia. Could the minister tell

the House at what stage is the compensation payment program?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I am sure that the hon. member would want me to answer, through you, some of his allegations about the expenses which will confront the farmers. I am sure he knows that every increase of $4.50 on a barrel of oil means a $20 per ton increase for nitrogen fertilizer, which they need. The program is before cabinet at the present time and it is being considered.

Mr. Towers: Madam Speaker, this program has been considered for a long time. I would ask the minister what stage it is at. The Prime Minister said that he is going to study it as well. It could be studied to death.

Mr. Whelan: Madam Speaker, I want to make it clear also that the program does not only cover the grain producers of western Canada but also the grain producers of central Canada. It took a lot of detailed work in order to come to the position where we could make recommendations to the government. I had hoped to do that last November, but the recommendation was made to the government this January. It is being considered by the departmental committees at the present time and I hope it will soon come forward to the government.

* * *

● (1500)

INDIAN AFFAIRS

THEFT OF BUILDING MATERIALS IN SASKATCHEWAN REGION

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. It deals with the theft or misuse of building materials in the Saskatchewan region. In October 1980 one Patrick McCaffrey was convicted on four counts of fraud involving the theft of building materials. During his trial he alleged that two complete house packages and a semi-trailer load of building materials disappeared. He is also alleged to have given the RCMP a list of 65 people who, he said, had been stealing materials from the department. This was last October. Can the minister tell us what has happened with regard to this investigation?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): No, I cannot, Madam Speaker. Perhaps the hon. member could have given me notice of the matter in this particular case. However, I can assure him I will check into it and I will endeavour to give him an answer first thing tomorrow.

Mr. Greenaway: Madam Speaker, I brought this matter to the attention of the House about two weeks ago through a motion under Standing Order 43. I think it bears out the Auditor General's report that the financial auditing and the accountability of the department are in an appalling mess. Has the minister done anything to see that this matter is being corrected?

Mr. Nielsen: Come clean, John. Where did you put the loot?

Mr. Munro (Hamilton East): Madam Speaker, with regard to the financial auditing of the department, the hon. member may know that there are many Indian leaders who are prepared to defend the department's practices, mainly on the grounds that excessive intervention of this kind is anything but allowing Indians a degree of self-government, which is so necessary if we are to correct any of the problems. I believe that is the sentiment of the hon. member himself, and perhaps the hon. member might temper his remarks in that context.

I might tell the hon. member that I missed his motion under Standing Order 43 which he is talking about, but I will check into the matter and give him a report tomorrow.

* * *

PRIVILEGE

MR. SMITH—RADIO ADVERTISEMENT—RULING BY MADAM SPEAKER

Madam Speaker: Some days ago, the hon. member for Don Valley East (Mr. Smith) raised a question of privilege arising from an advertisement he heard over the radio in Toronto. He also advised the House that this advertisement was currently being broadcast elsewhere in Canada and he read a transcript of it to the House.

The hon. member submits the radio advertisement is a slur on the integrity of members, an affront to Parliament, and constitutes a prima facie case of contempt of Parliament. I tend to agree with the hon. member that the advertisement in question reflects improperly on Members of Parliament and technically might amount to a contempt of Parliament.

As hon. members are aware, the Speaker's role in privilege matters is simply to determine whether a factual situation presented by a member constitutes a prima facie case of privilege. At the time the hon. member raised his complaint he did not offer a motion, but if he wishes to do so now, an appropriate motion could be received by the Chair. Alternatively, if a motion is not now forthcoming, I shall consider the matter closed.

Mr. David Smith (Don Valley East): Madam Speaker, when I first heard this advertisement on the radio, I could hardly believe what was being said. I might point out that a transcript of the advertisement in question can be found on page 7218 of *Hansard* for February 13, 1981. The second time I heard this advertisement I really got mad. I felt a question of principle was involved and that the matter should be raised in the House because it is something which affects all members of Parliament. The hon. member for Brampton-Georgetown (Mr. McDermid) was prepared to second any motion that I

might move in this regard. Because the ad has now been withdrawn, I think the point has been made, and hopefully this sort of contemptuous behaviour will not occur again.

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, I was approached by a reporter on the same matter and I made a statement at the time. The company has since withdrawn the ad and it has made apologies to me and to other members of the House through me.

ROUTINE PROCEEDINGS

[*English*]

WAYS AND MEANS

PETROLEUM ADMINISTRATION ACT—TABLING OF NOTICE

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I am now tabling a notice of ways and means motion to amend the Petroleum Administration Act.

* * *

PETITION

MR. STEWART—REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. Ron Stewart (Simcoe South): Madam Speaker, I have received a petition which reads as follows:

The petition of the undersigned residents of the City of Barrie and the County of Simcoe in the province of Ontario who now avail themselves of their ancient and undoubted right thus to present a grievance common to your petitioners in the certain assurance that your honourable House will therefore provide a remedy. That the undersigned are distressed that the Criminal Code of Canada does not make provision for capital punishment for convicted murderers, not only of police officers and prison guards, but for all innocent victims whose lives might have been taken.

May I urge the Right Hon. Prime Minister (Mr. Trudeau) to bring a government bill supporting this petition before this House of Commons for a truly free vote.

* * *

[*Translation*]

INCOME TAX

MEASURE RESPECTING AVOIDANCE OF DOUBLE TAXATION

Hon. Mark MacGuigan (for the Minister of State (Finance)) moved that Bill S-17, an act to implement conventions between Canada and New Zealand and Canada and Australia for the avoidance of double taxation with respect to income tax, be read the first time.

Motion agreed to and bill read the first time.

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 906, 1,421, 1,580, 1,934, 2,025 and 2,039.

[*Text*]

ORDER IN COUNCIL

Question No. 906—**Mr. Cossitt:**

1. With reference to the answer to question No. 53 which states in part, that one order in council issued between April 20, 1968, and May 22, 1979, was classified (a) on what date was it passed (b) for what reason was it classified (c) what was its subject?

2. Were classified orders in council issued since May 22, 1979 and, if so, in each case (a) on what date (b) for what reason (c) what was its subject?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): 1. It is not considered to be in the public interest to provide detailed information about a classified order in council.

2. The one classified order in council referred to in order paper question No. 53 was made between May 22, 1979 and March 3, 1980.

CBC TRANSMITTER OPERATIONS

Question No. 1,421—**Mr. Cossitt:**

With reference to the answer to question No. 71 which stated in part, that citizens in the Brockville and Maitland areas of Leeds-Grenville would shortly receive "technical advice on possible remedies to reduce or eliminate interference" from CBC FM broadcast towers inoperative in the area, will such technical advice involve any expense to those who wish to take the recommended steps and, if so, will the CBC or the government pay such costs and, if not, for what reason?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the Canadian Broadcasting Corporation as follows: it is the CBC's policy to investigate and evaluate reception complaints from people living in the immediate vicinity of new CBC transmitters. Where it is determined that such problems are caused by its transmitter operations, the CBC will take all reasonable measures to correct the difficulties at no cost to the householder.

INTERFERON

Question No. 1,580—**Mr. Howie:**

Did the government give financial support to the research or development of the new cancer combatting drug interferon and, if so, what amount was committed in the current fiscal year?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Department of Industry, Trade and Commerce, National Health and Welfare and the National Research Council as follows:

Industry, Trade and Commerce: to date there has been no financial support given under programs of the Department of Industry, Trade and Commerce for research or development of interferon. However, a number of inquiries regarding support for research and development in the general field of bio-technology, including interferon-related proposals, are currently under active consideration.

Health and Welfare Canada: no.

Medical Research Council: during the fiscal year 1979-1980 three research projects on interferon were supported. Total cost of these projects: $129,000.

National Research Council: as part of a continuing research project an attempt is being made to see if interferon can be made by recombinant DNA techniques. Approximately $60,000 has been spent during the current fiscal year.

OFFICIAL LANGUAGE MINORITY GROUPS BUDGET

Question No. 1,934—**Mr. Herbert:**

What is the budget for the current fiscal year of the Official Language Minority Groups Directorate of the Department of the Secretary of State and what is the (a) percentage (b) *per capita* allocation of this sum to each official language group?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): The budget of the Official Language Minority Groups Directorate for fiscal year 1980-81 is $15,000,000.

(a) and (b)	Francophones outside Quebec	Anglophones in Quebec
Allocation of budget 1980-81 (per cent)	$ 14,073,800(94 per cent)	$ 926,200(6 per cent)
Per capita (1976 Census)	$ 15.63	$ 1.16
Amount committed as of January 15, 1981	$ 13,411,276	$ 895,617

QUESTIONS ON THE ORDER PAPER

Question No. 2,025—**Mr. Cossitt:**

1. What are the names and job designations of all persons connected with the Privy Council Office in any way whatsoever that have contact with or who work on, the answers to questions on the Order Paper?

2. Who is in charge of this group and (a) what is his/her (i) job designation (ii) annual salary (b) to whom is he/she directly responsible?

3. Is Miss Denise Paquette on leave from this section and, if so, for what reasons and on what date is she expected to return?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): 1. Office of the Co-ordinator of Parliamentary Returns:

Miss Denise Paquette — Co-ordinator (On leave without pay—see Part 3)

Order Paper Questions

Gilles Guimond — Assistant Co-ordinator (Acting as Co-ordinator)
Mrs. Jane Buchanan — Senior Liaison/Editing Clerk
Lucien Dinel — Liaison/Editing Clerk
Ms. Johanne Turpin — Liaison/Editing Clerk
Mrs. Lise Sanscartier — Index Clerk (On maternity leave)
Mrs. Louise Cubaynes — Control Clerk (Acting as Index Clerk)
Mrs. Francine Boone — Servicing Clerk (Acting as Control Clerk)
Miss Murielle Pagé — Office Composing Equipment Operator

Please Note: Answers are normally tabled in the House of Commons by the Parliamentary Secretary to the President of the Privy Council who, in the course of his preparations, may consult with, or be advised by, members of the Parliamentary Business Section of the Office of the President of the Privy Council and, when required, officials of the Privy Council Office. In addition, officials of the Privy Council Office may be involved in the preparation of answers to questions which relate to the ministerial responsibilities of the Prime Minister or the President of the Privy Council.

2. Gilles Guimond (a) (i) Acting Co-ordinator

(ii) $26,215—$29,236

(b) For administrative purposes: Executive Assistant to the President of the Privy Council.

For parliamentary purposes: See note to Part 1.

3. Yes. Leave without pay was requested by Miss Paquette for personal reasons and was granted effective October 16, 1980, for a period not to exceed eight months.

LOANS UNDER VETERANS LAND ACT

Question No. 2,039—**Mr. McKenzie:**

What is the outstanding balance of repayable loans under the Veterans Land Act?

Hon. J. Gilles Lamontagne (Minister of National Defence): As at December 31, 1980—$325,041,567.16.

[*English*]

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered.

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QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,447 could be made an order for return, this return will be tabled immediately.

Madam Speaker: Is that agreed? Return tabled forthwith.

[*Text*]

GOVERNMENT ESTABLISHMENTS IN GREATER PRINCE ALBERT AREA

Question No. 1,447—**Mr. Hovdebo:**

1. How many government employees, including Crown corporations and all other agencies, are located in federal establishments in the greater Prince Albert area?

2. (a) How many government agencies and Crown corporations are included (b) what are their names and the number of staff in each agency?

3. (a) How many separate federal establishments house such agencies (b) at what addresses are the establishments located (c) how many of the establishments are owned outright by the government and where are they located (d) how many are leased, rented or otherwise occupied on a non-ownership basis and where are they located?

4. (a) What was the total rent, lease or other non-ownership payment made in the area by the government in the past fiscal year (b) who were the recipients of the payments (c) what amount is projected or estimated for the current fiscal year?

5. What are the grants in lieu of taxes that are paid by the government on the buildings and land?

Return tabled.

[*English*]

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

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

Mr. Gordon Towers (Red Deer): Madam Speaker, for some time now I have been asking the parliamentary secretary whether we could have an answer to question No. 811. It is a very important question at this time when the government is having to deal with its deficit financing position; it has to do with the expenditure of public funds. Could the parliamentary secretary please answer question No. 811 because it has been on the Order Paper since May 8, 1980?

Mr. Collenette: Madam Speaker, I have given the hon. member my assurance that I will be trying to get this answer tabled as soon as possible.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. S. J. Korchinski (Mackenzie): Mr. Speaker, when I rose to speak last Thursday evening at nine o'clock, I just had a few moments in which to make my introductory remarks. Therefore, I will proceed now without reviewing the comments I made at that time because I have much ground to cover.

I have been a member of this House for the past 23 years and every day before the public is admitted to the gallery, we rise in our places and begin our proceedings with a prayer. That prayer is indicative of the spirit of our country; until now we have recognized the supremacy of God in Canada and the value the family has in our society. The proposed Constitution—if it is to be a new Constitution, and I am told this is the planning for the future—indicates the direction this country is going to take is not one where the supremacy of God will be recognized. In other words, there is no reference to that supremacy.

The other day the hon. member for Burnaby (Mr. Robinson) tried to explain why he is supporting the Liberal government, the government of the day, without reference to the supremacy of God. He said that when the Diefenbaker bill of rights was introduced in 1960, there was no reference to the supremacy of God, and when it went to the committee, that provision was not in the bill. I was a member of the House at that time and it was my privilege to be part of some of the committee work. I know what transpired. I wish to correct the impression left by the hon. member for Burnaby that it was a Liberal member of the House who introduced an amendment which allowed for the preamble to include a reference to God. The Liberal members applauded that statement. It was information they had not had up until that time, and they applauded.

● (1510)

I want to correct that error. The hon. member said we should dig into history. The history is this. The then minister of justice, Mr. Fulton, was concerned about the wording of the preamble. Because it was so important, he wanted members from all sides of the House to participate in drafting the wording of the bill. I looked up the reference. At page 7411 of *Hansard* for August 2, 1960, the then member for Essex East, Paul Martin, said this:

First of all, there is stated in the bill that the Canadian nation is founded on principles which acknowledge the supremacy of God.

He was chastising the then minister of justice. He stated that he had learned, when the suggestion was first made on second reading, that it was ridiculed by the minister of justice in his usual manner of playing politics. Mr. Fulton replied:

Mr. Chairman, that is not correct. What I was talking about was poetic language. No specific objection was taken to a preamble.

In other words, he was not opposing including the supremacy of God in the preamble. At page 590 of the committee report for 1960, he wanted to make it clear that he had no objection to including a reference to the supremacy of God. He said:

I know we have all been working on a preamble.

In other words, there was an invitation from the chairman to all members to write out a preamble. He stated that all suggestions would be considered at the time the preamble was drafted. On the same page, Mr. Martin is quoted as saying:

It seems to me that the suggestion of the minister that a committee be appointed to consider various suggestions was a wise one.

Let there be no mistake about the intention of Mr. Fulton. He said:

Our department would try to do that job for you, holding the balance between the various points of view that have been suggested.

That should clarify the matter. Because of the importance of the question, the wording was to be such that it would encompass the views of all the parties in the House of Commons.

There is a further point that should be made with regard to when the bill was in committee. We must remember that the rules have changed since that time. When second reading of the bill was being considered, it was considered as a matter of principle; members voted on a matter of principle. There was unanimous consent in the House at that time. No one objected to the way the bill was worded when it was sent to committee. Any changes that came about were with the concurrence of the government.

A large section of our society is now apparently being disregarded. Many people are inspired by the religious training they received when they were growing up. Many still turn to religion in order to instil in their families the belief and moral fibre they feel necessary.

I cannot help but think that the Prime Minister (Mr. Trudeau) receives his inspiration while travelling to atheist countries like China and Russia. Therefore, future generations will not have the same recognition of the values we have held in the past. I am sure that many members opposite believe there should be a reference to the supremacy of God but are prepared to go ahead with this Constitution in order to satisfy one man's ego.

This Constitution is incomplete, inaccurate, and does not go in the direction this country desires. This should be corrected before this resolution is dealt with by this Parliament. We should not be burdened with a deadline simply because the Prime Minister has his own personal deadline. If we continue in this direction, to whom will we pray? The Prime Minister? Will he be supreme? If we remove reference to the supremacy of God, there is only one man at the head of this country who is supreme.

This should be a very happy occasion for all Canadians. We are in the midst of constructing a Constitution. The foundation is being laid for the future. When planning the construction of a home, recognition is given to all the requirements. The housewife has certain requirements for the kitchen. The children may want a certain type of room. You try to accommodate everyone within the means available. We certainly have the means in this instance. We should have all the time that is necessary. Why lay the foundation in such a way that it will crumble within a few years?

When building a family home, if all the family requirements are not taken into account, regardless of the cost of the structure the family will not he happy. This is the kind of situation we are creating for future Canadians. We should therefore take into account all the requirements.

I now want to deal with the provinces. On the question of the unilateral action taken by the federal government, an amending formula and the inclusion of the Victoria formula, two provinces are given veto power. We are going to have three different categories of province in this country by the time we are through if we proceed on the present basis.

• (1520)

First of all, the two provinces that have the veto power, Ontario and Quebec—it has been that way up until the present—shall continue to do so. For some reason, these people in that part of Canada have a special choice in the matter. That should not be continued.

If we are to construct a new constitution, we should remove these inequalities; rather, we are putting in greater inequalities. For example, there is the requirement in the veto power that you have two provinces in the Atlantic region, and in western Canada you require two provinces, the total population of which should be what? Fifty per cent.

The city of Regina has a population which is almost twice that of P.E.I., and yet P.E.I. has more strength than all the province of Saskatchewan. What does that do to poor Premier Blakeney? He cannot join up with another province, Manitoba, if he wants to promote his socialism in the country, which the Liberal government is only too glad to promote. Where does that put him? Can hon. members not see why he is rejecting the package that is presented?

Therefore, we have three levels of province. I think this amounts to a castration of the provinces, because you cannot move without the prior consent of that man who sets himself up to be as supreme as God. God is no longer to be recognized. Only the Prime Minister can suggest the timing, the wording; of course, he has the resources of the whole country to promote his ideas. What you are doing is resorting to the castration of the provinces. That should not be perpetuated.

What do hon. members think the citizens of those provinces are going to think in the future? Do they think they will be happy in this family which is called Canada? Forever and a day, we will be reminded of that provision. It should certainly be excluded from the Constitution which has now been drafted.

In this country we have had a Liberal government for 38 of the last 50 years.

Some hon. Members: Hear, hear!

An hon. Member: Thank God.

Mr. Korchinski: Somebody said "Thank God". Because we have had a Liberal government which never recognized the requirements of the provinces, we now have five different political parties in Canada that have resorted to other political parties in the province to provide a counterbalance. The Liberal government is only interested in its own preservation in Ottawa, and that is why it is wording the Constitution. Why do you think we have to resort to Social Credit in B.C.?

An hon. Member: What's your reason?

Mr. Korchinski: Why do you think we have had the CCF in Saskatchewan, and now the NDP? Why do you think we have a Union Nationale in Quebec? Why do you think we have the Parti Québécois? Why do you think we have Progressive Conservative governments in other provinces? Only occasionally did provinces resort to Liberals in order to turf out a government which got to be too smug. In places where they have only a two-party system, they resorted to electing a Liberal government. The simple reasons is that they have had to turn to new political parties in order to provide some balance. The government is emasculating the powers of others. What is it doing to the provinces?

Anybody who knows something of the history of school boards knows the power which they had some 25 years ago. A new idea came in: centralize, as the government is doing now. Keep the power in the central unit. Do you know what happened? At one time you were able to hire, fire, and select the kind of education that the community wanted. Today, the only role which one sitting on a school board plays is to make sure that the sewers are not plugged. That is the kind of power that is left to the school boards today, and that is the kind of power the government wants the provinces to have, regardless of the fact that these same Canadians elected these governments to provide a balance. They say, "Well, that Ottawa government certainly doesn't do anything for us; we'll go to another political party. At least maybe we'll have some power then."

That is the kind of situation we are in. We are not only perpetuating this situation, but enshrining it. We are chiselling it in marble to ensure that it stays this way. Is this the kind of future we want for Canadians? Some of us will be gone, but this situation will continue. How do you amend it? You cannot amend it because you have made the formula so restrictive that it is impossible to move without the consent of two provinces. Only by their mercy shall the provincial governments survive. In this Parliament, an hon. member said, "Thank God for the Liberal government."

An hon. Member: Right on.

Mr. Korchinski: Where do you get your strength from? Fifty per cent comes from one province, Quebec; and with the province of Ontario you have 80 per cent of your strength. Adding one more province, New Brunswick, you have 91 per cent of your strength. Are you now speaking for all Canadians?

An hon. Member: No way.

Mr. Korchinski: I say that the government is enshrining this provision to make sure that the Liberal Party stays in office, and it is not speaking for Canadians. An hon. member said "Thank God." Why has the province of Quebec had to resort to the Parti Québécois? Is it because of the Liberal government? Do you think they were happy with it? There are 73 members from Quebec and 52 from Ontario. Adding the seven from New Brunswick accounts for 91 per cent of the members.

Perhaps for the benefit of the record I should indicate that during 38 years the province of Alberta has never had a Liberal government; in British Columbia, in 29 years, there has never been a Liberal government provincially; in Manitoba, in the last 32 years, there has never been a Liberal government; in New Brunswick, for ten out of 29 years there has been a Liberal government. They have a two-party system. Because our Constitution allowed a province to come into the federation in Canada, it also allowed Quebec the option of stepping out. Newfoundland resorted to a Liberal government temporarily for 23 of the last 32 years that they have been in confederation, but they stepped out, too. For eight out of 25 years, Nova Scotia had a Liberal government; again they have a two-party system. Ontario has not had a Liberal government in 32 years. P.E.I. has for 13 out of 22; they also have two-party system. Quebec for six out of 22 years has had a Liberal government. Saskatchewan has for seven out of 20 years.

Why are they doing this to Canadians? Only because of the self-interest of the Liberal government, their self-preservation in Ottawa. That is where the power is, and they want to continue in power.

• (1530)

The other day I asked the Minister of Indian Affairs and Northern Development (Mr. Munro) a question because for the first time under the definition of "aboriginals" in this proposed resolution the word "Metis" was included. The words "Indian", "Inuit" and "Metis" are used. To anyone not familiar with the Metis situation it appears that we have made a breakthrough. I know that the Leader of the New Democratic Party (Mr. Broadbent) says, "Look what we have done for Metis and Indians" and so forth. Only someone who does not know the situation and who is ignorant of the facts would be so bold, because the Association of Metis and Non-Status Indians of Saskatchewan does not belong to the national association. In the province of Saskatchewan the Federation of Saskatchewan Indians does not belong to the national organization. A long time ago that federation decided it did not want any part of that organization. It therefore is alone. There are 85,000 Metis in the province of Saskatchewan. The Inuit have been recognized, and there are 25,000 of them. The Indians have been recognized, and there are 300,000 of them. However, the Association of Metis and Non-Status Indians of Saskatchewan has not been recognized because it is not part of the national organization, nor does it want any part.

What is this government telling that association? "You must adhere to another organization or you will not be recognized." The Metis are saying it was a Friday night massacre. What rights are they being given? Hon. members opposite talk about rights. What kind of rights? They will have a discussion after the fact. The Metis are 85,000 strong in the province of Saskatchewan. They are saying this is a disservice, because up until now many organizations have been backing them up. Now those organizations are saying, "Why should you complain? You are mentioned in the charter." What good is it? It is a disservice to these people because up until now they had the right to negotiate. If the negotiations failed, they had the

right to resort to the courts. What are hon. members opposite doing to them? They are taking away the right to negotiate. What kind of leverage will they have? What kind of hammer or clout will they have if we pass this the way it is now without identifying what rights they have?

Since when have the provinces not taken their responsibility? The answer the minister gave me was that no rights will be removed and that the federal government will not assume any responsibility. Since when have the provinces neglected their responsibility? Let us look at some reserves and make a comparison with respect to the way the provinces have looked after them. The houses are bigger. Sewer and water services are in place. Many facilities are better because they are looked after by the provinces. Now we take away that clout and say they can negotiate with the Prime Minister later. They do not trust the Prime Minister because there was no prior consultation. They are told they can resort to the courts. Who will fund them? They have no money. Furthermore, they do not trust our courts. Why should the Association of Metis and Non-Status Indians of Saskatchewan trust the courts when it was the courts that came down with the decision to hang Louis Riel?

It is the same organization which springs from those days which is now talking, but hon. members on the Liberal and NDP benches should not tell anybody, including the Metis and Indians, that they are giving them anything. Up until now they had the right to negotiate and to resort to the courts. The right to negotiate is to be taken away, and these people do not trust the courts. That is the position they are being put into.

Just so there will be no doubt in the minds of hon. members opposite, I have here a telegram from the president of the Association of Metis and Non-Status Indians of Saskatchewan. Because of the time element I will read just part of it, as follows:

> The purpose of this telegram is to express our complete opposition to the so-called "native rights" package to be included in the proposed new Constitution ... We believed our appearance before this committee was the first step in the consultative process with provincial and territorial native leaders which would lead to the establishment of a solid native charter of rights in the new Constitution.
>
> Such has not been the case ... the Native Council of Canada does not represent us.

That is exactly what I was trying to tell hon. members. I mentioned the membership.

I will read only parts of this telegram because it is so long. I am sure anyone who wants to see this telegram can have copies.

> Your package is not one with which we are in agreement. Furthermore, the process is wrong ... Mr. Prime Minister, will you not heed the cries of the Canadian people, including our membership, and admit that the process leading to a new Constitution is wrong?

That was from Jim Sinclair, the president of the association to which I have been referring.

My time is rapidly running out, but there are a few other things on which I would like to comment; for example, the right to own property. I happen to come from a stock or race of people who were peasants, in many cases, in central Europe and who had no right to property and could not possibly hold property. They came to this country. We did not have a charter of rights. We did not have to set out the right to own property in a charter. These people came to this country because they knew they could own property here. It was a tradition. They had heard about Canada. Canada was free; you could own land.

However, governments became very big and strong. The most vocal people asking for a charter of rights are the socialists. They are vocal because they are the first people to encroach on our rights. Over the years they imposed their demands on the public. They moved their greedy hands into every aspect of our society. They have moved in and infringed on our rights, with the help of the Liberals in Ottawa. We have come to the point where people have submitted to the fact that their rights have been lost. This has happened without our thinking about process.

What we should be doing is enshrining in a charter permission for government to move only in certain areas. Instead, the process has been reversed and the government is saying, "We are going to give you some rights." Who gave the government those rights in the first instance? When people came to this country, they settled in small communities and selected leaders. They selected people to serve on councils. Those councils were given rights. Those rights were given to the councils by people. One by one they expanded and became governments, but the rights were in the hands of the people. Because of the octopus of big government we have now reached the point where people are losing their rights and they need to have a charter of rights.

What we do not realize is that over a period of time governments have become important and the people have no importance. To reassure the people we now have to resort to giving them a charter of rights. If we did not have the type of government we have had, we would not have to resort to this type of approach. The people always have rights. Governments have never had any rights except those rights the people have given them. Now the government says it is giving the people a charter of rights and freedoms. The government says that in the charter it is recognizing the rights of Indians, women, natives and so forth. This government recognizes only one thing; let that be clear. It is making itself supreme. That is wrong. Only a country like Russia can get away with a bluff like that. Article 72 of the Russian constitution reads as follows:

> Each Union Republic shall retain the right freely to secede from the U.S.S.R.

The republics named are the Russian Soviet Federative Socialist Republic, the Ukrainian Soviet Socialist Republic, the Georgian Soviet Socialist Republic, the Armenian Soviet Socialist Republic, the Turkmen Soviet Socialist Republic, Estonia, Latvia and so forth.

A dinner is being put on by the Estonians and Latvians. Do hon. members think they would not like to secede? What good is that type of constitution? This government says it is giving the Canadian people rights, but the Canadian people have always had rights. Because of encroachments by governments

in 38 of the last 50 years on the rights of Canadians, we have now reached a point in our history when we have to reassure people in order to keep them from revolt. Because the people are disgruntled. People may wonder about what happened in the United States. I have heard comments about the choice of President Reagan. People are fed up. Why did people vote against some services and for tax cuts? They did so for the simple reason that they are fed up with big governments. That is exactly what we have had here.

It is regrettable that my time is almost up because I would dearly have liked to cover many other points.

Some hon. Members: More!

Mr. Korchinski: I would like to talk about the Vancouver consensus, for example. Let me touch briefly on that. They say it is going to be a checkerboard. Well, Mr. Speaker, do you know where the Prime Minister gets his information? He was in China, he has spent a lot of time in Russia, and everybody there behaves as if they were in the army. When they say "Attention", everybody stands up; when they say "About turn", everybody turns; and when they say "Forward march", everybody marches forward. He wants everyone to be regimented. He wants a society which, if you plug it in, it turns yellow; if you tell it to move forward, it moves forward; and if you tell it to stand at attention, that is what it does.

● (1540)

The next step will be that everyone will have to wear a uniform as in red China. I have never travelled to red China and I have not seen it first hand, but on television you can see that everyone there is dressed in the same uniform. He wants a stereotype society, and never mind the fact that Quebec wanted a language of its own, that Saskatchewan wanted a medicare plan, which it would never have had if unanimity had been required. It was a Liberal provision which required the approval of six provinces before a grant could be made toward medicare. It was the Diefenbaker government which said, "We will provide assistance even if only one province wants it." That is accommodation of the provinces. With its kind of attitude, the Liberal government cannot have accommodation.

I do not want to impose on the time of this House, Mr. Speaker, or on that of any member, but I will say this. What the Prime Minister has done is rejected British Columbia on the gas issue, infuriated Manitoba, mesmerized Ontario, inflamed separation in Quebec, scorned Newfoundland, ignored Prince Edward Island, antagonized Nova Scotia, manipulated Saskatchewan, tranquilized New Brunswick, despised Alberta, and, above all, reached a point where one hon. member has had to rise in his place and say that the Prime Minister has lied to Canadians.

Some hon. Members: Hear, hear!

Hon. Gerald Regan (Minister of Labour): Mr. Speaker, I think that in determining who is for and who is against this resolution, we will have to mark the hon. member for Mackenzie (Mr. Korchinski) as being doubtful.

I am extremely pleased to have the opportunity to participate at this stage of this very important debate. Actually, I had not intended to do so; I was content to have my views recorded in the remarks which I delivered at the initial stage of consideration of this resolution. My speech in the House today is prompted solely by certain remarks the Right Hon. Leader of the Opposition (Mr. Clark) made in the debate last week. But before I turn to those remarks, I want to take this opportunity to congratulate the right hon. gentleman on the endorsement he received from his party on the weekend. I believe that his hard work deserved a better endorsement, but, as I will be saying in the course of my remarks, unanimity is hard to achieve, whether on the Constitution or on other types of endorsement.

In relation to the remarks which the right hon. gentleman made in this debate last week, his views, his premises and his conclusions are so in error, so mischievous, so harmful to our national existence as to cry out for correction. I feel fervently about our country and its future. I have devoted two decades of my life to public service and I have been involved constantly in the serious examination, consideration and negotiation of matters affecting the welfare, unity and survival of Canada. From that experience I have developed a profound belief in the kind of Canada which can best persevere and best serve the interests of our different regions and varied cultures.

My understanding of Canada, however, is so different from that set forth by the right hon. gentleman as to require me to enter this debate to put forth our contrasting views. The Leader of the Opposition has said that the purpose of parliamentary debate is to draw attention to alternative views of our country. I agree that this is one purpose of debate, one justification of our party system, one manifestation of our parliamentary government. As he said, there are two visions of Canada. Ours is very different from his. I would happily place the choice of those two visions before the Canadian people, for the two visions are very different. His is a vision similar to Mr. Peckford's and Mr. Lougheed's. He has spoken of Canada's relationship to the provinces as a community of communities. Mr. Peckford has expressed the same principle of total decentralization of authority in different words. He has said the Canadian government is the "agent of provincial governments."

An hon. Member: Be honest.

Mr. Regan: If they see the Canadian government as being the agent of the provinces, then surely the Leader of the Opposition has shown himself to be the agent general of the premiers.

An hon. Member: That is right.

Mr. Regan: There are two visions of Canada. Ours is of a Canada of strong provinces and a strong central government. Ours is of a Canadian government able to provide leadership, to spread opportunities, to equalize opportunities throughout our country, and able to speak for all Canada in international matters.

The vision of the right hon. gentleman is of ten loosely affiliated states with varying rights and standards, constantly squabbling with each other while the Canadian government stands by, an impotent and irrelevant spectator.

An hon. Member: Irreverent?

Mr. Regan: Irreverent also. The vast majority of Canadians, including the Right Hon. John Diefenbaker, rejected the two nation theory of our country which would have given special status to one province with different powers from the others. What the Leader of the Opposition now offers, however, is much worse than that which the country rejected and which Mr. Diefenbanker rejected. What the Leader of the Opposition offers is a ten-nation theory which is based on the implementation of the Vancouver formula. The implementation of his theory would bring on a weakened national government, near world prices for energy, interprovincial trade barriers, something like provincial passports to establish your right to work in a particular province, different constitutional provisions in different provinces, and no common standards in health or pension provisions.

An hon. member opposite says "nonsense." I will tell him why it is not nonsense. It is not nonsense because his ten nation theory is one which would set our regions and our provinces drifting apart toward dubious independent futures, just as the ice packs of Lake Superior break up, drift apart and eventually disappear each spring.

The Leader of the Opposition talks of the present process of constitutional patriation as being divisive and he says that this has not been the Canadian way. I will deal with that particular inaccuracy in a moment, but let me first ask, what on earth could be more divisive than the Vancouver formula with which he adorns his position? That particular solution to finding a universally acceptable amending formula provides that, even if enough provinces were to approve a constitutional change, some provinces could opt out of it. More and more provinces could opt out of more provisions as various changes are made. Thus, if you look at the charter of rights, you could have aboriginal rights protected in some provinces but not in others. Discrimination based on sex may be outlawed in certain provinces but ignored in others. Citizens' rights against unfair arrest could be entrenched in one province and unfettered imprisonment for such things as debt could be in vogue in others. I cannot imagine anything better designed to pull our country apart.

• (1550)

The right hon. gentleman also found the existence of different points of view on how the Constitution should be patriated distasteful and surprising. He was concerned about dissension. He contrasted the present process to that followed in the development of medicare in Canada; he picked that particular example. He said that the cause was as important, but that in the case of medicare what he called the Canadian federal process was followed.

His choice of an example of the federal process is apt, but if he thinks it serves his argument, his knowledge of even recent political history is faulty. Medicare is the crowning glory of our Canadian social system. It is the most striking example of the difference between the Canadian and American ways of life, but its birth was accompanied by anything but unanimity. If he thinks all the provinces were happy at its advent, I want to assure him that they were not. It was imposed by federal spending power when, as usual, the provinces were unable to agree, either among themselves or with the feds, on any medicare scheme.

Here are some of the comments of that era regarding the sort of federal process to which the hon. member referred. Premier Robarts said of medicare:

> Medicare is a glowing example of a Machiavellian scheme that is in my humble opinion one of the greatest political frauds that has ever been perpetrated on the people of this country.

In this House a prominent Conservative of that time, Mr. Fulton, said the following concerning the medicare proposal:

> —heavy handed and ruthless, financial blackmail . . . not co-operative federalism but . . . dictatorial federalism of the worst sort.

This was the certain type of "unanimity" which existed on medicare. I could quote the comments of four or five other premiers if time allowed, but I think what it comes back to is simply this: the Right Hon. Leader of the Opposition has now been corrected on how medicare came about. I am sure he was corrected before I said these words, but medicare is not an exception. How it really came about is what the federal process in Canada is, as is the federal process elsewhere. Because as a government we have moved to end 50 years of deadlock on patriation, he contends that we have given up on the federal system. He argued that we should not have done that, that the federal system has not failed, that we should meet and listen to the premiers disagree among themselves for another 50 years or longer to achieve unanimity, in the same way as six premiers who opposed our proposition recently met in Montreal and could not even agree on an amending formula or on whether or not to go to England.

The Right Hon. Leader of the Opposition does not understand that it is not the federal system which has failed; it is unanimity which has failed. The right hon. gentleman held extremely high office for a very brief time indeed. It was the only time he has ever held an executive-administrative position. He never participated in a single federal-provincial first ministers' conference. He never solved an intergovernmental deadlock except by total surrender. I know it is a serious thing to charge a former prime minister with naivete, but I kindly and seriously suggest that he was not in office long enough to learn that the voice of faction is not hushed by the importance of the undertaking. His history was faulty on medicare. Perhaps he does not realize that all of Canada's important national achievements have been accomplished despite dissension, dissension at least as deep and bitter as anything we have seen in the current undertaking.

If one reviews the debate, the public speeches and the outcries at the time of the original confederation, one will

learn that Nova Scotia, for instance, did everything, including defeating all those who had voted for confederation, to claw its way back out. What happened at the time of the building of the TransCanada Pipeline which we are awfully grateful to have today? The dissension from that great project contributed greatly to bringing the government down. What about the St. Lawrence Seaway or when the country was establishing a Canadian navy? Battles and dissension occurred in this House and in the provinces until finally the Premier of British Columbia bought two submarines at the start of the war. What about the debate on our flag when I was present in the House some 18 years ago? What about creation of the new western provinces? Dissension accompanied all of these great achievements. The achievements are great after, but dissension is part of the parliamentary process.

The simple fact is that none of these things would have come about if we had acted only with unanimity and without dissension. The simplistic view that the clash of important interests can quickly be resolved by good will alone is a vision reserved for the uninitiated. Good will there must be, but also much more: an ability to evaluate what is vital to federal and provincial interests; fairness mixed with protection of what is vital. Even in his brief time in office the right hon. gentleman should have learned this from his experience. With all this good will which he believes would achieve unanimity in developing a constitution, he was not able to settle with Lougheed, Israel or the Water Street Baron who thrust the 18-cent excise tax on him. He could not even get Flora home to vote. So unanimity was not that easy to achieve. No, he has the wrong vision of Canada.

The federal system is not a system of unanimity. The federal system has not failed; rather, it has built the best country in the world. But unanimity will often fail when there are important conflicting interests. No federal country in the world expects or requires unanimity to make changes, and neither does Canada.

The Canadian government has always had the role of speaking for all Canadians. It has not been a community among communities or a government among equals. If it has been, there would have been no medicare. We must consider our history, as the Right Hon. Leader of the Opposition has failed to do. Every province created after 1867 came into being without consultation with or permission of the existing provinces. Can one think of a better example of an important constitutional change? The same was the case in relation to the province of Newfoundland. When Newfoundland was admitted, two premiers, including the premier of my province, complained that the provinces should be consulted. Consulted they were not; that was not the process.

The right hon. gentleman talked of past practices, but none dealt with patriation, an amending formula or entrenchment of a charter of rights. The facts are that there have been 16 significant amendments to the British North America Act by Westminster; of these, 13 affected provincial interests. Of these 13, the provinces were consulted on only six. In at least one of those six consultations, the federal government went ahead on its own when consultation did not bring agreement.

Also he raised the question whether enough time has been spent in trying to reach that elusive unanimity. With a flourish, the right hon. gentleman suggested that only 48 days—this was his great discovery—since 1927 have been spent discussing the Constitution. This is either another naive simplification by a man who has never taken part in a first ministers' conference, and therefore does not know how they operate, or a deliberate distortion. Let us assume the former and seek to educate the right hon. gentleman.

I personally took part in every first ministers' conference between 1970 and 1978. In addition to specific constitutional conferences, the Constitution was often discussed, even when it was not on the public agenda. Discussions between governments are conducted through officials and ministers, as well as through the highly-publicized conferences of first ministers. I suggest it is an insult to Mr. Fulton and the late Mr. Favreau, to name only two who worked hard hours on the subject, to suggest, as did the Right Hon. Leader of the Opposition, that the efforts to reach agreement were not serious and lengthy. There were almost constant meetings of officials and ministers between 1968 and 1971, from April 1975 to October 1976, from October 1978 to February 1979 and, of course, from June to September 1980.

I personally know how much time was spent by me, by my ministers and officials and by our counterparts in other provinces when I was in provincial government. For instance, the right hon. gentleman totally discounted or does not know that the various regions would have regional first ministers' meetings in advance of the first ministers' meetings in counting his 48 days. The time, energy and resources deployed by governments over the past 13 years to try to reach agreement on this subject have been enormous. The failure is due to the rising and often unrealistic expectations of some premiers who feel that each individual must have all of his concerns satisfied in full before movement can occur. Yet as a national government we have given away about as much power to the provinces as we can.

● (1600)

I would like to quote Chief Justice Bora Laskin of the Supreme Court of Canada— He said:

> I know of no federal system in which the constituent units have as extensive a regulatory authority as the provinces of Canada—

Professor Rowland Harrison of the University of Calgary Law School said this:

> The dispute over the control of resources is not so much a dispute about the limits of existing constitutional authority as it is a thrust by some of the provinces for a reassignment of authority.

The Leader of the Opposition said that he would have had an agreement with the provinces. He said that a prime minister who wanted to have an agreement could have had one. Yet in 50 years no prime minister has been able to obtain agreement. I think the right hon. gentleman might have achieved one—

Mr. Lawrence: Victoria in 1971.

Mr. Regan: The hon. member opposite says "Victoria in 1971." I know about Victoria. I was there.

Mr. Lawrence: So was I.

Mr. Regan: As was the hon. member opposite. He knows that at Victoria all ten premiers agreed on the Victoria formula. The disagreement was not on the Victoria formula but on certain other additional demands made by Quebec at the last instance.

Mr. Lawrence: But there was agreement.

Mr. Regan: There was agreement.

Mr. Lawrence: Who queered it up?

Mr. Regan: When I am dealing with big game I will not be drawn aside by rabbit tracks.

Some hon. Members: Hear, hear!

Mr. Lawrence: The Liberal party of Quebec queered it up, that is who.

Mr. Regan: I want to say this about the Right Hon. Leader of the Opposition. I think he might have had an agreement since his theory of government by capitulation is the way that agreement could occur, the unanimity could be achieved. In the process, his vision of Canada as a government among equals would have been achieved and, eventually, with all of the different constitutional provisions in different provinces, our country would have been destroyed. His record with respect to fisheries, the offshore, Alberta and lotteries shows that he is prepared to give away almost anything. For those in his ranks who are supporters of the charter of rights, I assure them that he would have given in to Premier Lyon in the same way as he gave in on these other matters and there would have been no charter of rights. Yet, the right hon. gentleman condemns in his remarks our unwillingness to continue negotiating with the premiers in endless circles, like the Vienna Congress in Napoleonic times.

If the constitutional debate causes divisions in the country, those divisions are fed by the right hon. gentleman, for his present opportunities lie not in accord and congenial progress. His chances of political survival have been fed and nourished by the dissension that he causes by this resolution. He has found this issue to be a heaven-sent opportunity to differ and dispute, to pretend and protest. He knows of the stripping of federal powers, yet he is prepared to yield further fisheries to Newfoundland, offshore resources endangering our international claim to a 200-mile limit, super resource powers to Alberta and yield whatever Bennett can think of to B.C.

I want to contrast this, Mr. Speaker, with the position of the Leader of the New Democratic Party (Mr. Broadbent). On this resolution the Leader of the NDP has taken the high road. The members of the NDP have exposed themselves to criticism for going along with the government. What do they gain by doing that? They expose themselves to criticism when they could take the easy course, the comfortable pew, of a party in opposition by opposing and being against whatever the government proposes. But I suggest that the difference is that the Leader of the New Democratic Party, with the proper recognition of principle and an understanding of the importance of strong central government, discharges his responsibilities in a way that the Right Hon. Leader of the Opposition is not doing.

There is one other statement made by the Leader of the Opposition with which I would like to deal. He says, erroneously, that we are destroying the tradition of equality of the provinces. I do not know where he has found the historic exercise of any such principle. It is true that all provinces equally share the same legislative authority. But provinces have never participated equally in the formal institutions of the Government of Canada. They have not been equal in their representation in the House of Commons, nor in the Senate which is, supposedly, the voice of provincial interests. Actually, the Senate is roughly divided four ways, based upon the regions of the country and not the provinces. The provinces are not represented equally in the Supreme Court. They are not represented equally in the cabinet.

Indeed, the Right Hon. Leader of the Opposition, when he was prime minister, did not have Manitoba, Nova Scotia or New Brunswick represented in his inner cabinet. Yet he now speaks in glowing terms of the member from Manitoba who was in his cabinet but was not included in his inner cabinet. Provinces have never been treated equally. I think you could not find a finer example of that.

We should be determined to accord fair and equitable treatment to all provinces, but at the same time let us not distort history and pretend that the premise has been different than it has. Indeed, it is not through our resolution or our formula that different classes of province would be created, as the hon. gentleman suggests. It is by his Vancouver formula that different classes of provinces would be created, some with entrenched rights, some without and some with different constitutional provisions from others.

The Leader of the Opposition reserves his most violent opposition for the proposed use of a referendum, region by region, to break an ongoing deadlock between the provinces and the federal government. I find this very difficult to understand because the way to break a deadlock, until now, has been recourse to the British parliament. After patriation that method will be gone forever. What we propose is somewhat similar to what Australia has. It has not destroyed federalism in that country; rather, their people have shown a judicious ability to balance federal and provincial arguments in the outcome of referenda. I fear his repugnance of resort to the people to break a deadlock indicates that he does not trust the people. Perhaps after last year I can understand why.

The same public elects two levels of government. If those two levels cannot agree, is it not logical to resolve the dispute by going back to those same electors from whom the legitimacy of both governments spring? The Leader of the Opposition says that the aftermath of this resolution will see us looking at

the breaking of our federation. I suggest that would be the aftermath of the course he wants to follow. We see a somewhat different aftermath. We see an aftermath of mature federal-provincial negotiations of an evolving constitution without trade-off blackmail. We see an aftermath of an amending formula that makes clear the protection of provincial rights, an aftermath in which the principles of equalization, of language rights and Indian rights are enshrined for all time.

He talks of aftermaths and we provide a solution to a deadlock of 50 years. Surely that is the challenge of government. We provide the protections our people have cried for in a charter of rights, the protections that delegation after delegation pleaded for as they appeared before the constitutional committee. We offer an aftermath of stability, for good fences make good neighbours, as Robert Frost said. Good provisions make good relations. While all the world is moving toward larger units, the Leader of the Opposition would give the Canadian government less authority than the Common Market has over the sovereign states of Europe. Years and years after the late Marshall McLuhan outlined the global village, the Leader of the Opposition wants a country where nothing happens except by unanimity—which means that nothing happens.

Yes, our vision of Canada and of its greatness is different. Our vision of Canada is more, much more, than the sum of its parts. I am confident that our vision will prevail.

Some hon. Members: Hear, hear!

● (1610)

Hon. George Hees (Northumberland): Madam Speaker, I should like to express my views, very briefly, on the government's proposal to amend the Constitution of Canada. As we know, the debate has been divided into three main parts: first, bringing the Constitution to Canada; second, working out a new amending formula; and third, the inclusion of a charter of rights.

It has been clear from the start of the debate that the overwhelming majority of Canadians want the Constitution brought to Canada, so that has never been an issue. The issue is the plan of the Prime Minister (Mr. Trudeau) to ask the British government to amend our Constitution for us by changing the amending formula and entrenching a charter of rights. Under his plan, the Prime Minister intends that this country should go cap in hand to the British government and say, "We are not capable of amending our own Constitution, so will you please do the job for us?" That is colonialism of the highest order, and should not be done by a proud and independent nation.

What should be done is this. First, bring the Constitution to Canada as soon as possible, without asking the British government to amend it for us; second, decide in Parliament, with a free vote, which amending formula meets this country's needs in the most practical and effective manner; third, decide in Parliament, with a free vote, which measures should be included in a charter of rights; and fourth, amend our own Constitution.

A free vote on each issue will make it possible for every Member of Parliament freely to express the views of that part of the country which he or she represents, and back up those opinions with their vote. This will be a true expression of the will of the Canadian people, and is the only way that an independent, self-respecting country can do the job which confronts us.

Some hon. Members: Hear, hear!

[*Translation*]

Mrs. Eva Côté (Rimouski-Témiscouata): Mr. Speaker, the privilege of rising in this House during such an important debate in the history of our country is a great honour as well as a great responsibility. For the second time in a year, I must ponder on my country and find an answer as much for myself as for my family, my children and all the citizens of Rimouski-Témiscouata who have asked me to represent them here. I do not intend to reflect here the views of each of my constituents, but I think that most of them share my feeling about the nature of Canada and what it should be for our children, namely a free country, a structured, democratic and independent state.

For almost 300 years, Mr. Speaker, we have been working together to build a country. Last May when the referendum was held, like all Canadians residing in Quebec, I heard many of my fellow citizens say again and again that Canada is the country extending from ocean to ocean that we inherited from our forefathers a few decades or centuries ago and of which we must take good care. Throughout that vast territory, one finds a land, a subsoil, rivers and coasts that are rich, fertile and full of resources which have enabled every Canadian from the very beginning to earn a living and to be fulfilled.

Canada is also a hospitable, welcoming, attractive and hearty land that thousands of my fellow citizens have chosen over the years for all kinds of reasons as their new country, and all together, taking one year with another, with sheer love, will, perseverance and tolerance, we have built one of the finest countries in the world, and in so doing, we have developed our national pride. We have adopted symbols which reflect today our patriotism and our feeling of a shared future, thus uniting all Canadians: the Canadian citizenship, the one-leaved flag and the national anthem are surely the three main symbols.

Moreover, in 1968, more specifically on October 17, the Liberal government of the time introduced legislation dealing with the official languages of Canada which finally received royal assent on July 9, 1970. The policy on bilingualism had to be reaffirmed in 1973 through a resolution of the House, and I should like to say a few words about the Official Languages Act. The purpose of this act has never been to compel all Canadians from coast to coast to be bilingual, that is to say, to speak both French and English. Its purpose was instead to

grant rights to the Canadian people. As a matter of fact, this act has required the Canadian government to provide all Canadian citizens with government services in one of the official languages, either in French or in English. And that is also a sign or symbol of national unity. We still have, however, a step to take, that is to give ourselves a constitution made by Canadians for Canadians. The proposed resolution for the patriation of the British North America Act which is now before the House includes an amending formula, a charter of basic rights and freedoms, minority language rights as well as the entrenchment of the principle of equalization so as to ensure the sharing of the Canadian wealth.

It is quite clear that we should have our own Constitution in Canada; all Members of Parliament agree on that. However, we do not agree on its provisions and the procedure, and I should like to deal with this, Mr. Speaker. The proposed amending formula would require the 11 governments of Canada to agree to any amendment to the Canadian Constitution within two years after patriation. During this two-year period, these same governments would have to meet and try to agree on an amending formula which would be satisfactory to all of them. If, after two years, the federal and provincial governments have failed to agree on an appropriate formula, the Canadian people would be consulted by means of a referendum. A formula agreed on by all provinces would be submitted to the Canadian people, as well as the formula being proposed now by the Canadian government, whereby all amendments to the Constitution would require the consent of two Atlantic provinces, Quebec, Ontario, and two western provinces, as well as 50 per cent of the population.

• (1620)

The proposed resolution also includes a Canadian charter of rights and fundamental freedoms. We all know that Canada and certain provinces now have a charter of rights and freedoms, but we know as well, and many speakers before me have said so, that the rights and freedoms of Canadians were trampled on various occasions in this country and many of our fellow citizens have suffered serious prejudices at times.

As to the protection of the linguistic rights of Canada's French and English minorities, for the first time we agree in one specific field: French education will be available to French minorities outside the province of Quebec, and the English minority residing in Quebec will continue to get the same services. In other words, all Canadians throughout the country, whether their mother tongue is French or English, will enjoy the same rights and their own language and culture will be respected.

It is true that the decision to guarantee such services to linguistic minorities will have to depend on numbers, but I think we must have confidence in the good faith of the leaders we elect and, should the need arise, the citizens who believe that their rights were violated will have their day in court where judges will rule on legislative measures and actions taken by the provincial administrations. And finally the proposed constitution is aimed at sanctioning the principle of wealth sharing, namely equalization. Let us recall that not so very long ago certain regions of Canada were facing enormous difficulties and they were generously assisted by other regions of Canada which today find themselves in a precarious position.

Before equalization came into being the Government of Canada took steps to help the provincial governments. Among other things let us mention only the advent of medicare in 1966. As the Minister of Labour (Mr. Regan) said, this proposal on the part of the Canadian government was intended to help provincial authorities throughout Canada offer all citizens the same health services regardless of their financial situation. And even on such an important subject, on something which is so necessary to the welfare of Canadians, it was not easy to reach agreement and we had to wait until 1972 to see all provinces at last join this insurance plan.

If I thought it was necessary to mention the Canadian health insurance plan for which the federal government pays half the costs and which is administered by the provincial governments, and to refer to the equalization payments which are also made directly to those same provincial governments by the federal government and which began after so many years of discussions, it is to emphasize that federal-provincial negotiations are never easy even if the two levels of government say they want to work in the best interests of Canadians. Now what about the decades of discussions whose avowed purpose was to secure a Canadian constitution but which led to a deadlock as a result of local interests and delays?

Should we continue the debates with the illusion that we will achieve unanimous agreement in that field? Mr. Speaker, the year 2000 will soon be upon us and when our children read the history of Canada will they understand our hesitations, even our weakness, in our quest for a solution to that national problem and our will to solve it?

Will they understand that each and every time a Liberal government proposed needed and saving measures for Canadians, the official Progressive Conservative opposition rejected them? In the past, when the time came to give ourselves symbols, reasons to be proud of ourselves as Canadians, for instance, the Canadian citizenship and the maple leaf flag, the official opposition resisted them. Today, after having made every effort to come to an agreement with the provincial governments to have our very own Canadian constitution, which efforts came to naught because the provincial governments think they can better protect the rights and freedoms of Canadians by opposing the proposal, it takes the Liberal government considerable courage—which is nothing new—to go ahead and act, Mr. Speaker. The great pages in Canadian history were written by Liberal governments, led by men of duty and great generosity. Might it be that because of the

inability of the official opposition to understand the Canadian fact, to answer the aspirations of the Canadian people and to promote the policies needed for its fulfilment, the Progressive Conservative Party has generally been confined to that role, that of the opposition?

If we all wish our children to enjoy a better future, a just world where everyone will have the opportunity to develop freely and move about without restrictions, a productive and nourishing earth, and if we all wish the heritage which was entrusted to us and which we shall have to leave to our heirs to bear fruit, do we have the right to let certain local special interests prevail over our national interests? Mr. Speaker, I believe that we have reached the point of no return, and I urge sincerely and fraternally all of my colleagues, on both sides of the House, to support this essential proposal.

In closing, I would like to recall the words of the late Right Hon. Jules Léger, who stated the following in his installation speech on January 14, 1974, and I quote:

> What can we wish Canadians in 1980? Clean landscapes with clear waters, welcoming and laborious cities, a fraternal environment where man will have found his true place: the first place, at the centre of creation, within a united and prosperous country, in a world of justice and peace.

Like him, Mr. Speaker, I would go on to say that if, in the years to come, I can be associated with such an undertaking, even in a modest capacity, I will know that my mission will not have been in vain. Like others, I will have done my best to work hard and steadily as a Canadian. And always, while accomplishing this mission, I will have had in mind the question asked by Paul the apostle: "Who gave you superiority over others? What distinguishes you from the others? If you have received everything freely, why boast about it as though you had acquired it through your own efforts?"

[*English*]

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, first I want to compliment the hon. member for Rimouski-Témiscouata (Mrs. Côté) who has just finished speaking. It is the first time I have heard her speak. I know how seldom it is that Liberal backbenchers have an opportunity to speak in this House. I listened to the hon. member very carefully and I compliment her on the sincerity of her remarks.

Some hon. Members: Hear, hear!

Mr. Nickerson: It gives me pleasure at long last to say a few words on the subject of the Canadian Constitution, the Constitution of our beloved country. So far, I think we can all agree on that. Unlike some of my colleagues on the opposite side, I am not particularly dismayed that after a mere 114 years we have not yet found the perfect Constitution. The search for a perfect Constitution is something like a search for the Holy Grail. To the contrary, I am rather proud that our Constitution as written by the Fathers of Confederation and as changed from time to time when found necessary, has served us remarkably well over the years on account of its flexibility, its underlying principles of natural justice and free parliamentary democracy.

● (1630)

Man is a social and political animal who has organized himself into states and nations for thousands of years. He has yet to develop in any country of the world the perfect constitution. As an illustration of this, I would like to read a few quotations from Aristotle who studied this problem several thousand years ago and wrote in some depth on this matter in about 350 B.C. Some of his views are as up to date today as when they were first written. Aristotle, of course, was a constitutional thinker who, in the opinion of many authorities, surpassed in intelligence even the right hon. member for Mount Royal (Mr. Trudeau).

Some hon. Members: Hear, hear!

Mr. Nickerson: Practically everybody would agree that he was superior in his concept of political honesty. The first quotation I have is a definition of "constitution", which Aristotle held to be:

> —the arrangement which states adopt for the distribution of offices of power and for the determination of sovereignty and of the end which the whole social complex, in each case, aims at realizing.

If we examine the constitutional proposal before us in the light of these three attributes, the changes which the Prime Minister would force upon Canadians become quite evident. I am not talking about the matter of patriation. Everybody wants that and it is quite simple to accomplish. The easiest way would have been, when the Leader of the Opposition (Mr. Clark) moved a motion not too long ago in this House that it be done immediately, for the Prime Minister to have agreed and voted in favour of it. I am not talking about that. What I am talking about are the wholesale changes which the Prime Minister would have the British parliament make for Canadians.

First, with respect to the goal of the social complex, heretofore in Canada that goal has usually been the maximizing of individual liberty. However, under the proposals before us it would become the subordination of the citizen to the state. To put the proposed charter into being would require a whole host of strict rules and regulations enforced by the state upon the citizenry.

Second, with regard to the distribution of sovereignty, the distribution which we have in the present federal system could, and I think would, be markedly changed. The concept that we have in Canada at the present time is that sovereignty is distributed among and vested in each Canadian citizen. Sovereignty is exercised by citizens both at the provincial level, those parts of the country fortunate enough to be organized into provinces, and at the federal level. Each one of us by so distributing his sharing enables the federal system to work reasonably well in a way that best serves our own individual interests.

However, I fear a change to a system where sovereignty becomes vested not in the citizenry but in the state, and where

the citizens and the provinces become emaciated and exist solely to support the federal government. That is the case in many socialist republics around the world. If you examine the constitutional practice of states in eastern Europe, you see that they fit into that mould or category.

The same applies very much to rights and freedoms. The concept which appears in the resolution is surely that the state is the fount of all rights and freedoms. This is contrary and inimical to Canadian past ideas, ones that I hold particularly dear; ideas that it is the individual who is inately the possessor of freedoms and it is the state which is to be feared at all times as the incipient transgressor of our basic human rights and freedoms. I will get back to the question of rights and freedoms a little later.

Let me now examine the third attribute, the distribution of offices of power. With the use of the referendum, a similar constitutional device, I fear a change in the way in which power and authority is to be exercised in this country. This fear of what might happen is apparent to the provinces which could stand to lose much of their autonomy and become merely administrative units within the federal bureaucracy. Most of them, if not all, are prepared to go to extreme lengths to stop this Trudeau constitutional steamroller.

We can see how the provinces are reacting to this. They are using the legal avenues open to them. It is not improbable that we will see—I would hate to see it, but it seems the provinces will be forced into it—the provinces having to make a direct representation to the British authorities. It is terrible that the federal government should force them into that predicament.

Apart from the loss of autonomy of the provinces, I fear a loss of independence for institutions such as universities, the bench, the business community, the arts and cultural community. That has been going on for some time. They are becoming more and more under the influence and control of the central government. If we are not careful, we could end up with one large, hierarchical distribution of power and authority instead of what we have at present—a large number of interlocking and autonomous organizations.

My second quote from Aristotle is as follows:

> What is needed is a system of government which the people will accept and feel able to operate starting with what they have already.

Here again, the eminent thinker has pointed to a major difficulty with the changes in the proposal before us. It is unacceptable to the people of Canada and, therefore, divisive. The Constitution should be an instrument of unity for the people of the nation, but those opposite have turned it into an instrument of disunity and divisiveness. Former Senator Forsey, who is not quite as old as Aristotle, never tires of saying that the most important thing about a constitution is that it should be ancient. I agree with him on that score. A constitution should be comfortable and reassuring. It should not be the subject to change by the whim of a powerful ruler. It should be fixed, and constitutional changes should only be made after very careful consideration.

● (1640)

Changes in the useful arts and technology can and should be made quickly. If we find a better way of making an engine for an automobile that gets twice the gas mileage, then we should adopt that way quickly. There is no doubt about that. But when one is thinking about a country's constitution, even if a change appears to be desirable on the face of it, there should be some reluctance in accepting it. Because we must not get into the habit of easy change and habitual tampering with the fundamental laws of the country.

In my opinion, changes of constitutions are to be feared like the devil and avoided like the plague, for this very reason: that anyone who changes the Constitution once has demonstrated that he has the power to change it again in the future; and even if you do agree with the first change, you can never be sure about the second.

I promised that I would return to the question of rights and freedoms. It would be my preference that only a general reference to the various humane and fundamental principles on which our Constitution should be based should be written as a preamble to the Constitution. The Constitution should confine itself largely to outlining the mechanism by which the state is to operate.

By trying to commit an exhaustive list of rights and freedoms to paper, we run the risk of two dangers, both of which are so evident in the proposed resolution before the House at the present time. First, we have omissions made either deliberately or inadvertently. As Canadians, under our existing and largely unwritten Constitution we enjoy all the basic rights and freedoms which free people should have. In codifying these, even if some catch-all phrase is inserted, some are bound to be excluded; and in future, the courts of the country, which will, under this Liberal proposal, become the ultimate arbiters of our rights and freedoms, will surely hold that it is the letter of the law that counts, and any rights not properly delineated in the written form in all probability never existed in the first place.

I think it might take some time for that frame of mind to come upon the courts; but there is always a danger that it might. As an example of a deliberate exclusion in the proposal, we can cite property rights. A number of members have already spoken on the property rights issue. I think it is so important that it bears repeating. We are talking about the right to hold and freely enjoy our own property, and not to be deprived thereof except through due process of law. Of course, our socialist friends opposite and to my left do not believe in this.

An hon. Member: Balderdash.

Mr. Nickerson: It is not balderdash. I can give many examples where members opposite have said that very thing.

An hon. Member: Ask Bill Davis how he stands.

Mr. Nickerson: In their thinking—and they have said this many times—this particular basic human right can be sacrif-

iced in the interest of the supremacy of the state or some other socialist virtue. The right to hold property, to enjoy property, is being deliberately left out of this proposal both by the NDP members in this House and by the Liberal members.

Let us look at something that might have been left out inadvertently. As a case in point, I would like to cite an erosion of a freedom that is continually occurring under the present Prime Minister and has been going on for some time. That is the right to make one's living by engaging in the type of economic activity that one wishes. As an example of this, I—or any member in this House, for that matter—am forbidden by law to make a living as a fish merchant in the Northwest Territories. I am forbidden to buy fish from the fishermen and sell them to retailers or wholesalers, and that is because that particular field of economic activity has been exclusively reserved as a Crown monopoly. The government has taken that right away from us and given it to the Crown as a Crown monopoly.

Similarly, if Petro-Canada were to become the exclusive importer and exporter of petroleum—and that is a course of action advocated by the NDP which has been talked about in the House on many occasions—my right to make a living as an international oil trader would be taken away from me. At this point I do not particularly want to engage in that activity. I am quite happy as a Member of Parliament and expect to be so for many years to come.

Some hon. Members: Hear, hear!

Mr. Nickerson: However, should I wish to become an oil trader, my right to do so will be taken away from me if the proposals regarding Petro-Canada are put into effect. My rights would be totally negated in that area.

A second danger is that rights impinge one on another; for example, one's right to free speech, and one's right not to be slandered, an example that is quite frequently given. Limits also have to be attached to all rights; for another example that I give frequently is the right to worship God in any way that you wish. That would seem to be a very basic right and one that should not be touched; but there are obvious limits to that particular right. Obviously, you cannot let people engage in human sacrifice, even if you have a willing victim; we must draw a line somewhere.

Because of the fact that rights impinge one on another and must be limited in some way, the codification, in trying to delineate and define each supposed right and to accommodate all the various views and interpretations put forward, becomes so wordy and complicated that nobody really understands what is said. One ends up with a constitution—if you try to put everything in—about 300 pages thick. A constitution should really be something simple, something that everybody can understand.

For these reasons, rights in the Constitution should only be there in the form of general principles, and definitions of rights and freedoms should be dealt with by formal parliamentary legislation. The proposal that we have before us makes all these errors. In my opinion it goes so far as to be more concerned about the enshrinement of administrative procedures than about the preservation of a Canadian free society.

● (1650)

In talking about enshrining administrative procedures, I would like to give the example of the reference in the proposed Constitution to equalization payments. In 1981 equalization payments are a good idea. We all support equalization payments, but I honestly do not know whether I would want to put that principle into our Constitution. It is an administrative matter which is applicable at this point in time, but do we really want it there for 200 years to come? I do not think so.

I would like now to say a few words about my own part of Canada, the Northwest Territories. I made a brief indirect reference to the territories a few minutes ago when I referred to the people who were fortunate enough to live in provinces, but now I would like to discuss the territories in a little more detail.

Sometimes I sit in this House of Commons with a rather wistful sadness as my friends from Atlantic Canada debate whether the proposed Constitution of the Right Hon. Prime Minister would relegate them to being second-class citizens in their own country when they consider such things as a veto to be given to Ontario and a veto to be given to the province of Quebec in perpetuity. My friends from the prairies consider their fate to be that of third-class citizens of this country. I know full well what will happen to the 75,000 or so souls who make their homes in the two northern territories of this country. I know what will happen to them as a result of the proposals we have before us now. What is contemplated in the draft before us is an entrenchment and an enshrinement forever of the subservient, inferior and less than provincial status of the Northwest Territories and the Yukon Territory. We do not even get a mention in the amending formula. We are to be virtual non-citizens. We are not to be second-class citizens or third-class citizens of this country but virtual non-citizens.

Mr. Mayer: Non-existent citizens.

Mr. Nickerson: Under the proposal before us we will never achieve provincial status. Unlike every other province in Canada, we will never control our own resources. Under these proposals we in the northern territories will never control our own lives.

My good friend, the hon. senator from the Northwest Territories, knows this, and as a citizen of what I consider to be an important and integral part of Canada I was proud and considered myself well represented when Senator Adams spoke out and voted against his own Liberal government when this matter was first discussed in the other House. This shows us that at least one or two Liberals are not like sheep ready to be led to the slaughter by the inconsiderate and incompetent shepherd so full of his own importance that he will tolerate nothing less than blind and servile obedience.

The colonialist mentality of the Prime Minister, which is displayed in his efforts to have the Canadian Constitution not

decided in Canada but, rather, to have his version forced upon us by an overseas government, is doubly displayed in his attitude toward the north.

In the United States the attitude has always been that territories are encouraged to become states. This dates back to the ordinance of the congress of confederation of 1787. In the United States that was the blueprint or set of directions by which new acquired territories were to achieve self-government by way of statehood as quickly as possible.

In Canada the exact opposite has been the case. The federal government continues to look upon the territories in the same way as the old Imperial government looked upon the colonies of Canada 150 to 200 years ago.

Let us contrast the ordinance in existence in the United States since the latter part of the eighteenth century, for instance, with an act of this Parliament in 1870—some 100 years later—the act dealing with the temporary government of Rupertsland. That put the federal Government of Canada in a position, vis-à-vis Rupertsland—or the Northwest Territories—exactly the same as that which had previously existed between the British Imperial government and the colonies which are now united to form Canada. As far as the territories are concerned, since 1870 there has not been much of an improvement.

Let us look at the way in which those parts of the territories which are now the provinces of Alberta and Saskatchewan had to fight every inch of the way to achieve responsible government and then, some eight years later, achieve provincial status. They had to fight every inch of the way against an inconsiderate federal authority, which still exists to this day.

In my opinion, no Canadian Constitution is complete until it lays out the following with respect to the territories. First of all, we need a clear declaration that it is the intent that all parts of Canada should become, as soon as practicable, provinces in their own right. We also need an indication of the conditions under which that status will be achieved. We want to know what are the rules of the game. We know that British Columbia became a province with a population of 36,000 people. Is that one of the conditions? We know that when Manitoba became a province, it had a population of 12,000 people. What are the financial requirements? What are the population requirements? Are there any other requirements which we have to meet? Then we want laid down in the Canadian Constitution the moves which have to be made so that we can enjoy provincial status in the same way as more than 99.9 per cent of Canadians.

Second, within any new Constitution there should be a solemn declaration of trust respecting the lands and resources of provinces yet to be. Just a few days ago Bill C-48 was dealt with at second reading and referred to a committee. In that bill we see that the federal government wants the lands and resources of the north in perpetuity. Under this government's constitutional vision and scheme of things, those lands and resources will never go to the people of the territories as they do in any other part of this country. In my opinion, that view is wrong and it is colonialist. In the estimation of the people of the north the Trudeau Constitution fails in that it looks backward to a colonial past rather than forward to a day on which I and my fellow citizens of the north can enjoy the same rights and privileges as those taken for granted by southern Canadians.

Another issue on the Constitution as it affects the north is language. On behalf of those of my constituents, and there are many, who speak languages which were spoken on this continent thousands and thousands of years before ever a word of French or English was heard, I want to register the strongest objection. On behalf of those people who use every day language, such as Chippewan, Slavey, Loucheux, Dog Rib or Inuktitut, I want to register the strongest objection to a Constitution which relegates their language—which is just as Canadian, if not more so, than French or English—to an unofficial status. Language matters, except, for instance, those which deal with the operation of the federal Parliament, must be left to the provinces and the territories concerned. A Constitution which makes French an official language in the legislative assembly of the Northwest Territories yet denies the same status to Inuktitut is clearly perverse and unacceptable.

• (1700)

Let me say in conclusion, Mr. Speaker, that I will vote against a socialist, centrally-controlled and bureaucratically-regulated country in which the language preferences of the regions are to be dictated by the federal level. I will vote against a non-Canadian government doing the Prime Minister's constitutional dirty work for him. Let us get rid of what has been described as a grab-bag of nonsense attached to the Constitution. Let us bring back our Constitution as is to this country immediately, and let us have any amendments to the Canadian Constitution made in Canada, by Canadians, with the general consent of Canadians.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): Order, please. Before I recognize the hon. member for Winnipeg-St. James (Mr. Keeper), perhaps I could announce the subject matter of the questions to be debated this evening on the adjournment motion.

It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Edmonton South (Mr. Roche)—North-South relations—Statement by non-aligned nations—Development of Canadian position; the hon. member for Waterloo (Mr. McLean)—External Affairs—Canadian policy with respect to El Salvador.

The Constitution

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Cyril Keeper (Winnipeg-St. James): Mr. Speaker, I must say that it is a pleasure to follow "no change Nickerson" in this debate. More seriously, I should like to say that this is an historic debate and it is a real honour and privilege for me to participate in it. It is particularly so because these are interesting times. There are no clear and simple answers to the problems we face, and that was demonstrated by the various positions taken by public officials in this country in dealing with the constitutional question. Indeed, it is interesting to be living in these times.

I must say I am proud of the approach which my party has taken to the challenges facing us, an approach which has been both constructive and democratic. When I say it has been democratic, I mean that we respect the views of the minority. In particular, we respect the views of our members from Saskatchewan who are voting against this package. However, we do not confuse respect for the views of the minority with the democratic rights of the majority, and it is the majority of our caucus who are setting this direction and whose case I am putting forward today.

Let me say, furthermore, that our approach is constructive in the sense that we are seeking to improve the patriation package before us. We are seeking to build rather than simply to tear down. There are real temptations to be simply negative and to tear down the package which has been put before the House, particularly because of the way the Liberal government has handled the constitutional process. Their handling of this package has been both abominable and dismal. Shortly after the Quebec referendum, there was a very positive climate in this country for constitutional change, but it did not take long for the Liberal government to dissipate that public good will for constitutional change by its mismanagement of the process.

The first error of the Liberal government was the leaked document on constitutional strategy—a cynical document which was followed very quickly by the intemperate reactions of provincial governments. As a result, there was very little real possibility or hope for constructive action to be taken by the constitutional conference which followed the Quebec referendum. I must point out quite honestly that at least one province, if not more, did not react in the intemperate way in which some others did. I am thinking now of Saskatchewan, which continued to negotiate and to win positive and constructive changes in the constitutional package.

The next step of the Liberals was to abuse the closure rule. I think they would have gained public support for the necessary constitutional changes had they not invoked closure but allowed further debate in the first instance on the constitutional package. Also, the Liberals misjudged public opinion when they tried to give the committee inadequate time to debate the Constitution and had to be dragged kicking and screaming to make a change which would allow for adequate examination of the document before the committee, specifically to extend the time allowed—which was won, at least in part, through the efforts of this party—from December 9 to February 6. I must say that this was a significant and important change in the way in which the constitutional package was handled.

However, the Liberals again misjudged the situation when they excluded television from the committee on the Constitution. However, they were finally badgered into allowing television into the committee, thus allowing the public to observe the constitutional debate there. Now we on this side of the House are demanding a full and fair debate on the Constitution. The government must not take that demand lightly, for it is only a full and fair debate in the House that will give the final version of the Constitution real legitimacy in this country. I challenge the government to seek to win public support for this resolution and to refrain from any further funny business which may erode public support for this package.

In spite of the bungling and mishandling of this matter by the Liberals, there are many good things about the package. For example, there has been an opportunity for citizen input into the resolution and for provinces to continue to negotiate this matter. Certainly the negotiating efforts of Saskatchewan have led to improvements in this package. I believe it is still possible for there to be further improvements in this package by way of amendments in this House if the Tories, for example, would allow members of other parties to put forward amendments, and I hope the government will continue to be open to suggestions leading to improvements in the package to make this a good package for all of Canada.

The reason we have offered support for this package from the start is that it contains some very important principles, such as patriation, an amending formula, the bill of rights, and a promise of a resource amendment. These are good principles. Unfortunately, when the package was put together originally it was seriously flawed. A great deal of work was done by the citizens of this country and by members of the House to improve the package and bring it up to par.

● (1710)

Particularly, I am thinking of the fact that there were many loopholes in the original charter of rights which had to be closed. The first article of that charter of rights would have made the entire charter of rights meaningless. That loophole had to be closed and was finally closed. Also there were loopholes in the legal rights section which had to be closed and were closed. The non-discrimination section of the charter of

rights was greatly strengthened by a change in wording which, after amendment, allowed for the fact that laws themselves should not discriminate against groups. Not only was it provided in the administration of the law that there should be no discrimination, but also that laws themselves should not discriminate. I believe that area was particularly important to the women of this country. Certainly it was something for which they fought very hard. Also the original package made no reference to the handicapped. Clearly the addition of the handicapped was significant and important and vastly improved the package.

One area about which I feel most strongly in this package was the reference to Indian, Inuit, and Métis rights; in other words, aboriginal and treaty rights. From the beginning it seemed to me that there was a particularly strong basis for adding a positive entrenchment of aboriginal and treaty rights in this particular package. I say that because from the beginning the package made reference to educational rights, the language rights of the English and French minorities. In itself it showed a respect for the cultural duality and plurality of the country. Also it showed our respect for both historical and cultural differences. Because of those matters, I felt from the beginning that there were very strong arguments for the entrenchment of aboriginal rights in this package. The entrenchment of aboriginal rights in essence is the affirmation of our respect for the differences among ourselves, rather than a denial of or lack of respect for them.

Even though an amendment was moved and accepted which positively affirmed aboriginal rights, there are still some people who are questioning it on the basis that it does not include all of what should be included in a constitution with respect to such rights. In no way is it to be seen as a final resolution of the aboriginal rights question. It is an affirmation of principle which can be useful to aboriginal people in terms of further negotiations to get down to the concrete details of aboriginal rights. It is a starting point by which a government can never again say that there was no such thing as aboriginal rights in this country, as was said in 1969 by the Trudeau government. That tactic can never be used again.

I have read court cases which affect aboriginal rights, and the clear pattern has been to knock down those rights, whether they be hunting rights or whatever. Now the court has the option to look at the Constitution and say, "The Constitution affirms aboriginal rights; perhaps I should give weight to that in the decision before me rather than, as has been done in the past, striking down aboriginal rights."

This amendment is particularly historic because for the first time in Canadian history the representatives and leaders of native people, Indian, Inuit and Métis, have been directly involved in negotiations affecting themselves. If there is to be any resolution of the problems of our native people, it is only through such direct involvement and participation that a resolution will come. I feel strongly that this addition to the constitutional package is significant, important and historic.

There are other ways in which this package has been strengthened, particularly due to the efforts of our caucus and of people in the community. I am thinking now of the equalization formula. When it was originally enunciated in the first package, it made no reference to direct payments to the provinces. Now the constitution package makes that reference so that the provinces across the nation will be assured that they have the capacity to deliver services of a relatively equal nature. It will be a very strong negotiating tool for provincial governments in their dealings with the federal government. This will be particularly so for provinces such as my own, Manitoba, and for Newfoundland and the maritimes which depend heavily upon the federal government for adequate revenues to provide sufficient services to their citizens.

Even though when the package first came out it was seriously flawed, it is now a good package deserving of support. There are still people in the community who are calling for the package to be strengthened further. I would welcome a further strengthening of the package, but it is no excuse or reason not to support the package as it is. We must continue to work to improve it, but we must not use the aspirations of people for futher improvements as a way to try to cut out altogether the support for the package.

To those who are in principle against the entrenchment of a charter of rights, and to those who are against an entrenchment of a charter of rights without provincial approval, I would simply say that if the provincial legislatures, which have been described as supreme, had moved with regard to human rights, had introduced what is called primacy legislation, had done all of what needs to be done in terms of affirmative action, had protected minorities, had changed the social and economic conditions under which minorities in this country live, had protected in legislative form the legal rights of the minorities and all other matters which are dealt with in the constitution package, then there would be no need for action now. It is only because legislatures have not dealt sufficiently or adequately with these matters that we now have need for the charter of rights which is before us today.

Of course, the Constitution package contains more than the charter of rights; of course we have need of more. For example, it contains an amending formula, and there have been significant changes to that amending formula. The use of referenda, which was a pretty free-wheeling power when the package was first presented, has been limited significantly. Now a referendum can only be used as a deadlock-breaking mechanism, when the provinces and the federal government are in deadlock. It can only be used under those circumstances after the governments have gone through the process of federal and provincial negotiation. To those who somehow say that referenda are totally illegitimate and should never be used, I must say that I favour consulting the people, and it will be the Canadian people who will decide any difference between federal and provincial governments with regard to constitutional questions. I feel that is a thoroughly and completely democratic approach, one which in these circumstances will be useful. It is one that is limited and has rules by which one can move to the referendum process.

Some people are against referenda. They say that the federal government could use a trick question to fool the citizens of this country and bring in a constitutional change which would destroy the federal nature of this country. Rene Lévesque tried that and it did not work. He put what could be called a "soft" question to the people of that province. The people of that province saw the meaning of the question and made the decision for themselves. So while politicians will be politicians, citizens will be citizens and they will make the final decisions in a democratic nation.

● (1720)

I feel we must remind ourselves as well that this referendum proposal does have regional balance. While it is only a deadlock-breaking mechanism, it also requires a majority in the regions of the country. There is no way that Ontario would be able to impose a constitutional change on the west. The west has a veto.

There is also another very positive change with regard to the referendum proposal, and that is the creation of a referendum rules commission. This commission was created after a submission by the Premier of Saskatchewan. It was his very constructive contribution to the constitutional committee hearings that brought about this change. While the change does not go as far as he would personally have liked it to go and it is not absolute, it is certainly a very influential and important change. It will be very difficult for a Parliament or for a government to fiddle with the rules as proposed by the referendum commission.

Our positive approach, our constructive approach to the constitutional package, has paid off. It has resulted in a much better package than was originally presented to this Parliament. The positive approach taken by the citizens of this country has paid off. The positive efforts of some of the provinces have paid off, and we have a much better package today than was originally presented to us.

I would like to deal with some further arguments which are used to undermine the package. These are attacks on the package. For example, it is said that the amending formula will create unequal provinces. Let us face the facts, Mr. Speaker. The fact is that if all provinces were to be treated the same, or absolutely equal, then what we are asking for is an amending formula which demands unanimity. That approach is clearly unworkable and clearly unrealistic. It is important to keep the facts in mind with regard to this debate. The fact is that what the amending formula does is to create regions. Any province which acquires 25 per cent or more of the population in the future will thereby become a region with a veto. The west is a region and it has a veto. Thus, the amending formula is workable and fair. It is not perfect, but no one is offering an alternative which is perfect.

We are asked by others to support the Vancouver formula. The Vancouver formula contains no veto for Quebec. In our historical and present situation this would obviously be inadequate and unacceptable. It has no veto for the west. Given the strong feelings in the west today, that would be inadequate. The Vancouver formula also allows for provinces to opt out of rights and to opt out of redistribution of powers. It requires disguised unanimity. The opting out formula is really a disguise for a demand for unanimity, which is clearly and fundamentally unworkable. The formula which is offered by the Conservative Party is clearly a mirage. It is not a real amending formula; it is a "maybe" formula. We must be responsible and realistic, Mr. Speaker. This country needs an amending formula and we have one before us. It has been approved in public debate and we will support it.

Those attempting to tear this package apart have also taken a new tack of late. They have talked about the Senate. They say that this constitutional package is giving the Senate a veto with respect to all constitutional change. I would have wished and hoped in the first instance that the government would have been a little more courageous in maintaining the suspensive veto with regard to the Senate. In other words, the Senate could only hold up matters for a limited period of time. I continue to challenge the government today to reintroduce that suspensive veto, if it can only get up the courage to do so. Simply because the government has no courage is no reason for us to throw the baby out with the bath water. What happens in this constitutional package with regard to the Senate is that there is no mention made of it. What we have with regard to the Senate is the maintenance of the status quo. Since the beginning of history in this country the Senate has had a veto over all constitutional and legislative changes. That technical and legal veto clearly continues, but it does not deprive us of the right to continue to fight for the abolition or real reform of the Senate.

It is rather ironic that the critics of this package at this moment call for us to change the Senate, since it is one of the areas which does affect the provinces. The battle cry has been that federalism is being destroyed by changing things in the Constitution which have an impact on the provinces. If we were to come forward with a major reform of the Senate, then these critics would be up in arms. They would be asking why this was being done without unanimous provincial support.

The most important thing to say about the Senate is that I do not believe that any realistic or responsible citizen could believe that, while the Senate maintains a legal and technical veto, if the legislatures and Parliament of this country were to put forward a full and adequate reform of the Senate, whether that be abolition or reform, they could stop that. The reason the Senate does not exercise its legal veto today, before the passage of this resolution, is because it is essentially an illegitimate body, since it is not elected. The way we gain the legitimate right to make decisions with regard to public matters in this country is by being an elected body. There is no doubt in my mind but that our capacity to reform the Senate remains, given a strong and dedicated government. The argument stating that we should not support this package because there is no Senate reform contained in it is a bogus one. Our capacity to reform the Senate remains. When the government gets up its courage and when the provinces are ready to move, then we will reform the Senate.

One of the further arguments used against this package and against support of it is that somehow we are destroying federalism. I must say that I feel that is an overblown, exaggerated and essentially misleading argument. In this constitutional package we are not dealing with the redistribution of powers among provinces and the federal government. Canada remains a federation. After this package is passed by this House and the parliament in England, there will still be provincial powers and federal government powers. In fact, we are moving to strengthen federalism by providing an amending formula which will allow both the provinces and the federal government to amend the Constitution in the future.

• (1730)

The rights charter obviously affects the powers of the provincial and federal governments by transferring power from legislatures to citizens, not by transferring power from provincial governments to the federal government. Further, it has been recognized that the rights contained in the charter fall within federal jurisdiction. Past Supreme Court decisions recognized that. In essence, we are not doing anything to affect the balance of federal and provincial relationships in this country; what we are doing is providing rights for citizens and limiting the capacity of legislatures and governments to act in an arbitrary fashion.

Another tack that has been taken in an attempt to destroy this package is the contention that we need a constitution made in Canada. Can any citizen doubt that this constitutional package is being made in Canada? Given the long history of federal and provincial conferences on the Constitution, given our experience and involvement in the Quebec referendum, given the debate in Parliament last fall, given the length and breadth of the hearings of the joint parliamentary committee on the Constitution, given the opportunity there has been, and which remains, for the provinces to negotiate changes, surely no citizen who has listened to or read the media, which has been dominated by this question in the last few months, can doubt that this Constitution is made in Canada by Canadians and for Canadians.

I want to deal with another area of criticism of this package, the reference to property rights. I find it ironic that members of the Conservative party say that this package should not be supported because it lacks reference to property rights. It was the provinces that opposed the inclusion of property rights. Surely those who believe that we should not do anything which affects the power of the provinces do not want us to move on property rights which are clearly within provincial jurisdiction. As well, surely we do not want to limit the capacity of legislatures to act in the public interest where necessary. I think of items such as auto insurance in Manitoba. We would not want to leave to chance the opportunity of legislatures and governments to act in the public interest in such areas. Why, then, would we want to leave to chance the opportunity of governments to act with regard to land ownership? Think, for example, of Prince Edward Island. We want that province to be able to protect its land for use by Canadians. We do not want to run the risk that corporations could use our courts to limit the capacity of our legislatures to move in these areas at times when it is absolutely necessary. I am confident that the package is good and that the absence of property rights is entirely justified in the present circumstances.

There is another argument that we must face and that is on the legal question. We are told that we should not move on constitutional change until the legal question is cleared up. I must say, first of all, that when a matter goes to court it is surely a question of public policy whether we go to court by reference or whether we go to court when there is a concrete law for the court to examine. That is a matter of public policy. I, for one, would prefer that the court have a concrete statute before it rather than a hypothetical question. I would take the legal question more seriously if those provinces who challenge the matter in the courts would respect the decision of the courts. After the decision of the court in Manitoba which favoured action by this Parliament for constitutional change, however, the provinces simply dismissed decisions of the court. Clearly they are not so much interested in law as they are in obstruction. If they were interested in law, I am sure they would be willing, if the court were to hold that this Parliament is right in taking action on constitutional matters, to reconsider their position. That did not happen after the latest court decision which held that this Parliament was correct in what it was doing. They did not reconsider their decision.

Mr. Hnatyshyn: Ask Saskatchewan. It is going to the Supreme Court.

Mr. Keeper: I feel that the arguments being used against constitutional change by Parliament at this time are essentially bogus arguments. I feel it is very important that people have the opportunity to hear the facts so that they can make a balanced decision with regard to this constitutional package.

In closing, Mr. Speaker, I must say that it is time to bring our Constitution home. Surely it is time to demonstrate that we are a mature, sovereign nation capable of making our own decisions on constitutional matters.

We need a charter of rights in order to protect people from arbitrary decisions made by government and legislatures. We need a charter of rights which will embody the rights of every citizen in this country and symbolize the citizenship of every citizen from coast to coast.

We need a reference in the constitutional package to multiculturalism, to language rights and to native rights in order to demonstrate our respect for the cultural and historical differences which are the strength of this nation. These need to be clearly and positively defined in a constitutional document.

Finally, Mr. Speaker, the events of the past several months and years demonstrate the need for an amending formula on constitutional matters. We need a decision-making framework within which the provinces and the federal government can come to decisions on constitutional matters and not simply bicker and throw brickbats at each other in front of the television cameras.

If we support these principles, if we support patriation, if we support human rights, if we support the necessity for a decision-making framework for constitutional matters in this country so that we can build our own Canada and our own Constitution, then I feel it is time that we take action to support this package rather than attempt to tear it down and delay action unnecessarily and indefinitely.

● (1740)

Mr. Hnatyshyn: Mr. Speaker, would the hon. member who has just concluded his remarks entertain a question with respect to the role of the courts in this constitutional debate?

Mr. Keeper: Yes, Mr. Speaker.

Mr. Hnatyshyn: The hon. member indicated that a reference of a matter by the provinces to the courts or a reference by this government to the Supreme Court of Canada was somehow an abuse of the judicial process and that the provinces were not going to abide by the decision of the court. Is the hon. member accusing the provinces of perhaps flaunting a decision of the court? Does the hon. member agree or disagree with the intention of the New Democratic Party government in the province of Saskatchewan to refer the matter to the Supreme Court of Canada to find out whether the package is ultra vires? Does he think the judiciary has no role to play in this debate?

Mr. Keeper: Mr. Speaker, it seems to me that a change in the Constitution is essentially a policy question and a political question. Therefore, it is better dealt with by legislatures and Parliament. I was saying that there is a clear policy choice before government as to whether they wish to go to a court with a legal question by way of reference or regarding a concrete piece of legislation with which the court can deal. While I want this Parliament to deal with the policy question, I think it would be preferable in that instance to have a piece of legislation before the court rather than a hypothetical statement by way of reference.

With regard to my comments concerning the provinces, which were to the effect that if those provinces which went to the Manitoba court of appeal had taken into account the weight of that decision in favour of action by this Parliament and had indicated that they would seriously reconsider their position because of that pronouncement by the court, I would have had much more confidence in their stated reason for going further in the courts.

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, we are having some legal lessons.

I agree with the many speakers before me who have said that it is a privilege and a responsibility to have an opportunity to participate in this debate. This is an important debate in which to take part and I believe that everyone here has an obligation to speak on behalf of their constituents.

My constituency of Portage-Marquette is in Manitoba. I appreciate having the chance to say a few words about the constitutional resolution we are debating because it would be difficult for me to return to Portage-Marquette and explain to my constituents why I was not given an opportunity to participate. In this connection, I take the government at its word and trust it will see that everyone who wants to participate in this debate has that opportunity. This way members can raise their concerns as well as concerns raised as a result of discussions with their constituents. In my opinion, everyone should be able to participate in this debate because everyone has a particular point of view, not only individual members but also the many thousands of constituents we represent. Therefore, it is incumbent upon all of us who are here on behalf of our constituents to take this opportunity to speak on this important topic.

I want to pay tribute to the constitutional committee members who worked very hard from November until the first part of February. Although many people have paid tribute to this committee before and will again, I think it is worthwhile to comment on the work they did. That kind of committee work can be constructive to many areas of concern to this House. The constitutional committee members certainly deserve the credit given to them.

We need to have faith in ourselves as we proceed. I am sorry the present government, judging by the way it is proceeding, is not demonstrating any faith for the concerns of Canadians from one end of the country to the other over what the constitutional resolution contains. We have eight provincial governments involved in legal actions against what the government is doing. Many public opinion polls point out that only a minority favour the process by which the government is attempting to carry out its constitutional renewal. We have numerous newspaper advertisements attacking the Prime Minister (Mr. Trudeau) on a personal basis and soliciting support against what he and the government are doing.

In a country that is supposedly run on the basis of democracy in which everyone should be listened to, one man and one vote, what is happening is unprecedented. I fail to understand why the government is in such a hurry. It is ludicrous that we operate within an artificially imposed time-frame when we are dealing with such an important matter as the Constitution, which underlies everything we do in this country. I fail to see why we cannot take more time to ensure that we do everything right.

The hon. member for Winnipeg-St. James (Mr. Keeper) who spoke before me made some reference to the Vancouver formula. He said that the Vancouver formula does not give a veto to Quebec. I disagree with him totally. An opting-out provision gives the province of Quebec a veto in terms of things about which it feels strongly. In fact, that is the basis of the multiculturalism policy we have in this country.

People talk about the checkerboard problems we would have with the bill of rights, that we would have different rights in different provinces. We have a multiculturalism department set up to see that people's different areas of concern are protected. The hon. member for Winnipeg-St. James said that the argument he had heard so far as to why we should not proceed was a bogus one. Perhaps he should have listened to the hon. member for Western Arctic (Mr. Nickerson) who

spoke eloquently about the native people not being treated as people, that they were treated almost as non-citizens. I fail to see how the hon. member for Winnipeg-St. James could have made the statement that it was a bogus argument, particularly in view of his own racial extraction. The hon. member for Western Arctic talked very eloquently on behalf of the native people he represents, people who are more native to this country than I, and yet the hon. member for Winnipeg-St. James says the argument why we should not proceed is a bogus one. Nevertheless, the concerns expressed by the hon. member for Western Arctic on behalf of his constituents were clearly sincere and genuine ones. This is something the hon. member for Winnipeg-St. James should consider carefully when he talks about bogus arguments; he should understand what he is saying when he makes reference to such things.

I come from an area which has sent two prime ministers to Ottawa, one from Portage and one from Marquette. The first prime minister of the country, Sir John A. Macdonald, very briefly represented Marquette constituency in this House. The distinguished prime minister, Sir Arthur Meighen, whose portrait hangs in the hall outside this chamber, represented Portage in this House. I shall refer to what these two distinguished gentlemen said in the constitutional debates and how apt their remarks are today. Incidentally, the debates took place in 1865 prior to the union of the country and have come to be known as the constitutional debates. Our first prime minister, Sir John A. Macdonald said this:

> But, on looking at the subject in the conference, and discussing the matter as we did, most unreservedly, and with a desire to arrive at a satisfactory conclusion, we found that such a system was impracticable.

The system to which he referred was that of a unitary state. There has been much talk about Macdonald and the fact that he would have preferred a unitary system of government. I believe that is what the constitutional resolution will be leading us to in this country, but our first prime minister realized that a unitary state would not work. That is what he is referring to in this quotation. He goes on:

● (1750)

> In the first place, it would not meet the assent of the people of Lower Canada, because they felt that in their peculiar position—being in a minority, with a different language, nationality and religion from the majority—in case of a junction with the other provinces, their institutions and their laws might be assailed, and their ancestral associations, on which they prided themselves, attacked and prejudiced; it was found that any proposition which involved the absorption of the individuality of Lower Canada—if I may use the expression—would not be received with favour by her people.

That is even more applicable today. Not only are we talking about those regions that originally made up Canada, but additional regions. We are talking about what is now the most important and viable region of Canada, the west. If it is true to say there were concerns over a unitary system of government and what it would do in 1865 when this constitutional debate took place, it is even more true today when we have another very important and vital and growing region of the country wanting to feel part of this country. That is something worth considering.

I wish to refer to part of what Sir Arthur Meighen said concerning the country. Here he was talking at a birthday party marking the one hundredth anniversary of the birth of D'Arcy McGee. He was referring to some of the problems the country had had prior to that time. In this speech, given in Ottawa on April 13, 1925, he said:

> The obstacles encountered have been greater than we had believed, but they have been as nothing when compared with the obstacles and dangers which by our union we surmounted.

That is the truth. There are and always have been many problems in Canada because of the great diversity of geography which makes up this country. The point Prime Minister Meighen was making at that time was that not to have tackled and solved those kinds of problems would have left us in worse peril than we would have been without solving them. He went on:

> —let us look back across the span of two generations and watch the bold, brave figures of the captains of that time; let us learn from their patience and emulate their courage and highly resolve to enrich by our devotion the noble heritage they have handed down.

I wonder whether in 50 years from now history students who study the debate going on in this process will be able to make the kind of remarks Sir Arthur Meighen made on the occasion of the one hundredth anniversary of the birth of D'Arcy McGee. There is certainly some area for concern and question as to whether that will be the case.

The Minister of Justice (Mr. Chrétien) is in the chamber. I wish to take issue with some of the remarks he made in the speech opening the debate on this important issue. The minister spoke very eloquently and with conviction. We all know he is a serious man. He said, as reported at page 7374 of *Hansard:*

> During this debate we will hear a great deal about process, and I will speak to that issue later, but I want to speak more about substance. Because long after the debate over process is finished and forgotten, Canadians will take pride in the results of the substance of our work.

I find that unfortunate because process is all important in what the government is doing. If people do not have faith in the process, the end results will be badly scarred. They will bear those scars for a long time because our Constitution will be with us for a long time.

This should be a very exciting time for our country. We should be planning for and looking ahead to the future. All of us have occasion to plan. We plan to go on a trip, to take a course to improve our education, to build a house or buy a car. Farmers plan their crops at the beginning of the year. It is a very exciting time because, when we do that, we look forward to the future.

Most Canadians would like this to be a happy time for our country. It is the most important planning we can be doing. We are laying the foundation for the way our country will be governed and the principles on which it will operate for a long time.

That is why it is unfortunate that the Minister of Justice dismisses this concern over process without a lot of thought being given to it. During this planning process or stage of

constitutional renewal, unless we take into account the feelings of the people of this country and ensure that there is good will for what we are doing, the fruits we bear from this resolution will be bad ones. That would be very unfortunate.

A very good argument could be made that the reason we are renewing our Constitution is to create good will in the country so that we all can live together in more harmony than in the past. If in the process of renewal we create so much bad will that we destroy the very purpose for which we are doing it, then that is very sad. That is why I take issue with the Minister of Justice when he dismisses process and says it is really not important because the end result will be remembered a long time after the process. There is a lot of bitterness and a lot of doubt about what we are doing. This is evidenced by many people I talk to when I go home to my constituency. It is unfortunate that people are so distrustful of the way the government is proceeding.

Much has been said about the constitutional resolution. We spent many hours in a joint committee talking about the different articles. I would point out that we are not dealing with just a piece of paper. We should be thinking about what it is doing and will be doing to the whole country after it is adopted. The government should be very cognizant of this as it proceeds.

Our spokesman on the Constitution, the hon. member for Provencher (Mr. Epp), receives literally hundreds of letters every day outlining the concerns which people from coast to coast have about the way the government is proceeding. It is interesting to note that they are sending their letters to the hon. member for Provencher. We have to be proud to be associated with him and give him credit for the way he conveys the image of total honesty to the Canadian public. That is something this chamber should recognize. Many Canadians feel comfortable with him and are sending their letters to him.

When the hon. member for Provencher spoke so eloquently on February 17, he pointed out that the whole proposition on which this resolution is based is false. I refer to the proposition that this country is not working, that it is somehow coming apart and not functioning the way it should and, therefore, we must go through this process of constitutional renewal.

Canadians have become concerned about the process. Many of them do not quite understand the technicalities and the fine points of what goes on in this chamber day in and day out. They do not understand the intricacies of the debate which goes on here as well as the points of order and questions of privilege. However, they sense that something is not right about the way the government is proceeding. It is even more significant when you realize that the majority of Canadians are in favour of their Constitution being patriated. They are in favour of a bill of rights and of having some kind of an amending formula to the Constitution when we get it in Canada, and yet they are not in favour of what the government is doing.

● (1800)

I would point out to the Minister of Justice that the area of concern they have is not only over the content so much as it is over the way the government is proceeding. Therefore, I would argue very strongly that process is very important; in fact, almost all-important in this debate. The government should consider this as they proceed.

There have been many polls taken, and we can quote polls that break down public opinion across the country in terms of different regions; the Atlantic region, the province of Quebec, the province of Ontario, and the western regions. Last Thursday, results were released from a poll taken by the Quebec Institute of Public Opinion during the week of February 12 to 18. The question asked of people in Quebec was: How do you think your Member of Parliament should vote on the constitutional resolution? The results were very interesting. Forty-four per cent of the people who were polled said that they thought their Member of Parliament should vote against the constitutional resolution; 37 per cent said they should vote for it; and about 20 per cent did not register an opinion.

That is a very significant poll, in the sense that we all know the present government has over half of its support in the province of Quebec, yet in Quebec, where they won overwhelming support in the last federal election, there were no issues with respect to the Constitution in the last campaign. That is a subject for another speech all in itself. I find it very interesting to note that 44 per cent of the people in the province of Quebec, in a public opinion poll taken two weeks ago, said their members should vote against the constitutional resolution. That is something that all members opposite should look at very closely and sincerely when it is time for them to decide whether they can support the constitutional resolution before us. As I said, many polls have been taken, but I think this one is very significant. We all know that polls are subject to much interpretation, but when you have a poll taken in the province of Quebec saying that Quebecers are not in agreement with the policy of the federal Liberal Party of Canada on the Constitution, that should tell you something about the manner in which the Liberal government is proceeding on the constitutional resolution.

One of the other areas of concern is what the government is doing in terms of setting a precedent. Much has been made of the way we govern ourselves and the fact that many of our institutions function on the basis of conventions derived over time. Probably one of the most democratic, if not the most democratic country in the world, is Great Britain, and it really does not have a constitution in the sense that we or the Americans do; yet it is considered one of the most democratic countries in the world. Its citizens enjoy as many rights as those of any country in the world because over time they have developed many of their rules based on precedent.

The government, if it proceeds the way the resolution is now drafted, will be setting a precedent of overriding provincial concerns. That is a very dangerous precedent to set, and should not be done lightly. Precedent can become all-powerful or all-governing in terms of our own institution. There is no

reference in the British North America Act to either the party system of government we have or to cabinet. Yet we all know that without those two well accepted conventions, which are the result of precedents built up over a time, we would not have the type of government we have today.

I ask the government to consider what kind of a precedent they are setting when they proceed unilaterally to override concerns of the provinces. This is obviously very evident when we have eight provincial governments taking the federal government to court. The federal government ignores what the provinces have been saying. This sets a very dangerous precedent, one that will have very bad implications for the manner in which our country is governed in the future.

In the remaining time I have, I would like to speak of some of the concerns we have for western Canada. Many of us in western Canada do not understand why the Constitution has suddenly become such a matter of priority. I think most of us would say that although we do not think the BNA Act is 100 per cent perfect, it has served the area of the country that I come from extremely well. Manitoba came into confederation in 1870, as did British Columbia. This past year Alberta and Saskatchewan celebrated their 75th anniversary in confederation, having entered confederation in 1905.

Although we have had many concerns over the way we have been treated as parts of this country, I think we agree that the Constitution has not prevented us from doing a fair job. I find it unfortunate that for some reason we have decided on a very urgent and self-imposed time-frame in which to change the Constitution.

In the western part of the country, we are not so much concerned about the Constitution as we are about the way government institutions function, and how they take into account our concerns. I can cite many examples. One could talk about transportation for the rest of the evening; one could talk about tariff policies, and what they do to western Canada, not only in terms of the costs we incur in purchases, but in terms of establishing manufacturing industries. One could also talk about the way government committees, boards and tribunals operate.

A case in point is the International Joint Commission, the commission set up to look at problems which arise from time to time in relation to the large border we share with the United States. The International Joint Commission is made up of Americans and Canadians. Western Canada has a border with the U.S. approximately half the total length of that border. It stretches from the Manitoba-Ontario border right to the Pacific Ocean; yet there has never been a member from Western Canada appointed to the International Joint Commission. The Garrison project, in Northern Dakota, will affect Manitoba adversely, and we have problems in respect of west coast fisheries. However, western Canada has never had a member on the International Joint Commission.

The Canadian Transport Commission is a regulatory body that oversees many of the areas of responsibility of the Department of Transport. It is centralized here in Ottawa, and has had a branch in Winnipeg for a long time. The Winnipeg branch really has not been as much of a branch as it has been a sort of clearing house for information purposes. Approximately two years ago, a western section of the CTC was established in Saskatoon, yet it has not been given the necessary authority to deal with transportation problems which affect western Canada. Matters are so bad that this very important body has not yet been able to locate in proper office space, despite the fact there is a large amount of square footage of office space available in Saskatoon. It has not been given the authority or the responsibility to plan many of the expenditures the federal government makes as a result of railway transportation policies in this country.

I find that to be very unfortunate in that here we have an institution of the federal government which could be very responsive to concerns in western Canada because of its location, yet because of the attitude of the central government it is not given the necessary responsibility. The result is not only alienation, because of our unhappiness with not having the decision-making power located in western Canada, but also inefficiencies of government because the commission in Saskatoon does not have the necessary autonomy. It is in a much better position to make value judgments on many of the transportation issues of the day, being located in an area where those transportation policies will show results. However, we still have directives coming from Ottawa.

• (1810)

In western Canada transportation is a very important issue. In terms of geography we have a very large country, and one of the many things that binds us together is transportation policy. This is particularly so in western Canada where distances are so vast relative to other areas of the country. An air route was recently awarded PWA to allow it to fly from Calgary to Brandon to Toronto. It required a change of transportation policy on the part of the previous minister of transport, the hon. member for Vegreville (Mr. Mazankowski), even to get an application before the Canadian Transport Commission so that Brandon could receive jet service. That policy announcement was made in November of 1979. It took over a year to award the route to PWA, despite the fact that PWA was the only applicant and despite the fact that when PWA did apply it did not ask for a subsidy.

If we had a transportation policy which was genuinely attuned to our areas of concern in western Canada—in all of Canada—it seems to me this important air route would have been awarded much sooner.

I was also disturbed about the make-up of the commission which heard the PWA application in Brandon back in October. I felt that two commissioners from Saskatoon should have been among the three who heard the application, but I was told two commissioners on the panel from western Canada was not acceptable because that might prejudice the board's decision in favour of western Canada. That was a terrible thing to say. I do not understand how three commissioners from eastern Canada judging an issue affecting eastern Canada could not be seen to be prejudiced in favour of eastern Canada.

Perhaps I should say central Canada to keep myself clear with my colleagues from the maritimes. I do not understand how we can have that type of double standard in terms of the way commissioners are selected to make judgments with respect to transportation policy in different parts of the country. I find this a very deplorable attitude on the part of the federal government with respect to transportation policy.

We in western Canada feel very strongly that we would like to be able to make a contribution to the whole country and more of a contribution in terms of the things we can produce for export. We know that there is a very large demand for cereal grains around the world. We will have to work very hard to meet the demand to feed people, yet we are lacking transportation policies which would allow western farmers to export the things they produce. Such an ability would not benefit just our area of the country but the country as a whole.

Many hon. members opposite ask why we mistrust the government so much. They ask why there is so much concern about the resolution as it is drafted. It should be obvious to them why there is so much mistrust. I would like to cite an analogy. We all know that Jack Horner sat for many years in this House as a member of my party. I do not know how many times he was elected, but I believe he served the area of Alberta he came from for years as a member of this House. He was a very popular member. I understand he was a very hard-working member. He obviously did a good job for his constituents, or he would not have enjoyed their support for so many years. Yet when he decided for some reason—I do not think it will ever be known to me—to cross the floor and sit with the Liberal government, he subsequently lost his deposits in two federal elections. He lost his deposits because of the distaste people in his riding had for the policies the Liberal government had been carrying out. It seems to me the Liberal government should be in a position to carry out policies which would be favourably received by all the people of Canada because, as has been pointed out, Liberal governments have been in power here for 18 of the last 20 years. A government in power has the ability to pursue the policies it sees fit. The government of the day has not seen fit to pursue policies which treat fairly what I think is the most important, dynamic, vital and growing area in the country. This has been the case for the past 18 years. If the government had pursued such policies there might be at least one member elected from that area of the country. It should be obvious to the government that if we mistrust it or do not go along with it on matters with which we feel we are fairly familiar, such as freight rates or postal service, etc. it should not expect the people of western Canada to trust it to do the right thing in that region of the country with respect to something as involved as the Constitution. This is a point the government should consider when it is pursuing the constitutional resolution we have before us.

I also do not understand and cannot really find any valid reason why the government should set a self-imposed deadline, and try to meet that deadline. This is a very artificial and counterproductive way to proceed. It was pointed out previously by a speaker this afternoon that a document connected with the first ministers' meeting here in Ottawa back in September had many insidious tones. There has been some concern about the Prime Minister speaking with tongue in cheek, and about his not being totally forthcoming with respect to all of the facts concerning representations he made to the Prime Minister of Great Britain about the opposition of the provinces to the constitutional resolution. If we cannot negotiate in good faith and realize that there really is no reason to be in a hurry except for our own self-inflicted, artificially-imposed time limit, then really we have no good reason to proceed.

The Minister of Justice is still in the House. I do not know whether he is listening, but there is a short article in today's Montreal *Gazette* under the headline "More support us: Chrétien". The article reads in part as follows:

> "There are more now who agree on the basics," he told a meeting of the Quebec wing of the Liberal national council.
>
> "They all accept the principle of patriation. They support a bill of rights and more and more people are defending the Victoria amendment formula."

It seems to me that that is a very solid argument in favour of removing the July 1 deadline and trying to get the premiers back to the negotiating table. I should not say trying to get them back to the negotiating table; they have offered to go to the negotiating table, but the federal government has not seen fit to take them up on that offer. If the Minister of Justice is sincere in what he says about more people supporting him, and that coming about as a result of a lapse of time and a "better understanding" on the part of the people about what is happening, I hope he will pursue the offers made by the provincial premiers with respect to going back to the negotiating table. If we do in fact have a constitutional resolution which the premiers cannot support and are not willing to go along with, we will certainly be damaging ourselves in the long run.

We have to act as mature people. We have to be mature when we go into a union or any arrangement to work together. That is what a constitution is really all about. A constitution is composed of ground rules by which we govern ourselves and under which we want to work together in the future. It seems to me if we do not have a consensus approach, as in which this government apparently is not interested—it is using an imposition approach—we destroy faith, maturity and a sense of feeling good about our country. We cannot afford to destroy a feeling of good will when we go into a union, and that is what we are discussing. We are talking about a reunion: a rebirth of our country. I strongly urge the government to consider this in the process. I again point out in the strongest terms that process has to be considered as a very important part of the way we adopt this constitutional resolution.

In closing I will simply say that unless the government is willing to be more flexible, and negotiate with the provinces in a meaningful way, the process by which it will accomplish this constitutional renewal and patriation will cause very severe scars which will take a long time to heal.

The Minister of Justice should pay attention to what the people of Quebec are telling him about how Quebec members of Parliament should vote. If he is serious when he says more

people agree with the government, and if he believes that, I hope he will take more time, make some effort, sit down with the provinces, try to agree on an amending formula and settle some of the differences with many of the provinces over the way the government is proceeding with the constitutional resolution.

• (1820)

Mr. Vince Dantzer (Okanagan North): Mr. Speaker, it is indeed an honour to have this opportunity to address the House of Commons of Canada on the issue of constitutional reform. It is an honour and, more than that, it is a responsibility given me by the residents of Okanagan North, a responsibility which I take very seriously.

Over the past few months, many speakers have commented on the historic overtones surrounding this debate. They have said, and I agree, that we may well be adding a sentence, a page or perhaps even a chapter to the history of this country. However, let us hope the chapter we add is but a continuation of what has been a long and honourable history of our Canadian federation, and I emphasize the word "federation"; a federation which has worked well and has truly served this diverse land with its multicultural population. I hope that, because of the tenor of the document before us, we are not writing the last chapter of a pocket book on the final fulfilment of one man's ego.

The opportunity to join the constitutional debate this evening is a delayed opportunity. I was ready to participate last December when this government used closure to end that stage of debate in the House of Commons. I am certain it is the first time in the history of any democratic country anywhere in the world that duly elected representatives of the people were denied the opportunity to speak on what is the fundamental law of any civilized country, the rules by which we seek to govern ourselves; our Constitution. I understand the government is again threatening closure of this debate if we, the members of this House, do not conduct ourselves according to the government's wishes. It is truly an ironic state of affairs.

This government says it is introducing a bill of rights to guarantee our basic freedoms, but to do so it feels it necessary to deny that most basic right of all, the right of parliamentarians, the people's elected representatives, to freely discuss and debate the proposed legislation before the House.

Closure was imposed in the House on October 23 of last year. That first use of closure provided real evidence that the procedure and the strategy outlined in that infamous Kirby document were actually being followed by the government. You will recall, Mr. Speaker, that was a document with a self-fulfilling prophecy. It predicted the failure of last summer's constitutional conference; outlined a plan in the event of failure and concocted a strategy to place the blame on the provincial premiers. During last summer, the premiers were subjected to a form of closure because time after time they were threatened by an imposed deadline.

This process of unseemly and undue haste, this attempt to impose deadlines, has continued during the whole constitutional process. First of all, the government refused to permit television broadcasting. Then, under intense pressure from the Progressive Conservative Party, it reluctantly allowed the Canadian people to see the committee in action by means of complete television coverage. Again the committee began to sit on November 6 of last year and was immediately advised that there was a December 9 deadline, at which time its proceedings were to be concluded. Again, intense pressure from the Progressive Conservative opposition on the government finally resulted in the extension of the deadline to February 13 of this year, which was the date originally demanded by our party. Throughout this process, the government has made every effort to limit discussion and free debate of this resolution. They have attempted to limit the participation of the Canadian people in their own Constitution. Their heavyhanded arrogance has almost made a mockery of the democratic process.

Finally, when the government limited the number of constitutional experts they would allow to appear before the committee, it became abundantly clear they had every intention of approaching constitutional reform in a dictatorial manner, allowing no input from anyone except their own hired hands and their own bureaucrats.

I suggest to you, Mr. Speaker, and to members of the House, particularly to those on the other side, that we in the west are familiar with the real estate agent who tries to sell you a house or an apartment block in great haste and, in an attempt to do so, makes every kind of deal possible with everyone. We know that in such cases the buyer is well advised to look for termites in the basement of the house the agent is trying to sell him. We also know that when a car dealer tries to sell a used automobile and attempts to conclude the sale in a rush, the buyer is well advised to look for sawdust in the crank-case. Similarly, when a prime minister of Canada, particularly if he is a Liberal, tries to rush through the constitutional resolution, the people of Canada had better take a long and close look at the small print because something is bound to be there that the Prime Minister (Mr. Trudeau) does not want them to find.

Much of the apprehension, distrust and, indeed, anger at this resolution, which is apparent throughout this country, is due to the unseemly haste with which this document is being rushed through the parliamentary process. Time after time at the committee stage witnesses pleaded for more time. Archbishop Clark in his presentation to the committee admonished the committee to take more time to reflect and to study the document to ensure that it is properly conceived and to allow the Canadian people to have an input into it.

In my own constituency of Okanagan North a group was formed which made a simple request, after a great deal of study that the deadline be extended by six months, and that the committee be allowed to travel throughout Canada. The group collected almost 3,000 names on a petition in support of their request which they sent to the Prime Minister and to the committee. Of course, the Prime Minister ignored this petition, as he did a 750,000 name petition which he received from Quebec, his own province.

At the beginning of this debate, the first time the hon. member for Provencher (Mr. Epp) spoke at this stage, he uttered what I consider to be prophetic words; that time does not respect that which is done without it. I suggest to the House that time will indeed deal harshly with this hastily conceived and badly flawed document. As the debate on the Constitution has progressed over the past months it has become evident to me, and I think to many people, because many speakers have pointed to this problem, that the debate proceeded on two completely different philosophies of what this country was, is now, and should become in the future. This debate has gone on in one form or another since Confederation. It involves the very nature and I believe the very foundation of this great country.

● (1830)

Those who support the government's resolution—the Liberal members of this House, the Hon. Leader of the New Democratic Party (Mr. Broadbent), some members of his party and of course the editors of *Pravda*—favour a strong central government and would see Canada eventually become a unitary state. It is clear to those who understand the socialist mind why all socialists, except for the possible exception of the Premier of Saskatchewan, support a unitary state. Obviously the devout goal of all socialists is to ensure that the state owns the means of production, including land. Of course this is only possible in a unitary state with all power in the central government. The Premier of Saskatchewan believes in that particular theory because he bought up most of the land in Saskatchewan. But it is not clear to me why the Liberal majority in the House has adopted this socialistic goal. It is possible, perhaps probable, that the government backbenchers are only slavishly following the dictates of the Prime Minister. Perhaps they are not even aware that the path they have chosen to follow inevitably leads to the destruction of federalism and the formation of a unitary state. The government has now travelled so far down the socialist road that perhaps it is hard for the hon. members opposite to distinguish. On the other hand, perhaps they are aware, being for the most part from the provinces of Ontario and Quebec. Perhaps they are aware that historically, Ottawa runs this country for the benefit of central Canada. Indeed those Liberal backbenchers may be more subtle and astute than we think. They may even realize that if Canada becomes a unitary state, nothing much will change for Quebec and Ontario.

The other side of the great debate is espoused by those of us who believe that Canada was created in 1867 as a federal state, and by those who believe that the destiny of this great land, with its immense distances, its linguistic and ethnic differences, its diversity of culture and its extremes of climate, could only be realized in a strengthened and renewed federalism. For the most part these people are Progressive Conservative members of the House.

There has never been any contest in the House over the issue to patriate the Constitution to Canada with an acceptable amending formula. In fact, the Conservative party moved such a motion and it was defeated by the hon. members opposite. There has never been any real contest in this House or elsewhere over the issue of a bill of rights. Certainly I think most people agree that the time for a bill of rights is now. But the contest in this debate since the resolution was first introduced has been in what country that bill should be framed and passed into law. That has been the contest, that has been the concern, that has been the issue. It has been the subject of discussion and debate in committee and in the House. Only to a degree has the contest involved what kind of bill of rights we want. The real issue which has arisen in this constitutional debate is: unitary state or federal government, which shall it be?

The constitutional resolution of the government now before the House contains three elements which, if carried into law, would inevitably lead the country down the road to a unitary state in which provincial governments would become political eunuchs, at best, or, at worst, would disappear altogether. The first element leading to a unitary state is the break with tradition, by asking to change the British North America Act unilaterally in matters affecting exclusive provincial jurisdiction. This action strikes at the very heart of federalism and defies constitutional conventions which have emerged since 1867.

Secondly, the proposed amending formula of this government makes it inevitable that the federal system will disappear and that a centralized unitary state will emerge. The perpetual veto of Quebec and Ontario in the amending formula, aside from the fact that it unnecessarily creates second-class provinces and, by implication, second-class citizens, confirms the charge so well expressed by another member on this side of the House that the Prime Minister conceives this country as consisting of Upper and Lower Canada and those provinces in the so-called outer Canada; those people living in provinces outside the central area.

The constitutional resolution before us also proposes a referendum as a means of an amending formula, and it allows only the federal government to initiate and control the referendum process. This is another major proposal which will lead inevitably to a unitary state. This fact is recognized throughout the country in all provinces where the concept of federalism is held essential; in fact in all provinces outside central Canada. That is why there has been so much violent opposition to the introduction of this resolution in its present form. That provision was the one which Premier Blakeney of Saskatchewan could not swallow. It was, so to speak, the chicken bone in his throat which finally forced him to join the other western and eastern provinces in rejecting this proposal.

Why are we so disturbed that this resolution, as drafted and placed before the House, will eventually result in more centralization of power in Ottawa and eventually a single unitary state? It is fair to say we are disturbed because our present federal system of government is uniquely and ideally suited to the needs and requirements of this great country. We in this country today have a form of government which really was not foreseen by the Fathers of Confederation. We have a federal system which has been molded over the years by experience

and by changes made to meet the circumstances of the times and conditions of our unique country. Today we have a system of federalism which is well tuned and finely honed to meet the peculiar and challenging requirements of a country so large and diverse as Canada, even though that system might not suit the centralist tendencies of the present government.

When the Fathers of Confederation first met and eventually worked out the details of the British North America Act, they sought to avoid—at least some of them—what they thought were dangers in the decentralization which took place in the United States. In 1867 they felt there was a grievous error in the way that country had developed since its beginning, and as it was emerging in 1867. Therefore, some of the rules and regulations they laid out in the BNA Act were designed to specifically give certain rights to each province and certain rights to the federal government.

● (1840)

However, history has no respect for experts and today we find both the Government of Canada and the Government of the United States considerably changed from what they were in 1867. Today in the United States we find that the government in power is centralized in Washington. The power of the states has almost disappeared. Today there is also the thought by people who have examined the workings of that government that the government in Washington is out of control. They say the government is ungovernable and unmanageable. The new President of the United States has been saying recently that there must be more decentralization, that more power and more responsibility must be given to the states if their problems are to be solved.

In this country we are saying there should be more centralization. We must surely have learned by the experiences of other countries such as Sweden, England and the United States, where centralization has made governments grow to such an extent they are no longer manageable.

Over the years in this country we have seen a somewhat different story, in spite of the drift toward centralization which occurred during the depression and the Second World War. At those times provincial governments recognized the need for more power in Ottawa in order to prosecute the war more efficiently. After peace arrived in 1946 the succeeding years saw more responsibility being taken by the provinces. This can be seen in the spending studies issued by the government recently.

In 1867 grants and subsidies from the federal government represented about 80 per cent to 90 per cent of the revenues of the provinces of Nova Scotia and New Brunswick. At that time grants and subsidies represented between one half and two-thirds of the revenues of the then provinces of Ontario and Quebec. A number of years later, in 1920, we can see that the provinces were collecting 65 per cent of the revenue and the federal government only 35 per cent. Through experience Canada had become a much more decentralized country by 1920.

If we again look at those statistics for 1945 we see that the federal government's tax levy reached almost 72 per cent and that provincial and municipal levies reached only about 28 per cent. Those figures show a dramatic shift of power in those years from the provinces and municipalities to Ottawa. Again, this was because Canadians felt it was necessary to shift the power in order to prosecute the war successfully, which, of course, we did.

Going over the statistics, looking at 1978, we see that the provincial share of revenue has risen to almost 55 per cent. As soon as the threat of war was over, the people of this country again felt that in order to fully satisfy the needs and desires of citizens in each part of the country it was necessary to decentralize the power, and so they did. These statistics show that the people who raised most of the money were the provinces and the municipalities, since, so to speak, that is where the action was. This indicates that the people of this country instinctively followed the old political rule of subsidiarity, which means that rules and laws should be made at the level where their impacts are felt most. I think that is a political rule this government seeks now to forget.

My suggestion, Mr. Speaker, is that over the years the Canadian Constitution has proven to be a highly flexible document. This recently-issued report highlights the fact that the BNA Act has proven adequate to enable Canada to handle the change from a rural society of many years ago to what is now essentially an urban and industrial community. Our Constitution has enabled us to make this change easily. I believe we all know that during that period of change there was a tremendous growth in governments at all levels. In spite of that growth the present system is highly flexible. It is very responsive to the needs and requirements of individual provinces. Our present Constitution has been a success since it has resulted in a decentralized system. Only Switzerland, considered to be the most decentralized country in the world, is more decentralized. Our system is one in which both the provincial governments and Ottawa are strong and well equipped to fulfil their particular functions. Neither Ottawa nor the provinces are autonomous. Autonomy has given way to interdependence. That is as it should be. That is why I oppose the imposition of this constitutional proposal, as does my party and many millions of Canadians. It proposes to break up a system which has worked well in the past and which will work well in the future.

In a country such as Canada there must be co-operation and ongoing consultation. This country is just too big, too diverse to be run solely from Ottawa as envisaged by these proposals. The future must see the continuation of the trend to develop major national policies by consultation and discussion and not in a unilateral fashion, as has been evidenced by this constitutional process.

This House should be aware that western Canada will never again tolerate the system of centralized government in Ottawa when the voting control of that government remains in the hands of Ontario and Quebec on every issue, and in particular on those issues which fundamentally affect the basic interests

of western Canada. We have seen the results of that kind of effort in the rise of alienation and in the increased feeling of separatism which presently exists in western Canada.

We all know this is a far better document because the Conservative opposition, led by our leader, was successful in prolonging the debate on this subject, thereby allowing greater participation by the people of Canada. However, it is still a flawed document. It is flawed because the way in which it is drafted purports to confer and grant rights. I would like to speak for a moment on this issue.

As has been said many times, and expressed far better than I am able to by speakers from the Progressive Conservative Party, fundamental freedoms are best protected and preserved by the recognition of the principle that rights originate with human beings. The freedom and dignity of the individual exists and derives from the nature of the human being. All governments can do is to confirm and protect those rights.

● (1850)

We should ask ourselves, what are we doing when we attempt to develop a constitution? What are we doing when we attempt to devise that most basic of all laws? Are we not simply attempting to devise a set of basic rules governing man as a social person and governing the relationship of man to man? In building that set of relationships should there not be an affirmation of the basic principles upon which our western society and our nation has been built?

In the constitutional committee the member for Rosedale (Mr. Crombie) expressed this when he said, "Constitutions are made up of values, interest and beliefs of the people . . . It cannot do so unless the fundamental source of the principles upon which that society rests are articulated clearly . . . The fact of the matter is that our rights do not come from the government, but from other sources, from tradition, from God . . . The essential kernel of western democratic faith is such that dissent is allowed from government and dissent has come by an appeal over governments to God. That is the history of our tradition—" That is what the hon. member said, and I agree.

The definitions of our freedoms and rights in this country had some of their beginnings in the common law of England which at the end of the twelfth century was already set toward the making of a free and democratic society of responsible men and women. The design is clear in that most famous of documents, the Magna Carta, of which Archbishop Stephen Langton was the architect. The famous words of that charter embody the following formula:

> No free man shall be taken or imprisoned or disseised of his free tenement or outlawed or exiled or in any way destroyed unless by lawful judgment of his peers.

The Magna Carta, as wrested from King John, was hailed as a great bill of rights. Yet it bestowed nothing on the English people. It merely recognized their rights, chiefly the freedom of free men and women.

This tradition continued and appeared in the American constitution in the now famous passage, which reads as follows:

> We hold these truths to be self evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

This charter before this House bestows nothing on the Canadian people. It merely recognizes and attempts to protect rights already existing. That is why the Progressive Conservatives moved that the preamble to the John Diefenbaker bill of rights be introduced into this charter. That preamble read in part as follows:

> The Canadian nation was founded on principles that acknowledged the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions.

I personally, and there are many across this great nation who agree, cannot accept a charter which does not express clearly and identify the source of all rights and freedoms as deriving from the nature of the fact that we are human beings.

There are other flaws in this document, flaws due to the process and haste which has characterized the passage of this resolution. Where are property rights? During the committee hearings the hon. member for Provencher proposed the following amendment:

> Freedom from unreasonable interference with privacy, family, home, correspondence and enjoyment of property.

These basic rights have been accepted in our tradition for hundreds of years. They appear in the Magna Carta. They were present in John Diefenbaker's bill of rights, yet the Liberal majority at the direction of the New Democratic Party retreated from the position of acceptance to one of rejection and refused to allow the charter to guarantee the right of Canadians to own and enjoy property. "A man's home is his castle", but not in Canada under a Liberal and NDP government.

If we are to have a charter, then let it be the very best we can compose, working together. Such a charter, for example, would commit this confederation to ensuring, so far as humanly possible, equal opportunities for all citizens, including equality under the rule of law for rich and poor alike, and equal protection against discrimination of all kinds, including discrimination because of sex, age and economic means. For example, women should be safeguarded against discrimination because they are women, or because they are elderly women, or because they are elderly women without the wherewithal to live free from want and fear in their retirement years.

In this instance I agree with those who say that an adequate charter should include some recognition of economic and social rights, as well as political, legal and civil rights. After all, the 1948 United Nations Universal Declaration of Human Rights and later international covenants, which Canada has formally endorsed, list various economic and social rights, including the right to a standard of living adequate to the health and well-being of every person and family.

Further, I concur with an observation made by the B.C. Federation of Labour in its recent submission to the constitu-

tional committee when it said that for most citizens social and economic conditions have more day-to-day significance than civil rights and political freedoms which are established. That, to a large degree, is like people in western Canada and people in all parts of Canada wondering why we spend so much time on this Constitution and why the government has not spent more time bringing forth solutions to end inflation, high interest rates and unemployment.

There is another point. In at least two provincial codes, or charters or rights, there already exists an equivalent or implicit recognition of economic and social rights. The British Columbia code prohibits discrimination on any ground except where reasonable grounds can be demonstrated. Quebec's charter of rights and freedoms prohibits any discrimination because of social condition. I suppose social condition would include insufficient income for basic human needs. It should never stand in the way of senior citizens, most of them elderly women, who have given so much to their country.

Such discrimination is intolerable. More Canadians would recognize this unacceptable state of affairs were such lack of opportunity and financial discrimination prohibited in any future, much improved charter of rights.

This Constitution is also flawed because it does not adequately deal with collective rights. The Federation of Independent Schools has correctly pointed out that as the charter now stands, section 15 might well endanger the ability of certain organizations to provide services to their constituents. The charter should be changed to include an exemption clause, as they suggest. As it now stands, the charter may take away rights that currently exist.

Finally, I believe that the right to life is inadequately guaranteed in the charter. First, and I have said this earlier, the charter should make clear that the right to life is an inherent right belonging to all human beings because of their humanity. It is not a gift of this charter.

My own persuasion is that the charter should clearly protect the right to life of the unborn. However, I realize there are those in this House who strongly object to the mention of such a proposal, and it would not likely be enacted.

Therefore I would urge this government to adopt the Progressive Conservative proposal that the charter clearly confirm that the issue of the right to life of the unborn and the issue of capital punishment should be decided by the Parliament of Canada, and that nothing in this charter would prevent that.

Mr. Speaker, I should like to call it seven o'clock.

Mr. Deputy Speaker: The hon. member's time has expired. He cannot call it seven o'clock.

Mr. Taylor: On a point of order, Mr. Speaker. The hon. member started at 6.21.

Mr. Deputy Speaker: The hon. member started at 6.20. It being seven o'clock I do now leave the chair until eight o'clock.

At seven o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, all of us are very anxious to speak in this debate. Some of us are getting short notice but I am here tonight and I will do the best I can to make a contribution.

One of the most interesting things so far with regard to the whole constitutional package and the Bill of Rights is the number of responsible Liberals left in the country who are speaking out against the manner in which the government is trying to patriate the Constitution. I want to quote from a recent article in the *The Gazette* under the heading "Four Liberal senators balk at BNA bill." It reads:

> At least four and perhaps as many as eight Liberal senators will break party ranks to vote against Prime Minister Pierre Trudeau's constitution reform resolution.
>
> In a series of interviews, the . . . senators said they are deeply concerned by the legal, ethical and political implications of the resolution and warned that Trudeau's action could destroy the country.

Of course, destroying the country would not bother many members on the opposite side. That is the program they embarked upon many years ago. They have balkanized this country, they have put it into bankruptcy and they have left us at the mercy of OPEC. But what else is new?

The article continues:

> Echoing Progressive Conservative arguments, the senators criticized the proposed charter of rights and Ottawa's determination to move unilaterally against the wishes of eight of the 10 provinces.
>
> One of the senators said Trudeau was "mad" and two others accused him of steamrolling over critics, including those in its own caucus.

When the Prime Minister (Mr. Trudeau) was in Brazil in January, we read that he arrived there in his running shoes and in a seersucker suit. The honour guard was standing at attention with their guns on their shoulders. What does our Prime Minister do? He hands them bars of soap. When you read reports like that of the Prime Minister cavorting around this world, it is no wonder some Liberal senators are calling him mad.

We read on as follows:

> Some claimed that more than a dozen of their colleagues would vote against the package, but party insiders believe only four have made such a decision.
>
> They include George McIlraith (Ontario), former solicitor general and government leader in the House of Commons, Eric Cook (Newfoundland), Paul Lafond (Quebec)—

Mr. Lafond is a personal friend of the Prime Minister and one of his first appointments to the Senate.

The article continues:

> —and Jean-Paul Deschatelets (Quebec).

Four other Liberal senators—Andrew Thompson (Ontario), Ann Bell (B.C.), Daniel Lang (Ontario), and Henry Hicks (Nova Scotia)—are now leaning toward opposition.

I guess they like to sleep at night. Also, one of the best contributions to the debate so far in the Senate was that of the Hon. Eric Cook, a Liberal senator and former judge; as reported at page 1838 of the Senate *Hansard* for February 24, 1981, as follows:

I am opposed to the resolution because I am opposed to the federal government's unilateral action notwithstanding the disapproval of the majority of the provinces and the majority of Canadians.

I read part of his address the other night. There are a few other points I want to put on the record tonight. Senator Cook said:

Fifty-four years ago I became a law student, and one thing I have learned for certain during that long period is that judges are often traditionalists but not often reformers.

Senator Cook was referring to judges handling our human rights. He goes into great detail on how time delaying and costly it can be for a Canadian citizen to go through the courts to protect his rights. He refers to the Liberal Party's constitutional package as a "dog's breakfast". Senator Cook said:

For us to adopt the attitude, however, that the Parliament of the United Kingdom has to pass blindly any "dog's breakfast" we send over is neither reasonable nor rational.

Senator Cook continued by saying this:

I would agree that the U.K. Parliament should not endeavour to amend or improve any measure we send over, but I most firmly believe that any independent or self-respecting parliament can certainly reject it. To put the case clearly, suppose our charter of rights contained provisions repugnant to human rights. Must the United Kingdom pass that? Of course not. The answer would be, "Pass it yourselves, if that is what you want; but we will not." However, if it may be rejected because it lacks merit, it may also be rejected because it lacks a reasonable degree of support, because it is being imposed by a minority of sovereign partners on majority of sovereign partners, and by a minority of the population on the majority of the population.

A Liberal senator said that, one who has been around for many years and who has a lot of experience. Protecting people's rights, both basic and human rights sounds great. It is really a motherhood issue.

● (2010)

However, when we look at how the Liberal Party has become involved in protecting people's rights, we see there is a lot to be desired.

I wish to refer to a recent case that went through three different courts and ended up in the Supreme Court. A federal civil servant with the Ministry of Transport was placed in a very unfortunate position. Because he was not able to learn the French language, the Liberal government leaned on him to get him out of his job. He was threatened and harassed and told to move from Montreal to another city.

This civil servant took his case to court where it took five years to prove the Liberal government was wrong in harassing him. Where was the Liberal government that protects people's rights? The Parliamentary Secretary to the Minister of Transport (Mr. Bockstael) sits there with a big smile on his face. He thinks this is a big joke. He nods his head. It is a big joke, harassing individuals.

Mr. Bockstael: On a point of order, Mr. Speaker. I do not think it is in order for the hon. member for Winnipeg-Assiniboine (Mr. McKenzie) to make those remarks. If I choose to smile at something one of my colleagues has said to me, it should not be inferred as making light of what the hon. member for Winnipeg-Assiniboine is saying.

Mr. McKenzie: Mr. Speaker, I am glad you did not recognize that as a point of order. The parliamentary secretary has not spoken about this individual. My point is there are laws to protect individuals such as this. He should not be removed from his position because he cannot learn to speak the French language. I repeat, after having been harassed by the Ministry of Transport and being forced to move to another city, he had to spend five years in the courts defending himself. Where was the Liberal Party which looks after the rights of people? They were nowhere to be found.

An hon. Member: Where were the Conservatives?

Mr. McKenzie: This case was recently brought to my attention. Therefore, I am now speaking on it. I am sure that no Liberals will speak on it. Neither civil servants nor anyone else should be threatened with dismissal for not being able to learn to speak French or English. No unilingual Canadian should be threatened the way Mr. Kelso was threatened in Montreal. He took an aptitude test which showed that he could not learn the French language. Not everyone is capable of learning a second language, and they should not be harassed because of it. I do not see anything in the Liberal package, and I am sure we will never see anything, to protect these people. This is nothing but windowdressing. There is another one smiling and snickering.

Some hon. Members: Oh, oh!

Mr. McKenzie: We should return to the merit system in this country, not quotas for jobs and threatening individuals who cannot learn another language.

I hope Mr. Kelso will be fully reimbursed for his legal fees, every red cent. When I was in touch with this gentleman, he told me he was going after his legal fees. I hope the Parliamentary Secretary to the Minister of Transport will ensure that he is fully reimbursed after having spent five years in the courts in order to save his job. He should also be paid his additional costs for transportation back and forth from Cornwall to Montreal to visit his lawyer. We will see how many Liberals speak on that matter.

I will be pursuing this matter in committee if Mr. Kelso is not fully reimbursed. He was reduced to the role of a second-class citizen because he could not learn another language. That is the great Liberal Bill of Rights. Justice, my foot!

I quote from a *Globe and Mail* report on Mr. Kelso's case:

Noting that Mr. Kelso had been told to accept within two days or be dismissed, he ruled that this threat of dismissal was illegal. It would be

intolerable if employees were forced to risk disciplinary action to preserve their legal rights, he said. Rights are not extinguished by obeying the employer's instruction while at the same time contesting his decision.

After five years that was the ruling of the court.

There is another case which was brought up a number of years ago. I thought the matter had been settled, but it was again recently brought to my attention. It involved a question of the rights of an individual, entrenchment, and so on. I quote from the February 15, 1981, *Toronto Star*:

Five years after he was fired from Canadian National Telecommunications, Bernie Maguire is no closer to learning why he failed a security clearance.

Maguire knows about the document that got him fired, but he can't see it for security reasons.

And even if Maguire got the information he wants from his security file, he was told he would be charged under the Official Secrets Act if any of it was made public.

Today, Maguire, 28, is a bus driver in Edmonton.

"If I have any hope at all of getting back into electronics, the dismissal has to be cleared up," the former radio technician said in an interview. "I'm not giving it up."

He was fired from CN Telecommunications because of a hidden security test he could not find out about. He still does not have the matter cleared up five years later. CN Telecommunications comes under the MOT. We will see whether the parliamentary secretary looks into Mr. Maguire's case. He now drives a bus because he got the boot from CN. They would not tell him why. This bill of rights is a big joke for the Liberals. They are only interested in Ontario and Quebec.

Now we will get a little closer to home. A recent headline read "Commons guards riled about Sauvé's remark."

Some hon. Members: Oh, oh!

Mr. McKenzie: There are approximately 260 uniformed security guards on Parliament Hill. Approximately 52 are unilingual English. They have been informed they can no longer be on duty at any main entrance or in the galleries. Instead, they are being relegated to walking the corridors. They will not be promoted. Where is there any justice in that bill of rights?

Mr. Deputy Speaker: Order. The matter to which the hon. member refers could be discussed before an appropriate committee of this House. Because this matter refers to the jurisdiction of the Speaker, I suggest the hon. member avail himself of that committee.

Mr. McKenzie: Mr. Speaker, it was discussed before the appropriate committee of this House, the public accounts committee, on Thursday, February 12. This is public information. I am not raising anything new. The statement was made that for "humanitarian reasons" these 52 unilingual English uniformed security guards will be kept on staff. What an insult. Where is the justice there? What are the Liberals going to do about these English-speaking Canadians who are being treated in this way? It is a terrible crime.

● (2020)

The particular Liberal that raised this in committee stated, "If there is only one who does not speak both languages, it is too much." All of these unilingual English security guards, uniformed guards that have been here for years—some of them are sergeants—are not supposed to be here. He wants them all put off the staff. Where is the justice in the Official Languages Act? Why did the Liberals introduce that phony resolution in June, 1973, and then introduce Clause 6 or Clause 7 so that we can protect these individuals because they are not supposed to be treated this way? Where is the fairness?

The Conservative Party has gone along with your bilingual policy to promote bilingualism and teach other languages in the schools. All we get is a bunch of Liberals yapping and yelling there. They think this is a big joke. If they had their way, they would kick the 52 unilingual English right out of here.

An hon. Member: Look who's talking about fairness. Look what you do to Joe.

Mr. McKenzie: So, we do not hear any Liberals speaking—

Mr. Deputy Speaker: Order, please. The hon. member for Winnipeg-Assiniboine (Mr. Mckenzie) has the floor.

Mr. McKenzie: Thank you, Mr. Speaker.

An hon. Member: Geronimo.

An hon. Member: Wait till Joe gets you.

Mr. McKenzie: Yes, that is about the size of the contribution we will hear from the Liberals; yelling "Geronimo", and, "Joe". The bill of rights; what an utter fraud. What an absolute farce, Liberals concerned about a bill of rights. All they are concerned with is their votes in Quebec and Ontario.

An hon. Member: You were the farce on Friday night.

Mr. McKenzie: We will have no comment from the Liberals on the injustice to that air traffic controller, or Mr. Maguire or the 52 unilingual English who are being abused right here, where we should be practising justice toward all Canadians, regardless of their ethnic origin or what language they speak.

An hon. Member: Even Joe Clark.

Mr. McKenzie: Yes, even Joe Clark will speak up for these people. It certainly will not be any Liberal.

Also, we get an example of what the Liberals are saying in Quebec. I want to read from a recent Montreal *Gazette* article which says:

Another group of Quebec Liberals has come out against the party's plan to allow children to attend English-language schools in Quebec simply because their parents' mother tongue is English.

Do you hear any Liberals speaking on this? No, of course not. There is nothing like this in their bill of rights to protect the English in Quebec; not one word. Do you hear them saying anything against Bill 101, or anything else?

An hon. Member: You have to read it.

An hon. Member: He can't read.

Mr. McKenzie: Some Liberal says I cannot read. I can read. I read only too well, Mr. Speaker. I have never been taken in by a Liberal in my life.

I want to talk about some other parts of this constitutional package, namely, property rights in respect of which the Liberals have been skating all over the place, because they were afraid they would lose the support of the NDP. They were concerned that they were not going to be able to confiscate property and nationalize industry.

Another section we are very concerned about relates to the affirmation of the sovereignty of God, and free institutions. This is in the same wording as Mr. Diefenbaker's Bill of Rights, which was accepted back in 1960. We are very concerned about freedom of information, which is not clearly defined in the constitutional package, and privacy of the home and family. The Liberals are trying to get into everybody's bedroom and livingroom. The Vancouver formula should be recognized, with the Queen defined as head of state.

We believe we should split the package in two. The Canadian package should be done in Canada by Canadians, as has been pointed out by prominent Liberal senators in the other place.

I would also like to quote from a recent *Globe and Mail* article with regard to the NDP and their position:

> Federal New Democratic Party Leader Edward Broadbent may believe that he has done what is right in throwing his support to the federal government's constitutional resolution; but the damage to Canada could be great. The damage to the NDP almost certainly will be.

I hope they are right on that point.

Let me give another example of rights, and we only have rights when it suits the government. Let us look at the new fighter aircraft contract. This so-called Liberal Party is supposed to be recognizing all parts of Canada. After they agreed on one fighter aircraft they would be purchasing, the Liberals immediately announced that 48 per cent of the industrial benefits of the NFA contract would be going to the province of Quebec, 48 per cent of the profit—

An hon. Member: A point of order.

Mr. McKenzie: Thirty-nine per cent—

Mr. Deputy Speaker: Order, please. The Parliamentary Secretary to the President of the Privy Council (Mr. Collenette).

Mr. Collenette: Mr. Speaker, I am as tolerant as the next one, but I do believe the comments made by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie) certainly transgress the limits of the resolution, and do not deal, in any way, even with the constitution. It is one thing for him to speak on the amendment dealing with the referendum of his own party provided by his own member from Manitoba, but he is not speaking on anything to do with the resolution. It is the old diatribe we have heard in this House since 1972. Mr. Speaker, I do think you ought to call the hon. member to be relevant.

Mr. Deputy Speaker: I must call attention to the fact that the hon. member has the floor on the resolution and the amendment which is before us, and which we are currently discussing.

Mr. McKenzie: That is right. The amendment calls for justice and rights.

An hon. Member: No, it does not.

Mr. McKenzie: Justice and rights, in fair distribution of the NFA contract across Canada. Right at the start—

Mr. Deputy Speaker: Order. The Parliamentary Secretary to the Minister of Finance (Mr. Evans) on a point of order.

Mr. Evans: Mr. Speaker, if the hon. member does not know what the amendment is, I will tell him. It is to abolish the use of the referendum in the resolution. That is what is before the House now.

Mr. Baker (Nepean-Carleton): That is not a point of order.

Mr. McKenzie: I am sorry you must put up with these interruptions, Mr. Speaker. To give you an idea of the injustice and the many things that are not contained in the bill of rights and the constitutional package, I would point out, in a recent news article on the distribution of industrial benefits across Canada, which has to—

An hon. Member: Having nothing to do with the resolution.

Mr. McKenzie: —do with constitutional matters, and fairness, and individuals' rights, provinces' rights, it is pointed out that:

> Ever since Canadair bid on only one of the four Hornet contracts, Quebec cabinet ministers and Liberal MPs have been warning their colleagues what Premier René Lévesque and his Parti Québécois will say if Quebec's share of the pie appears to be falling short.

Mr. Lévesque does not have to worry. These Liberals will look after their power base, and they will see that 48 per cent or more goes into Quebec. They do not have to worry about Mr. Lévesque.

An hon. Member: Thirty-five per cent.

Mr. McKenzie: I have a letter from the Archbishop's office, the archdiocese of Vancouver. I hope the Liberals are not going to call this a point of order. It is about the constitutional package.

An hon. Member: Talking about the referendum.

Some hon. Members: Hear, hear!

An hon. Member: It is about time.

Mr. McKenzie: Well, I am glad I am getting a hand from the Liberals. We hope to be hearing from them about Bernie Maguire, Mr. Kelso, and what they are going to do about the 52 unilingual English. The uniformed security guards on the

Hill will be very interested in hearing your comments about that.

The Archbishop's office is very concerned about the package and at the constitutional committee hearings it pointed out:

● (2030)

The Undersigned Roman Catholic Bishops of British Columbia and the Yukon wish to express their deep concern over inadequacies in the proposed Canadian Charter of Rights and Freedoms.

We share the conviction that there is a potentially harmful imbalance between individual and collective rights. While we endorse and support the objective of guaranteeing individual rights, both those that flow from civil law and those that are anterior to it, we hold it to be equally indispensable that there be at the same time and in proper balance the objective of guaranteeing collective rights.

The proposed charter of rights as presently it is worded leaves us with the impression that the great importance of collective rights is not understood or recognized.

They are perfectly right there, and there is no intention on the part of the Liberal Party to recognize them in any way at all.

Another denomination is speaking out against the package. I want to congratulate the Leader of the Opposition (Mr. Clark), who led the fight to tell the Canadian people what the Liberal Party is up to.

Mr. Rossi: That is not what you said a couple of nights ago.

Mr. McKenzie: The Canadian people did not fully understand what this was about. They understand it now. I was not getting any mail a few months ago, but I am getting lots of mail now about what is going on in the country under this so-called Liberal government.

I would like now to read from the *Canadian Churchman* as follows:

Archbishop Ted Scott is convinced the federal government has taken a wrong turn on the road to a Canadian-made constitution.

The Canadian primate said so forcefully last month in a two-hour dialogue with Senators and Members of Parliament who make up the joint parliamentary committee on the Constitution of Canada.

The Anglican leader said unilateral federal government action is not the best way of reflecting the aspirations of Canada's diverse parts.

Of course, this has been highlighted by a number of Liberal senators in the other place who have been around here much longer than many of those who are sitting here tonight yelling and shouting.

I would like to quote another very respected gentleman in Manitoba, a former Liberal premier of Manitoba. Mr. Douglas Campbell was premier of Manitoba for ten years, and he appeared at some constitutional hearings in Winnipeg back in January. The article I am quoting reads in part as follows:

Campbell charges Trudeau misleading Canadians in bid to patriate constitution.

Douglas Campbell, former Liberal premier of Manitoba, yesterday accused Prime Minister Trudeau of misleading the Canadian people in his attempts to bring home the Constitution.

This very respected gentleman and a member of the Liberal Party for some 60 years says the Prime Minister is misleading the Canadian people. Other prominent Liberals in the other place are saying the Prime Minister is mad. Thank heaven some Liberals are speaking out against this ridiculous proposal. Mr. Campbell went on to say:

"I don't think Mr. Trudeau has given the information that the public has a right to expect," Campbell told the legislative committee holding public hearings on constitutional reform.

Campbell, premier from 1948 to 1958, condemned Ottawa's bilingual policies, bill of rights, amending formula and haste.

He urged the Manitoba government "to use every legal means" to halt Ottawa's unilateral course.

Campbell said Trudeau has "been less than frank"—

Mr. Campbell is being very polite.

Mr. Rossi: That is something you aren't.

Mr. McKenzie:

—in implying the provinces have delayed patriation.

"There is the implication that the provinces have in some way held up patriation," Campbell said.

"The big holdup always was how do we amend it once we get it home."

Campbell said Ottawa has forgotten that in the past the provinces and the federal government agreed unanimously before any changes were made to the Constitution.

In those days the premiers and the prime minister met on a regular basis, and they discussed things properly. Nothing was rammed down their throats. Mr. Campbell is referring back to those days when we were making progress and when we had responsible government in this country. Mr. Campbell went on to say:

"Only since Trudeau showed up has there been a move from unanimous consent," he said.

The federal government also has suggested that those who oppose the entrenchment of a bill of rights oppose human rights, Campbell said.

Actually, a bill of rights would undermine democratic principles, he told the committee.

"It is not the job of the Constitution to legislate."

Campbell said Trudeau's attempts to legislate bilingualism have created resistance in the west to the French community.

"I think the program is being oversold," he said.

It is nice to hear some prominent Liberals speaking out, especially those who are in the other place today.

I would like to finish by reading the comments of a great historian in Winnipeg, a gentleman by the name of Eric Wells, former editor of the Winnipeg *Tribune* and a broadcaster who has studies Canadian issues for many years. I just want to read the comments he made on radio station CJOB on February 6. Mr. Wells said:

The parliaments of the United Kingdom and Canada are on a collision course, and we are nearing the end of the line—the British connection is going to go.

What began as a relatively minor constitutional adjustment to be made by Canada's Parliament has been fanned into a major conflagration and there appears to be no way to avoid the consequences.

Unless—unless Canada withdraws its demand for a Canadian charter of rights to be passed by the British House, or unless the British parliamentarians cave in and take their orders from Ottawa.

In view of the threats made by Prime Minister Trudeau the Canadian demand will not be withdrawn, nor should we expect that British parliamentarians, who defied the divine right of kings, will now surrender that principle to Ottawa's divine politicians.

The scenario has degenerated into a sordid hoax, all of it cooked up in our capital city. The most disgraceful distortion is that the British are reviving colonialism in questioning the substance of the Canadian demand.

All the British are suggesting is that we Canadians should pass our own laws in our own parliament. We must be slow learners. Our Canadian Parliament has become the black sheep of all the parliaments spawned by Westminster.

Our Prime Minister jokes about the British dilemma. He scowls on TV mocking the Brits with the words: "The Empire strikes back . . ." And his ally, Ed Broadbent, insults members of the house by calling them "Colonel Blimps and colonials" when they show concern about the obscene burden we have inflicted upon the British.

That's the way we're winding up the British connection, and what a lousy way to close the family album. In our parliament our politicians vandalize our heritage with cheap shots.

That is what we hear from the Liberal Party tonight when I raise the legitimate concerns of Canadians and refer to the way they have been abused by the Liberal Party. All we get is cheap shots from the Liberals who are in the House tonight.

Mr. Rossi: Look who is talking about being cheap.

Mr. McKenzie:

No wonder the British are puzzled, we don't even show good form.

We certainly have not seen good form here tonight. I hope before the debate is finished we hear what the Liberals will do to help Mr. Bernie Maguire. I hope we will find out if the Liberals will fully reimburse Mr. Kelso for his court costs and all the additional costs he had to incur to save his job because he could not learn to speak another language. I hope to hear from the Liberals about what they will do about the 52 unilingual uniformed security staff on this Hill. I hope to hear what the Liberals suggest in order to save their jobs and allow them to be promoted. That is my final point. A resolution was passed here in this House in June of 1973 to protect unilingual civil servants, but it only covers federal civil servants. It does not cover House of Commons staff nor the employees of Crown corporations. I would like to see the Liberals bring forward proper legislation so that these individuals can be protected by law. Then we will know if the Liberals are really concerned about human rights and basic rights. I hope we hear from them before this debate is closed.

Mr. Nelson A. Riis (Kamloops-Shuswap): Mr. Speaker, I would like to recognize the previous speaker for his very intellectual, constructive and thoughtful contribution to our constitutional debate! I found his contribution to be very motivated, and I will have a difficult time following it!

I appreciate this opportunity to participate in this constitutional debate. I join in this debate with a great deal of respect and humility. This issue is one of the great issues of recent times. It is an issue whose time has definitely come.

● (2040)

I have respect for those colleagues who have played such a contributory role in the process up to this point, colleagues from all parties who, in their own way, have served the people of Canada very well. I want to recognize especially the hon. member for Yorkton-Melville (Mr. Nystrom) and the hon. member for Burnaby (Mr. Robinson) who have fulfilled their responsibilities in a most admirable style and who have made a profound contribution to the constitutional debate.

Some hon. Members: Hear, hear!

Mr. Riis: I also have respect for the institution of Parliament and the opportunity it provides for all of us to participate in this crucial debate, and a decision which will touch the lives of all Canadians in profound ways for generations to come. From this stems my humility at being a part of this historic process, a historic process of paramount importance to the future of Canada and the future of Canadians.

We are now in the final stages of a debate which began, not four months ago, not four years ago, not 40 years ago, but 54 years ago when, back in 1927, J. S. Woodsworth introduced a motion to patriate the Constitution. That same motion prompted the calling of the first constitutional conference which essentially began the process we now see culminating here.

In 1947 it was T. C. Douglas who introduced Canada's first Bill of Rights and, like his colleague, J. S. Woodsworth, he too was, before his time, presenting ideas and concepts which today, decades later, we find to be valuable and certainly worthwhile advancing. The 1960s saw the beginning of Quebec's "quiet revolution", the awakening and the recognition by the people in the province of Quebec, to the fact that they had been facing injustices for years and that the time had come for the wrongs to be righted. In 1965 we saw Canada finally obtain its own flag, its own symbol of independence and autonomy. In the 1970s we saw the rise to power of the Parti Québécois and the issue of duality emerged clearly as a central theme in Canadian history. At the same time, in the 1970s we saw the centre of economic gravity in Canada shift from central Canada slowly westward, emphasizing the serious regional splits and diversity within the country. Last year, in 1980, we saw the country adopting its national anthem. We had a song to sing when the time was appropriate. In 1981, we hope to see the final steps being taken toward a Constitution for Canada.

Step by step we have won our autonomy, our independence and our sovereignty, and today we are at the close of a historic period, but let us also recognize we are about to embark on a new one. In a sense, this is the beginning, the first step toward the formation of a society of greater social and economic justice. What happens from this stage onward will be the real test of our commitment for a renewed and better Canada. Social, economic, cultural and regional changes in Canada have necessitated the need for a new Constitution. The Canada which we see in 1981 is quite a different country from the one which existed in 1867. The fabric of society has changed significantly, the demography of Canada has changed significantly, and the economic structure of Canada has changed. It is a different country requiring a different constitution.

It is important to say that the constitutional debate is not a red herring, as many have suggested. It has been suggested that it is somewhat less important than energy or the economy. No, it is very much a part of the fundamental difficulties facing our country. To fail to patriate our Constitution with an

amending formula including the principle of equalization and a charter of rights would certainly threaten the very fabric of our country today.

There is no question that these are difficult, emotional and challenging times. Writing a constitution does not come easily. Nothing of value comes easily, and I would suggest that the most rewarding experiences of our lives are emotional, challenging and difficult experiences. Sir John A. Macdonald and the Fathers of Confederation did not have it easy. To do nothing is easy. To do nothing, as we did in 1931 when we decided to leave our Constitution in Britain since it would be too difficult to agree on an amending formula, was easy. To bring the Constitution home to Canada is a real challenge, and to include in it the principle of equalization, a charter of rights and an amending formula is something my party has proudly advocated and worked toward for years.

The original proposal brought before the House included the basic principles we had sought for decades and, while our first reaction was to support it, the first draft presented to Parliament had many serious and obvious flaws. It needed to be changed in an effort to adequately meet the needs of Canada in the 1980s and in the decades to come. It was at that point that the NDP, unlike the other opposition party, decided to put partisan differences aside. This was not a typical piece of legislation which the opposition felt an obligation to oppose. We decided to be a positive, constructive opposition party as the Whigs and Tories were in 1864 when they came together to address the need for a constitution in Canada. Here were politicians with strong and passionate differences who said this was too important a matter to let partisan politics interfere with their decision making. I suggest that was a decision which this House should have made and which certainly the Tory party should have made at the outset.

We sought to improve the resolution by providing serious and constructive amendments and criticisms. It has been said that we were asking the British parliament to do our work. I would ask members of the Conservative Party and all members of the House: what on earth have we been doing for the past six months? During the constitutional committee debate over 100 members of the House of Commons participated in one way or another, 914 individuals expressed their opinions regarding the proposal, and 294 groups made their views known. We asked that the debates be televised so that Canadians across the country would have an opportunity to listen in on the committee discussions and respond more appropriately to Members of Parliament. We asked that the issue be fully debated in the House of Commons, and to that of course we still hold. I personally have received over 200 pieces of correspondence and many more phone calls. I have participated in more than a dozen constitutional workshops and forums in western Canada. No one can seriously suggest that this is not a Canadian-made resolution, made by Canadians for Canadians. My disappointment is that it could have been handled much better. The principle of participatory grassroots democracy could have been included and all 282 members of the House should have had the opportunity to play a much more involved and integral role in the process, but unfortunately that is behind us and we failed in that respect.

Because of our positive and constructive approach we feel that real progress was made. We feel that we as a positive opposition party have accomplished a great deal, and again I must congratulate the hon. member for Yorkton-Melville and the hon. member for Burnaby, as well as others, who played such a critical role in achieving a better Constitution for Canada.

● (2050)

One of the items we feel we can legitimately share in the responsibility for achieving was a clause providing equality before and under the law in substance as well as in procedure. This is especially relevant to the 51 per cent of the population who are women in Canada. In my mind it is a clear signal to the courts of Canada to recognize women's rights.

We were successful in achieving non-discrimination rights for the handicapped in Canada. Now 700,000 individuals will have a better future because of the constructive criticisms and approach of the members of my party. We were successful in achieving educational rights for linguistic minorities. We were successful in achieving resource control for the provinces of Canada and explicit recognition of Canada's multicultural character. We worked hard with the native bands and organizations across the country to achieve an affirmation of aboriginal and native rights within the Constitution. This does a great deal to guarantee the historical and collective rights of Canada's original peoples. It would be an embarrassment for all of us if that clause had not been included; it would have been difficult for any of us to visit Indian reserves anywhere in Canada.

I was particularly moved by my colleague who spoke on behalf of the Inuit people of Canada. He explained in his speech that his great grandfather took along many of the European explorers and showed them the way through the various Arctic Islands, only to have these explorers run up on to the beaches, plant flags and claim they had found these islands for the first time. What does that say to an individual who has lived on those islands for perhaps thousands of years? What about the Indian people in my own part of British Columbia who have lived along the river valleys for 12,000 or maybe 20,000 years only to have Simon Fraser or Thompson discover them? This is the kind of thing which does little to recognize the role Canada's original peoples played in our history. I am proud to say that with our help the affirmation of aboriginal and native rights is now firmly entrenched in the Constitution of Canada.

We would like to see other changes. We would like to see the abolition of the Senate and a clarification of both women's and Indian rights within the Constitution. We would also like to see the recognition of collective bargaining rights and political rights. But these are changes we will work toward before this process is through and as it unfolds during constitutional discussions in following years.

Yes, we were prepared to make some compromise in the best interests of Canadians. For those who say compromise is a dirty game, let me say that were it not for the constructive, determined and progressive efforts of our party, many of the 59 changes to the original resolution would not have occurred as they did.

As a western Member of Parliament, I am proud of my party's amendment which secures for the provinces the right to manage, own, tax and control the non-renewable resources, the forestry resources and the hydro resources within their boundaries. These rights are key building blocks on which to create a sound, secure and diversified economic future for western Canada, as well as Canada per se. This is especially important for some provinces, particularly those in the west, since the ability to direct and develop the sale of depleting resources is absolutely crucial.

During the first 100 years of confederation the west, richly endowed with natural resources, was forced to forgo the development of a manufacturing base. Manufacturing was largely focused in central Canada and was nurtured by almost a century of strong protective tariffs. The resources of the other provinces now deserve comparable protection. Many provincial governments have been apprehensive about past judicial decisions on their traditional right to manage and control the resources within their own boundaries. Therefore, a constitutionally entrenched affirmation confirming provincial ownership and management of resources is a key element of a fair confederation package.

The amendment of the hon. member for Oshawa (Mr. Broadbent) will help to ease the apprehension of many people in resource-producing provinces concerning their ability to use their resources to help build their economic future and to ease their uncertainty about the equity of the confederation bargain. The amendment gives the provinces the right to control the level and nature of exploration of non-renewable resources. It offers them the right to regulate the way and rate at which forestry, non-renewable and electrical resources are exploited. The amendment would permit provinces to institute resource management and conservation schemes as they deem necessary. It allows provinces to develop electrical generation projects in ways and at rates they see fit. Provinces would be able to regulate the movement of their resources within Canada, so long as it did not contravene federal legislation. Provinces would also have the right to set resource prices and levy direct and indirect taxes on the resources sold in Canada, as long as the provinces did not discriminate in the prices charged or the availability of resources to all Canadians.

These rights would apply fully to non-renewable resources, resources generating electricity and forest resources. I believe this amendment will help to allay the fears, particularly of western Canadians, that when they seek to regulate their resources their ability to do so will be halted by the complexity of federal powers. It will help to renew their conviction that the Canadian federation can be constructed fairly in ways which allow all partners to develop fully in the best interests of their people.

I should like to take a few moments to look at the four main parts of the present resolution: patriation, equalization, a charter of rights and an amending formula. I think one can gloss over quickly the section on patriation. There is no question that a few months ago this House voted unanimously for the patriation of Canada's Constitution. This must be done and as far as I am concerned, the sooner the better.

However, the topic of equalization is a very important one. The concept of the rich parts of Canada assisting the poor parts of Canada is a matter of profound concern to social democrats. Disparities exist between regions of Canada which result in unequal opportunities for Canadians at the present time. Young people from the outports of Newfoundland may not have the same opportunities as youngsters growing up in metropolitan Toronto. People from some parts of the western provinces may not have the same opportunity as those people coming from other parts of Canada. Equalization is a concept that we all use when we raise our families. Certain parts of the family are always prepared to stand by and assist other parts during times of need. In that spirit, the concept of equalization is something about which we feel extremely strongly.

Perhaps the most important section in the resolution before us is the charter of rights. I believe passionately in the protection and the existence of human rights. They must be entrenched in the Constitution to provide legal protection for all Canadians, not subject to the whim of provincial governments nor, for that matter, to the whim of federal governments. There are those who protest that protection by parliaments and legislatures has been a safe enough protection of individual rights in Canada, but I do not think history bears this out.

May I call it nine o'clock, Mr. Speaker.

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

• (2100)

PRIVATE MEMBERS' MOTIONS

[*English*]

Items Nos. 31 to 36 inclusive and No. 38 allowed to stand by unanimous consent.

* * *

OFFICIAL LANGUAGES

EQUALITY OF MINORITY LANGUAGE RIGHTS

Mr. Hal Herbert (Vaudreuil) moved:

That, in the opinion of this House, the government should consider the advisability of introducing legislation to ensure that the official language minority groups, being the English mother tongue residents of Quebec and the French

mother tongue residents of the other provinces and territories, be accorded exactly the same rights and privileges as are presently accorded by law and common usage to all Canadians of the other official language.

He said: Mr. Speaker, one may wonder why I would be speaking today on a motion concerning language. I should point out that this motion was put on the Order Paper earlier. In fact, it was put on the Order Paper on April 30, 1980, long before the discussions on constitutional reform resulted in the presentation to the House of the proposal which is presently under discussion. I find it quite appropriate that I should have the opportunity this evening to discuss a subject which has been a favourite of mine since I came to this chamber some eight or nine years ago. It obviously ties in with the constitutional resolution which is presently being debated. Thus, I shall be making frequent references to that resolution.

Only through an amendment to the Constitution can Canadians be definitely assured that certain common basic minority language rights will be observed throughout the country. Reciprocal arrangements cannot guarantee protection against alterations as a result of short-term political or social changes, or against withdrawal at any time by any province which may consider that its commitment is no longer desirable. Although reciprocal arrangements have been discussed since 1977 none currently exist. The charter of rights gives effect to the principle of minority language and educational rights agreed to by all provinces in 1978.

I cannot help but make reference here to my colleague seated beside me who has some very specific opinions and who may not have the opportunity to express them tonight. I will be making some reference to them myself in a little while.

On October 16, 1980, the Prime Minister (Mr. Trudeau) said that it is not only the federal government which is responsible for bilingualism, but that every province which has jurisdiction over education should be concerned with that. He went on to say:

We have been funding substantially education systems in the provinces to the extent of an amount in excess of $2 billion a year... The spirit in which we helped bilingual education specifically, or education in the other official language, was that the provinces themselves be prepared to accept some responsibilities, and it is in that sense that we hope the provinces will continue to show interest in the matter and that the federal government will not always have to continue supporting them in areas which they claim very strongly are within their jurisdiction.

It is abundantly apparent that we have not been able to obtain agreement on almost any matter in connection with the constitutional proposal, least of all when it comes to education and language rights.

I would like to make a point here with respect to some allegations which have been made by members of the opposition. It has been alleged by several members, in recent writings of theirs, that members of the government party are in some fashion muzzled, that in some undefined way we do not have the freedom to express our own opinions. I want to go on the record right here and now as saying that during my nine years as a Member of Parliament, attempting freely to express my opinions, on not one single occasion has either the Prime Minister, the leader of my party, or the Quebec leader ever suggested to me that I should not freely do so. I want to make that very clear.

Some hon. Members: Hear, hear!

Mr. Herbert: I suggest that the so-called authoritarian discipline to which members of the opposition party often allude is, in fact, a jealousy which comes from the fact that the party which presently forms the government is a party bound by freely discussed common goals and objectives. In that free discussion we sometimes have our dissenters. I suggest that maybe this type of bonding that we have on this side of the House is something which is unknown to members of the official opposition.

What bothers me somewhat is that too many Tory MPs will not speak openly against individual rights, language rights, provincial sharing and measures for the common good. Surely every Conservative MP must know in his or her heart that a charter of rights will never be incorporated into our Constitution after patriation. They do not seem to admit that.

Mr. Stevens: Why?

Mr. Herbert: For once they ask why. The obvious answer to that is that there is one premier who says under no conditions will he ever admit to having a charter of rights in the Constitution after patriation.

Mr. McKinnon: Are you certain he is immortal?

Mr. Herbert: The only way they have of suppressing the rights of the minorities and less favoured citizens is to construct what I consider to be a phony issue. They imply that the most important decision in our history is not being made in Canada by Canadians.

Mr. Stevens: True.

Mr. Herbert: I say openly that members of the Tory party are lacking the courage to openly say what they are thinking, that individual rights must always be subservient to state and provincial interests. That is not my point of view.

Mr. McKinnon: Rubbish!

Mr. Herbert: Mr. Speaker, I would like one of the members of the official opposition to tell me what is the essential difference between a charter of rights incorporated after patriation and a charter of rights which is included with patriation. Maybe if they would explain it to me I could better understand it.

Mr. Stevens: The one is Canadian. You wouldn't understand that.

Mr. Herbert: I must admit, Mr. Speaker, that maybe I speak from a somewhat disadvantageous position, in the sense that I am adopted by this country, a fact of which I am proud.

Mr. Stevens: You are still back in England.

Mr. Herbert: As an immigrant from an English-speaking country I am well supported by a constituency which is two-thirds French speaking. In the discussions which I have had with my constituents they seem to be of one accord with the actions of the government in trying to enshrine in our Constitution protection for everyone, including the subject under discussion tonight, the protection of minority language rights.

Citizens of Canada, whose first language learned and still understood is that of the English-speaking or French-speaking minority population of a province, will have the right to educate their children in that minority language at the primary and secondary school levels, wherever the number of children warrants the provision of such educational facilities. We have had lots of discussions about that term "numbers warrant." I will make specific reference to my colleague and good friend, the hon. member for Ottawa-Vanier (Mr. Gauthier) because, as he is possibly aware, it is here that we part company to some degree. We have discussed this on several occasions. One can stick on principle and one can say on principle that one should apply the constitutional provisions right across the country, in all provinces. Note that I say "in all provinces", not just the province of Ontario. I feel that if we are to worry about the rights of the francophones in the province of Ontario we must be equally concerned with the rights of the francophones in the other English-speaking provinces, for example, British Columbia.

● (2110)

From a purely practical point of view it might be extremely difficult to stick on that particular principle. I have often suggested that there have been considerable strides made in the nine years that I have been in this House. Maybe the progress has been slow, too slow, but there have been considerable advances and surely no one can deny that. It is my sincere hope that the action that is presently being taken with the support of the premier of the province of Ontario will continue and that after the current election is over, whoever forms the government of the province of Ontario will see fit at that time to exercise the right to enshrine in the Constitution the equivalent rights for the minorities in Ontario which are presently applicable only to the English in Quebec and the francophones in Manitoba.

I want to make a brief reference to something whilst we are talking of language. This is something that has bothered me considerably and it is the part the federal government has played in bringing some fairly considerable sums to the provinces for second language education.

Since 1970 the federal government contributed $1.3 billion to the provinces for education in the official languages. This enables Canadian students to learn, as a second language, the other official language of Canada. We had an agreement which expired March 31, 1979, and which was extended for a year on the same basis as the original agreement, which transferred some $95 million to Quebec in the past year.

The Quebec Federation of Home and School Associations in the province from which I come has been somewhat concerned that there has been no accountability for federal funding provided to the provincial governments for second language training. The federation proposed to the federal government that under the previous agreements, accountability regarding distribution of the funds by provincial departments of education to the schoolboards has not been required and that the provinces have resisted providing an accounting of the funds received and the manner of their distribution for the purpose designated under these federal grants; that taxpayers were entitled to an awareness that their contribution to federal funds be allocated in such a manner that the intent of the program be fulfilled; and that the placing of these moneys received for the purpose of minority language education into provincial general revenues could be termed misappropriation and the federal government should be ever watchful as to the proper expenditure of taxpayers' moneys. As a result, the Quebec Federation of Home and School Associations requested the federal government to require accountability from the provinces as to the distribution of federal grants for the purpose of minority language education as a condition for release of public funds.

This brings me to one of my favourite subjects and that is the problem we have in placing funding in the provinces in areas which are recognized as being of provincial responsibility. I think it should be recognized by everyone that no matter what we put into the Constitution, the good will needed to make it operational will still rest with the provincial legislatures. I have always maintained that no matter what might appear in the law, the provincial governments will still have the ultimate control via the financing of education.

The article to which we have been referring in the Constitution makes English and French the official languages of Canada. They will have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and Government of Canada. The purpose for this section was to exclude the possibility of a government seeking to advance one language at the expense of the other official language or to advance one and justify reducing the other. The educational rights of French-speaking citizens outside Quebec are to be guaranteed in clause 23.

Clause 19 of the constitutional proposal provides as follows:

(1) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament.

(2) Either English or French may be used by any person in, or in any pleading in or process issuing from, any court of New Brunswick.

This clause confirms the right to use both English and French in all courts established by Parliament. It derives from Section 133 of the BNA Act. Subclause (2) confirms the right to use English and French in the courts of New Brunswick. Of course, these provisions already extend to the provinces of Quebec and Manitoba by virtue of section 133 of the British North America Act and Section 23 of the Manitoba Act, 1870. Clause 21 simply states that the existing language protection provided by the present Constitution, for example, the protec-

tion set out in section 133 of the BNA Act and section 23 of the Manitoba Act, 1870, would continue.

The constitutional proposal which is presently before this House in very large measure takes care of the proposal in the motion I have presented this evening and which I put on the Order Paper in April last year.

I would have been happy to see an extension of section 133 right across the country. From a purely practical point of view I believe we have to compromise. Is it a compromise on principle? I have to fight with my conscience but I will say in all honesty that certainly in the province of Quebec we have never had any fear for the protection of the English language; at least, we had no fear until the present premier of the province decided to make things a little bit more difficult for the English.

I have looked at the situation where the present provincial Liberal party is discussing the two alternatives, what are commonly called the "Canada clause" and the "international clause." For those who have followed discussions in Quebec, this deals essentially with the so-called inequality that might apply to immigrants. To that I can only say, and I will put this on the record as my last statement, that since the federal government has concluded an agreement with the provincial governments which effectively passes control of immigration to the provincial governments, then as long as the control of the immigrants entering the province of Quebec is in the hands of the provincial government, surely the provincial government need have no fear that the number of francophones will be watered down by the entry of too many speaking the other official language, English. I put this on the record because I want to allay the fears of some of my francophone colleagues in Quebec who are concerned about this particular aspect.

• (2120)

I can only say that I appreciate this opportunity to speak on a matter very dear to my heart, namely, the protection of minority rights. I am most appreciative of the attitude of people in the province of Quebec toward the anglophone minority. But I say with real conviction that an immigrant entering this country has that freedom of choice and should not expect to have the same privilege when he enters one province as he enters another. For example, if he enters Quebec, he should recognize it as being essentially a French-speaking province. If he enters other provinces, which are essentially English-speaking provinces, he should be prepared to speak the first language of that province.

I appreciate being able to talk about minority languages. I know many members want to speak tonight and I would like to give them that opportunity. I doubt whether this motion, in view of the constitutional proposal, will pass. Nevertheless, I commend it to all.

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, I want to congratulate the hon. member for Vaudreuil (Mr. Herbert) for bringing this motion forward, but the language issue goes far beyond what is contained in his motion. I want to refer particularly to a matter he raised at the Standing Committee on Official Languages a couple of weeks ago. It concerned an air traffic controller at Dorval who was forced to leave his position because he was unable to learn the French language. He had to spend five years in the courts before he was able to return to his position, only after it was found that the present government removed him from his post illegally. The hon. member for Vaudreuil is well aware of that case because he raised it in the standing committee. However, he was more concerned about having bilingual air traffic controllers handling incoming air traffic. I want to point out to the hon. member for Vaudreuil that there are other duties in an air traffic control tower which a unilingual English or a unilingual French person can handle. Air traffic controllers do not have to be abused in the way Mr. Kelso at Dorval was by the present government.

When Bill-101 was introduced by the present government in Quebec, as I recall we requested that it be referred to the Supreme Court. The Liberal government refused to have that bill referred to the Supreme Court to find out whether it was legal. The government has still not done that to this day. When we read what the leader of the Liberal Party and what Bill-101 say with regard to English-speaking Canadians in the province of Quebec, we have to question the sincerity of this motion and the sincerity of the Liberal Party in protecting the language rights of individuals across the country. If the Liberal Party was so concerned about language rights and about individual Canadian's rights, we could start protecting them right here in the House of Commons. Speaking tonight in the constitutional debate, I referred to the 52 unilingual English uniformed security guards who can no longer appear at the main entrance or in the gallery because they speak only English.

I want to refer now to the language resolution which was passed in the House of Commons in June, 1973, particularly Clause 6 and Clause 7. Clause 6 states:

that unilingual incumbents of bilingual positions may elect to become bilingual and undertake language training, or transfer to another job having the same salary maximum, or if they were to decline such a transfer, to remain in their positions even though the posts have been designated as bilingual;

I would like to see that clause become law to protect all unilingual civil servants. Unfortunately, this resolution only refers to federal civil servants. It does not cover the House of Commons staff, but it should. It does not cover Crown corporations, but it should. If that were made law, we would still have these people at the main entrance or in the gallery instead of having them walking down corridors because they speak only English.

I would like to see the hon. member for Vaudreuil pursue this particular point.

Clause 7 states:

that employees who, as on April 6, 1966, had at least ten years of continuous service and who, since that date, have been employed continuously in the federal public service, will be entitled to apply for any job that has been identified for future designation as bilingual without having to indicate their willingness to become bilingual—

I would question whether anyone in the civil service, anyone on the House of Commons staff or with any Crown corporation could do that today. Therefore, I would be most interested to see the hon. member for Vaudreuil make those two clauses law. He is not even listening to the debate tonight, so I really cannot take his motion seriously. I think the motion is rather facetious.

Mr. Herbert: Mr. Speaker, maybe the problem is that the hon. member was not pronouncing my constituency in a fashion that I could recognize it. Perhaps that was the difficulty.

Mr. McKenzie: Mr. Speaker, I apologize. I have difficulty in pronouncing the hon. member's constituency of Vaudreuil correctly. However, he knows perfectly well what I mean. That was a great answer he gave. He has great fun with private members' hour and motions, slowing them up and causing us no end of problems. I think this is nothing but a facetious motion he has presented here tonight.

I would ask the hon. member for Vaudreuil to consider looking at Clauses 6 and 7 in this resolution which the Liberal Party refuses to make law, introduced in June, 1973, if he is so concerned about individuals, language rights and what have you. I will toss that out to him and to the other members of the Liberal Party who are having great fun tonight laughing at English-speaking Canadians who are being abused and not being given the opportunity to learn a second language, or who cannot learn a second language. The Liberal Party thinks it is a big joke that they are being abused and are having to go through the courts to protect their jobs. I ask the hon. member to bring this matter to the attention of the caucus, and take a look at Section 7 of this phony resolution presented in 1973. Perhaps then we can take the motion more seriously. In the meantime, I cannot take it seriously after the way I have seen the hon. member conduct himself here in the House tonight.

Mr. Maurice Harquail (Restigouche): Mr. Speaker, I want to begin my remarks by expressing my appreciation to the hon. member for Vaudreuil (Mr. Herbert) for bringing this motion forward. I also want to recognize the good work of the parliamentary secretary who is concerned with this motion. His incentive and obvious natural ability to muster together Members of Parliament to contribute to this motion should be recognized.

I realize the debate got off the rails a bit a few moments ago when we heard about a particular name being mentioned in a certain fashion, but quite apart from that type of exchange, I think that opportunities for members to debate in this House should not be used in a personal way but should be directed more to the subject matter at hand. The subject has to do with a commitment by this government that all Canadians would have equal opportunities and rights. That commitment was kept. This is not something which came up in the last 24 hours, six months or year. It is a commitment we heard from the Prime Minister (Mr. Trudeau) even before he became Prime Minister of this country.

• (2130)

There have been many exchanges in the historic debate on the resolution with respect to patriation. As the hon. member who introduced the motion said earlier, it is timely that we debate this motion now. It gives us an opportunity to remind ourselves and, more importantly, all Canadians, of the continuity of our Prime Minister, the cabinet, the government of the day and this party. There has been no change in the momentum, order of deliverance or position by the Prime Minister.

On each occasion he has been consistent in the fact that if there is anything that can be done during his term of office to entrench language rights in a Canadian Constitution that will be there forever, he will do all he can to protect the rights of Canadians, especially those of minority groups.

I come from a province which has demonstrated in the past and continues to demonstrate its natural ability to embrace Canadians in this fashion. Therefore, it is appropriate that I take part in this private members' debate this evening. Before the resolution package there was a willingness and spirit of co-operation by both French and English New Brunswickers to provide the necessary legislation to guarantee government services, including those of the courts, and educational rights. I want to express my appreciation to those who made it their duty to ensure the protection of those rights.

On this subject, I have clearly indicated support for my party, as have those who supported me in elections over the past six years. I give my full support to the Prime Minister and the government in this serious attempt to protect all Canadians, not only with respect to language rights but general rights, individual rights, native rights, rights of the handicapped and all others.

Perhaps the hon. member for Vaudreuil is a bit ahead of himself in introducing this motion. He admitted throughout his speech that he is satisfied and convinced the government is doing what is right. The resolution package is broad enough and, where numbers warrant, provides adequate protection so that those wishing to achieve proficiency in the other language will have the proper facilities. I am sure the hon. member agrees that even though we can legislate all these rights, we cannot adopt a laissez faire attitude. We must clearly define the goals and objectives in terms of rights and protecting individual needs.

I live in northern New Brunswick. I wanted my three sons to have the opportunity of learning the other official language. It was not easy in those days. I was told they would have to attend immersion courses. I did not agree with that. It was necessary to expend a lot of energy to get the school board to permit them to attend a totally French language school so that they might become fluently bilingual. I am delighted to be able to report tonight that the system worked for me and my family. My three sons completed their elementary schooling in the French language. They did not attend immersion courses

or something else which did not interest me. They are, as I said, fluently bilingual. That was some 15 years ago. It convinced me that the system can and does work. Leading into the eighties, I can see where there have been some struggles. We have had to be forceful in putting forward our case to protect our rights, especially with respect to language. We have been successful. I was very confident in putting forward my own personal experience in this regard.

• (2140)

I want to restate, for the benefit of all Canadians, that the government has certainly carried through on all its commitments and promises. If there was ever a clear example of a political party or a government keeping its promise, I think the evidence shows it is the present administration, and the administration we had leading our government for more than a dozen years. They have been consistent in their commitment to ensure that one day we would be able, with the Immigration Act and the Citizenship Act, to have our own flag, and our own national anthem, more recently proclaimed, in 1980. After all that, we are now getting to the last major planning and that is the patriation of the Constitution.

Canadians have become aware of the fact that the government was serious about proceeding with patriation of the Constitution. There are many people who became very emotional and went off in different directions. Now that they have had an opportunity to examine what they want for the future of their own families, they are very quietly accepting the position of the government and supporting the excellent document which has been brought back to the House from the joint committee.

It has been my impression that there has been a decided shift in the attitude of Canadians across the country with respect to the resolution before the House. With all the months of hard work by members of the House and the Senate in the joint committee, and with the concluding work taking place in the House prior to the resolution being sent over to the British Parliament, we can be justifiably proud of the fact that, not only in terms of those who have contributed to this historic debate, and apart from all the rhetoric and accusations that fly across the country and the floor of the House, this is a political party, whose leaders and administrators of the government of the day have been consistent in their position. They have been consistent in what they have offered Canadians across the country and in their words and actions. That consistency is borne out by the fact that we see the final days of the work necessary to patriate the Constitution.

I am satisfied we can give assurance to the hon. member for Vaudreuil this evening, that not only will rights be entrenched in the Constitution when it is brought back to Canada, but with the amending formula people in every sector of the country will have equal opportunity, through the democratic process of bringing in appropriate change when there is agreement that change is necessary.

I want to conclude by again thanking the parliamentary secretary and the hon. member for Vaudreuil for giving me this opportunity to participate in the debate during private members' hour this evening. I wish to state again that I am satisfied the Prime Minister and his cabinet have kept their word and their commitment to all Canadians, but in particular to the people of New Brunswick and the constituency I represent, in that we are seeing the results of the action taken to bring back that document which will forever protect our rights, particularly with respect to language.

Mr. John Gamble (York North): Mr. Speaker, I would not have taken this opportunity to rise with respect to the motion of the hon. member for Vaudreuil (Mr. Herbert) had it not been for a couple of occurrences during the address of my colleague, the hon. member for Winnipeg-Assiniboine (Mr. McKenzie). The first related to the point of order raised by the hon. member for Vaudreuil when he questioned the pronunciation of his riding, obviously indicating that the hon. member for Winnipeg-Assiniboine was not sufficiently fluent in the language with which that riding identifies itself to be recognized as having an opportunity to address the hon. member who made the motion. I am reminded of a motion placed before the last Liberal general meeting in Winnipeg—which I hope was defeated—which provided that in the view of the person making that motion, and presumably seconding it, only bilingual persons should qualify for membership in the House of Commons. Quite frankly, if that comment coming from the hon. member for Vaudreuil was a harbinger of events to come, then it might be appropriate for hon. members opposite to stand in their places when the occasion arises, indicating that is indeed their position.

Mr. Herbert: Point of order, Mr. Speaker. My reference to pronunciation was simply because the hon. member who was speaking said that I was not listening, and I wanted to draw it to his attention, that I certainly was listening.

Mr. Gamble: The record will show the reasons he gave were rather apparent. He made reference to his mispronunciation.

In any event, the other matter which gave me concern was the levity which prevailed in the government benches when some mention was made, again by the hon. member for Winnipeg-Assiniboine, of the fact that there had been some injustice done to a unilingual Canadian public servant, and that injustice happened to be done to a unilingual English-speaking public servant.

I hope members opposite will recognize that the vast majority of the population of Canada is unilingual either in French or in English. That kind of reaction is hardly commendable in the House of Commons. If there is to be a privileged class established—a bilingual class—in Canada, then I would suggest members on both sides of the House recognize that it would be appropriate, until that class makes up the majority of the population of Canada, not to refer jokingly or laughingly to the unhappiness or ill consequences that befall Canadian citizens who speak only one of our two official languages. If you are laughing, it is for a purpose, I presume.

I would like to now direct my attention to the motion itself. The motion is so badly drafted it scarcely merits the attention of the House. I draw the attention of the House to the fact that the hon. member who introduced it did not take the trouble to read it. I will just do that, if I may.

● (2150)

That, in the opinion of this House, the government should consider the advisability of introducing legislation to ensure that the official language minority groups, being the English mother tongue residents of Quebec and the French mother tongue residents of the other provinces and territories, be accorded exactly the same rights and privileges as are presently accorded by law and common usage to all Canadians of the other official language.

Exactly what are the same rights and privileges as are presently accorded? Where are they presently accorded? Are we to assume that we are to take one of the provinces in this country and determine what rights are enjoyed? Let us take the province of Quebec and see what rights are enjoyed there. For instance, can a businessman conduct his business in the province of Quebec in whatever language he chooses?

Mr. McKenzie: No.

Mr. Gamble: Is it suggested by the hon. member for Vaudreuil that that kind of restriction be imposed upon Canadians in every province in this country? Surely not, but that is what he is referring to. What provinces are we to seek out? Are we to oblige the province of Quebec to follow, in the event he chooses the province of Ontario where today one can carry on business in whatever language one chooses, whether it be Greek, Italian, French, English or Japanese? Does he wish now to oblige the province of Quebec to permit all the business in that province to be conducted in any language anyone chooses?

Perhaps the reference is to the admission to professions in any of the provinces in Canada. Are we to take as our guide the admission to the professions in the province of Quebec where proficiency in the French language is required? Is that what he is suggesting, or are we to take the province of British Columbia, where no proficiency test is required other than the test required to pass a normal examination? These people have already passed examinations with respect to their ability in the professions, but now there is a new provincial obligation in Quebec. What exactly are the same rights and privileges accorded across Canada?

Are we talking about mother tongue language requirements for Canadian business corporations before those business corporations can conduct business with provincial governments? This depends entirely upon the provincial government with which you are dealing. If you are dealing with the provincial government of Quebec, then there are certain mother tongue requirements for your chief shareholders or you cannot deal with that provincial government under provincial contracts in that province. Is that what the hon. member is suggesting we impose on Canadians across Canada? I hardly think it is. The hon. member speaks of having exactly the same rights and privileges as are presently accorded by law and common usage to all Canadians of the other official language, but where is it that these suggestions apply?

The hon. member for Vaudreuil is a member of this House from one of the ridings in the province of Quebec, and it is presumably on the basis of his intimate knowledge of the requirements of the law in that province that he speaks. It appears he would like the marvellous provisions of that law extended across Canada, but I hardly think that is indeed what he has in mind. If it is, then I submit that the business community and the professional community in Canada is not prepared for that kind of artificial restriction. It is better the way it is. There is only one province which restricts that kind of freedom. Let us leave it in that province and not extend it across the whole of this country.

There was some suggestion by the hon. member for Vaudreuil that section 16(2) of the constitutional resolution presently before the House is in some way to be equated with Section 133 of the British North America Act. I know that is what he said, but I am sure that is not what he meant. If we read Section 133 of the British North America Act we find it applies to the right to use both languages in the courts, in Parliament and in the legislature of the province of Quebec. Section 16(2) of the proposed resolution provides:

English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick.

Section 17(2) provides:

Everyone has the right to use English or French in any debates and other proceedings of the legislature of New Brunswick.

Section 19(2) provides:

Either English or French may be used by any person in, or in any pleading in or process issuing from, any court of New Brunswick.

Section 16(2) goes far beyond what is required by the provisions of Section 133 of the British North America Act.

I was intrigued by the comments made by the hon. member for Restigouche (Mr. Harquail), who spoke of respect for all minorities. That comment is to be contrasted with the remarks made by the hon. member for Vaudreuil, who indicated that there is a convention or agreement between the federal government and the governments of the various provinces granting the governments of the various provinces the rights to control immigration to those provinces. The hon. member then went on to say that accordingly any immigrant who comes to Canada has the right to determine which province and which major language group he shall join, and has no complaint in the event he should join a province where the language he might choose is different from the language used by the majority. That, of course, is to be contrasted with the comments made by the hon. member for Restigouche.

I submit that the statement made by the hon. member for Vaudreuil with respect to agreements between the federal government government and the provincial governments across Canada is inaccurate.

There is indeed an agreement between the federal government and the government of Quebec which permits the govern-

ment of Quebec to control immigration into that province. But the record should show that no such agreement exists in the province of Ontario. I submit that we should treat all Canadians in the fashion I understood the hon. member for Restigouche to speak of. That is vastly different from the way the hon. member for Vaudreuil would have us treated. In other words, when we are dealing with rights across this country, let us not segregate Canadians who are immigrants and who may not fall into one of the two official language designations we have in the resolution before the House with respect to the Constitution. That is the proper way, not the way suggested by the hon. member for Vaudreuil.

In the event there is to be good will, to which we have heard reference by the hon. member, that good will must establish a basis across Canada on which all Canadians, regardless of their heritage, have common, universal rights with respect to language, rather than rights restricted on the basis of whether those new Canadians—because that is what they wili become—happen to speak a language other than French or English when they choose to make Canada their home.

Accordingly, I have no hesitation at all in suggesting to the House that, because of its inability to deal with and adequately explain the nature of the existing common rights across Canada and in all the provinces, this motion is unacceptable. I doubt whether we should divide Canadians into groups, the privileged groups being the English and the French-speaking mother tongue groups. I regret the creation of underprivileged, second-class citizens as suggested by the hon. member for Vaudreuil who would, with ease and without compunction as to the effect such creation would have upon their rights as Canadian citizens, restrict those rights which should be enjoyed by all Canadians regardless of the other tongue they may speak. The hon. member's reference to Section 23 of the constitutional provisions is one which I reject, and I hope other hon. members of this House will do the same.

The Acting Speaker (Mr. Blaker): The hour provided for the consideration of private members' business has expired.

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

NORTH-SOUTH RELATIONS—STATEMENT BY NON-ALIGNED NATIONS—DEVELOPMENT OF CANADIAN POSITION

Mr. Douglas Roche (Edmonton South): Mr. Speaker, I have come here tonight to again urge the government to implement the report of the North-South task force presented to the House more than two and a half months ago with 38 recommendations which, in my judgment, are sensitive to the North-South dilemma today and are sensible with respect to Canada's capacity to play a role in bridging the wide gap between north and south today.

The interim report of the North-South task force dealt with the special recommendation that the four emergency provisions of the Brandt report be implemented. Those four emergency provisions are that an extra $4 billion in official development assistance from all donor countries be put into play each year, that there be a food security program, an energy security program, and a reform of international financial institutions. The essence was that the Brandt commission deemed it so important it urged this in a section of the report called the emergency provisions.

I am very pleased the Secretary of State for External Affairs (Mr. MacGuigan) has come here personally tonight to respond to this brief intervention I am making. He is indicating again, as he has before, his concern for the role which Canada must play in implementing its own set of responsibilities in carrying forward a tradition which has been a hallmark of Canadian foreign policy almost since the end of World War II. I urge the minister again to consider that he has before him the North-South task force report which carries the support of all political parties in the House and, indeed, I suggest a wide section of the Canadian public.

I want to speak for a moment about an organization well known to the minister since he was my predecessor as the international chairman of Parliamentarians for World Order, an organization of 550 parliamentarians in some 18 countries around the world. I am pleased to say that we benefit from the strong support of the Canadian Parliament, of both the House of Commons and the Senate and the speakers thereof, and we are able to bring focus on the United Nations issues particularly those revolving around development and disarmament. I regard the work of Parliamentarians for World Order to be so important that I want to draw to the attention of the House tonight a statement made by Parliamentarians for World Order at the council meeting in London a couple of months ago in which the statement revolving around the Brandt commission was adopted.

I will spend a moment telling the House precisely what that statement said in an effort to inform hon. members and to widen that circle of support for concrete, sensible steps being taken to close the North-South gap, particularly in this year of the summits in which special attention is being given to the North-South question. I quote from the statement issued by Parliamentarians for World Order which reads as follows:

> —recognizing that North-South relations, world poverty and the arms race are the great social challenges of our time, calls upon parliamentarians throughout the world to work in their own parliaments and in the United Nations Organization to fully implement the report of the independent commission on international development issues under the chairmanship of Willy Brandt.
>
> If a small fraction of the $500 billion spent annually on military purposes were to be added to the $20 billion now spent on official development assistance, the possibilities of making much faster progress in solving development problems would be greatly enhanced.

● (2205)

One half of one per cent of one year's world military expenditures would pay for all the farm equipment needed to increase food production and approach self-sufficiency in food-deficit, low-income countries by 1990.

As parliamentarians we recognize that the people we represent must be made more aware of the terrible danger to world stability caused by the arms race, of the burden it imposes on national economies, and of the resources it diverts from peaceful development.

Parliamentarians for World Order welcomes the forthcoming summit meetings of world leaders from both industrialized and developing nations. We believe that these summit meetings could provide a new focus and a new concentration on current world problems and their possible solution. We call on world leaders to launch ideas for a world economic recovery program and for the world's parliamentarians to act to urgently implement the program and to raise the issue in their national parliaments.

Parliamentarians for World Order has decided to campaign in parliaments around the world for the full implementation of the report.

That statement was issued by the Parliamentarians for World Order at their meeting in London.

I urge the Secretary of State for External Affairs to take that statement very seriously, to add to it his consideration of the parliamentary task force with its 38 recommendations, and to take steps to ensure that Canada will have a positive, vigorous, sensitive and sensible policy in this year of the summits on North-South relations.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Mr. Speaker, I am very pleased to have an opportunity of replying to the distinguished hon. member for Edmonton South (Mr. Roche) who, in addition to representing his constituents with such ability in this Parliament, is also now the international chairman of Parliamentarians for World Order.

Some hon. Members: Hear, hear!

Mr. MacGuigan: That organization is a young one, and I must say that I have some familiarity with it. I wish him well in his task and the attempt to lobby successfully in parliaments around the world with respect to aid for international development and, I believe, on other subjects such as disarmament. I am sure members of this House will listen very attentively to his words and the admonitions of Parliamentarians for World Order.

The government is most supportive of the recommendations of the Brandt commission report and the recommendations of the "Breau-Roche" commission report presented to the House several months ago. In his original question the hon. member cited a *New York Times* reference to the communiqué of Non-Aligned Foreign Ministers at their recent meeting in New Delhi to the effect that industrialized countries were denounced for their "negative and intransigent attitude" on the North-South question. I believe the response of the Prime Minister (Mr. Trudeau) at the time was that that did not apply to Canada. Indeed, I assure the House that it does not, because not only is our attitude not negative and intransigent, but in fact world figures such as Mr. Ramphal, the Secretary-General of the Commonwealth, have singled us out for commendation because of the increase in official development assistance which is planned for the immediately ensuing year, and following years as well. In other words, we have reversed the downward trend in official development assistance which has been occurring in recent years. We are determined that we will rise to .7 of the GNP by the end of the decade.

In fact, I assure the hon. member that not only is the Prime Minister very active with respect to North-South problems, as has been evident by his dialogue with a number of countries including Saudi Arabia, Nigeria, Brazil and Mexico, but he has now received an invitation to go to Algeria for the same purpose. I am about to leave shortly for a conference with a number of foreign ministers in Vienna concerning the Summit meeting on North-South, which is to be held in Mexico in early June. That is an extremely important undertaking. Although it is not directly connected to the global negotiations, which are now at a standstill, we hope nevertheless that there may be some indirect effect which will help to get those global negotiations under way.

● (2210)

In any event, we are committed not only to the North-South Summit and to progress in North-South relations but to the global negotiations as well. We hope it will be a major focal point of the economic summit which is to be held here in Ottawa in late July.

With those words I would say that I believe we are on the same wavelength as the hon. member. I am pleased to see that over the weekend his party has resisted the temptation to reject foreign aid and has once again endorsed it.

EXTERNAL AFFAIRS—CANADIAN POLICY WITH RESPECT TO EL SALVADOR

Mr. Walter McLean (Waterloo): Mr. Speaker, I rise this evening for the purpose of seeking a clear statement from the Secretary of State for External Affairs (Mr. MacGuigan) on Canada's response to military intervention in the civil strife which continues in El Salvador. I am pleased that the minister is here this evening and I look forward to his response.

My questions to the minister on February 19 did not yield a satisfactory commitment that Canada is honouring its previous position which it demonstrated most recently by signing a resolution on December 15, 1980, of the United Nations General Assembly on human rights in El Salvador which reads in part:

Considering that the supply of arms and other military assistance will serve to aggravate the situation in that country, the General Assembly calls upon governments to refrain from the supply of arms and other military assistance in the current circumstances.

The minister has told the House as recently as this afternoon that information which he has received since his meeting with the American Secretary of State, General Haig, has convinced him that the increased intervention of the United States government should not be criticized by the Government of Canada. He stated today that Canada has no special interest in El Salvador. Because Canada has no ambassador in El Salvador, the minister says he is satisfied to rely on information made available by the U.S. State Department.

However, he still maintains that he supports a political rather than a military solution to the conflict. I find my credulity stretched to the breaking point. This is not the logic of a government which is truly committed to a diplomatic solution to a long overdue process of social and political reform.

As for the position that Canada has no special interest in El Salvador, I cannot let such an uninformed and potentially inhumane assertion go unchallenged. The minister himself, as well as Members of Parliament from all parties, have received representations from such Canadian-based interest groups as the Canadian Conference of Catholic Bishops, the Canadian Council of Churches and the Interchurch Committee on Human Rights in Latin America. In short, representations have been made by most of the major denominations in Canada, as well as labour unions, human rights organizations and others. Each of these groups, through their representatives in El Salvador, has pleaded the case that Archbishop Romero made to the world before his assassination. He said:

—let the people of El Salvador find a solution to their own problems, without the military intervention of any foreign government.

As former U.S. ambassador to El Salvador, Robert White told the committee of the U.S. House of Representatives as recently as last week:

Military aid to this government is not crucial, and it runs the risk of diverting the attention from the real problem of El Salvador, which is political reconciliation.

On September 23, 1980, the Secretary of State for External Affairs was kind enough to address Parliamentarians for World Order in New York. I was pleased to lead to that seminar a Canadian delegation of six members from all parties and to listen to the excellent points on disarmament which the minister made to that assembly of international parliamentarians. He said:

As legislators, we can play a catalytic role in persisting in our quest for a more just and secure world. As politicians, too, we can provide a much needed leadership in sensitizing the people we represent to the need for perseverance in changing the old patterns, in building new perceptions of humanity in an interdependent world.

We must reject the notion that it is naive to pursue disarmament in a world whose existence is threatened by the armaments of two super powers.

● (2215)

How can the minister possibly justify his self-described reaction of quiet quiescence in the face of American military intervention in El Salvador? What evidence has he received from either the Vatican, through its papal Nuncio in Ottawa, or from the U.S. State Department that could cause him to make such a dramatic and potentially inhumane about face? I suggest to the minister that "quiet quiescence" does not constitute a non-military solution to any conflict. I also suggest that there are comments today in the *Toronto Star* taken from the *Washington Post* which suggest very strongly that there is much other evidence.

In face of even the slightest possibility of military intervention in El Salvador, I urge the minister to generate diplomatic pressure together with the governments of Venezuela and Mexico, with both of which Canada has agreed in the past.

In light of the discrepancy between the evidence he says there is between the world churches and the U.S. State Department, and in light of the minister's decision to take the word of General Haig over all the personal experiences of clergy and others, I believe the Standing Committee on External Affairs and National Defence must call expert witnesses from the churches and the media and all interested parties. Now that the estimates have come down for 1981-82, I intend to approach the chairman of that standing committee and its steering committee to see whether this testimony can be made available to Parliament through the standing committee before the President of the United States arrives here to consult with our government. There should be a firm and representative body of evidence placed before the minister and before the government as it negotiates with our closest ally, our good friends from the United States.

I thank you very much for the opportunity to make this further representation, Mr. Speaker, and I look forward to the comments of the minister.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Mr. Speaker, Canada has been entirely consistent in its position on El Salvador.

We have consistently proclaimed our interest in human rights in the world. In the case of El Salvador, on many occasions through the Organization of American States, through the United Nations and its agencies, and in bilateral talks with the government of El Salvador two weeks ago, we have made representations on behalf of human rights in that country.

We have consistently proclaimed our support for peace in the world and our opposition to the supplying offensive arms to El Salvador by outside sources.

We have consistently insisted on the importance and necessity of a political solution in El Salvador, not a military solution. What we have had no right to do, and have no intention of doing, is to lay down the form of the political solution in that country or to favour one side or the other in the political battle and the military battle which has occurred.

To the best of my knowledge our policy is identical to that of those countries close to El Salvador which have, of course, a very strong interest in that country, such as Mexico and Venezuela.

Let me draw to your attention that in the joint press statement issued by the Prime Minister of Canada (Mr. Trudeau) and the President of Mexico on May 27, 1980, there was the following statement:

The President and the Prime Minister also discussed the situation in Latin America and the Caribbean—

They expressed the hope that these problems can soon be overcome through the free expression of the will of the respective peoples and without foreign interference.

Similar views were expressed in the joint communiqué issued following the meeting of the Canada-Mexico ministerial committee on January 7 to 9 this year which reads in part as follows:

The two foreign ministers . . . expressed the hope that the existing conflicts in Central America will be resolved by means of the free expression of the will of the respective peoples and without foreign interference.

Similar views were expressed in the joint communiqué issued following the visit of the foreign minister of Brazil, from September 28 to October 1, 1980:

The two ministers exchanged views about the current situation in Latin America and the Caribbean—

They expressed the hope that the countries concerned would be able to overcome their difficulties without foreign interference and in accordance with the wishes of their peoples.

In a joint communiqué issued at the conclusion of the visit of the foreign minister of Venezuela from February 4 to 7, 1981, there appears the following:

● (2220)

Those are the views which the Government of Canada has consistently expressed. We have no intention of conducting a campaign for a particular kind of government in El Salvador. We are not taking the word of any one source. In fact, our position is precisely that. Given our lack of close involvement with El Salvador for generations, we are in no position to pass judgment on the political situation in that country. That has been our position consistently. We believe it is a position which will contribute to the solution of problems in that area, accompanied, as it is, by our willingness to use our good offices in every way possible.

The Acting Speaker (Mr. Blaker): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock.

At 10.21 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, March 3, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

HEALTH

NATIONAL KIDNEY MONTH—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I rise under the provisions of Standing Order 43 on behalf of the more than 100,000 Canadians who suffer from the serious or crippling effects of kidney disease. I believe this motion will be supported by all members of this House. Whereas the month of March has been proclaimed by His Excellency the Governor General as National Kidney Month, and in view of the outstanding work being done by the volunteers of the Kidney Foundation of Canada through the provision of early detection programs, support for dialysis centres and organ transplant patients, and scientific research into the causes and cures of kidney disease, I move, seconded by the hon. member for Bruce-Grey (Mr. Gurbin):

That this House commends those countless volunteers and medical specialists from across Canada who offer hope and even miracles to those who bear the burden of kidney disease, and further, this House urges all Canadians to support the work of the Kidney Foundation of Canada.

Madam Speaker: I am sure the House will want to express its sentiments by applauding this motion.

Some hon. Members: Hear, hear!

* * *

NATIONAL ENERGY PROGRAM

CALL FOR RESTRUCTURING OF POLICY—MOTION UNDER S.O. 43

Mr. Len. Gustafson (Assiniboia): Madam Speaker, I rise under the provisions of Standing Order 43. Under the National Energy Policy of the Minister of Energy, Mines and Resources (Mr. Lalonde), the oil industry in the province of Saskatchewan has suffered a severe blow. Saskatchewan oil companies are asked to produce oil at a loss of 25 cents to $1 per barrel. Oil rigs and capital are leaving for the United States, production is curtailed, supply and service companies are out of work and unemployment is the result, affecting the whole economy of Canada. I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the Government of Canada in this emergency situation, restructure the entire energy policy of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

EFFECT OF GAS TAX ON FARMERS' COSTS—MOTION UNDER S.O. 43

Mr. Fred McCain (Carleton-Charlotte): Madam Speaker, I rise under Standing Order 43 on a matter of urgent and pressing necessity. Whereas the wellhead tax on gas will increase the cost of liquid nitrogen fertilizers by almost $100 per ton and the price of other fertilizers derived from the petroleum industry by a comparable amount, and whereas this has a major impact on farmers' costs of production, I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That the Minister of Agriculture insist that his government conduct a change of policy which would include a substantial reduction in the tax on hydrocarbons used for the production of fertilizer and a reduction in the cost of farm fuel.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

RAILWAYS

SUGGESTED MAINTENANCE OF CROWSNEST PASS AGREEMENT—MOTION UNDER S.O. 43

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, under the provisions of Standing Order 43 I wish to move the following motion. Given that a majority of western farmers support the Crowsnest Pass freight rates and that the presence of their representatives in Ottawa is causing cabinet ministers and even the Prime Minister (Mr. Trudeau) to change their minds on the subject, I move, seconded by the hon. member for Humboldt-Lake Centre (Mr. Althouse):

That the government make an immediate and firm commitment to sustain the statutory Crowsnest rates and to proceed immediately with a national transportation policy which would eliminate regional inequities and which would find

immediate favour with the farmers who have made considerable sacrifices in time and money in order to bring their deeply held concerns to the attention of all parliamentarians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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FISHERIES

CALL FOR SUSPENSION OF REGULATIONS AFFECTING CHINOOK SALMON SPORTS FISHING—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the sports fishing policy announced by the Minister of Fisheries and Oceans (Mr. LeBlanc) as it relates to chinook salmon and the obvious inequity against the sports fishermen, and apparently in favour of an industrial fleet which, incidentally, is destroying up to one million or more immature chinooks each year because of indiscriminate fishing methods, I move, seconded by the hon. member for Victoria (Mr. McKinnon):

That the Minister of Fisheries and Oceans implement a 90-day suspension of this policy and during that time engage in consultation and give full disclosure of the scientific facts on which he based his decision, as well as indicate the action he is taking against U.S. fishermen who are also endangering this species.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1410)

NATIONAL ENERGY PROGRAM

CALL FOR REFERRAL TO PARLIAMENTARY COMMITTEE—MOTION UNDER S.O. 43

Mr. Albert Cooper (Peace River): Madam Speaker, I rise under the provisions of Standing Order 43. Given that this House has never had an opportunity to examine the National Energy Program as a complete package and given that several ad hoc changes have been made or promised by the Prime Minister (Mr. Trudeau), including the imposition yesterday of the Lalonde levy, I move, seconded by the hon. member for Calgary West (Mr. Hawkes):

That the National Energy Program be referred to a standing or special committee of this House so that members of the Canadian public can be aware of and assess the impact of this program on Canada's energy, as well as economic future.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

MOTION UNDER S.O. 43

Mr. Jack Masters (Thunder Bay-Nipigon): Madam Speaker, under Standing Order 43, I rise on a matter of urgent and pressing necessity. In view of the astounding revelations this past weekend at the national Conservative convention by the hon. member for Provencher (Mr. Epp) that arguments made in the constitutional debate have caused him to reject the Vancouver formula and embrace the concept of the charter of rights applicable to all Canadians, I move, seconded by the hon. member for Guelph (Mr. Schroder):

That this House urges all Conservative MPs to end their mindless opposition to the Constitution and join the hon. member for Northumberland in supporting the proposals now before the House.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ABORIGINAL RIGHTS

EFFECT OF NORWEGIAN HYDROELECTRIC PROJECT—MOTION UNDER S.O. 43

Mr. Peter Ittinuar (Nunatsiaq): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of most urgent and pressing necessity. The Sami nation, or Laplanders, are being threatened by a huge hydroelectric project on the Alta River in northern Norway. They have been involved in sit-ins, hunger strikes, and demonstrations against a project which threatens the basis of their culture. Since Canada has made a great advance in recognizing aboriginal rights in the constitutional resolution, therefore I move, seconded by the hon. member for Saskatoon East (Mr. Ogle):

That this House urge the Norwegian government to seek a peaceful solution to the conflict which recognizes the interests and wishes of the indigenous people who have traditionally occupied the land in Arctic Scandinavia.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

COMBINES

MISSISSAUGA PUBLISHING COMPANY TAKEOVER—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, last week the corporate owners of the *Toronto Star* purchased the control of Inland Publishing Company of Mississauga to concentrate further the ownership of newspapers in the greater Toronto area. As a matter of pressing necessity I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That this House direct the Kent commission, which is examining the concentration of ownership by fewer and fewer individuals and corporations involved in the newspaper publishing industry, to examine and report on the purchase by Metro Span of Inland Publishing.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

HERD MAINTENANCE PROGRAM—MOTION UNDER S.O. 43

Mr. S. J. Korchinski (Mackenzie): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion. Following the joint announcement by the Minister of Agriculture (Mr. Whelan) and the minister responsible for the Wheat Board, assistance under the herd maintenance program to the drought stricken prairies was expected.

Whereas many cattlemen had purchased feed at excessively high prices in order to retain herds; whereas the rains came after the hay crop had been harvested; whereas many applications are now rejected on the basis of rainfall while in the same letter a request is made to provide the review board with information on the rainfall in the applicant's area, thereby indicating that their information is inadequate, and whereas the Minister of Agriculture announced on February 13 a 37 per cent increase in the feed freight assistance adjustment program to Quebec, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the minister also announce a similar increase in the funds under the herd maintenance program to cover the areas of Alberta, Saskatchewan and Manitoba that had suffered from drought, and thereby provide assistance to the cattle industry similar to that given Quebec, and reduce the level of western alienation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

S.O. 43

STATUS OF WOMEN

SUGGESTED AMENDMENT OF INDIAN ACT—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, Sunday, March 8, marks International Women's Day, when women around the world will celebrate progress in their struggle against discrimination. In order that Canadian women can truly celebrate this day, and since there is already agreement by all women Members of Parliament, representing all parties, on the necessity of removing one significant piece of discrimination from our federal legislation, I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That the government show its good faith by immediately introducing legislation to remove Section 12(1)(b) from the Indian Act.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1415)

HUMAN RIGHTS

CONSIDERATION OF CHILDREN'S NEEDS—MOTION UNDER S.O. 43

Mr. Neil Young (Beaches): Madam Speaker, I rise under the provisions of Standing Order 43. Since the Minister of National Health and Welfare (Miss Bégin) tabled the report on the International Year of the Child nearly a year ago, and since the report's recommendations have been virtually ignored since that time, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Minister of National Health and Welfare immediately establish a high office within her department to ensure that the needs of Canada's children are considered in the government's policy-making decisions and that those decisions place a high priority on the recommendations made in this excellent report.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

ENERGY

COST BORNE BY CANADIAN CONSUMERS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, in the absence of the Minister of Energy, Mines and Resources my question is directed to the Minister of Finance. It has to do with the cost to Canadian consumers of Canada's energy policy. I wonder if the Minister of Finance would confirm to this House that Canadian taxpayers are being called upon to subsidize the payment of $46 per barrel for Venezuelan and Saudi Arabian crude and $52 per barrel for Mexican oil, while we are paying only $17.75 per barrel to Canadian producers.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the taxpayers of Canada are not being called upon to pay for the additional cost of imported oil as a result of a deliberate decision of the government of Alberta to undertake production cutbacks. It is solely because of that action by the government of Alberta that this particular additional burden on the consumers of Canada is being placed at this time. At the moment the government of Alberta decides to do away with these cutbacks, the additional cost will be removed.

Mr. Clark: Madam Speaker, I would like to direct the attention of the Minister of Finance to the question I put to him. The question I put to him had to do with the difference between the price we are paying, because of Canadian policy, to Saudi Arabian, Venezuelan and Mexican producers, a price in many cases double and almost triple the price we are paying to Canadian producers of crude oil. Will the Minister of Finance justify how the Government of Canada can support a policy which pays more than double the price to foreign producers than we pay to Canadian producers?

Mr. MacEachen: Madam Speaker, I am really surprised at that question from the Right Hon. Leader of the Opposition. It is obvious that in order to increase the supply of offshore oil we must pay the world price. We also know that we are attempting in this country, as a policy of the government, to run a lower than world price regime. That is the reason, and I understand that even at the Conservative convention at the weekend the Tory party decided, belatedly, to reduce its objective to 75 per cent of world prices. Even the Conservative party now realizes that it is not proper to go to world prices at the present time, and that has been the policy of this government from the beginning.

Mr. Clark: Madam Speaker, what our convention at the weekend did was respond to the producing provinces' latest offer, which the Government of Canada has refused to do. The Government of Canada prefers a double standard which pays much more to foreign producers than it will pay to Canadian producers, with the Canadian consumer and taxpayer bearing the burden.

I wonder if the minister would confirm that had the producing provinces' latest offer to the federal government been accepted, we would now be paying $19.25 per barrel to Canadian producers under the agreement, thereby keeping Canadian money in Canada, creating Canadian jobs in Canada and creating the capacity for Canadians to rely upon Canadian supplies of energy over the next decade.

Mr. MacEachen: Madam Speaker, I want to confirm that the government of Alberta put a pricing schedule before the Government of Canada last summer as a basis for agreement. If we had accepted that schedule calling for higher prices than presently in effect, it would have cost the Canadian consumer over the next several years an additional $9 billion. We were not prepared to do that.

QUERY RESPECTING ENERGY TAX CREDIT SCHEME

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Minister of Finance in charge of evasion. Since February of 1980 there have been nine increases in the cost of oil and oil products in this country, including gasoline and heating fuel in each case. That includes yesterday's Lalonde levy which was totally unnecessary. Of those nine increases, three of them were related to the wellhead price of oil and went to the producing provinces, the federal government and the companies, and the other six went to the federal government taxation revenue alone. So it is the federal government putting the burden on the Canadian people. In Montreal now the price of gasoline is up 40 cents a gallon, compared to February, 1980. In North Sydney—I have a letter from the minister's constituents—the price of heating oil is up 39 cents a gallon, up 50 per cent since February of 1980. My question to the minister is this: when will he and his government carry out their pledge made in the election last year that "if you vote Liberal, the price will stay down"? If the minister cannot carry out that pledge, when will he bring in relief for the lower and fixed income people in Canada through an energy tax credit or a similar scheme? When will he do that and show some concern for Canadians?

• (1420)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the questions today from the opposition members are even more surprising than the recent events we have witnessed. The hon. member for St. John's West has the unmitigated gall to talk about increased prices—

Some hon. Members: Oh, oh!

Mr. MacEachen: —when he knows perfectly well—

An hon. Member: Is that an ethnic remark?

Mr. MacEachen: —that the government, of which he was a part, was defeated because of the high price regime it recommended for the people of Canada. We decided on an opposite course which we are putting into effect, which is a lower price regime for the consumers of Canada. That is the situation.

Some hon. Members: Hear, hear!

Mr. Crosbie: Madam Speaker, I would sooner be full of gall than full of deceit, and the minister's course of action is a course of deceit.

Some hon. Members: Hear, hear!

Mr. Crosbie: I might say that 18 cents a gallon looks very good to the Canadian people, compared to 40 cents a gallon and 39 cents a gallon for heating fuel.

Some hon. Members: Hear, hear!

Mr. Crosbie: When will the government stop nickel and diming the Canadian people in its deceitful fashion and bring in a policy which is rational, which will not subject them to nine increases over 13 months, and which will solve the energy problems of Canada? When is the minister going to take his obligations seriously? When will he carry out those commitments to the poor senior citizen in North Sydney who writes me about how he has been betrayed by the minister?

Some hon. Members: Hear, hear!

Mr. MacEachen: Madam Speaker, I would remind hon. members opposite that this is not the Chateau Laurier or the Civic Centre—

Some hon. Members: Oh, oh!

Mr. MacEachen: It is the House of Commons. It is quite amazing to me that the hon. member for St. John's West is up complaining about what he regards as nickeling and diming increases in the price of energy in Canada, and he laments that, his heart is overflowing with sympathy for the constituents of North Sydney, and then he has the effrontery to forget about the activities of his colleagues at the convention to urge that we go now to 75 per cent of world prices.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

An hon. Member: "Vote Liberal and the price will stay down", they said.

Madam Speaker: Order, please. The hon. member for Oshawa.

● (1425)

HOUSING

STATEMENT BY MINISTER ON RENT CONTROLS—GOVERNMENT POSITION

Mr. Edward Broadbent (Oshawa): Madam Speaker, having just heard the government express its deep concern about the consumers of Canada, I have a question for the Prime Minister. Yesterday the minister responsible for housing was in Toronto giving the government of Ontario some advice on rent controls. At that time he said that the government of Ontario should get rid of rent controls. Was the minister stating government policy, or was he simply passing out bad advice?

An hon. Member: Both.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I would remind the hon. member, as I have before in referring to the Constitution of Canada, that rent controls in present circumstances are under provincial jurisdiction. Therefore, there is no policy of the Government of Canada in that regard.

Mr. Broadbent: Madam Speaker, then I should like to ask the Prime Minister, if the Government of Canada has no policy on this issue, why is the minister responsible for housing going into the province of Ontario, which has a vacancy rate of less than 1 per cent in rental accommodations, and telling that government, in his view as a minister with national responsibility, that it should be getting rid of rent controls? The Prime Minister cannot have it both ways. Either the minister should be speaking for the government on policy matters, or he should keep his mouth shut. What is he doing?

Mr. Trudeau: Madam Speaker, it seems to me that there is a very narrow view of Canadian opportunities in the view expressed by the hon. Leader of the New Democratic Party. As a minister I told the Leader of the New Democratic Party that rent controls do not come under our jurisdiction.

An hon. Member: Neither does education.

Mr. Trudeau: But surely it would be preposterous for the hon. member to argue, as he does, that no member of this House, including members sitting behind him in his party, would not have a right to express their views as citizens or as politicians in the ongoing election in Ontario. I do not think the Leader of the New Democratic Party has been very shy in participating in provincial issues. I am just saying that when a minister of this government does so, he is not speaking for the government and he is not enunciating federal government policy in provincial matters.

Mr. Broadbent: Madam Speaker, then I ask the Prime Minister to take the opportunity to show some personal leadership on this subject himself. When the Conservative government in Alberta lifted controls last July, there was a negligible rate of increase in supply of rental accommodations for the obvious reason that rent controls did not apply to new accom-

modations—and they do not in Ontario—but rents went up by more than 100 per cent. Would the Prime Minister state his personal view on this important matter? As the Prime Minister of Canada, does he favour rent controls or not?

Mr. Trudeau: Madam Speaker, I said that the Leader of the New Democratic Party frequently participates in provincial elections. I do not, and I do not intend to do so at this time.

Some hon. Members: Hear, hear!

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[*Translation*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF HON. ABDELAZIZ KHELLEF, ALGERIAN MINISTER OF COMMERCE

Madam Speaker: I am honoured to note the presence in our gallery of the Hon. Abdelaziz Khellef, Minister of Commerce of Algeria.

Some hon. Members: Hear, hear!

* * *

[*English*]

NATIONAL ENERGY PROGRAM

EFFECT OF TAX ON HEAVY OIL PRODUCTION

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance. It is supplementary to the questions asked by the Right Hon. Leader of the Opposition. I am trying to understand the reasons for this Lalonde levy. Perhaps I should be more parliamentary and refer to it as the Outremont ouch.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Wilson: Husky Oil and Petro-Canada have both referred, before the National Energy Board, to the very adverse impact of the tax on heavy oil production in this country, a tax which will probably result in an increase in imports of about 50,000 barrels per day, all directly related to the National Energy Program. Is the minister proposing to extend that levy to include the loss of dollars to the Treasury to pay for the imports resulting from the replacement of that Saskatchewan production with imports?

• (1430)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I have not given any consideration to that specific aspect of the program, although it is the intention, through this levy, to recover in this way what otherwise would be laid upon the treasury of the country. The hon. member knows that through this levy consumers are asked to pay the additional amount which otherwise would have to be paid by the treasury.

Mr. Wilson: Madam Speaker, the minister is trying to make two different matters out of the same thing. One is a loss of production resulting from action taken by the province of Alberta. The other is a loss of production resulting from action taken by this government. Why is there a double standard here? Is the minister proposing any changes in the production tax which is causing this drop in production of heavy oil in Saskatchewan? Or, is he considering any other changes in the National Energy Program? How does he justify increasing this tax on one and not the other, when both are as a direct result of actions taken under the National Energy Program?

Mr. MacEachen: Madam Speaker, it is not the view of the Government of Canada that the National Energy Program will reduce production in this country. On the contrary, it is our view, because of steadily rising prices for conventional oil, very high incentive prices, and because of very generous grants which will be made available to the industry, production in Canada will rise. If there are production cutbacks and production shortfalls at the present time, it is not the responsibility of the Government of Canada.

* * *

ENERGY

GOVERNMENT ACTION TO AID DISADVANTAGED

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I would like to direct a question to the Minister of Finance supplementary to the question asked by the member for St. John's West. The Minister of Finance specifically, and the party he represents, promised in the election campaign that price increases would not exceed $4 in 1980. In fact, on April 1, 1980, there was a 15-cent increase for the Syncrude levy, an increase of 75 cents on July 1 for the Syncrude levy, an 80 cent petroleum compensation fund charge in November, and wellhead price increases of $3, for a total of $4.70. Madam Speaker, to be parliamentary and to use a golfing term, that is a bad "lie" on the part of the minister and the Liberal Party.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: The minister has refused to consider the fact that under our policy there would have been an energy tax credit of some $500 million paid to Canadian senior citizens, the poor and middle and lower-income earners, and $1 billion in 1981. Will the minister make a commitment now to do something for these disadvantaged people in our society?

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, hon. members opposite will have to make up their minds. They cannot complain all in the one question period and bleed about the burden on the consumers from rising prices, even though those increases are less than they proposed themselves.

Some hon. Members: Oh, oh!

Mr. Crosbie: That's not true.

Mr. MacEachen: Then, in the same question period, or just a day or two before, advocate that the country go up to 75 per cent of world prices. Just where do members of the opposition stand on the question of oil prices? Do they want to go up to 75 per cent or not?

Mr. Hnatyshyn: We stand for the protection of Canadian interests, Canadian producers, and also for the protection of the disadvantaged in our society. We proved that in our budget.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: Madam Speaker, I want to bring to the attention of the minister the promise he made. He said "Because Allan J. MacEachen and the Liberal Party spoke up for you, the price will come down". That is what the advertisement said. But in 1981 the wellhead prices will go up $2. The petroleum compensation fund charge will be $2.50. The Lalonde levy over the course of this year will be $2.25. Those figures equal $6.75, but do not include the Canadian ownership fund charge which will be at least $1 this year. This is as opposed to $4.50. Will the minister now tell us where he will place the poor of this country with respect to these enormous increases? Why does he not follow our example and do something for the poor in his budget by making changes now?

Some hon. Members: Hear, hear!

Mr. MacEachen: Madam Speaker, as I recollect, the only gesture which the government of which the hon. member was a part made, was to provide for an energy tax credit. As I understand it, the first benefit to the Canadian population from that energy tax credit would have taken place next year, 1982.

Some hon. Members: Not at all.

Mr. Baker (Nepean-Carleton): This year.

Mr. MacEachen: All right. Hon. members opposite say "this year". I will accept the correction.

Some hon. Members: Hear, hear!

Mr. MacEachen: Let me tell hon. members opposite that we did not wait for a year and a half to help the needy people of this country. We immediately increased the guaranteed income supplement, which is fully indexed, by $35 a month. That is our response, not this hocus pocus of an energy tax credit way, way down the road.

Some hon. Members: Hear, hear!

EXTERNAL AFFAIRS

GOVERNMENT POLICY WITH RESPECT TO CENTRAL AMERICA

Mr. Bob Ogle (Saskatoon East): Madam Speaker, my question is for the Prime Minister and it deals with El Salvador. Yesterday in the House the Secretary of State for External Affairs told us, "I am not aware that we have any serious obligations in that part of the world." We are well aware of the Prime Minister's basic interest in the North-South question. El Salvador happens to be in one of the most underdeveloped sections of our continent. Would the Prime Minister tell the House now who is enunciating policy in relation to that part of the world?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. member is confusing two aspects of foreign policy, one has to do with North-South and the other has to do with military aid.

Some hon. Members: Oh, oh!

Mr. Trudeau: It seems to me there is a basic distinction, one which even a few Tories will be able to understand.

EL SALVADOR—TALKS WITH UNITED STATES PRESIDENT

Mr. Bob Ogle (Saskatoon East): Madam Speaker, my supplementary question is also for the Prime Minister. The people of El Salvador are among some of the poorest people in the world. They are a suffering people. Next week the President of the United States will be here. Yesterday the United States informed the world that it was going to send another $25 million in military aid and 20 more military advisers to El Salvador. In light of the human suffering of the people who are trying to dictate their own future, will the Prime Minister tell us what he plans to tell the President of the United States next week?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, following the distinction I just made, I will make two points. In so far as military aid is concerned, we think it is a mistake. But in so far as helping the poor people of the world is concerned, we have a policy which, indeed, has been attempting to bridge the gap between the north and the south. In that sense many of the people of Central America belong to the Third World, and many of them receive assistance from Canada through our foreign aid program. But assisting through our foreign aid program does not mean assisting through the supply of military arms. I repeat, the hon. member should understand that distinction.

* * *

CORPORATE AFFAIRS

INVESTIGATION OF TRADE PRACTICES IN OIL INDUSTRY

Miss Aideen Nicholson (Trinity): Madam Speaker, my question is for the Minister of Consumer and Corporate

Affairs. In view of the concern expressed today about rising energy prices, is the minister prepared to release the report of the investigation by his department into alleged restrictive trade practices in the oil industry which may have increased costs to consumers?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I want to report that, indeed, the petroleum inquiry has been completed and will be referred to the Restrictive Trade Practices Commission. The chairman will issue a press release to this effect tomorrow. He has indicated to me that copies of this report will be released by four o'clock tomorrow afternoon. He has confirmed by letter to me today that he intends to conduct a public inquiry under Section 27 of the act.

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THE ECONOMY

RESULTS FLOWING FROM OCTOBER BUDGET

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my question is also for the Minister of Finance. I was wondering, in his defensive stance respecting the budget of last October, if the minister is aware that the street now says that so-called "smart money" in Canada is increasingly moving south to the United States, resulting in the dollar having fallen two cents since he brought in the budget and Canadian interest rates skyrocketing. In the case of Canadian issues alone, they are now yielding 14 per cent. Trans-Canada pipe even had to pay 16 per cent for new money.

● (1440)

If the minister is aware of this, would he indicate whether he anticipated this fallout from his budget when he brought it in on October 28? If he did, why did he not warn the Canadian public that this would be the consequence of his ill-advised budget?

Some hon. Members: Hear, hear!

Mr. Crosbie: You're looking lachrymose, Allan.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member says that I look lachrymose. Well if he looked across the aisle at himself every day, he would look lachrymose also. I try to avoid gazing at his countenance for that reason.

Seriously, I attempted to take into account as many factors as possible in the budget. Looking back on that budget presentation, I would not substantially change any of the decisions which have been taken, because in so far as I can see, the response of the economy has been rather favourable to the budget, including a very strong trade performance for Canada, one of the best trade performances ever, in the fourth quarter—

Some hon. Members: Hear, hear!

Mr. MacEachen: —including, in the fourth quarter of 1980, real growth in excess of 8 per cent, and including the publication yesterday of the investment intentions for 1981 which indicate a stronger investment performance—it is already strong in 1981—than in 1980.

In the light of these very positive developments—

An hon. Member: What about jobs?

Mr. MacEachen: —the hon. member ought to be telling me, "Keep going on that strong course that you have set."

Some hon. Members: Hear, hear!

QUERY RESPECTING INTEREST RATES

Hon. Sinclair Stevens (York-Peel): I would be very pleased to tell the Minister of Finance to keep going, and resign from office.

Some hon. Members: Hear, hear!

Mr. Stevens: It is absolutely atrocious that we have a Minister of Finance who has the nerve to stand up in the House and start boasting about a real growth of a tenth of 1 per cent in our economy last year.

Mr. Crosbie: Shame, shame!

Mr. Stevens: Would the Minister of Finance answer this question? If he is so proud of his budget and its repercussions, is he proud of the interest rate structure in the country which is being felt so sorely by businessmen and consumers from coast to coast? Interest rates are up at least 2 per cent as the result of the misdirected budgetary measures.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): The hon. member calls for my resignation. I want to tell him that calling for resignations is not part of the Liberal tradition in this country.

Some hon. Members: Hear, hear!

An hon. Member: Pity.

Mr. MacEachen: The hon. member knows perfectly well the reason why we have had higher interest rates in Canada. The minister laid before the House several weeks ago the options facing the government and the governor of the bank as the result of higher interest rates that have prevailed in the United States. He knows that is the reason for these particular rates, and placing the pressure on Canadian rates.

The governor of the bank has stated that we do not need these high rates in Canada for purposes of controlling the money supply. They have been induced by the pressure of foreign interest rates, primarily.

HORTICULTURE

TRADE NEGOTIATIONS WITH AUSTRALIA AND NEW ZEALAND

Mr. Fred McCain (Carleton-Charlotte): Madam Speaker, I would like to address a question to the Minister of Agriculture. Is he aware that in trade negotiations which we believe are presently going on, Canadian officials are offering freer markets to Australia, New Zealand, and other countries for fruit and processed fruit products to the Canadian market in return for freer access of manufactured goods to their markets?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I have no knowledge of such negotiations going on. If the hon. member has facts, I would be pleased to hear them.

Mr. McCain: I wish to direct a supplementary question to the Minister of Agriculture. Since agriculture has had to make concessions for greater access to manufactured products—as an example, the free access to Canada without duty of grape concentrates for wine-making—it would appear that the same policy is being pursued in negotiations today, and that other agricultural products will pay the price of the Canadian market: they will lose the Canadian market in return for access to manufactured goods abroad. Is the Minister of Agriculture prepared to remain as minister while this historic policy of the Liberal Party continues unabated?

Some hon. Members: Hear, hear!

Mr. Whelan: I only want to remind the hon. member through you, Madam Speaker, that we have negotiated higher tariffs for vegetable products in Canada to protect the industry. For instance, the tomato paste industry has had the protection of nearly 33 per cent for over two and a half years, going on three years, and has not done anything to increase that productivity in Canada.

The hon. member asks whether I am prepared to stay on as minister and allow these things to go on. To allow those kinds of things to go on, you want to bet I am prepared to stay on!

* * *

FARM CREDIT CORPORATION

INCREASE SOUGHT IN LEVEL OF FUNDING

Mr. Bob Corbett (Fundy-Royal): My question is to the Minister of Agriculture, as well. The Canadian Federation of Agriculture outlined two major areas of concern to them. The first was to increase the amount of funding available to the Farm Credit Corporation by at least $150 million, and the second was to maintain lending rates of the Farm Credit Corporation at no more than the present level. The minister's response to the CFA is that he is going to try to get more funding for the Farm Credit Corporation, but not to expect interest rates not to go up.

Will the minister explain to the House how he intends to get more funding, from whom, when it will be available, and just how farmers are supposed to be in a position to avail themselves of it if they are going to be faced with intolerable interest rates?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I am sure the hon. member is aware that the amount of money the Farm Credit Corporation loaned last year was over $500 million. We only loaned about 40 per cent of the farmers' needs. The private sector loaned the rest of the money to the farmers across Canada. We loaned that money at 12.75 per cent interest, which was a very enviable interest rate, as far as I am concerned.

An hon. Member: Compared to what?

Mr. Whelan: I have a proposal before the government to raise extra moneys to refinance the Farm Credit Corporation. I do not know if it will be accepted this time; but the many farm organizations that are looking after themselves and using cost-price formulae which take into consideration interest costs are well protected. Whether they be provincial organizations or under the guidance of the National Farm Products Marketing Council, they are looked after. Many other parts of our economy would just love to be under the umbrella we provide for them at 12.75 per cent interest, when many others are paying 15 per cent, 17 per cent, 20 per cent and 21 per cent interest. I think we have done a tremendous job in the Farm Credit Corporation.

Mr. Corbett: I would like to remind the minister that the Canadian Federation of Agriculture represents a good number of farmers across the land, and they are supported by provincial organizations in their requests. The minister knows that they have a good case. The minister is generally thought to be sincere and conscientious in his efforts to support farmers in his portfolio, but surely, if he is to retain his credibility within the agricultural community, he must acknowledge that he has been unsuccessful in presenting the case on behalf of the farmers to his caucus colleagues and to the government.

Will he undertake now to pledge to the farmers his fullest support in the two matters under consideration so that at least, if he is unsuccessful, the farmers will know where to lay the blame?

• (1450)

Mr. Whelan: Madam Speaker, I think if any cabinet minister in any government ever said that everything he or she proposed would be successful, that would be wrong. All we can do is propose things and hope they are accepted in a realistic fashion. Farmers also accept that form of honesty. When the hon. member asks how we can raise money, if you want to give me the rest of the question period, Madam Speaker, I will explain it to the hon. member.

Oral Questions

SHIPBUILDING

DEVELOPMENT OF MARINE INDUSTRIAL STRATEGY

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, my question today is for the Minister of Transport. It follows on the heels of Dome Petroleum's Beaufort Sea operations in allowing a contract to go to Japan to build a barge which will serve as a floating drydock for drill ships in the Beaufort Sea. By signing a contract with the Japanese shipyards we have now lost 150 more jobs in the Vancouver area. Last year the government let a $50 million drydock go to Japan, which cost Canada a substantial number of jobs. The Dome Petroleum group also contracted for crew vessels for the Beaufort Sea, in Louisiana.

My question through you, Madam Speaker, to the minister is this: what is the government doing to prevent this continuous drain of jobs away from Canada to Japan and other offshore shipbuilders? In short, what are we doing to develop a Canadian marine industrial strategy so that those jobs remain in Canada?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, there is no obligation on the part of the company to use Canadian-owned barges, because it is offshore. I remember, and I am not aware of this particular case, that in a previous instance Dome went out of its way to hire Canadians to operate these barges, so I will be in touch with the company to suggest it do the same in this case.

Mr. Skelly: Madam Speaker, the contract is already signed and gone.

SUGGESTED ESTABLISHMENT OF CO-ORDINATING MINISTRY

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, my supplementary question is addressed to the Prime Minister. It stems from the answer given by the Minister of Transport. Essentially, he says that in this dilemma it is really not his fault, that it is sort of the fault of the Minister of Industry, Trade and Commerce, who says it is the fault of the minister of energy, who, in turn, says it is the fault of the Minister of Finance.

In order to stop the fragmentation and working at cross purposes of many of these departments in terms of our marine industrial development, would the Prime Minister appoint a minister in charge of marine industries or marine transportation, and provide him with a mandate to develop a marine industrial strategy with the power to co-ordinate the efforts of government to see that the roughly $40 billion which Dome intends to spend and money that other companies intend to spend over the next ten years is spent in Canada for the benefit of Canadians?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I feel that the hon. member is seeing a contradiction between ministers where none exists. I will take note of his suggestion that I increase the size of the ministry. I must say that it is a temptation I am sometimes inclined to give into and I will give it some consideration.

* * *

RESEARCH AND DEVELOPMENT

NECESSITY FOR TAX INCENTIVES

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is directed to the Minister of State for Science and Technology. In view of the fact the target date for the plan for research and development indicates Canada's spending should reach 1.5 per cent of gross national product by 1985 and in view of the fact that no tax incentives are provided, will the minister reconsider this aspect of his five-year plan and recommend the needed tax incentives that will lower the after-tax cost of research and development?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, when my hon. friend refers to the five-year plan, that is a plan which is essentially a structure of expenditure commitments over the next five years. It does not take into account possible tax changes or tax concessions which might further assist the industry in pursuing heightened research and development activities on their own. Indeed, those kinds of considerations of tax and other incentives which might take place are a matter which are, in a continuing way, actively under the government's consideration.

* * *

HORTICULTURE

FUNDING FOR COLD STORAGE CONSTRUCTION

Mr. Fred King (Okanagan-Similkameen): Madam Speaker, I wish to put a question to the Minister of Agriculture. In a world increasingly hungry for food the minister is aware of the necessity for the construction of additional cold storage capacity for the crops which Canada produces in such abundance. The minister is also aware of the necessity for increased controlled atmospheric storage if the apple producers of British Columbia's Okanagan Valley are to retain their share of markets in competition with the much better equipped apple producers of Washington state. Will the minister, noting these circumstances, undertake to guarantee sufficient total funding for that cold storage construction in Canada in order to take advantage of this essential marketing benefit?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the hon. member had quite a preamble to his question. I am sure that if he had time he would have told the House that the Canadian Horticultural Council passed a unanimous motion commending the government and this minister for the great job we are doing in assisting the Canadian Horticultural Council.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Whelan: I am sure he would have also told the House that B.C. growers in that area of Canada because of the controlled atmospheric temperature storage type of system are able to export apples to nearly 30 countries this year. It is because of that tremendous program of co-operation between the producers and the federal Ministry of Agriculture that they are able to do that. I would love to be able to say I could fund it in total, but we pay up to one third of the costs of controlled atmospheric temperature costs, to a maximum of $500,000. The funds that we have provided for this year, 1981-1982, because there are so many requests to participate in this great program, will not be sufficient to go around.

If the hon. member can come up with any ingenious ideas with which I could convince the Minister of Finance and my other colleagues in cabinet, and if he can convince his financial critics to tell us to quit spending money, I will try to do my best to find the funds.

Mr. King: Madam Speaker, I am happy to have the assurance that the minister is going to continue to fund everything B.C. can produce at $500,000 per unit and one third of the capital costs.

What we advocate as national priorities are better spending priorities, not more spending—

Some hon. Members: Hear, hear!

Mr. King: —and that cold storage construction would fit into this definition.

In view of the escalating costs of controlled atmospheric storage construction, which have risen by 50 per cent in the last three years, is the minister prepared to recommend that the grant limit of $500,000 per project be increased by an equivalent 50 per cent?

Mr. Whelan: Madam Speaker, I am sure the hon. member also knows and is aware that we have advanced money to the B.C. apple producers to the tune of $11 million, interest free, so they can market their product in an orderly fashion, so they can be in a better position to get a bigger return and they will not need so much government financing. They are going ahead and seem quite satisfied with the arrangements that have been made between my ministry and themselves on the proposals for their next three-year building program. I say the hon. member is on the right trail, and we are glad to have him along with us.

* * *

ROYAL CANADIAN MOUNTED POLICE

NUMBERS SERVING IN ONTARIO AND QUEBEC

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, my question is for the Solicitor General. It is about the progress being made regarding negotiations between the federal government and the provinces for RCMP policing costs.

Is the Solicitor General now prepared, in the interests of furthering the negotiations, to disclose the numbers of RCMP officers and personnel in Ontario and Quebec so that the cost of their presence there, in these non-contracting provinces, will serve as a useful comparison to help the provinces come to a fair arrangement with respect to their own costs?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I do not have those figures in front of me. However, they are a matter of public knowledge and I will be glad to send them to the hon. member.

Mr. MacKay: Madam Speaker, I appreciate the minister's offer, but he and his deputy have refused to make this kind of detailed information available. I am pleased to know he has changed his mind in this respect and I am sure the provinces will be happy.

INTRODUCTION OF LEGISLATION

Hon. Elmer M. MacKay (Central Nova): May I ask the Solicitor General a related question? On May 10 last year, in response to a question from myself respecting RCMP grievances and the status of officers who are participating in a lawfully constituted association of the RCMP, the minister indicated he was working on the legislation and he was prepared to introduce it. He thought he could do so before the break. That was last summer. He said at the time that he was working on it much more quickly than we had been. Since almost a year has elapsed, could the Solicitor General tell us what the status is of this important initiative as far as the RCMP personnel are concerned?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, it is indeed an important initiative and I have not been able to produce it or take it through cabinet as quickly as I had hoped. It is on course and I anticipate being able to bring it forward within a month.

* * *

● (1500)

AGRICULTURE

STEPS TO OVERCOME SHORTAGE OF VETERINARIANS

Mr. Maurice Foster (Algoma): Madam Speaker, my question is for the Minister of Agriculture. In view of the uncertainty created by recent press reports regarding the availability of veterinarians to carry out the vital public health functions of the Department of Agriculture, some suggesting shortages of over 200 personnel, can the minister clarify the situation? Is there any serious shortage of these professionals to carry out the essential public health role of his department?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I understand from my officials that there may be 23

vacancies at the present time. I understand they have some volunteers, possibly even one from the opposition, who will join our crew to carry out the inspections. We are looking for as many people as we can get. We understand there are a couple on the other side.

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

MR. STEWART—REINSTATEMENT OF CAPITAL PUNISHMENT

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

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 1,458, 1,639, 1,902, 1,940 and 2,048.

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

[*Text*]

BOMBARDIER LTD.—ORDERS IN COUNCIL

Question No. 1,458—**Mr. Deans:**

1. From 1965 to June 1980, how many orders in council were issued affecting Bombardier Ltd. and its subsidiaries operating in Canada and what was the actual wording of each order in council?

2. What amount of customs duty was remitted for each order submitted concerning Bombardier Ltd. and its subsidiaries?

3. What were the commitments from Bombardier Ltd. and its subsidiaries in exchange for remitting each customs duty?

4. Did Bombardier Ltd. and its subsidiaries meet each commitment?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): In so far as the Department of Industry, Trade and Commerce is concerned: 1. Copy of the snowmobile remission order PC 1967-177 is shown below.

2. There was no specific order in council issued to Bombardier Ltd. However, the snowmobile order allowed this company and others to import duty-free parts, accessories and parts thereof for use in the production of snowmobiles. It also allowed the importation of snowmobiles duty free.

3 and 4. Order PC 1967-177 which is tariff item 43868-1 does not have any commitment.

SOR/67-73

CUSTOMS ACT.

CUSTOMS TARIFF.

Tariff Treatment—Duties Reduced on Certain Goods.

PC 1967-177

AT THE GOVERNMENT HOUSE AT OTTAWA.

THURSDAY, the 2nd day of FEBRUARY, 1967.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, pursuant to Section 10 of the Customs Tariff and Section 273 of the Customs Act, is pleased hereby to order as follows:

1. Order in council PC 1966-143 of 31st January, 1966,[1] in so far as it applies to tariff item 43869-1, and order in council PC 1966-1157 of 23rd June, 1966,[2] in so far as it applies to tariff item 43870-1, are revoked; and

2. The rates of duty applicable to the goods enumerated in the Schedule hereto are reduced so that the rates of duty on the goods included in any such enumeration shall be the rates set opposite that enumeration; and any such enumeration, together with the rates applicable thereto, shall be referred to as a tariff item bearing the number set opposite thereto.

Schedule

Tariff Item	Description of Product	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
43868 1	Snowmobiles otherwise classified in tariff item 43803 1 equipped with tracks, runners, skis or combinations thereof, not including snowmobiles equipped to perform special services or functions such as ski slope maintenance, mosquito control or well drilling or snowmobiles designed to function primarily as tractors, or chassis for such vehicles; all parts, and accessories and parts thereof when imported for use as original equipment in the manufacture of snowmobiles entitled to entry under this item	Free	Free	—

[1] SOR/66-61, *Canada Gazette* PART II, Vol. 100, No. 4, Feb. 23, 1966

[2] SOR/66-270, *Canada Gazette* PART II, Vol. 100, No. 13, July 13, 1966

CENTRE D'ACTIVITÉS FRANÇAISES, PENETANGUISHENE, ONT.

Question No. 1,639—**Mr. Lewis:**

To date, what amount of government money was spent by the Centre d'activités françaises of Penetanguishene, Ontario, to fight their legal battle to prevent a question on the municipal ballots in the County of Simcoe asking municipalities if they approve of the building of a French language secondary school?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): No federal government money was awarded to the Centre d'activités françaises de Penetanguishene, Ontario, to undertake legal action against the county of Simcoe. A grant of $45,000 was awarded to the centre in August, 1980, for cultural activities (see response to question No. 1,568, answered January 15, 1981). The department has no reason to believe that any grant awarded to the Centre d'activités de Penetanguishene has been used for any other purpose than for which it was awarded.

DND CONTRACTS FOR ELECTRON TUBES

Question No. 1,902—**Mr. McKinnon:**

1. Did the government place an order for $534,423 with Philips Electronics Ltd., file number 5PE.2759265, for electron tubes which are to be produced in Sweden and, if so (a) were Canadian firms asked to tender on the contract (b) is any Canadian firm able to produce such tubes?

2. As indicated in *Hansard* on December 8, 1980, at page 5,452, that Denlen Electronics Corporation International Ltd. contracted with the government to produce electron tubes, is the company able to produce electron tubes of the type specified in the contract mentioned in Part I?

3. What was the total value of contracts placed by DND for electron tubes for the period November 1 to November 28, 1980 and (a) what is the purpose of the tubes (b) how many are being produced in Canada and how many offshore?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of National Defence and Supply and Services as follows: 1. Yes the subject contract was placed with Philips Electronics and the tubes are being manufactured in Sweden.

(a) Canadian firms were not invited to tender as Philips is the sole manufacturer of this tube in the world;

(b) See 1 (a) above.

2. Denlen Electronics is not a manufacturer. They are the sole Canadian representative for Litton tubes, all of which are made in the United States.

3. $905,009.54.

(a) The tubes being procured have a wide range of application such as ground radars, ground and ship direction finders, avionic and radio equipment and general electronic equipment.

(b) Of the 32 contracts placed by the Department of Supply and Services on behalf of the Department of National Defence $42,789.00 was for tube production in Canada. The remaining procurement value was for tubes purchased offshore.

GIRL GUIDES OF CANADA—COMMEMORATIVE STAMP

Question No. 1,940—**Mr. Cossitt:**

Has the government given consideration to issuing a commemorative postage stamp in 1985 marking the 75th anniversary of the Girl Guides of Canada and, if not, will consideration be given toward honoring this noted organization in such a manner?

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): Canada Post is aware that 1985 will mark the seventy-fifth anniversary of the Girld Guides of Canada. Every consideration will be given to the suggestion for a Girl Guides stamp when our stamp program for 1985 is being formulated.

INCOME TAX INCENTIVES—HISTORICAL SOCIETIES

Question No. 2,048—**Mr. Cossitt:**

1. Did the Minister of Finance receive proposals for possible amendments to the Income Tax Act which would offer incentives for the preservation of historic buildings?

2. Is it government policy to be concerned with individuals and organizations dealing with the preservation of our architectural, historical and cultural heritage?

3. Will the government give favourable consideration to making the necessary changes in the Income Tax Act and specifically has the government been urged to do so by various historical societies as well as Heritage Canada?

Hon. Pierre Bussières (Minister of State (Finance)): 1. Yes, the Minister of Finance has received many representations for amendments to the Income Tax Act to provide incentives for the preservation of historic buildings.

2. The federal government has publicly stated its commitment to policies that would encourage the preservation of architectural, historical and cultural heritage. An interdepartmental Heritage Conservation Committee has been set up to study the various aspects involved in establishing a federal program and make recommendations for integrated federal policy.

3. The government has been urged to provide income tax incentives by various historical societies. The most recent of these is Heritage Winnipeg, whose officials have mounted a public campaign encouraging taxpayers to write to the Minister of Finance in support of the society's representation to him for income tax incentives in respect of historical buildings. The Department of Finance has received many letters in response to this campaign and senior officials of the department have met with officials of Heritage Winnipeg. Heritage Canada's representatives have participated in government-sponsored seminars examining possible approaches for federal government's involvement in a Heritage Building Conservation program. The issue is currently under study and income tax amendments, where necessary, will be considered where indicated in established federal government policy.

[*Translation*]

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

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Nelson A. Riis (Kamloops-Shuswap): Mr. Speaker, yesterday at the close of the sitting I was referring to the section of the charter dealing with human rights. I believe that Canadians generally have the feeling that their basic rights and freedoms are very well protected in Canada. Although our record is certainly far better than that of most nations, it is not beyond reproach. Our past, and indeed even our present, has witnessed many instances of gross and blatant discrimination where groups and individual rights and freedoms were viciously abused and in some extreme cases were eliminated completely.

Recall, for example, the total genocide of the Beothuk Indians of Newfoundland where in some cases the Indians were considered as being less than human and shot for sport. Consider the thousands of Chinese who were brought into British Columbia during the 1880s and were, for all practical purposes, slaves. This was clearly demonstrated in the Dominion Elections Act of 1885 in which Chinese people were categorized as not being persons.

We have been reminded many times in the past number of weeks of the 23,000 Canadians of Japanese origin who were forcibly moved from their homes along the west coast under the War Measures Act. Many of us today shudder at the recollection of the smashing of the Woodworkers' Union during their efforts to represent working people in Newfoundland.

There was the social political force of the Ku Klux Klan during the 1930s in Canada, again lifting its ugly head today. Under the Duplessis regime there were numerous examples of both religious and political discrimination and persecution.

In recent times the government of Alberta attempted to manipulate the free press in that province and pass legislation abusing the rights and freedoms of the Hutterite people. In British Columbia, there was blatant racial discrimination against the Sikhs since arriving in that province at the turn of the century and, unfortunately, it still remains today. As was indicated in today's question period, the federal government still maintains discriminating provisions regarding native Indian women under the Indian Act.

These practices must not be allowed to continue or to occur again, as the case may be. That is why we support the principle of an entrenched charter of rights.

To those who say, "You're not giving rights to the people, you're giving them to the courts", I can only reply, "What legal system worthy of the name in providing for rights doesn't leave the interpretation and enforcement of these rights to adjudication?" If we are serious about protecting minorities and protecting against discrimination, of course the courts will have to provide protection. Who protected the Hutterites or the Japanese Canadians? Who protected freedom of the press in Alberta or religious or political freedoms in Quebec? Not the legislatures. The dialectical tension between courts, citizens and legislatures is a permanent feature of our democratic way of life, and those who say "keep the courts away from protecting our rights" surely misunderstand the importance of the legal and judicial process in defining liberty itself.

In any case, there is nothing in the package before us that we are presently debating which prevents provincial legislatures and the federal government from respecting the rights of their citizens. What we have here is a safety net, an added protection, some extra security that in case provincial legislatures or the federal Parliament do not respect those rights, there is recourse to the courts.

These are changing times. Canadian society has become extremely dynamic. It is imperative that our Constitution reflect this dynamism in Canadian culture. Therefore, it is imperative that the Constitution of Canada include an amending formula which is flexible enough to provide for our evolving society while still reflecting the federal and regional nature of our country.

The one suggested is a practical amending formula and with appropriate co-operation ought to go a long way towards satisfying the concerns registered over the past number of months. It gives each of our four major regions of Canada a veto on constitutional change. While it identifies four regions, one could easily justify five, eight, or an infinite number of regions, but I believe we can live with the regions proposed as being a reasonable effort to meld population numbers and geographic area. This formula involves the provinces in the amending procedure, a procedure which is designed to ensure that substantial support exists from each of the four regions of Canada for any proposed amendment.

An alternative proposal was considered and rejected. I am referring to the so-called Vancouver formula which would resemble the formula we are presently discussing but would allow any province to opt out of a jurisdictional decision

directly affecting that province. Such a formula, in my view, is fundamentally wrong and incoherent. How can a province "opt out" of changes to such federal institutions as the Senate or the Supreme Court? Is it seriously contended that the Criminal Code should apply in Manitoba but not in Saskatchewan, or that provinces should be able to pick and choose what role they would play in Canada's national defence? Where the formula is not incoherent, it profoundly misunderstands the nature of federalism, which surely includes the recognition of integrity within what are the explicitly recognized fields of national jurisdiction. It is hard to see how common citizenship can exist if basic human rights are different from province to province. One could also question the constitutionality of the "checkerboard" or "patchwork quilt" view of human rights.

● (1510)

It will be clear by now that I do not believe that Canada is simply the sum of its parts or a "community of communities". I do not accept the view that the federal government is the agent of the provinces. That surely is to deny the constitutional reality that the Fathers of Confederation formed a federation whose national government has important, independent powers, and the historical, political, and economic reality that Canadians have come to look to their national government for leadership and material assistance. That leadership has not always been exercised with intelligence and restraint. Our federal institutions are in desperate need of reform. We have to find a way of establishing more co-operation in our federation. This will require a new leadership, a new will. The stage has been set for a new beginning, a new approach.

Years ago my colleague, the hon. member for Winnipeg North Centre (Mr. Knowles), wrote that Canada needed real symbols before maturing into the thriving, prosperous country it ought to be; it needed a flag, it needed an anthem and it needed a constitution. He saw it then. Canada sees it today. Canada is surely a country whose time has come. It was Laurier who said that the twentieth century will belong to Canada. Let us get on with realizing that dream.

My family came to Canada from Norway at the turn of the century. They moved into the west and settled far from the railway, far from the head of the rail in those days. They came in an oxcart to that flat, not necessarily hospitable, prairie land. It was a challenging prairie, yet what drew them into that environment was a dream. It was a dream of opportunity, a dream of freedom, a dream of equality. It was a dream that this was a place where their rights would be protected and where they could be different and maintain their cultural heritage. This Constitution will help to ensure that those dreams endure in Canada.

We are at an historic moment in Canada. We have an historic opportunity. That is why the Constitution is not "irrelevant", or the private fantasy of one individual. The challenge of constitutional, economic and political reform will be with us long after the Prime Minister (Mr. Trudeau) disappears from the scene. I am increasingly convinced that time is running out, and that all of us have to seize the day, to seize this opportunity now! Let us ensure that the Canada of our children and our children's children will be a better Canada. Let us be a model for the world. Let us make Canada the home of the most challenging and civilized society on earth. Ours has been a proud past; let us act now to ensure a prosperous future.

Some hon. Members: Hear, hear!

Mr. Ralph Ferguson (Parliamentary Secretary to Minister of State (Small Businesses and Tourism)): Mr. Speaker, I am deeply honoured today to take part in this historic Thirty-second Parliament of Canada, debating the report of a joint committee of the House and Senate which has examined and studied this history-making resolution. As indicated by the Minister of Justice (Mr. Chrétien) when he introduced his resolution, we have been trying since 1927 to develop an amending formula through federal-provincial consultation. These attempts have failed.

On examination of the reason for failure during this 54-year period of frustration and anxiety, we find that the very diverse nature of our country, of its resources and its potential structure, made the task of amendment extremely difficult. For those who would suggest that the current political differences led to the failure of the last round of talks, let me remind them that on the nine previous occasions when the federal and provincial governments tried to reach consensus, the Prime Minister and provincial premiers were not the same as those we have today.

As we reflect on and examine regional development, we realize that central Canada had approximately 75 years' head start on western Canada in terms of settlement and development, and 38 years' head start within confederation. Now development and economic growth are becoming more active in the west. As this process takes place, the industrial development that follows will provide a balance that can only lead to a stronger Canada economically, politically and nationally. As the various regions of this nation develop their potential, there must be a bond of understanding. We cannot afford to have one region suppressing or taking advantage of another. We must work together, and in this context the principle of equalization as outlined in the proposed resolution is essential to our survival as a nation.

The bond of understanding and compassion for our fellow Canadians cannot be allowed to stop at a provincial boundary but should be extended in a way that will provide equality of opportunity in life, and equality of purpose, to people in all regions of this nation. The bond of understanding and our nationhood must be strengthened. The fact that a nation over 100 years old, a nation of 24 million people, has appealed on 26 different occasions since confederation to the parliament of a nation on another continent for changes to our Constitution is unacceptable in today's world.

Canada is regarded as one of the great nations of the world. Canadians are among the leaders in contributing on a per capita basis to world food aid, yet we make a spectacle of ourselves as a nation that cannot agree to amend its Constitu-

tion. Where is our sense of pride? Surely, as a reasonably young but mature nation compared to other countries, we have come a long way in 114 years.

The feeling of outrage expressed by some of those in opposition really cannot be justified. If Parliament were to ignore the democratic system of representation, as we do at the first ministers' meetings where each province has equal input, this body could not justify itself, or justify its actions. Such action is not indicative of representation by population.

To underscore what I mean, may I remind hon. members that in Prince Edward Island, for example, there are about 123,000 Canadians. In the province of Ontario there are over eight million Canadians. The imbalance of population between the provinces is well known, yet each provincial premier for historic reasons has been given equal opportunity and importance at federal-provincial conferences. However, given equal opportunity, the premiers could not reach agreement. Members of this Thirty-second Parliament must therefore accept their responsibility and execute the functions of a democratically elected body, representative of the population of Canada, and bring our amended Constitution home to Canada.

Some hon. Members: Hear, hear!

Mr. Ferguson: It is my hope that the members of this House will act as responsible Canadians and respond unanimously, as they did on May 9 last year when the hon. member for Edmonton East (Mr. Yurko) presented the following resolution:

That the Parliament of Canada submit an address to Her Majesty the Queen, that Her Majesty may graciously be pleased to cause a bill to be laid before the Parliament of the United Kingdom to provide for the amendment in Canada of the Constitution of Canada.

● (1520)

When we reflect on the discussions and debate during the development of the British North America Act in the years before confederation, we are reminded of the fact that there was not unanimous agreement. In those days it was the members from Canada West, or Upper Canada, who provided the larger part of that majority to proceed. One of the men who worked diligently to bring opposing factions together to draft the British North America Act of 1867 was the Hon. George Brown who, in his younger years, owned property in the town of Bothwell in the riding now represented by the hon. member for Kent (Mr. Bossy). A new constituency delineated out of the riding of Kent is now part of the riding I represent.

George Brown came to Canada in 1843 from Scotland at 25 years of age. In Toronto he founded the newspaper *The Banner*, which was later renamed *The Globe*. He was the publisher and editor at that time. He was first elected to the legislative assembly of Canada in 1851, and he vocally advocated representation by population and a union of the provinces.

In 1861, weakened by illness, Brown left the political arena for two years, but in the summer of 1863 his health recovered and he returned to the legislative assembly as the representative from the riding of Oxford. He found a deadlock. Cartier's Conservatives in Quebec on the one hand, and the Reformers in Upper Canada on the other, could not agree. Throughout the autumn session deadlock prevailed with no end in sight, but finally Brown, acting as a private member, disclosed a significant new approach. He moved for a select committee to inquire impartially into the sectional problems of Canada and to report on the best means of remedying them. Brown's sole aim at that time was to settle the constitutional impasse. He was appointed chairman of the select committee which was composed of leading members of all parties, and on June 14 the committee reported to Parliament that there was a "strong feeling" in favour of "a federative system".

Lord Monck, Governor General during those confederation years, stated that "George Brown was the man whose conduct rendered the project of confederation feasible". On February 3 Mr. Megarry, the current publisher of *The Globe and Mail*, described George Brown's efforts to the Royal Commonwealth Society of London in England when he said, and I quote:

Our newspaper, *The Globe*, was founded 137 years ago by George Brown, who was one of the architects of Canadian confederation. Without him, without his persistent political dedication, the colonies of British North America would never have come together.

I cannot help but look back with a sense of pride on such references to the Hon. George Brown, who once represented part of my constituency and was the founder and publisher of *The Globe*, a man who believed in Canada and worked to bring about that original union of those four provinces.

But then when I look at the speech of the current publisher to the Royal Commonwealth Society of London on February 3, I find that later on he said, and I quote:

We are only 114 years old as a nation. Relative to other members of the Commonwealth we are still going through our adolescence.

Mr. Peterson: Nonsense.

Mr. Ferguson: That speech must have been read by every Canadian with a degree of dismay. Mr. Megarry was really saying that Canada is an immature nation. The present day publisher of *The Globe and Mail* is George Brown's successor in one sense only, because he has no faith in Canada and no vision of Canada as a country with one of the best systems of social welfare of any nation in the world. Canada is a nation which provides for its senior citizens and for those in need, a nation which is only one of the four countries of the world which are net exporters of food and a nation which, compared with other countries in the industrialized world, has created more jobs than any other similar country in the last ten years. Canada is a nation which has one of the highest standards of living of any nation in the world and is endeavouring to settle amicably great disputes, the like of which have plunged other countries into war.

When we consider the problems and developments over the years in other Commonwealth countries and even differences of opinion within various regions of the British Isles themselves, then I respectfully point out to this House that Canada is a mature nation. It is mature and able to decide by the

democratic process in this Parliament of Canada the content of the resolution before us in this debate, namely a Constitution and a bill of rights made in Canada for all Canadians.

The efforts of that first publisher of *The Globe*, the hon. George Brown, to bring about confederation and the statements of the current publisher are in direct contradiction. I suggest that inflammatory statements by Canadians in positions of responsibility, including members of this House, can only compound our current problems.

By contrast, on television on February 15 last, Charles Lynch, in referring to the acrimony which has surfaced in this debate—and, unfortunately, in some regions across the land—said, and I quote:

> The bitterness, I think, is largely fabricated by the people who have opposed the measure, by the premiers and by the Progressive Conservatives. I don't see in the measure—it's not that I've suddenly fallen in love with Trudeau and Chrétien, I simply do not see in the Constitution, in the amending formula, the temporary one, in the charter of rights, the things that the alarmists see. I am not offended by anything in the package.

He went on to say:

> As for bulldozing it, I have thought for years now that that's the only way. There's no other way to do it. If they go the Conservative way, the premiers' way, back to the table, you and I have covered enough federal-provincial conferences to know what that's going to lead to. It's going to lead nowhere ... The only person who is sure of how to do it is Pierre Trudeau. And he, in his fourth term and with all the things at his age and everything, is taking a risk that no previous prime minister has ever taken and I think no future one will take. If we don't get it this time, we don't get it at all.

This working veteran journalist leaves no doubt as to his thoughts on this matter and the need to proceed.

I was very proud of this House on May 9, 1980, and on the evening of May 20 I was very proud of the people of Quebec. I sincerely hope that the sense of pride of being Canadian prevails across this nation in the weeks ahead and results in a stronger and better Canada which has control of its own destiny.

The committee's report before the House is the result of substantial alterations made by representatives of both sides of this House and the Senate. There is not the shadow of a doubt that the report before us reflects the wishes of the Canadian people. The committee members have examined a broader perspective than that represented by the ambitions and interests of their own provinces, their own regions or their own constituencies. Indeed, if we follow the adage that history is a good teacher, then if a similar committee achieved success to give us the British North America Act, which was intended to serve us during the fledgling years of nationhood, we must accept the majority report of the joint committee to ensure that this nation is never again faced with a vote which would provide opportunists with an excuse to divide the nation again.

The proposed resolution for a joint address to Her Majesty the Queen respecting the Constitution of Canada ensures future generations fundamental rights and freedoms. This House is respectfully asking Her Royal Majesty to entrench a charter of rights duly debated in this chamber at second reading, in the special joint committee of both Houses and now again at this time.

The entrenchment of this strong charter of rights and freedoms will have far-reaching effects on our society. In that Charter of Rights and Freedoms is a section which affirms aboriginal rights. I am certainly proud of that part which refers specifically to the handicapped. I am proud that these rights are included in the charter. The special needs of the handicapped must be served.

The vast majority of the 100 groups and individuals who appeared before the special parliamentary committee favoured the entrenchment of a bill of rights. Thousands of our concerned citizens from both east and west have voiced approval in no uncertain terms.

I would like to quote from a letter from a constituent of mine dated February 9, 1981. He stated:

> Dear Mr. Ferguson,
>
> It is my hope that the Government of Canada will proceed in a straightforward manner with the matter of the Constitution. That is, the whole "package", including the human rights section, should be put directly to the House and then to Westminster without the diversion of taking it to the courts and without backing down because some British parliamentarians might not think certain amendments suit their personal view of what Canada might be. The time has come to take the first major step in defining this "Canada" in constitutional terms, including human rights for all. Let Canadians and their government be bold and proud enough to do this together now.
>
> Although the constitutional dialogue up until this time has been difficult, and some provincial premiers have not seen fit to come to terms with each other or Ottawa, I do believe it has been a creative discussion. But, the time for the process is nearly over and the decision faces us. The only alternative is to miss the opportunity and begin wallowing in words and bad feeling for years to come. This would be no favour to the country.
>
> I am entirely confident that the government should proceed directly in repatriating the Constitution and I believe many, many other Canadians think and feel the same.
>
> Within a very short time this will be recognized as having been the right course of action at this juncture in Canada's history.
>
> Sincerely,
>
> Jim Phelps.

● (1530)

Other members have had similar representations, Mr. Speaker.

It is with a sense of pride that just a week ago yesterday, Monday, February 23, I was honoured to have a gentleman from central Alberta drop in unannounced to see me in my office. This man, a complete stranger to me, expressed his deeply felt concern and conviction, a conviction as a Canadian by choice who had fought for Canada in World War II. In anguished terms, the man spoke about statements being made by some Members of Parliament and by the media which were intended to instil fear in the hearts of Canadians. As a Canadian who fought for his country, he knew where his duty lay. He asked what he could do for his nation, what he could do as an Albertan to assist in bringing about a better understanding between Canadians. That is typical. That man, though a stranger when he walked into my office, is the Canadian I know and am proud to know. As a true Canadian, I believe he will fight those who wish to instil fear by innuendo or simply because of personal goals and ambitions which they place ahead of the good of the nation.

Mr. Speaker, I have travelled across this nation on many occasions, from the rugged shores of Newfoundland to the Cabot trails of Cape Breton, to Prince Edward Island and New Brunswick, to historic old Quebec, from the Great Lakes basin to the prairies, through the majestic Rockies to the Pacific. I am proud to be a part of this great nation and I am proud of its people.

It is in this context, Mr. Speaker, that I request all members of the House to pull together as Canadians, to explain to their constituents that in spite of our problems we still have one of the best countries in the world; and in the words of Gordon Fairweather, the Human Rights Commissioner, we will now have one of the best charters of human rights of any nation in the world.

In my view, the proposed Constitution and Charter of Rights and Freedoms are the tie that will bind Canadians together in their association with each other, cognizant and secure in the knowledge that their individual rights and freedoms will be upheld in the Constitution of this nation.

I therefore enjoin hon. members to vote for the report of the joint committee and the resolution to enhance the well-being of each citizen and strengthen the resolve of nationhood. This historic debate can only strengthen the bond of understanding and the bond of equality but, most of all, it will fulfil our obligations to the Fathers of Confederation and to Canada itself as a great nation in the world.

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, I am pleased to take part in this historic debate about my country because Canada is a unique country, a country with a very special system of government, a federal system. We are one of only 14 countries in the world where the locus of power lies not in one but in two levels of government.

From the day when my great predecessor from Kingston, Sir John A. Macdonald, first dreamed his dream of a united country from sea to sea, he and his confreres, Sir George Etienne Cartier, Sir Charles Tupper, George Brown and the many others, all instinctively knew that this country, diverse as it is in peoples, regions, resources and cultures, would have to have a special system of government. They knew that they would need something better suited to this complex country than the unitary system of government which operated in Britain from which they had already borrowed our parliamentary procedures. A unitary system such as that one, even though it was dear to Sir John A's heart, would not, he knew, be capable of reflecting sensitively the differing views, and indeed the differing drives, of such a huge, sprawling, tumultuous and potentially explosive country. Canada was and is too unpredictable and too unwieldy a country to be held in check by one single rein of government designed to coerce it into uniformity. Canada never has been, is not now, and never will be, that kind of country.

It was recognition of the leashed up potential, of the greatness which lay in store for it, that led the Fathers of Confederation into the parallel and complementary paths of nation building and province building. It was not done easily and it was not done lightly. It took the divisiveness of the united Canada period, from 1841 to 1864, with its forced uniformity and its subsequent collapse, to make the people of Upper and Lower Canada appreciate that they had to be part of a system where the diversity and strengths of the one province had to be appreciated and respected by the other.

And so, when the new federation was conceived, it was in the knowledge that it would produce two levels of government, one which would encourage Canadians to look to the national government as the expression of their common interests, and the other to the provincial governments as the expression of their particular interests. But these were not to be mutually exclusive. Their interaction was the basis of the federal system.

There were times in those early years when the central government was tempted to tread heavily on the provinces, to take advantage of their vulnerability as they went through a difficult period of adjustment, which saw them relinquish their previous role as semi-independent entities to become fully integrated into the larger union.

That willingness to be part of the larger union did not come about easily. In fact, even as late as 1886, Nova Scotia, through a vote of its legislature confirmed in a general election, was still trying to secede from this "botheration scheme", as it was derisively referred to.

No, the ties to confederation were not woven overnight. They were developed over time by wise legislators, both in Ottawa and in the provincial parliaments, who knew intuitively that the great experiment, so confidently launched by Macdonald and his associates in 1867, could only stay afloat if they all pulled in the same direction.

Yes, there were arguments; yes, there were strongly held conflicting opinions; but over and over again, argument and conflict gave way to the reasoned approach of seeking a solution by consensus. Macdonald knew that. He did not always like to treat with those pesky nuisances, the provinces, but treat he did. Laurier knew it, although at times his heart bled for the hurt that his own native province was caused. Borden knew it, Bennett knew it, and even Mackenzie King knew it, although his battles with Hepburn and Duplessis were legendary. St. Laurent honoured that tradition, as did Diefenbaker. Pearson developed it to a fine art—co-operative federalism, he called it. Clark made it a cornerstone of his government.

• (1540)

Co-operative federalism is not the easiest package in the world to sell. It is something intangible and elusive; it is a concept. Concepts are much more difficult to realize and articulate and to convey to people than cold, hard facts or a face in the window. But the cold, hard fact of this country is that without co-operative federalism and without the two orders of government working together for the betterment of the whole, the country will begin to disintegrate. The face in the window, whether to ourselves or to the rest of the world, must be the face of unity. Otherwise, the glass will splinter,

crack and badly distort the image of what once existed: unity, co-operation and consensus.

These are the hallmarks of our federal system. They have been stamped on it year after year since 1867. We have faced some extremely difficult and tense periods during those 114 years, but we have always weathered them because of the ultimate willingness of sometimes seemingly intransigent politicians to set aside their more narrowly defined and based interests, whether centrally oriented or provincially oriented, for the greater good of the country as a whole.

These politicians, whether Canadian prime ministers or provincial premiers, knew it was necessary in the face of deadlock and division to draw back and address themselves once more to the question: How can we restore the crucial balance essential to any federal system, a balance which recognizes the need for both strong provinces and a strong national community? That was the question on which they stood back time and again when it was necessary to readdress.

[*Translation*]

Mr. Speaker, perhaps it was easy to ride roughshod over the provinces a century ago. They had new powers which had yet to be tested and which at the time were nowhere near as important as those assigned to the central government. But times have changed and federalism, which is a growing, lively and dynamic system of government, has evolved.

We have been witnessing that phenomenon in Canada, particularly since World War II. Not unlike the other industrialized nations, we have lived through a social revolution which brought massive changes in our education systems, in our health services, and in our attitude towards the needy.

Extensive programs were established to meet the social expectations born out of the last half century. And generally speaking, owing to our Constitution, responsibility for those programs belongs to the provinces. Because some provinces had to face that responsibility which was not theirs before, the balance of federalism was altered. In addition their resources potential was not then fully acknowledged, but it has since become a power lever in the hands of the provinces. Neither social programs nor resources projects held high priority during the first 50, 60 or 70 years of the history of our nation, but once they were established they strengthened the role of the provinces in the federal equation.

[*English*]

The central government, for its part, moved into new areas and opened up whole new departments of government in Ottawa—DREE, Communications and Urban Affairs. With this shift it was inevitable that there would be greater conflict between the two levels of government. More than ever it was important to work out conflicts and potential disputes between the two levels of government by discussion, understanding, tolerance and hard-won consensus. More than ever it became increasingly important that the central government not be isolated in its thinking from the various regions of the country. More than ever it became increasingly important that there be continuous regional input into the central institutions and the central decision-makers so that their decisions would reflect adequately the diverse nature of this country.

It was obvious to anyone who was giving the matter any serious attention, who was at all sensitive to the very real regional differences in this country, that Ottawa would have to develop new mechanisms to reconcile these emerging differences. Otherwise, there would be increasing conflict between Ottawa and the provinces and between region and region as individual provinces struggled to bring their particular interests to the fore. It had to be the responsibility of the central government to reconcile those interests and those differences to make possible the means which would channel potentially divisive tension into a positive creative force for the nation as a whole.

The Pepin-Robarts report hammered home this vision of the country. Even the federal-provincial relations office in Ottawa appeared amenable to that concept. A few years ago that particular office, under the guidance of Gordon Robertson, a senior mandarin and long-time adviser to prime ministers, seemed to recognize the necessity for parallel and complementary nation-building and province-building. The need to maintain the balance so essential to our federal system seemed to be understood in Ottawa. There was no talk then of unilateral action by one partner in the federation against another. Indeed, in the continual discussions of the past 20 years on the Constitution, no government in Ottawa ever suggested that patriation or the imposition of an amending formula could or should be carried out unilaterally.

We must ask ourselves what makes the federal government of 1981 able to do something which the federal governments of 1964, 1971, 1975, 1978 and 1979—all those years when the Constitution was debated—felt they could not do? Throughout all those years the central government felt it had a moral obligation, one much more important to the well-being of the country than any narrow legalistic approach, to act in concert with its partners in the federal system. That was a commitment to the Canadian way and an expression of belief in 114 years of shared progress, all of which the Liberal government is now willing to jettison or jeopardize by narrowing its view of what makes this country such a distinctive entity. We are being pushed toward a unitary system, a unilateral approach which would ignore the potential of regions, which would subjugate provinces to a lesser role and, indeed, lock them into a caste-system which would turn its back on what we have succeeded in becoming in 114 years of evolving federalism.

● (1550)

But these, Sir, seem to be the Prime Minister's goals. He stated them to be patriation—unilaterally; an amending formula—unilaterally; and a charter of rights—unilaterally. Yet patriation could and should be accomplished with the endorsement of all the partners in the federation. An amending formula could be worked out with the provinces, as it was worked out in principle last summer, if only the Prime Minister (Mr. Trudeau) would lessen his rigidity. I venture to say

that a charter of rights could be arrived at here in Canada if patience and persuasiveness would only replace arrogance and high-handedness.

Some hon. Members: Hear, hear!

Miss MacDonald: This country has been fortunate in that in times of greatest difficulty our leading politicians have always been willing to walk the extra mile to ensure that federalism works—all of our leading politicians in the past but not, it appears, the present Prime Minister. To the detriment of the country he insists upon saying, "This time we will do it my way." But his way is repugnant to 64 per cent of the people of Canada, to all of the parties in the province of Quebec and to eight of the ten provinces of Canada. Why? Because his way rejects the federal nature of this country.

How long would we have lasted at earlier flashpoints in our country's history if the nation's leaders in those times had been as intransigent and as locked into a personal obsession as the present Prime Minister? More than anything it is the threat to our federal system of government inherent in every aspect of these constitutional proposals which leads me to reject them so strenuously. What the government is proposing is to use its power to make fundamental changes, unilaterally, to the very structure of this country, not just on this one occasion but on an ongoing basis.

I refer, of course, to the power of the unilateral referendum with which the government now seeks to arm itself. Of all the specifics in these proposals this is the most iniquitous, the most injurious to our system. It has been condemned by parliamentarians and the public alike, by those apprehensive about our freedoms and by experts in the field of constitutional law. The referendum proposal has been criticized by Gordon Robertson, whom I mentioned earlier. He spoke of it as, and I quote, "A dangerous way to try to find a remedy to a problem". It is a measure, he said, that could give flesh and substance to east-west divisions.

It is not, however, a new proposal but an objective that the Prime Minister has long cherished. The attempt has been made in the past to insinuate the referendum into our political process. Then, as now, the government pretended it would amount to less than what is really proposed. The manipulation which was attempted several years ago should not be ignored by any member of this House today. In fact, I remind hon. members that in 1978 the government introduced Bill C-9, an act respecting public referendums in Canada on questions relating to the Constitution of Canada. At that time we were told that Bill C-9 would be used only to counter the Quebec referendum when it came. We were assured that it would be used once only. It was said the government needed the same right to consult the people of Quebec as did those advocating separation. That is what was said but that is not what was intended. In reality, what was attempted then, as is attempted now, was the integration of the referendum process into the fundamental political fabric of the nation, at the expense of our tried and tested political and judicial institutions and processes.

It is enlightening to look back now and see the devious route that the Liberal government followed then. For in 1978, at the very time the Prime Minister was meeting with the provincial premiers to review the whole matter of the Constitution, the government, unilaterally, introduced the referendum bill. At the very time when there was supposed bilateral discussion on the entire spectrum of federal and provincial powers, Bill C-9 was proposed, which would have given the federal government the power to override any result of the federal-provincial discussions then under way.

The House can be forgiven a sense of *déjà vu*. In the debate on Bill C-9, when I pointed out the threat that the referendum posed to our system of federalism, the present Minister of Energy, Mines and Resources (Mr. Lalonde) labelled what I had to say as "nonsense". We were told to take the government's word that it would not abuse these new and wide-ranging powers it was seeking to acquire, that we should accept blindly what they proposed.

It is very interesting to note that while the Progressive Conservative Party strongly opposed this grab by the Trudeau government of new powers, the New Democratic Party leader marched joyously along with the government. Indeed, the hon. member for Oshawa (Mr. Broadbent) saw nothing wrong then with the unilateral use of the referenda power by one level of government against another, as he does not see anything wrong with it today. The Prime Minister at that time was more candid than some of his ministers as to the uses he would make of a referendum. It was not his intention that the new power should be reserved solely to counter the PQ referendum. In a press conference in October of 1978 the Prime Minister said this:

> The questions (in a referendum) could have to do with as simple a thing as patriation of the Constitution, or repatriation of the Constitution; they could have to do with the will of the country to remain united, as they could have to do with anything in between.

I repeated it then and I repeat now, "anything in between". Had the government succeeded at that time in getting that referendum bill through, there would be no area of federal or provincial jurisdiction today on which a referendum, initiated unilaterally by the central government, framed unilaterally by the central government and conducted unilaterally by the central government, could not be used. Such scope is not merely dangerous, it is terrifying. Yet here we are, back once again with virtually the same proposal.

Conditions have not changed significantly in the past two or three years. The possibility of abuse of the referendum proposal remains the same as when Principal Watts of Queen's University, appearing before the Standing Committee on Justice and Legal Affairs on Bill C-9, stated:

> What is important about the nature of the general bill is that the very existence of the bill—even if it were never invoked—the very fact that such a general bill exists, itself, becomes a potential leverage in discussions with the provinces about constitution reforms.

The very existence of the referendum power in the hands of the central government invokes the spectre of unilateral action on an ongoing basis. It signifies the end of co-operative federalism; and quite possibly, some day, the end of our

individual freedoms as well. For with the device of the referenda, we can never be assured that even those rights specified in the imperfect proposals for a charter of rights will really be protected.

• (1600)

We can never know when an occasion such as the October crisis of 1970 may be used by an unscrupulous government to make permanent changes to the Constitution and to our lives. There is nothing definitive about the use the federal government would make of a referendum, nor are there any checks and balances to potential abuses.

We have no direct precendent upon which we can judge these proposals. But we do have the experience of the power grab which the Liberal government attempted with its referendum bill. I did not trust the government's motives then, and I certainly do not trust them now; nor am I assuaged in that mistrust by the proposals contained in the charter of rights.

The most detailed part of this resolution, as we have seen, and the one to which most attention has been given over the past few months, is the charter of rights. I strongly endorse the entrenchment of a charter of rights in the Canadian Constitution—

An hon. Member: Bravo.

Miss MacDonald: —but one that is thoroughly developed in Canada, debated in Canada and passed into law in Canada.

Some hon. Members: Hear, hear!

Miss MacDonald: I agree wholeheartedly with those who say that a charter of rights cannot be bartered against this or that regional of specific interest; but I agree even more with those who say that it is such an extraordinary act of faith in our country that it cannot come into being as the byproduct of strife and dissension and bitterness.

Mr. Wilson: The means do not justify the end.

Miss MacDonald: The entrenchment of a charter of rights should be a cause for celebration in one's own country, not a bone of contention because it has been enacted into law by the government of another country.

I am persuaded on at least two counts that we need an entrenched charter to protect our rights and freedoms. First, I shall never forget the traumatic shock I had as an individual when, in October of 1970, the then and now Prime Minister suspended the freedoms of Canadians by the imposition of the War Measures Act. In the heat and acrimony and supercharged atmosphere of that period, it may have been the politically popular and expedient thing to do, but it was the wrong thing to do. A person's rights and freedoms are so basic and so precious that no government leader should arbitrarily have the right to suspend them.

The second reason I support the entrenchment of a charter is that I believe it would offer some degree of security, of certainty, in a society where change and uncertainty and disruption are increasingly the norm. That is very important. But are we presented with such a charter? The Minister of Justice (Mr. Chrétien) admits it is far from being a perfect instrument. Why should we, when we come to entrenching something as important as a charter of rights, be satisfied with a halfway measure?

In its initial appearance it was so grotesque as to unite all human rights activists against it. How is it the government was so lacking in wisdom, in judgment, that it was able to put forward such a mean-spirited, negative document? I admit quite readily that it was improved during the committee hearings as a result of the representations of a limited number of Canadians. It could hardly have been made worse. But even yet, it is far from adequate, as the outcry from the 1,000 women who attended a conference on the Constitution earlier this month made clear. They, and others, ask: "Why is it there is no mention in the very first clause of the charter that all rights guaranteed hereinafter should apply equally to men and women?"

Some hon. Members: Hear, hear!

Miss MacDonald: That was demanded by every women's group which appeared before the committee, and by the thousands who did not have that opportunity. That is the wording in the universal Declaration of Human Rights, to which we are a signatory, yet the government chose to ignore it. It is a sad reflection on the government's concept of equality that women should have to argue that their rights must be protected in this specific article or that specific article, as if somehow we are not equal in all aspects to all other Canadians.

The Minister of Justice has stated that the charter has been improved to protect the rights of women. The rights of women will be fully realized when one does not have to argue for protection but can point to a straightforward, unequivocal statement of purpose that all rights apply equally to men and women.

Some hon. Members: Hear, hear!

Miss MacDonald: No difference. No argument. No compromise.

Mr. Wilson: Where was MacGuigan when we needed him?

Miss MacDonald: But this charter lacks such a statement. I ask the minister, why is it not there?

There are other shortcomings to this charter. I have no assurance from reading it that the discrimination which presently exists against Indian women who marry non-status men and thereby lose their Indian status would be corrected under this charter. Far from it. The proposed entrenchment of certain native rights might make it possible to argue that this long-standing tradition of treating Indian women as second-class citizens is also entrenched. Why does the government not immediately eliminate that possibility by taking the simple

step, through legislation, of removing Section 12(1)(b) from the Indian Act?

That proposal has, I know, the support of all women members of the House of Commons and the Senate, and I am sure that if the government would only be courageous enough to introduce a bill to abolish Section 12(1)(b) of the Indian Act, it would have the support of the great majority of parliamentarians. That single step would be the best possible indication of the government's commitment to human rights.

I have said that I support the entrenchment of a charter of rights in the Constitution, but this particular charter is being held hostage to a divisive process that could do irreparable damage to our country.

I have heard some hon. members on the Liberal side argue against that proposal. I would say to them that the Liberal government has refused to bring in that kind of proposal for years, and that was something which was drafted by the Clark government. I hoped they would have accepted it, but I am afraid, given the reaction I now see, they would still have voted against it. Ask the people of this country whether or not Indian women should be equal to any other citizen of this country, and they will answer, "Yes".

Some hon. Members: Hear, hear!

Miss MacDonald: Why will the government not separate the two and let us get on with persuading other Canadians of the merits of an entrenched charter—arrived at here in Canada, by and for Canadians—a goal which I think can be realized in this country? But that goal can only be realized if the government renounces its unilateral approach to constitutional reform and attempts once more the federalist route we have trod so often in the past.

A balanced system of federalism is as necessary to Canada's survival as the very air we breathe. Today that system is being subjected to a three-pronged assault by the Liberal government's constitutional proposals: first, by the decision to make major constitutional changes unilaterally; second, by the threat to impose an amending formula which would set province against province and region against region; and third, by the trickery of a referendum which could ride roughshod over the other partners in the federal system.

• (1610)

We have seen the results to date of anger, bitterness and divisiveness. Never before in our country's history has a Prime Minister deliberately set out to create such conflict through his lack of tolerance, understanding and compassion for Canadians in all parts of this great country. I would ask the Prime Minister to look to the examples set by all of his predecessors and draw back from this dangerous and destructive course. The partnership of Canada must continue. It must be upheld. This resolution would inflict upon it lasting wounds.

Some hon. Members: Hear, hear!

Mr. Peter Elzinga (Pembina): Mr. Speaker, in this House, I am happy to participate in this constitutional debate. As you are aware, in the previous portion of the debate in this chamber closure was invoked upon those members who wished to participate. Now again through the news media we hear rumblings that this portion of the debate is to be limited. I hope these rumblings are not true. It is imperative that members in this chamber have an opportunity to participate in this debate so that the individual regions can be heard on this very important issue. In reality, that is what our democracy is all about.

I rise to take part in this debate with a certain amount of sadness, sadness because in some respects this debate is so unnecessary. When we view the difficulties we are facing as a nation, we find that these difficulties are not being dealt with simply because of the ideological theories of one man, namely the Prime Minister of Canada (Mr. Trudeau). It is because he does not wish to understand the true federal nature of our Canadian way of life that we are dealing with the constitutional issue at this time.

I am saddened also because these economic issues have to be addressed and they have not been addressed since this government once again assumed the treasury benches. I am sure that most members on both sides of the House would agree that these are issues which must be addressed.

Let me begin my remarks on the constitutional issue by paying tribute to the leader of our party who, on October 2, was given but a short 90 minutes after receiving the Prime Minister's text to analyse the issues and to look at the difficulties which this constitutional resolution would place upon the Canadian people, and in that short period of time he homed in on the issues and brought forward our position to the Canadian people. He did all Canadians proud by sharing with them his views on the constitutional resolution at that time.

I wish to pay tribute to the hon. member for Provencher (Mr. Epp) for the integrity which he has shown in this debate. I wish to pay tribute also to his statemanship and patience in dealing with the resolution which has occupied so many hours of his time.

I wish to pay tribute to you, Mr. Speaker. On two very difficult occasions you occupied the chair when the proceedings were not as they should have been. I remember the evening when closure was invoked and a number of hon. members marched to the Chair to express disappointment at the closure motion brought forward by the Liberal government opposite. I remember the difficulty you encountered by having to name a member on this side, and even though I concur with what the member said at that time, I realize the difficulty in which he placed the Chair.

We have moved as a party to separate this package so that we can have the patriation proposal passed now giving Canadians the authority to amend their own Constitution, and as well a charter of rights which will be dealt with in Canada. This will give provincial legislatures an opportunity to participate in the development of a charter of rights. This approach would remove any intrusion into provincial rights and powers and

provide immediately legal authority to amend our Canadian Constitution.

Members opposite might ask why we took this approach. We believe the Liberal government's approach to be illegitimate, unilateral and, therefore, divisive. Our proposals in the joint committee were designed to enhance the legitimacy of the constitutional process by making it consistent with the traditions of Canadian federalism. Our proposals would have generated national pride by having changes to the Constitution made in Canada, and removed the division in the country by building upon existing consensus.

Our party supports patriation. We support the entrenchment of equalization rights in the Constitution. We also support the Vancouver amending formula. We presented a resolution to this House on October 22, which the Liberals and the New Democratic Party voted against, indicating that we should patriate our Constitution immediately.

Throughout this debate, our party has attempted to strike the compromises which are necessary to put an end to the hostility and divisions throughout our country. This resolution presently before us has poisoned the intergovernmental relationships which are so necessary in a country such as Canada. We have the unilateral action of the Prime Minister in bringing forward this resolution, and his double standard for changes in our Constitution, standards whereby we will have unilateral federal action for the Prime Minister's amendments and the application of an amending formula for everybody else's thoughts.

The foundation of our Canadian federation is based on a system of two orders of government with respect for each other. This present unilateral action, this acting alone, causes an atmosphere of distrust, disunity and confrontation. In our Canadian federation our provinces have, and must continue to have, a meaningful role to play. Provincial input is required and necessary. We in our party would like to see provincial input because the Canadian federation is a partnership, a partnership which should have all levels contributing.

Again, I share the view that this resolution is creating an atmosphere which will disrupt any possibility of genuine reform taking place in the coming years. The government's proposal is based on a false premise. The Liberal government's premise is that the federal system no longer works and that progress cannot come from consensus. The basic premise of the resolution before us is that consensus does not work; that negotiation will not result in success. On that premise, the Liberal government opposite feels it is justified in acting alone in the face of opposition, not only from the provinces, but also from the Canadian people. The genius of our federal system is that consensus does work when reasonable governments are willing to sit down and work out a compromise. It is obvious it will not work when we have a federal government opposite wishing to impose its will on other levels of government. That is exactly what the Prime Minister wishes. He wishes the process of federalism to fail so that he could force his own will upon the Canadian population. This was substantiated in the leaked documents which came out of the first ministers' meeting wherein he indicated it would be beneficial to the federal government if the conference failed so they could proceed with unilateral action. The process failed because the Prime Minister sabotaged the first ministers' conference.

• (1620)

Mr. Collenette: I rise on a point of order, Mr. Speaker. I draw your attention to the fact that no member of this House can impute motives to another member of the House. The hon. member for Pembina (Mr. Elzinga) has transgressed the rules and practices of this House by imputing motives to the Prime Minister (Mr. Trudeau). I ask him to withdraw that comment.

Some hon. Members: Oh, oh!

Mr. Deputy Speaker: The hon. member for Pembina has the floor. I am sure the hon. member is aware that the kind of language he is using could cause problems in terms of what is parliamentary and what is not parliamentary.

Mr. Taylor: On the point of order, Mr. Speaker, the language being used is not half as bad as that which the Prime Minister uses almost every day in question period.

Some hon. Members: Hear, hear!

Mr. Elzinga: As I was saying, confederation only fails when its leaders allow it to fail, and the Prime Minister has allowed the system to fail. The Prime Minister says we have been working for 54 years to bring home our Constitution. When we examine the record, we find that to be true. However, during those 54 years only 48 days were allotted to actual negotiations on bringing home the Constitution. Therefore, the argument is obviously false.

Why do members opposite want Great Britain to amend our Constitution rather than bring it home? Why do they ask Great Britain to meddle in our affairs? Let me share with members opposite the reason why. The amendments to our Constitution being proposed in this resolution would not meet the test of the Prime Minister's amending formula; therefore he wants Great Britain to do his dirty work.

In our view, the proposed resolution is politically illegitimate in that it ignores Canada's federal nature. It is unilateral because it excludes from the process of constitutional change the provinces, which are full partners in confederation. As a result, the constitutional measure is divisive now and will be in the future.

The amending formula presented in the resolution is deficient. There is no chance of gaining the consensus required to make it a respected formula. Moreover, the proposed Victoria formula creates classes of provinces, giving some a perpetual veto and imposing population requirements on others. I reject the Victoria amending formula because it does not recognize the equality of the provinces in our federation. It provides to some provinces a perpetual veto regardless of what their population may be in future years. It creates different classes of provinces in the Atlantic region and different classes of provinces in western Canada.

There is obvious discrimination in this amending formula on the basis of population. The amending formula is bad because it is entrenching unfairness into it. Even though it is wrong and unacceptable, members opposite are willing to see entrenched in the Constitution an amending formula which is unfair and inequitable.

The amending formula is one of the most important aspects of the resolution. This Liberal government raises a very thorny issue by putting its blessing on the Victoria charter. Any province which has or has had 25 per cent of the population of the country would have a perpetual veto. The red flag word is "had". Things have changed in Canada since 1971. There have been and will continue to be decided population shifts. If Quebec and Ontario are to be granted a perpetual veto, those provinces which may grow to 25 per cent can justifiably say that they should have the veto now. After all, provinces with 25 per cent now may not have that population in the future, but they will have a perpetual veto.

The people in my area argue with perfect logic that if Quebec and Ontario are to retain a veto, even if they lose the share of their population which gave them the veto, then western Canadians should have it now. It confirms what many of us believe, that this Constitution is being rewritten simply to protect the two old provinces of confederation. We find that discrimination totally unfair. We resent being made second-class citizens.

The government insists on incorporating a referendum into the resolution. This would give the central government unilateral power to change the Constitution without reference to the elected legislatures of the provinces. We reject this proposal. I hope that members opposite will examine their consciences and vote in favour of the amendment we put forward earlier.

The charter of rights and freedoms is deficient in that it does not include the right to enjoyment of property. The exercise of this right has been instrumental in the building of Canada and is a principle valued by the great majority of Canadians. Everyone who has understood the common law has said that a man's home is his castle. Many people emigrated to Canada attracted by the right to own homes, farms and property.

The Liberal-NDP coalition has refused to endorse that right and include it in the charter. One must ask, why have they done this? When the hon. member for Provencher opened the debate for our party, he questioned why the Liberal Party rejected our amendment, based on the Diefenbaker bill of rights, to recognize and acknowledge the supremacy of God. A portion of that amendment read, "affirming that the Canadian nation is founded upon the principles that acknowledge the supremacy of God".

Why do members opposite not see fit to incorporate an amendment such as this in the constitutional package? Many of us believe that the Liberal-NDP coalition has sold out the interests of western Canada. Members of the New Democratic Party say that the resolution is very much improved because of the many amendments they proposed. If we review the record, we find that of the 43 amendments they presented, 41 were defeated and two were accepted. Therefore they can take very little credit for improving the resolution.

Western Canadians do not wish to dismantle this nation. They want to participate in a federation which gives equality to all. However, they should expect and receive fairness from our federal institutions. As I illustrated in my earlier remarks, the amending formula alone makes them very wary of any prospect of fairness on the part of the federal government.

• (1630)

I love Canada and I love Alberta, Mr. Speaker. I want to have the opportunity of contributing to the growth of both. When we examine what has been brought forward in the last few months and the negative impact it is having on the region that I come from, we find it has caused division. The constitutional package has caused division. The energy package has also caused division because it is so similar to the constitutional package in its discrimination against the regions.

I cannot help but be puzzled when I see hon. members opposite indicate sensitivity to the frustrations of Quebec. I sympathize with the frustrations of people in that area but I am puzzled that hon. members opposite show so little sensitivity for other areas when all of the country is Canada.

As I shared with you earlier, Mr. Speaker, one man's obsession is causing the difficulty that we are having in Canada today. When we consider the economic difficulties that the nation faces, we see that this government has given us record high interest rates, a record low dollar, record high government spending, record high government deficits and record high unemployment. Maybe these are the reasons for the constitutional proposal before us. Maybe hon. members opposite hope that the Canadian people will be preoccupied with the constitutional proposal and not realize what a poor job they have done of governing the nation for the last several years.

In his presentation my colleague from British Columbia, who has been my seatmate for years, said that when we examine the wording of this resolution, when we consider who is talking to whom, we realize that by this resolution the government gives certain rights and privileges to the Canadian people. The wording of the resolution is very similar to that of the Russian constitution in which the government states the rights and privileges to be granted to the people. When we compare this proposal to the constitution of the United States, we find that the reverse is true, that the people there indicate to the government what powers they grant to the government. That is the way it should be in Canada. Our powers should be derived from the population. That is not the way this resolution is worded, however. The Prime Minister believes that he is almighty and that he can grant privileges to the individual in Canada. That is not what I believe democracy is and it is not the way that I believe the country should be run.

I have many reservations, Mr. Speaker, and the greatest one relates to the amending formula. I believe that in our nation all regions should play a meaningful role. I advocate that the amending process should be what is known as the Vancouver

formula. I also advocate a change in the status of the Senate. We should have equal representation from each province in the Senate and it should be an elected body. The regions would be protected by a second chamber. I wholeheartedly support representation by population for the House of Commons, but it is obvious that if the regions are to have a role to play in confederation, they must be respected.

My parents were immigrants from The Netherlands. They came here because they felt it was a land of opportunity. They worked extremely hard and prospered in their new home because of the rights and freedoms they enjoyed here. As elected members of this House, it is our obligation to ensure that these rights and freedoms are protected. They have a deep feeling of pride in being Canadian and this pride would have been more rich and deep had this constitutional resolution met with a general consensus. What should develop more national pride than bringing the Constitution home to Canada? Instead, it has caused division in the nation.

Let me close by sharing with the House my feeling that in good conscience I cannot vote to support this resolution. I cannot live with myself knowing that it would leave my constituents, my region and my sons as second-class citizens in a nation where all are supposed to be equal.

Most western Canadians want to play a full and meaningful role in the development of this nation. They want to contribute to the growth not only of their region but to all of Canada. But if the policies of this government continue to push us out of confederation, then what will happen to this country is obvious to all.

As I said earlier, Mr. Speaker, I love Canada, I love Alberta and I wish to contribute to the growth of both. I would ask hon. members opposite to allow us who come from the far regions of Canada to contribute to the welfare of the nation as a whole. True patriotism is to criticize constructively the land of our fathers and to construct the land of our children. We want to make a better country and a whole lot better world for our children. This land of our fathers is not as important as the land we leave to our children. This country is, in this sense, precisely the conjunction of virtues that were and are lacking in our historic home. The nation is what we have not been and what we must be under penalty of feeling ourselves erased. By so understanding our country, patriotism becomes for us an incessant activity. Our country becomes a task to be completed, a problem to be solved. It is our duty to complete that task.

Any thinking person will agree that true patriotism is to criticize the land of our fathers and to construct the land of our children. The greatest expression of true love is the desire to help and to serve one's country.

Some hon. Members: Hear, hear!

Mr. Dave Dingwall (Cape Breton-East Richmond): Mr. Speaker, in rising to speak on the proposed resolution respecting the Canadian Constitution I should like to remind hon. members that this debate is apt to be recognized in subsequent years by historians, academics and our inevitable successors, as a crucial mark in Canadian history.

● (1640)

First, I would like to congratulate the Members of Parliament and those senators who participated in the special joint committee. I think particular congratulations should be bestowed upon the two co-chairmen of that committee.

In addition, I believe congratulations should be conveyed to those witnesses who appeared before the committee, gave evidence and submitted briefs on a variety of topics as they relate to the Constitution.

This resolution before Parliament contains numerous provisions which, by themselves, are not exhaustive but, taken collectively, can be said to encompass all of what John Porter might refer to as the Canadian mosaic.

One important aspect of this constitutional package is the Canadian Charter of Rights and Freedoms. It is my assessment that enshrining in the Canadian constitution a charter of rights and freedoms is not only an important aspect of this constitutional package but a crucial aspect of confederation.

For a moment I would like very briefly to describe what some of those rights are. The fundamental rights are freedom of conscience and religion, freedom of thought, belief and opinion, freedom of expression, including freedom of the press and, of course, freedom of assembly. The democratic rights are the rights of individual Canadians to vote in elections of Members of Parliament and members of provincial legislatures. There are legal rights whereby everyone has the right to life, liberty and security of person. Everyone has the right not to be arbitrarily detained. Every Canadian also has the right to be secure against unreasonable search or seizure.

There were various amendments to these sections as a result of testimony by a variety of groups which appeared before the special joint committee, including the United Church of Canada, the Canadian Civil Liberties Association and the government of New Brunswick.

Everyone has the right, on arrest or detention, to retain and instruct counsel without delay and to be informed of that right. This is a new addition because prior to this in the common law one did not have the right to be informed that one could have legal counsel. Every individual is equal before and under the law and is entitled to equal protection and benefit of the law without discrimination based on race, national origin or ethnic origin, colour, religion, sex, age, mental or physical disability.

In the charter of rights we have enshrined the two official languages. We have also enshrined the aboriginal and treaty rights of the aboriginal people of Canada. Those rights will now be recognized and affirmed in a Canadian Constitution.

One important aspect of this Canadian constitutional package is mobility rights. I believe it is an absolute necessity to maintain and promote the Canadian economic unit. Consequently, mobility rights ought to be enshrined in the Canadian Constitution. Enshrining in the Canadian Constitution the concept of mobility rights would give to Canadian citizens and

persons who are permanent residents certain inherent rights based on the concept of Canada as an economic and political union in which Canadians should be free to move, reside and work without discrimination based upon provincial or territorial boundaries. These provisions would prevent a province from denying people from other provinces the right to take up residence or seek work simply because they are from other provinces. Enshrining mobility rights in the Constitution does not prevent the provinces from applying qualifications for employment as long as they apply equally to similar persons in the provinces.

This concept of mobility rights has been affirmed and recognized by Canadians across the country. Gordon Fairweather came before the special joint committee and said:

I am absolutely delighted to see that mobility rights are to be enshrined ... If the maritime provinces, from where I come, had been restricted in mobility there would have been social revolution in this country and I think it is time that people remembered that ... We are totally committed to this principle and I think that 99 per cent of the people of Canada are.

A spokesman for the Canadian Chamber of Commerce who appeared before the special joint committee said this:

I would like to draw to your attention the concern of the business community of Canada to the subject known as economic union, that ... is the free flow between the provinces of goods, services, capital and labour ... We have a concern that impediments ... between provincial jurisdictions ... are creating economic hardships, not only with the jurisdictions but for Canada as a whole in the development of its export trade.

He also said the Constitution should provide for a reduction of these impediments.

A great many other individuals recognized and affirmed the concept of mobility rights. In "A Future Together" in January of 1979, the Task Force on Canadian Unity said, and I quote:

In a federal union, the regions can expect their economies to perform better as a result of the free movement of labour, capital, goods and services.

The Canadian Bar Association said the following:

The Constitution should provide that all manpower may move freely without discrimination throughout the country.

The Quebec Liberal party has been referred to by hon. members opposite. In its beige paper it said:

The constitutional arrangements which would guarantee the right of all Canadians to establish themselves anywhere in the country, and their right to mobility, will not contradict the confirmation of provincial jurisdiction ... but they will, however, prevent the provinces from passing laws which discriminate between their permanent residents and other Canadians.

I am a Member of Parliament from Atlantic Canada. We in Atlantic Canada have a fair share of the most damaging problems in this country, unemployment and high inflation. It is particularly important that we as a country have mobility rights.

If hon. members were to check with Statistics Canada or some other body, whether it be provincial or federal, they would readily see that the flow of goods and labour between the provinces over a period of time is astronomical. For instance, from October, 1979, to September, 1980, the number of people who migrated to the province of Newfoundland was approximately 11,000. The number of people who migrated from that province was approximately 12,000. The figures I have cover all the provinces. It can readily be seen that the work force of Canada is very liberal with respect to mobility. It too does not want to be restricted.

We cannot speak of mobility rights in a vacuum. I believe we must look to other jurisdictions which have enshrined mobility rights in their constitutions. Why should Canada be different? Such other jurisdictions as the United States, Australia, Switzerland, the Federal Republic of Germany and Indian have all enshrined in their constitutions the concept of mobility rights.

In the days since this government announced its plans to patriate the Constitution we have heard a host of emotional reactions from a variety of sources. Indeed this is proper, for I believe we all look forward to the arrival of our Constitution in Canada after some 113 years. It is an arrival to which I look forward with a great sense of accomplishment. I, like other Members of Parliament and like the members of the Senate, will be a part of that great and historic event.

However, for a moment let us lay aside the emotional aspects of this issue and examine exactly what the patriation of this Constitution means in a practical sense. I believe all of us here and all those across the nation are cognizant of the reasons why the Fathers of Confederation came together over a century ago. They, like us, recognized the potential of a union of the widespread regions of this land. Only today are we beginning to realize that potential fully. It is a potential which is linked implicitly with a strong economic structure governed by a strong national government. They, like us, recognized that this land contains an abundance of resources and wealth which are second to none in the rest of the world. They also recognized that the strength of these resources could only be fully realized when the goods and services abundant in one area of the country could be shared with other areas where those particular resources did not abound.

● (1650)

We are all aware, Mr. Speaker, of the value of this holistic philosophy, a philosophy that states unequivocally that the sum of the individual parts is greater than the sum total of each individual segment. It was this realization, above all else, that prompted the various factions to lay aside their individual goals in order to construct a structure from which all would benefit.

The logic of such an argument is all around us today for us to view and appreciate. Canada is a country that owes its present status to the foresight and courage of those people who were able to lay aside their personal interests in the short term to achieve results that individually would have been unattainable.

In many ways, when I think of our country I cannot help but compare it to a family. Outwardly, a family can be seen as a group of individuals each with a certain set of goals, expectations, interests and talents. Certain members may make their contribution through their skills as intellectuals or educators, others through their ability to manufacture, and still others through their compassion and understanding. All make valu-

able contributions, and no one trait is more or less important than any other. Separately, each may be able to exist independently, at least for a short period of time. But where, I ask you, Mr. Speaker, does the real strength come from with these individuals? It results from their coming together in a unit that we refer to as a family. It is the family that provides the sense of belonging, the feeling of strength, and the sense of identity.

And what of this family that we call Canada? In my analogy, all the family members have significant and vital roles to play in the development and preservation of the unit. In this country, one member is able to make its contribution through its abundance of minerals, the raw materials needed for manufacturing, while another can provide the expertise for manufacturing these materials, and still another can provide the energy resources needed in the manufacturing. Some members can provide food from the waters that surround them, and others food from the land. Some areas are ideally suited to provide the facilities for exporting our goods, while others are better equipped to provide the goods to be exported.

The point I wish to make, Mr. Speaker, is that collectively as a nation we possess all the skills, resources, initiative and intelligence that will allow us to achieve our true potential as a great family, a great nation.

Some hon. Members: Hear, hear!

Mr. Dingwall: What we must guard against, however, is the temptation to count ourselves as part of the family only when it is to our advantage. We cannot be a member who relies on the family unit only in times of need and turns its back in better times. We must not try to lavish our own interests at the expense of other family members. Such an occurrence cannot be permitted for it tears at the very fibre that binds the unit together, leaving it disjointed, ineffective and weak. Hence the need for enshrining in the Canadian Constitution the concept of equalization.

Some hon. Members: Hear, hear!

Mr. Dingwall: There are some who may agree with the points I am making but voice their opposition to the manner in which this government is moving to accomplish the task. I would remind them that this government is exercising the very power that the Constitution sought to establish, a power that would allow for a strong voice, the voice of the people, to be heard above the voices of those whose main concern was their own regional and sometimes selfish interests.

This government, in its move to patriate the Constitution, is bringing this country to a new and exciting period in our history. This move is as important as the original one, made over a century ago, in that it allows us to advance to our next stage of development, a stage that will see us move from adolescence into adulthood.

I have already referred to my concept of this country as being similar in structure and philosophy to that of the family, a family with shared responsibility for the well-being of each other. This notion of equalization provides the vehicle by which this responsibility can be realized. Such a system should not be regarded by any one region or province as a one-way street, with money continually being taken from one area to be pumped into another. Moreover, such a system allows the national government to provide a stimulus in a given area for a certain period of time, a time when that province is able to support itself.

The commitments stated in Section 34(1) of the proposed resolution—to promote equal opportunities, to reduce economic disparities and to provide essential public services across the country—capture one of the most important elements of what it means to be a Canadian, a willingness to share our good fortune and our opportunities so that we can grow strong together.

I should like to remind hon. members that this commitment applies not only to Parliament and to the Government of Canada, but also to the legislatures and the governments of the provinces, although it is noted that this commitment does not alter the legislative powers of the two orders of government.

There is great merit in enshrining in the Constitution the concept of equalization so that sharing will be an important ingredient in the future of our national life. But there can be no doubt about the federal government's current commitment to the principle of equalization. I could go on at some length to describe the current equalization program, but let me simply note that, for the fiscal year 1980-81, this program will require disbursements in excess of $3.3 billion. In Atlantic Canada, the province of Prince Edward Island will receive from the federal government unconditionally, with no strings attached, approximately $85 million to be used by that government for whatever they think necessary. Newfoundland will receive $377 million, New Brunswick $387 million, and my own province of Nova Scotia in excess of $440 million.

Canadians are aware of the provinces which are presently in need of such equalization payments and those from which the funds for these payments are derived. It should be noted that these provinces have not remained the same throughout the history of equalization payments. Indeed, the province of Alberta, to which we now refer as a have province, and whose potential is unlimited, received equalization payments from 1957-58 through to 1964-65. On the other hand, the province of Newfoundland, which has been the recipient of payments since 1957, now appears to be close to an era, which I am certain all members hope to be a reality, when such payments may no longer be necessary.

No one, Mr. Speaker, is capable of predicting the future, but with equalization payments Canadians from all parts of this country are assured of a reasonable standard of public services without imposing an undue tax burden on its residents. This notion of sharing has become a tradition in our country, a tradition that can be traced back to the original goals and ideals of the Fathers of Confederation, and it is a notion to which this party subscribes wholeheartedly.

Some hon. Members: Hear, hear!

Mr. Dingwall: Mr. Speaker, in conclusion I wish to quote one of Britain's great prime ministers, Sir Winston Churchill, who stated:

The destiny of mankind is not decided by material computation. When great causes are on the move in the world . . . we learn that we are spirits, not animals, and that something is going on in space and time, and beyond space and time, which, whether we like it or not, spells duty.

Mr. Speaker, I believe that, prior to the Quebec referendum, and shortly thereafter, members of this House, and indeed many of the first ministers, made a commitment not only to the people of Quebec but indeed to all Canadians with regard to constitutional renewal. We, as Members of Parliament, ought to seize this historic opportunity to fulfil our duty to the Canadian people. Mr. Speaker, I suggest the time is now.

• (1700)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for York-Peel (Mr. Stevens)—Government Expenditures—Query respecting increases; the hon. member for Comox-Powell River (Mr. Skelly)—Hazardous Substances—Urea formaldehyde foam insulation—Notification of potential health hazard.

It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, public bills, private bills and notices of motions.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Items Nos. 17, 18, 22 and 25 allowed to stand by unanimous consent.

RAILWAY ACT

AMENDMENT RESPECTING CONSTRUCTION OF CHAIN-LINK FENCES

Mr. D. M. Collenette (York East) moved that Bill C-227, to amend the Railway Act (fences), be read the second time and referred to the Standing Committee on Transport.

He said: Mr. Speaker, it is with great pleasure that I enter private members' hour with a bill of my own which I have discussed with the critics of the other parties, the hon. member for Vegreville (Mr. Mazankowski) who in his brief tenure as minister of transport did a first rate job for the country and with whom I have shared many causes in the Thirtieth Parliament on the standing committee on transport and communications, and the official critic of the New Democratic Party, the hon. member for Regina West (Mr. Benjamin) who is present today and I think will be participating in the debate. I know I have his approval for this bill. The Minister of Transport (Mr. Pepin) informed me that he is quite prepared to allow this bill to go forward to the Standing Committee on Transport. This will mark the first time that a private member's bill has gone forward in this Parliament.

It is very rare for private members' bills to go to committee, but in this case I feel very much vindicated because I have worked on this particular matter since 1977. It came about in rather tragic circumstances, as a result of the death of one of my very young constituents, a girl named Sandra Jensen, who in 1977 was hit by a Canadian Pacific freight train in my constituency of York East.

My constituency is one of those in metropolitan Toronto which straddles the Don Valley system. We have the main lines of both the Canadian Pacific Railway and Canadian National Railways. There have been many injuries over the past, but the death of young Sandra Jensen was particularly tragic. As a result of representations from people in my constituency—obviously her parents and members of the council of the then borough of North York, which is now the city of North York—I brought forward this bill in November, 1977. This is the first time this bill, through the lottery or draw system in the House of Commons, has come up for debate.

I do not think I should bore the House, but I had many a battle over this bill with the former minister of transport, the Hon. Otto Lang, and the president of the Canadian Transport Commission, the Hon. Edgar Benson. We tried to come to some agreement; it was on again, off again. I must pay tribute to the present Minister of Transport who has seen fit to allow this bill to go to committee. As I understand it, there will be support on all sides to permit that today.

Basically it is a very simple bill. It is to require that chain-link fencing be constructed along railway rights-of-way in urban areas upon the petition of a municipality to the Canadian Transport Commission. The current Railway Act provides only for fencing in rural areas basically designed to keep cows off railway tracks. Of course, we do not have many cows in metropolitan Toronto, but there are many railway lines. As I said, the main lines of both major railways go through my constituency. There is a lot of trespassing on those railway rights-of-way. Older people can take care of themselves; they run the risk of being on the tracks. But this bill seeks to protect the Sandra Jensens of metropolitan Toronto and any other urban area where, despite warnings and parental supervision, young pre-school children wander on to very busy railway tracks.

This particular track has some notoriety because it is the same track on which the famous chemical derailment occurred two years ago in Mississauga; it is the same line. Had that

derailment occurred 15 or 20 minutes later, it would have occurred in my constituency. Luckily it occurred in Mississauga, an industrial area, so no fatalities occurred. It could have occurred in my constituency or anywhere along the CP right-of-way in metropolitan Toronto, and I would hazard a guess that many hundreds or perhaps even thousands of people could have been injured by that very serious train wreck.

As I said, the current Railway Act provides for cow fencing to be installed along railway rights-of-way, but it does not provide specifically for chain-link fencing. An accommodation can be reached between a railway and a municipality after lengthy negotiation.

I should like to look at the correspondence I have received on this subject. Most recently I received a copy of an August 23, 1978, letter to Mr. J. D'Avignon, the secretary of the railway transport committee of the Canadian Transport Commission. It is quite obvious that the railways are not serious about protecting the young children of urban centres by taking the initiative and co-operating with municipalities in erecting this kind of fencing. My bill makes provision for a municipality—in my case, either the borough of East York, the city of North York or metropolitan Toronto—to make an application to the Canadian Transport Commission to instal chain-link fencing.

The railways argue against this by indicating that there will be many frivolous requests. That is the reason we specifically require an application to the CTC. I am sure there are rural members in the House today who know that to put chain-link fencing along the borders of the wheat fields of Saskatchewan or the farmlands in southwestern Ontario would be an exorbitant waste of money. But in urban areas, such as metropolitan Toronto in particular—and I am sure every other major urban area in the country—there is a need to protect the lives of innocent children.

The Toronto Transit Commission, which runs the electric rail system or the subways in metropolitan Toronto, obviously must put chain-link fencing along its rights-of-way because of the live third rail. But I would submit there is very little difference between a live third rail and a freight train with a hazardous cargo which, on the downhill on the CP track in my constituency, travels at least 70 miles per hour. These trains carry many hazardous and heavy loads; there are curves in the valley and braking is almost virtually impossible. In situations like that we need some protection for young children who trespass on railway rights-of-way. Basically, that is what the bill before us deals with. The city of North York in Toronto has been very supportive of this approach. In fact, there was a resolution of the works committee as adopted by the Borough Council, as it then was, in 1974 which I think succinctly summarizes the problem. I wish to quote from that works committee report:

Fencing along railroad tracks is erected by the railroad companies "for the purpose of keeping domestic livestock from railway property and protected from trains".

● (1710)

That quotation is from the Railway Act. The report goes on:

The city of Toronto contends that more substantial fencing should be erected along railroads by the railway companies through urban areas than the type of fencing required along railroads through farmlands and recommends as follows:

"Whereas Section 277 of the Railway Act provides for the erection of fences to a height of 4 feet 6 inches on each side of a railway, for swing gates at farm crossings and for cattle guards;

"And whereas such fencing and gates are adequate for cattle but not for human beings;

"And whereas the Minister of Transport has advised the city of Toronto that he is not prepared to advocate an amendment to Section 277 of the Railway Act at this time,

"Now therefore be it resolved that the federal government be asked to give further consideration to amending the Railway Act so as to obligate the railways to provide adequate fencing for the protection of the public in urban areas beyond the amount authorized to protect livestock, having due regard for the commercial users of the railways."

I maintain that this will not cost an exorbitant amount of money in metropolitan Toronto, or in any other municipality, since private owners often erect, at their own expense, chain-link fencing to keep, for example, residents of an apartment building, or employees of a factory, from trespassing on the railways. They bear that expense.

In the city of North York I believe that almost half of the railway rights-of-way do have some kind of chain-link fencing. Thus, the cost will not be exorbitant. What I am asking for is the differential cost between the cattle fencing, which is now stipulated in the Railway Act, and chain-link fencing. The differential should be split 50-50, 50 per cent for the effective municipality and 50 per cent for the railway concerned. I believe this will go a long way toward keeping the very busy railway rights-of-way in urban areas safe.

Again, I wish to underline the fact that there have been discussions among the parties with respect to this matter. I have talked with the hon. member for Vegreville and with the hon. member from the NDP. There seems to be a general disposition to allow this bill to go to committee, to hear witnesses and to let the president of the Canadian Transport Commission be brought forth to explain the role of the Commission. The Minister of Transport should come forward to state government policy.

The railways may also come forward and object to providing what I consider to be a useful public service in the erection of chain-link fencing on railway rights-of-way in urban areas. But they would do this at their own peril, although I think that many Canadians, and certainly the mother of Sandra Jensen as well as many of my constituents who are affected by this particular problem, feel that it is almost an uphill battle to take on the railways. It has often been said that the Canadian Pacific Railway or CP investment is bigger than the government. I am sure some of my friends from out west would agree with me.

Mr. Knowles: True!

Mr. Collenette: Here is a case where, over the objections of the railways which have asked that this bill not go forward, the

Minister of Transport has taken a very enlightened and reasonable approach and is prepared to allow this bill to go forward to the standing committee and, hopefully, become law.

I congratulate the minister. I congratulate my friends in the Conservative Party, in particular the hon. member for Vegreville. I also congratulate the hon. member for Regina West who has also taken a very enlightened view toward the passage of this bill at second reading stage.

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, I would like to congratulate the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) for bringing this bill forward.

Transportation is a major and a vital concern to Canadians. In fact, because of the nature of our country, I would argue that transportation is probably the major factor that we need to look at in order to keep our country together and productive. We do have an excellent transport committee. I have had the privilege to be a part of that committee since I was elected to this House. I have seen some of the fine work that it has done and I think that if this bill does come before that committee it will then be in front of a very excellent committee.

Prior to the Christmas break we spent many hours dealing with Bill C-18, which had been before this House and committee for over a period of some three years. We worked long and hard in order to get the bill proclaimed and put into force as quickly as we could. There were some excellent witnesses and some excellent questions asked by members of the committee of witnesses appearing before the committee to develop Bill C-18, which deals with the transportation of dangerous goods.

That is really what we are talking about here today. We are talking about the railways and the safety and protection of individuals, the most important commodity that we have in this country. So in that respect it is an important bill, though I do have a few concerns with respect to it.

Before I get to the concerns that I have with the bill, I would like to add that I think we have an excellent chairman on the transport committee. Although I have not had an opportunity to serve on a large number of committees since I have been elected to this House, the chairman of the transport committee is a very excellent chairman and I know he enjoys the support of all members of that committee.

As I said, the intentions of this bill are certainly admirable. I have had much experience with respect to problems that railways have with livestock on rights-of-way. The hon. member opposite talked about the type of fencing that was required by law to protect livestock and he read from the Railway Act. In some cases this type of fencing does not work since livestock always manage to get through fences, being what they are. I have been at the scene of some very unfortunate accidents to both horses and cattle. It is not a happy situation. I can certainly understand the concern the parliamentary secretary has when he talks about the unfortunate accident that occurred with one of his young constituents.

It is true that a four-foot fence is required by law to keep livestock off rights-of-way. It is not a chain-link fence though, it is simply a barbed-wire fence, which would not be at all adequate when it comes to protecting children from rights-of-way and the kind of problems that could arise with a train coming down the track. As children, I think all of us have fooled around on railway tracks, have heard trains coming, have crossed bridges and done other things which could have gotten us into serious trouble with locomotives and trains. I think in light of these personal experiences we are familiar with the kind of force that trains and locomotives have. We need to do as much as we can to protect children and adults from the kind of awesome force that trains have. I am familiar with some of the problems that arise when animals get onto railway tracks. As I said, I was a part of the committee which studied quite extensively Bill C-18, which dealt with the transportation of dangerous goods.

One of the concerns I have with respect to Bill C-227, which is the bill in front of us, and which the mover of the bill took into account, is that he has apparently had some discussion with municipalities and the people who will be affected by this bill. That is why I feel that, if this bill is to reach the committee, it is important that the committee have a chance to hear from the people who will be affected by this new law. We all know that when it comes to the expenditure of tax dollars, which proclamation of this bill would require, the people who will be required to expend this money have a say in what kind of laws will be governing them. After all, they are the people who will be responsible to the ratepayers for the expenditure of the taxes that are raised. It would seem very appropriate that the committee call before them the municipalities and whatever governmental bodies will be affected by this bill if, in fact, it is passed. Without this action the bill could cause some problem in terms of the municipalities not wanting to comply with it.

• (1720)

Chain-link fencing is not inexpensive; it is a very expensive type of fencing. In view of that, it is even more incumbent on us to get the bill to committee this evening and give it a thorough examination. When you start talking about chain-link fencing going through some of the towns, one must consider that in some of the larger cities you could have almost 100 miles of track. If you wanted to start fencing with six-foot high chain-link fencing, you could end up with a very large expenditure.

The other concern I have is that other avenues of protection of children should be explored so that we do not simply rely on a six-foot chain-link fence, because the human mind, being what it is, can find many ingenious ways to get over, under, and inside that kind of fence. If we are to proceed with this law which requires six-foot high chain-link fencing to be constructed along railway rights-of-way through some of the more populous areas, we should ensure that we are not incurring expense for chain-link fencing when there may be other ways of protecting children and others from getting on to railway

tracks as trains approach. These are some concerns which need to be resolved in committee.

Another concern which I believe is slightly relevant to some of the constitutional matters we have in front of the House today is that there could be a procedural problem. The government might pass a law that could be ultra vires in the sense that if it asks the municipalities to do something the federal government is really responsible for, they could tell us that if we are passing that kind of a law, we should be responsible for the expenditure of money. This is a concern that needs to be aired in committee.

I see the parliamentary secretary making some kind of a motion with his head. I do not know if he is agreeing with me or disagreeing—

An hon. Member: Which way are you shaking it?

Mr. Mayer: —but I would say that this is certainly something we need to consider.

I would not want to be in a position of requiring a municipality or city to carry out a responsibility which falls within their jurisdiction. The municipality could certainly say to us that we do not have any authority in this area whatever, that it is purely a provincial, municipal or urban responsibility, and as such it is outside our area of jurisdiction, even though we are all concerned with safety, particularly the safety of children. These are some of the concerns I have regarding the bill.

As I said, we have a very excellent transport committee which has not been particularly active since the first of the year. If the bill does have an opportunity to get to committee, based on what is in front of us—although we do now have the transport department's estimates, and they will require a considerable amount of our time—I think we will be in a position to look at it fairly quickly. All we have done in committee this calendar year, 1981, has been to examine the president of the CNR, Dr. Bandeen. So we have not been particularly active in the transport committee.

I would again congratulate the member for bringing forward the bill, because it reflects the concern we have for the most important resource any country has—its people. We all have a particularly soft spot in our hearts for children, and proposals on how to protect them from freight or passenger trains should be very well received and considered.

With those remarks I will close, Mr. Speaker.

Mr. Les Benjamin (Regina West): Mr. Speaker, I just rise for a few moments, so we may be able to adjourn for supper earlier than six o'clock. I have only a few remarks to make. I want to say to the Parliamentary Secretary, to the President of the Privy Council (Mr. Collenette) that the intent of the bill is laudable and we agree with it. I only wish that a number of other items were incorporated in the bill: grade crossings, signal systems—a whole host of items on which the government has cut back, particularly in urban centres, right across Canada. As I say, the intent of the hon. member's bill is laudable and we agree with it; but it does not simply relate to the safety and protection of children. The entire history of railway lines through urban centres shows that children and adults have been killed or injured by trains, and on the other side of the coin, people who play around with switches and switch lamps and signals can cause mishaps on railway lines passing through an urban centre or in a railway yard.

I would like to say to my hon. friend, through you, Mr. Speaker, that there have been many more mishaps, damage and injuries on that side of the coin than there have been as the result of individuals being struck or injured by trains because they happened to be crossing, standing or walking on a through right-of-way or in a railway yard.

The subject matter of the bill is one of many major amendments needed to the Railway Act. In the past there were railway right-of-way fences along all trackage across Canada, including the prairies. In my part of Canada they have all been removed. A train might run over some farmers' cows or somebody might waltz on to a right-of-way and may be struck; yet the municipalities, the provincial government, the federal government and the railways—all four levels—have agreed that we do not need those fences now because it is too hard to maintain tens of thousands of miles of only three or four-foot high right-of-way fences.

However, I agree that it is appropriate to have chain-link fences along rights-of-way through thickly settled suburban and downtown areas in cities and large towns in Canada. I hope that the government will allow the hon. member's bill to go to the committee, although there will probably be some fun with it there, and I will not mention anything about rules. I hope also that when the government is considering the bill in committee it will consider other matters which require amendments to the Railway Act.

Federal funding should probably come from the railway crossing fund, which is pretty well non-existent. It is called the UTAP, the Urban Transportation Assistance Plan. If that is where the federal government's share of funding is to come from then the funds provided should be increased. Funds should not be taken away from grade separation or rail line relocation. There should be additional funding. If it is left only to the railroads and the municipalities, I suspect that not much will happen other than prolonged arguments, and nothing will be done about fencing. That is why it is suggested that fencing should qualify for assistance under the grade grossing fund or UTAP, or whatever they call it now; but the funds must be increased.

We have had some bitter experiences in this whole area. Money promised in 1974 for urban transit is now being spent to meet ongoing commitments for grade crossings. Funding for both urban transit and grade crossings needs to be expanded. If this kind of fencing is to be installed in urban centres, it will require additional funds. Otherwise, funds will have to be reduced for urban transit, grade crossings and rail line relocation.

• (1730)

The Urban Transportation Assistance Program has money which is not being spent in the third, fourth and fifth year but

held over to the sixth year. Why not spend the money slotted for those five years and then provide new money beginning in the sixth year? We have a ridiculous situation where the money that should be going into grade crossings, grade separations, rail line relocation and urban transit is now being presented to provinces in lump sums with the provinces being asked to allocate those funds to one, two or three major projects. They then have to wait for a year or two for the federal government's share. I wish the Parliamentary Secretary to the President of the Privy Council a lot of luck. I hope he can persuade the Minister of Finance (Mr. MacEachen) and the President of the Treasury Board (Mr. Johnston) to increase the funding to accomplish the intent of this bill.

The same thing applies generally in respect of requirements under the Railway Act and the National Transportation Act in the whole area of transportation of dangerous goods and safety in rail transportation. The person-years under the CTC stay the same. The CTC is not able to regulate railroads because of inadequate numbers of staff and inadequate inspectors. Who is going to check to see if the chain-link fences are properly installed and maintained when we do not have enough people now?

The hon. member's bill is designed to solve one of the many problems of a transportation system running through urban metropolitan areas. It applies not only to railways but to trucking companies, airlines and pipelines. There are a host of things still beneath the surface. There are many hazards, problems and dangers. This bill is aimed at correcting one of them; we will agree with that, but I just wish the parliamentary secretary could persuade the Minister of Transport (Mr. Pepin), the Minister of Finance and the President of the Treasury Board to bring in legislation dealing with a lot of other similar problems.

I hope the House will agree to approve this bill on second reading. We will be able to go into the matter in greater detail in committee when the bill comes up for consideration, although that will not be likely until after the estimates are out. At that time the minister will have to come in with amendments to the Railway Act to incorporate the subject matter of hon. member's bill.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I wish to say a few words on this bill. I have some concerns about it, as does the hon. member from the New Democratic Party. The bill appears to give the Canadian Transport Commission authority to order the railway to build a special type of fence if the municipality applies for same. The Explanatory Note in the bill says:

—to empower the Canadian Transport Commission to order the construction of six-foot chain-link fences along railway rights-of-way. The cost of putting up the fence would be shared equally by the railway company and the municipality—

I wonder why the Canadian government is not sharing in this project. If this bill is that important, I wonder why the federal government did not bring it in and pay a portion of the cost. Is it because we do not have the authority to pass a bill which will place some expenditures on the part of the government, although we have authority to provide expenses, pretty high ones, on the part of municipalities?

The grade crossing fund has provided funds for a number of years for this type of thing but the method was changed by the Canadian government. I might say that change was not made with the approval of all the provinces. The grade crossing fund was a very important fund. Much of the work done as a result of the grade crossing fund is no longer being done. There is a most urgent need for something to be done at level crossings. There are far more people being killed at level crossings than on the bare tracks. If we take a look at the statistics, the number of people being killed at level crossings is higher than for any other type of accident, barring a railway wreck where hundreds of people could be killed.

This bill does nothing to restore what we lost when we changed the method of handling the grade crossing fund. Every municipality has large expenses. The importance of preventing people being killed at level crossings is not being addressed by this bill. Instead, the matter being addressed is away down on the list of importance.

To place this type of expenditure on a municipality because we want to protect the people at a busy intersection or along a busy rail line, in my view, is not being fair. Protection of life and limb along the railway was accepted as a national responsibility a good many years ago. At least the government had some responsibility.

Several years ago the federal government then in power came up with the grade crossing fund. Through that fund, hundreds of level crossings were protected. The only way to save lives at level crossings is to instal either an underpass or an overpass. Lights and bells at level crossings are helpful, but people are still being killed at crossings protected by lights and bells. Scores of municipalities in this country today would like lights, bells or gates at level crossings, but they cannot afford them because a large portion of the cost accrues to the municipality concerned, as do all the maintenance costs. Yet here we are working out another way for municipalities to spend money.

In all of the years I have spent involved with railways, I have never had a request from a municipality or an individual to build a gigantic expensive chain-link fence along the whole line of railway. Unless a chain-link fence is installed for a long distance, it will not be effective. Today many people who provide overpasses for pedestrians have to fence a considerable distance. Many are put in by cities at their own expense. In doing that they have to provide these fences for a great distance so as to prevent people from crossing over the tracks. People take chances. They may not see or hear a train coming and they will not go up over the fence. I have seen people jumping over the chain part when nothing is coming because they do not want to exert themselves going up and down the overpass. I question the wisdom of installing this type of fence. You can put in many miles of fence at a cost of thousands of dollars, with the result that municipalities will have additional unasked for expenses.

• (1740)

I do not know of any municipality which has asked for this type of thing. If we want to save lives, let us put our efforts where they will be most effective. Many people are being killed at grade level crossings. In some cases we go part way but not very far. That is because the federal contribution toward an overpass or underpass is becoming less and less. The funding is being spread among many things, all of which may be useful, but does not help with the biggest hazard, level crossings. Lights and bells are not doing the job. They are mechanical, and people are still being killed.

While travelling with an engineer one day I noted that he stopped at the lights and bells because they were not working. He told me they only work 90 per cent of the time because they are mechanical, and not foolproof. Therefore, people are still being killed at crossings with that type of protection.

The Board of Transport Commissioners does not order lights and bells unless an application is made by the municipality. The onus is on the municipality. For many years the province of Alberta shared in capital costs. I understand that the installation of lights and bells today would cost between $25,000 and $30,000. Eight or ten years ago the cost was $18,000. In fact, I have not checked recently so the cost may be even more than $30,000. Many municipalities cannot afford such a cost. In addition, there is a maintenance problem. If we want to tackle the matter of saving lives, let us concentrate on the area where most people are being killed.

These costs should be shared. The municipality has the least money of any government, and it is closest to the people. The federal government does not have authority over municipalities. They are the creation of the provinces. We are dealing with legislation involving the municipalities without their consent. Did the Association of Urban and Rural Municipalities in Canada pass a resolution asking for this? I do not think they did.

We are telling the municipalities that while they did not ask for this we think they should have it. This attitude is much too prevalent in Canada today. This is another example of telling them what we think is best. Before this goes any further, we should determine whether the municipalities want it or not. The municipalities know whether or not it is required. They also know that the greatest hazard is at level crossings.

The federal government is not doing its part. It rationed the grade crossing fund to the point where it is practically useless. Consequently, we are now asked to deal with other legislation to do the job. However, this does not deal with the areas where the majority of people are being injured or killed. Scores of people are injured and killed at level crossings every year in both urban and rural areas.

The federal government should be contributing to this cost. We in the House of Commons should not pass legislation which will place additional expense on the municipalities without agreeing to share in that expense. There is too much of that type of legislation today.

As the NDP member suggested a few moments ago, let us deal with the greatest hazard, level crossings. With the old grade crossing fund, the federal government made a definite contribution. The municipalities knew where they stood. At one time if a municipality built a level crossing, underpass or overpass, the federal government contributed up to 75 per cent of the cost. In fact, at one point it contributed up to 90 per cent. At that time there was a lot of protection and hundreds of lives were saved.

We have now reached the point where the provincial departments of highways do not know what the federal government will do in connection with overpasses and underpasses. That type of protection saves many lives. As I said, lights and bells are not foolproof. It is important to separate the trains from road vehicles; that is the only foolproof way. This costs more money, but how can we put a dollars and cents value on human life?

I see I only have another minute or so. If anything is to be done to save human lives, we should concentrate our efforts where the need is the greatest. In my view, the need is greatest at the level crossings, not along the miles and miles of tracks.

Mr. Bill Kempling (Burlington): Mr. Speaker, I will only speak for a couple of minutes. It is obvious from the comments of various members of the NDP and this party that there is general agreement with the principle of the bill, but they are concerned about some weaknesses and inequities. With this type of situation, it would be wise to pass it on to committee where witnesses could be called and the concerns of the municipalities considered. The committee could also look at those areas of the bill where members feel it has not gone far enough. Therefore, I feel it would be wise to pass it on to committee and have witnesses called. I think we are in general agreement with the principle. Maybe we can do something constructive in this way.

Mr. Douglas Fisher (Mississauga North): Mr. Speaker, I wish to make a couple of comments on this. For a short time, because of a technicality, the bill was in my name. That was straightened out and it is back in the name of the parliamentary secretary who has worked on this problem for a long time. I am happy to extend him due recognition of the hard work he has done on this matter.

• (1750)

I think the hon. member raised a very important question; that is, who will pay for these fences? I did some research when the bill was my responsibility. I phoned Mayor McCallion, the mayor of my municipality, and councillor Margaret Marland whose ward the tracks run through, as well as several school board officials in Mississauga. They all concluded that the question of paying for these fences has both a minus and a plus side.

On the plus side, we would not put up miles of fence. We are not going to affront the railroads by threatening them with miles and miles of fences at the extra cost involved, because

the municipalities will share those costs, but they will take on the construction of the fences in a very limited way.

On the minus side, the hon. member for Bow River (Mr. Taylor) is quite right, the cost will come out of property taxes. That is the hardest way to raise public revenues, but as private members we cannot suggest that the government pay for something done through a private member's bill. In order to get around that technicality the hon. parliamentary secretary recommended a cost-sharing program. Again, the hon. member for Bow River is quite right, this is a tough way to raise tax money. The mayor of my own municipality raised that question when I spoke to her.

By and large, the balance achieved in this bill is good. There is a chance for municipalities, the most observant and most sensitive level of government we have, to look at these problems and make applications. They will apply voluntarily; they will start the process and in so doing know that they will have to pay some of the cost. In turn, the railroads will be given some protection and some alleviation of a dangerous problem. The fencing in question will run along parks, near schools, near little bridges and so on. This does not call for miles and miles of fences running through our cities.

This is a good idea, Mr. Speaker. The bill achieves a nice balance in its treatment of the content and the process of government. I want to congratulate the parliamentary secretary.

The Acting Speaker (Mr. Blaker): Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the second time and referred to the Standing Committee on Transport.

The Acting Speaker (Mr. Blaker): The hon. parliamentary secretary will want to recall a long-standing tradition, that when a private member's bill is sent on to committee the mover of that bill traditionally offers the Chair a cigar. Shall I call it six o'clock?

An hon. Member: Six o'clock.

At 5.52 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Mel Gass (Malpeque): Mr. Speaker, before I commence participating in the constitutional debate I would like to thank all the members of the committee who sat long, laborious hours. I would like especially to thank the hon. member for Provencher (Mr. Epp), who was the leader and carried the discussions for our party.

I am honoured to be participating in one of the most important debates in the history of the Canadian Parliament, as we consider a proposal by the federal govenment to bring home the British North America Act from the British parliament and to establish within this country our own Constitution.

As a Canadian from Prince Edward Island, I am especially proud of the part my province, the cradle of confederation, has played in creating this great country of ours. While we were not one of the original colonies which first joined confederation in 1867, Islanders are indeed proud that we hosted the first conference in 1864. The reluctance of the Island to joint the union of colonies 114 years ago is, I think, an historic indicator of why the provinces today are reluctant to accept the terms of the constitutional proposals the federal government has placed before us.

I believe there are parallels which can be drawn between Prince Edward Island's and the other provinces' request for agreeable terms upon which they could enter confederation and today's constitutional ventures. In 1864 the people of Prince Edward Island were stubbornly opposed to giving up their rights by becoming a province of Canada. They were adverse to any union which would surrender to anybody outside Charlottetown, their capital, control over the domestic concerns of the Island. Prince Edward Island did not want to part with any vestige of its local power.

Islanders at that time were busy, self-sufficient, safe and content on their little island. At both the Charlottetown and Quebec meetings in 1864 Islanders, despite their aversion to union, listened intently and agreed that the federation of all the colonies was desirable, provided the terms of the union could be satisfactory. But debate was not tempting enough. The terms of union did not prove acceptable to Prince Edward Island. Islanders felt that the terms were unfair to the island, especially those regarding their financial arrangements. They wanted the buying out of the absentee landlords of Prince

Edward Island, most of whom were in England. They wanted that buying out for the benefit of the tenant farmers. They wanted a guarantee of communications with the mainland. The proposed intercolonial railway was great for Nova Scotia and New Brunswick but meant little to Islanders. None of these terms were promised in the resolution drawn up in Quebec City, despite talk of putting them in, so the island watched and waited, passing up confederation in 1867, but eventually joining the country in 1873 when the time seemed right—and on their own terms as well.

Among other concessions, the dominion government advanced $800,000 to the Island for the purpose of buying out the absentee land owners. The Island received a sum equivalent to $50 per head of its population, and a continuous steamer service between the island and the mainland was established and maintained.

Although Nova Scotia and New Brunswick joined confederation in 1867, they too agreed to the union only when their terms were agreed to. The maritime provinces, then as now, wanted to ensure that the peculiar economic needs of the region would be provided for. They wanted to retain control over matters that would allow them to preserve their local characters and institutions.

Today as we deal with the issue of constitutional patriation, Prince Edward Island and the other provinces do not want to give up or be denied the rights and terms which were agreed to in a spirit of co-operation over 100 years ago at the time of confederation. The failure of the federal government to agree with its partners, the provinces, concerns me very deeply. The federal government is seeking arbitrarily to alter the traditional relationship between the federal government and the provinces as well as substantially change the nature of our democratic institutions.

The Constitution is a public social contract which embodies the terms upon which Canadians agreed to live together in a spirit of national community. It sets forward the basic agreements for Canadians to live together. These agreements must be arrived at upon consent, for without such consent, they are deprived of their own legitimacy. The problem facing Canada is essentially a problem of agreeing on terms which will permit Canadians to live in a state of harmony with one another.

• (2010)

Canada is a federation of both provinces and a federal government and was designed by the Fathers of Confederation in this way, in the knowledge that our nation would be impossible to govern as a unitary state. We are also a country of regions, proud of our individual traditions but also of our sense of national community.

In a country as diverse as ours, Mr. Speaker, there always have been and will continue to be political tensions between certain regions and the federal government. This is inescapable because Canadians have both loyalty to the region in which they live and to the country as a whole. These tensions and concerns which besiege us demand the necessary political compromises. There is absolutely no hesitation or doubt in the minds of Canadians that the Constitution should be our own, passed by our own Parliament and resting in our own country. But we do not want the federal government to act unilaterally on this matter with such far-reaching implications affecting all provinces.

We hope the crisis and turmoil generated by the federal government and its constitutional proposals will help all of us focus on our vision of Canada and what we need to make this a better country. We hope we can work together to build a new Constitution of which we can be proud; a Constitution that protects our individual and cultural uniqueness, provincial diversities and national potential.

Our national institutions, such as the Senate and the Supreme Court, need revising. The division of powers between provincial and federal governments needs to be clarified. Our individual rights could be better protected. All we require is a sincere desire and a process through which we can work together toward these common goals. Ottawa alone has no right to amend our Constitution without the agreement of the provincial legislatures.

My major objection to the government's proposals is the manner in which the federal government is acting alone to permanently change the nature of Canada, overriding the wishes of most of the provinces and of the vast majority of Canadians. To proceed in the manner proposed ignores the objections voiced by the provincial governments. What we have before us is a leader of a regional political party with only regional representation in Parliament imposing, unilaterally, an amended Constitution that will change the structure and basis of confederation.

People have joined together in confederation so they would have control over a common destiny. Now the federal government, unilaterally, is attempting to take away that spirit of compromise and sharing which built confederation, and impose its control over our destiny. Confederation has worked for Canada for 113 years. Certainly it has had its problems, its strains and its tension, but it has allowed Canadians the opportunity to build one of the strongest, most independent and freest countries in the world. One might justifiably wonder how long the proposed new Canadian Constitution would be able to maintain that state.

I was somewhat encouraged when the government accepted changes to the proposed amending formula. Under the original constitutional package, two maritime provinces forming 50 per cent of the population of the region were needed to introduce changes to the Constitution. Because of the Island's small population, this would have left us without a voice, and would have eliminated Prince Edward Island from ever having a say in constitutional matters. The amended proposal would require the approval of any two Atlantic provinces, enabling the Island to unite with any other Atlantic province to introduce changes, permitting Prince Edward Island to have a voice in constitutional decision making.

However, this amendment to the constitutional package, along with the others, is just a marginal improvement; sugar on the pill, so to speak. The concessions are not enough. Prince

Edward Island was treated badly the first time under the amending formula. Then the formula was changed to treat Prince Edward Island like the other provinces, so we find it hard to feel that we should be eternally grateful.

A much more fair formula for Prince Edward Island, the other provinces and for all of Canada is the Vancouver formula, one agreed to by all the provinces and the federal government, but one on which the Prime Minister (Mr. Trudeau) has refused to act. Under the Vancouver formula, constitutional change would require the approval of Parliament and seven provinces making up 50 per cent of the population of Canada. Any proposed changes to the Constitution would then proceed according to the formula. Such a formula would give Prince Edward Island and other provinces with small populations some role in constitutional matters.

Let me give you an example. Suppose six provinces comprising 50 per cent of the population of Canada agree to a constitutional change but they require the approval of a seventh province, irrespective of its population. Prince Edward Island could be that seventh province.

I am not suggesting that Canada should tailor-make its Constitution to meet the particular circumstances of Prince Edward Island, or of any other single province. I am saying, though, that whatever formula is adopted, it should not be unfair to any province. Therefore, the Vancouver formula is infinitely better than the modified Victoria charter.

Before I leave this question of the amending formula, I would like to make a comment concerning the other part of the amending formula proposal; that is, the referendum. The new amending formula is the most dangerous part of the constitutional proposal because of the referendum idea. Through it, Ottawa could impose constitutional changes by referendum. By controlling the rules of the referendum and spending huge amounts of advertising dollars, as it has been known to do, the federal government could manipulate the results. Such action damages federalism and undermines any attempt to build partnership in this country. Any reference to the use of a referendum should be deleted from any Canadian Constitution.

We are a large nation; we have some different values and beliefs in different regions and provinces. We need to have some protection. The proposed two methods of amending our Constitution are simply not acceptable because they do not provide us with the protection we must have.

There were a number of proposed amendments to the joint resolution on the Constitution which the Progressive Conservative party presented to the special joint committee, but which were rejected by the Liberal and New Democratic parties. There are four of these proposed amendments which I feel very strongly about and would like to mention. Most upsetting to me and to many Canadians is the fact that the federal government has denied the supremacy of God in its Constitution. It has rejected the Progressive Conservative proposed amendment which reads as follows:

> Affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions,
>
> Affirming also that individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law.

The Fathers of Confederation, over 100 years ago, recognized the fundamental fact of the supremacy of God in the affairs of men and nations, as the source from which all human rights and justice are derived. Today, this fact should continue to be recognized. Why in heaven's name would the Liberals and NDP not want a reference to God in the Constitution? I am receiving letters from constituents of mine complaining about the fact there is no mention of the supremacy of God in the Constitution.

The federal government has also rejected the Progressive Conservative proposal that:

> Everyone has the right to have reasonable access to information in the possession of any institution of any government.

We want to enshrine the right of freedom of information in the Constitution of Canada. Freedom of information is the vehicle by which Canadians obtain the right to information. We want to see that right asserted in the Constitution.

Nothing in the Constitution should affect the authority of Parliament to legislate in respect of abortion and capital punishment. The federal government has rejected this proposal. Without such a clause, it is possible that the Supreme Court of Canada could overrule Parliament in cases concerning abortion and capital punishment. In no way should this be allowed to happen. I believe on these two issues members of Parliament, not the Supreme Court, should have the final say so that the views and opinions of their constituents may be reflected. By rejecting the PC proposal, the federal government will be allowing the possibility that the courts could indeed be supreme over Parliament. We in the Progressive Conservative Party, and the people of Canada do not want this.

The federal government has voted against the Progressive Conservative proposal which would clarify in our Constitution that Her Majesty the Queen is the head of state of Canada and the provinces.

● (2020)

Over the years the federal government has attempted to reduce the role of the monarchy and substitute in terms of the status of the Queen that in fact the head of state is not Her Majesty, but rather the Governor General. We in the Progressive Conservative Party are concerned that Canada remain a constitutional monarchy. We believe our proposed amendment would constitute such a guarantee. By rejecting our proposal, the federal government is furthering its attempts to lessen the role of the monarchy in Canada, a move feared by many Canadians who want to retain Canada's heritage, who want to retain the constitutional monarchy.

The proposed charter of rights is comprised of many sections, all of which are of vital importance to the future wellbeing of this country. I would like to focus on the section concerning property rights. Many people came to Canada

because they dreamed of and cherished the thought of owning their own land. Our party supported the inclusion of an amendment indicating that everyone has the right to enjoyment of property. On this issue, Prince Edward Island has supported the federal government's position with good reason, but I want to make it perfectly clear that the government of Prince Edward Island is not against people owning and enjoying property. The main concern of Islanders is that property on Prince Edward Island belong to residents of Prince Edward Island.

Prince Edward Island is small and dependent on its land. We value our land highly, as it is the most important of our few natural resources. In the past we have encountered a variety of problems where ownership of our land has been concerned. For more than 100 years we have been vulnerable to massive instances of absentee landlordism. In 1767, parcels of land on Prince Edward Island, which was then St. John Island, were lotteried off and the scandalous system of tenure, which has so aptly been called absentee proprietorship or absentee landlordism, was foisted upon the young colony, destined to throttle the Island's progress for over 100 years and to colour the greater part of Island politics. Land proprietors neglected the terms under which they had received their lots, and none of the conditions by which grantees were to settle their tenants on their 20,000 acre lots within ten years had been adhered to. In 1797, 30 years later, 23 of the 67 lots were still completely empty of settlers. since the majority of the proprietors resided in Great Britain, some lands had already been pre-empted by squatters whose occupancy had no standing in law. Because proprietors had been permitted to escape their quit rent obligations, the island government had virtually no revenue for improvement projects. Isolation, tenantry, farming little above subsistence level, and absentee landlordism were the ingredients of real discontent. Tenant farmers struggled to extricate themselves from their peasant-like status and gain possession of the fields they ploughed, nourished and reaped. It was not until 1875, however, two years after Prince Edward Island joined Canada, that the tenants tribulation came to an end. The compulsory land purchase act was passed, and the productive red soil of Prince Edward Island passed into the ownership of those who tilled it.

Individuals and industries are free to come to the island, buy land and establish industries, but we do not want people from away buying our land and controlling it for mere speculation, nor do we want our prime agricultural land sold for purposes other than agriculture. The provincial government rightly feared that the proposed constitutional feature ensuring the freedom of property rights would prevent provinces from legislating in areas of property rights. Islanders were concerned whether they would have the right to ensure that their land was not held by people from out of the province who were not there to take advantage of it and to ensure that local people were not deprived of their property rights within their province. Prince Edward Island wants to be able to continue legislating its own property rights; it does not want provincial legislation on non-resident ownership of land rendered null and void by a clause in a Canadian constitution, especially a constitution such as the one being proposed by the federal government.

The federal government is succeeding in provoking bitter divisions within the country. Its tactics are divisive. It is entrenching bitterness as opposed to rights. The consensus of Canadians to live together was founded on the principles of consent and political compromise. The great genius of Canadians has been our ability to reach the necessary bargains so that we can live together as one people.

Accordingly, our Constitution must embody a process which will continue to renew political consensus, notwithstanding dramatic social transformations and recurring economic and political crises. Unfortunately, the federal government's approach to this issue has widened the already dangerous divisions that exist in parts of Canada. This constitutional exercise should be an opportunity for all Canadians to renew themselves and their pride in their country, but instead it is dividing them. The fixation of the Prime Minister with patriation is causing more division and more tension. The Prime Minister's apparent haste in bringing the Constitution home to Canada on his terms is unnecessary and very damaging. What we are sending to Westminster is wide-ranging and fundamental constitutional change, not merely a minor change in administrative jurisdiction. It is not a matter that can be or should be dealt with hastily.

The present deliberation over the constitution will affect the framework of Canada for many years to come. The federal government's amendments are not acceptable to most Canadians. If the federal and provincial governments cannot agree immediately, then I can see nothing wrong in simply leaving the Constitution alone until agreement is reached. It has served us pretty well for 113 years and surely we need not rush into ill-considered changes. A twentieth century Constitution must provide the framework for a meaningful new national economic policy. It bears directly on Canada's future as one strong and united nation. An unwise decision could cause permanent regional alienation and dissent. It is a slow and laborious process, requiring perseverance and endurance; it cannot be hurried.

I would like to read a statement voiced some years ago by Senator Eugene Forsey which expressed the view that constitutional deliberations are of vital importance to this nation and cannot be dealt with in haste. He said:

> The first basic fact we must get clear is that our existing Constitution is not a piece or old furniture, or an old top hat, or a Victorian system of plumbing. It is something which grew out of the needs of the pre-confederation colonies, which gave us life as a people, which has shaped our life as a people, which has adapted itself to our changing needs as a people. It has not remained what it was in 1867. It has grown, in some respects almost out of all recognition: a little by formal amendment; much by judicial interpretation; most of all, perhaps, by the development of new habits, new customs, new conventions, new administrative arrangements, especially inter-governmental arrangements. Perhaps it now needs further formal amendment. But let us never forget that, because a constitution is what it is, pervading and shaping the lives of every human being in the community, changing it by formal amendment is an immensely serious business. It is not like getting a new hair-do, or growing a beard, or buying new furniture or new clothes, or putting in a new bathroom. It is more like marriage—in the words of the Anglican prayer book, "not by any to be enterprised, nor taken in

hand, unadvisedly, lightly, or wantonly . . . but reverently, discreetly, advisedly, soberly, and in the fear of God." What we are dealing with in constitutional change is not paper or things, it is human lives.

Some time ago I was checking through the library to find the derivation of the word "Canada". According to the information I received, Canada derived from the Huron-Iroquois word "Kanata" which means a village or community. Canada is much more than a village. Canada is much more than a land mass consisting of the northern half of the North American continent. Canada is the people that inhabit this great land mass from the Atlantic Ocean to the Pacific Ocean and from the Arctic Ocean to the Great Lakes. Canada is the attitude and aspirations of all these people. This Canada of ours is being divided by the way the Prime Minister is trying to shove this resolution through this House and ram his ideas down our throats to pursue his timetable.

• (2030)

I would like to quote from an article in *The Citizen*, it being a paper that does not always follow Conservative policies. More often than not it is quite favourably disposed to the present government and the present Prime Minister. I would like to quote from a column written by Iain Hunter, dateline Vancouver, and published on February 20, 1981.

Prime Minister Trudeau admitted Thursday he is dividing Canadians by pushing through his constitutional reforms.

He's not sorry about it, he declared—in some cases he finds it "exhilarating."

Trudeau told more than 200 cheering Liberal supporters here that if the country breaks apart in five or 50 years because of his unilateral action to patriate the Constitution with an entrenched charter of rights and his own amending formula "then I say it wasn't worthy of living another day".

Some hon. Members: Shame!

Mr. Gass: Shame, indeed. When I read those lines I tried to figure out what type of a man is leading this country, a man who can stand and say he is exhilarated when he is dividing our country.

A constitution should be a source of pride and a unifying influence within a political community. A constitution should be and can be, if the federal government will realize its folly and come to its senses, a symbol of our society's democracy and an object of national pride for each and every Canadian.

Some hon. Members: Hear, hear!

Mr. Neil Young (Beaches): Mr. Speaker, I welcome this opportunity to join in this historic debate on the proposed Constitution and the charter of rights for Canadians.

Since I came here, following the 1980 election campaign, there have been very few matters come before this House which have demanded that we set aside our partisan political views in favour of the importance of the country. In my view, this matter presents one of those few occasions. It is a matter of such importance to the future of our country that it rises above partisan politics, and it should be debated in that light.

Throughout the past year the New Democratic Party has taken an approach to this debate which, in my view, has been both conciliatory and co-operative. As a Canadian I am proud of that fact. As a member of the New Democratic Party I am also proud of the role my leader has played in this debate on constitutional reform. I am also proud of our party's two members who served on the joint committee, the hon. member for Yorkton-Melville (Mr. Nystrom) and the hon. member for Burnaby (Mr. Robinson). They both worked extremely long and hard on this much-improved constitutional package.

Some hon. Members: Hear, hear!

Mr. Young: I believe the approach taken by the New Democratic Party has been a constructive one. I also believe there are a growing number of Canadians who would agree with me on this question. However, I also recognize that this debate has been an emotional one, as indeed it should be. It is difficult not to be emotional when, for the first time, we are debating a document which demands that we define what we think of ourselves as Canadians.

As Members of Parliament, we are being asked to set a course for Canada which will finally bring us to adulthood; which will finally bring us to full independence as a sovereign nation state.

I am particularly pleased to have been given the opportunity to be a member of this House when this debate is taking place. Like most members of the House there are many areas of this constitutional package that I could speak to. However, in the time I have available to me I want to address the proposed charter of rights.

During the course of this debate I have heard some people say that a charter of rights is unnecessary for Canadians. To those people I say they are wrong to hold that particular view. Even a shallow look at where we have been in our country, and where we are at now in the area of civil and human rights in all parts of Canada, would show that there is a need for such legislation. I would ask those who question this need to remember how Japanese Canadians were treated during World War II and the shame we feel now about that period in our history. I would ask them to cast their thoughts back to October 16, 1970, when the Government of Canada subjected the people of Canada to the first peacetime invocation of the War Measures Act. With a single stroke the government placed in suspended animation many of the hard-won liberties of the Canadian people.

I also ask those who question this need to look at what a number of provincial governments have done, or have attempted to do, from time to time. For example, the Alberta government at one time tried to strangle those who did not agree with it by passing anti-free press legislation. In the mid-1960s the Ontario government introduced a bill which, if it had been made law, would have drastically expanded the powers of the police in that province. Only public awareness and pressure prevented the government from actually carrying out its intentions. There was also the infamous padlock law in Quebec.

Consider the discrimination that is practised every day against women in our society, against our ethnic population, our aboriginal peoples and disabled and handicapped Canadians. One does not have to try very hard to recognize the need

for a universal charter of rights in our country. That need exists now, not at some distant time as others would suggest.

I want to take a moment to talk specifically about this need as it applies to Canadians who are disabled or handicapped. Last month the Special Committee on the Disabled and the Handicapped, of which I am a member, tabled its report in the House. At the beginning of my remarks I said that on rare occasions matters come before us as Members of Parliament that rise above partisan politics. In my view this debate on the constitutional package is one of these matters. Another was the work the special committee did when we undertook our investigation of the conditions of disabled and handicapped Canadians. That committee had representatives of all of the political parties in the House. I know I speak for all of them when I say that while we may have had disagreements from time to time on philosophical directions we did not at any time reduce those disagreements to partisan, political levels.

As a result of that attitude, I believe our committee has presented one of the best reports this House has seen in a long time, and once it is acted upon its recommendations will at long last allow this important part of our community to fully participate in the mainstream of Canadian life.

The report of the special committee was presented after we had heard from 643 witnesses who presented us with 630 submissions at 87 meetings held across Canada. The report deals with two major types of obstacles disabled Canadians face every day of their lives.

One obstacle results from the fact that many men, women and children are deprived of good health, or have disabilities which deprive them of using their feet, legs, arms, hands, voices, ears, eyes and minds in a way that other Canadians take for granted. The other kind of obstacle results from attitudes that many able bodied Canadians have toward those Canadians who are disabled. This attitude has tended to develop a disregard for the needs of disabled people when we plan our human and civil rights protections, our health care services, employment opportunities and the various facilities and systems we have to provide, such as housing, education, transportation, shopping, recreation and communications.

● (2040)

During our public hearings we were repeatedly told that disabled Canadians had to be provided with greater protection under our human rights legislation, and it became obvious to the committee that this had to be a top priority for government action.

We came to that conclusion for a number of reasons. First of all, under existing legislation, the only protection against discrimination disabled people have is in the area of employment. Disabled Canadians are not protected from discrimination under the minimum wage laws in many provinces or under federal legislation. Disabled people are not protected from discrimination in the fields of accommodation and transportation, nor do they have equal access to education and communication as do all other Canadians. In simple terms, some two million Canadians are being denied the opportunity of fully participating in the mainstream of Canadian life because they are disabled or handicapped.

Many members may recall that on November 3 of last year I asked the Minister of Justice (Mr. Chrétien), under the provisions of Standing Order 43, to amend the charter of rights to include the disabled, and to prohibit discrimination against the disabled and the handicapped in all areas of Canadian life.

I and my colleagues, the hon. member for Burnaby and the hon. member for Yorkton-Melville, pressed hard for such an amendment while the joint committee was considering the package now before us, and which now has those amendments included in it. Every group which appeared before that committee, and was concerned about bringing an end to the discrimination that has been practised for too long against our disabled population, argued in support of the amendment. What we are discussing here are the rights of 10 per cent of our population. We are discussing the right of over two million disabled and handicapped Canadians to enjoy life as do other Canadians. We are discussing a segment of our society that has over 60 per cent of its population out of work. We are discussing the right of thousands of children in the country to have access to an education now being denied them because of a learning disability, such as that of autistic children.

Mentally ill Canadians are discriminated against on a daily basis both by society and our judicial system. One only has to look at how the justice system treats people who are mentally disabled and who have been charged with offences. We have over 1,000 Canadians who have been locked away for varying lengths of time by decision of a lieutenant governor.

One individual, Emerson Bonnar, was just recently released after serving 16 years in a maximum security institution in New Brunswick for the criminally insane because he happens to be mentally retarded. It was alleged that he had stolen a purse in 1964. Emerson Bonnar, and more than 1,000 others like him, are locked up in institutions all across this country without benefit of trial. This must stop.

We are discussing an opportunity to give all Canadians, in all parts of our society, the right to fully participate in Canadian life as equals, a right that most of us very often simply take for granted. We in the New Democratic Party have argued for those rights, and I take some pride in knowing they are now included in the charter.

As a member in this House, I am not prepared to accept the proposition advanced by some that the charter of rights should be dealt with after the Constitution has been brought home.

Some hon. Members: Hear, hear!

Mr. Young: It is being dealt with here in Canada now, as are the other elements of the constitutional package. The suggestion that we are not somehow doing this is utter nonsense, and I rather suspect those who are advancing that suggestion know full well it is nonsense. To suggest that we are asking the U.K. government to make a Canadian constitution which includes a charter of rights is simply not factual.

Some hon. Members: Hear, hear!

Mr. Young: We are making that constitutional package right now, we are making it here in Canada, and all agree we have that right.

In conclusion, I want to say that we in the New Democratic Party want to get on with the job. We are not prepared to sit back while the provincial governments try to make up their minds whether they want all Canadians to have the same rights, regardless of the area of Canada in which they live. We believe all Canadians should have those rights now. We will not be party to any attempt to deny the granting of those rights, which I am convinced will happen if the charter is not acted upon and dealt with now.

Mr. Ron Stewart (Simcoe South): Mr. Speaker, I rise from my seat to enter this historic constitutional debate. I am not the least bit incredulous that our Prime Minister (Mr. Trudeau) would perpetrate the greatest hoax, the greatest manipulation, the greatest "con" job, the greatest "snow" job ever foisted upon the citizens of this great dominion of Canada by his unilateral despotic patriation of our very precious Constitution: unilateral patriation by going over the heads of the provinces, an amending formula with veto power to Ontario and Quebec, and a charter of rights entrenched by Britons, not Canadians.

As my colleagues who spoke before, I congratulate the Right Hon. Leader of the Opposition (Mr. Clark) for recognizing this duplicity as early as October 2, 1980. I congratulate my colleague from Provencher (Mr. Epp) and his constitutional committee for their ongoing efforts to stop this callous manipulation by the Prime Minister and his trained anvil chorus. I love my riding of Simcoe South and my country, and I want patriation, but not dictatorship.

Some hon. Members: Hear, hear!

Mr. Stewart: Many of my colleagues have pointed out the history of this great Canada: the Quebec act of 1774, the constitutional act of 1791 and Lord Durham's report. They recognized the fact that the Quebec act and the constitutional act gave to French Canadians rights which were the most enlightened of their time. Unfortunately, no one pointed out that the Durham report recommended the union of Upper and Lower Canada and the use of one federal language, English. Had this been adhered to, we would not be having this acrimonious debate in the House today. Now we must all acquiesce to the fact that the Right Hon. Prime Minister, in his master plan, has accomplished two of the three things he set out to do in his hell-bent-for-leather gallop to take Canada to the left.

First, he made closure the order of the day, controlling this House by limiting debate through the use of Rule 75C. Next, he passed the Official Languages Act. It may not be fashionable to speak out against the practice—not the theory or the idealism or the goals—of bilingualism.

An hon. Member: Three parties voted for it.

Mr. Stewart: Bilingualism and biculturalism are aimed at preserving and enhancing national unity. The practice and evidence is that they have had the opposite effect. To voice opposition, skepticism or disenchantment with the contribution of bilingualism and biculturalism to the national unity is to risk being pilloried by those who are blindly and irrevocably pledged to the concept. To speak out against the headlong rush into bilingualism is, alas, to be branded a redneck, to be labelled anti-French; I am not. But I see the Official Languages Act unamendable if this piece of legislation goes through, and I see that as a great risk to unity as does the premier of my province. I would be derelict in my duty as a representative of all of the people of Simcoe South if I did not transmit the majority of their feelings and sentiments to this House. Speaking for the voters of Simcoe South, I think I also speak for that silent majority in the rest of Canada on the issue of bilingualism.

● (2050)

Over a century ago, Lord Durham wrote in his celebrated report that he found "two nations warring within the bosom of a single state". That war, unfortunately, and I say unfortunately, has continued until today. Of course, we have an Official Languages Act. But language has divided this nation. The bilingualism and biculturalism policies of this government have served only to act as an abrasive in English-speaking Canada.

Let us look at reality. The history and the experience of other nations would indicate that it is next to impossible to build a unified nation using two official languages. There must be one common language for basic communication, and in North America, whether we like it or not, figures tell us it is English. This was espoused by the hon. James Richardson, a former minister in that government, who was forced to resign. Bilingualism should be a two-way street. To me bilingualism means English language instruction opportunities for French-speaking Canadians and French-language instruction opportunities for English-speaking Canadians.

I have in my hand a copy of *Hansard* for March 2, 1981. At page 7773, the hon. member for Vaudreuil (Mr. Herbert) asked question No. 1,934, as follows:

> What is the budget for the current fiscal year of the Official Language Minority Groups Directorate of the Department of the Secretary of State and what is the (a) percentage (b) per capita allocation of this sum to each official language group?

The answer given by the Parliamentary Secretary to the Secretary of State and Minister of Communications (Mr. Stollery) reads:

The budget of the Official Language Minority Groups Directorate for fiscal year 1980-81 is $15,000,000.

(a) and (b)	Francophones outside Quebec	Anglophones in Quebec
Allocation of budget 1980-81 (%)	$ 14,073,800 (94%)	$ 926,200 (6%)
Per capita (1976 Census)	$ 15.63	$ 1.16
Amount committed as of January 15, 1981	$ 13,411,276	$ 895,617

Does that smack of human rights or does it smack of something we want to do under bilingualism? This must be done by moral suasion not by threat of fiat, not by the spectre of being red circled in the public service because you do not speak French. It should not be done by the lack of mobility, the inability to move freely from province to province because you do not speak both official languages fluently.

I placed question No. 1,731 on the Order Paper. It was answered on February 23, 1981, as reported in *Hansard* at pages 7557 and 7558. The federal government has wasted billions of dollars to produce a functionally bilingual public service, but it has not worked. Part of the answer to my question was that it cost $5,390 for 849 hours of instruction for a public servant. The hidden costs are much higher, such as the time away from the job while on immersion, the costs to pay a replacement to cover while that person is away on language training, the costs of removal expenses for the fortunate few who are chosen to study in total immersion in France, Quebec, or elsewhere, on full salary for one year. The answers provided to me by the President of the Treasury Board (Mr. Johnston), who I see in the House, are only the tip of the iceberg. What the government revealed in its answer is that it does not really know how much it has cost for language instruction in the public service.

Bilingualism should mean that not only Anglo-Canadians learn French but unilingual French, or English Canadians, should not be discriminated against because they speak only one language. It should mean that the Kelsos of this world are not banished because they are unilingual. This was pointed out only yesterday by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie). It should mean that unilingual Canadians are not forced to ride on the back of the bus because of an accident of birth, language or geography. It should mean that unilingual security guards and protective staff, who we see in this House, are not made second-class citizens because they speak one tongue. It should mean that every Canadian is able to communicate with his government in his or her language. It should mean that Anglo-Canadians in Quebec should be accorded the same rights that Franco-Canadians are seeking elsewhere in Canada. It should mean that the federal policy be administered sanely, not rammed down the throats of Canadians, and not in such a fashion as to force a backlash against our French partners in confederation.

Think of what might have happened had those federal billions of dollars been used in language instruction in the public schools, instead of having been wasted trying to make 45, 50 and 55-year-old civil servants bilingual. Today we might have had a vastly different Canada. French and English now have never been more alienated.

I do not want rough justice for members of a majority of the Canadian population, those whose mother tongue is English, just as there should not be rough justice for those whose mother tongue is French. I want real rights. I fear this document in respect of all our rights.

I respect Quebec, and I respect the French language and culture. We all spoke in this House to keep Quebec in confederation. I want to see the growth and development of a vibrant, bilingual Quebec. I do not want to see hyphenated Canadianism. If we are ever to be a united country we must build on the basis of equal partnership for all Canadians, not only a partnership of two founding races. If we are not a united country we are a divided country. If we are divided we will never achieve our destiny and we will continue to be two nations "warring within the bosom of a single state".

If this nation is to become truly bilingual, it must be done gradually through attrition. If that is the way it should be, so be it. But let it evolve under Parliament and provincial legislation, not through grass-bound, granite-etched pronouncements in a constitutional document such as the one proposed.

Many Canadians do not want to become bilingual. They do not need to become bilingual. They do not feel the need to become bilingual and they are probably not capable of becoming bilingual. This should be their choice. We must respect the right of the individual to that freedom of choice. Bilingualism must remain a matter of personal choice, not of entrenched legislation from on high.

Canada is now badly crippled because of the mailed fist of the federal government's Official Languages Act, national standards which are unacceptable in most of the provinces and territories. It is essential that we learn to distinguish between individual bilingualism and national bilingualism because the one creates unity and the other causes division.

Individual bilingualism is not only accepted, it is welcomed and sought after and is, in fact, essential to the achievement of national unity. National bilingualism is unnatural, undesirable, unwelcome and it is one of the central causes of national disunity. We must all try to remember that we are nation building, not province building, and that if Canadians are to achieve their destiny as one people, Canada must ultimately be united by language, not divided by languages.

Some hon. Members: Oh, oh!

An hon. Member: You have got them yapping now.

Mr. Stewart: But the *coup d'état*, the *coup de grâce* is the bringing home of our Constitution with a veto-included amending formula and the most imperfect charter of rights one could imagine. This charter will give the people not more rights but less. It comes through grovelling at the feet of Westminster to include the charter and amending formula.

If it is so great, why is the Prime Minister setting time limits on debate? Why were time limits set for the constitutional

committee? Why is everyone not accepted who wants to speak? The answer is that 64 per cent of Canadians, at last count, were opposed to his actions, and more are jumping on the band wagon every minute.

This is not merely something to oppose as an opposition member of Parliament. It is the very soul of this nation for which we struggle. By the unilateral patriation of the Constitution, we are alienating Canadians and Britons alike. The whole process is dead wrong. The Right Hon. Prime Minister, with his majority can make his unilateral operation successful, but western Canada has indicated clearly that the patient may die. Confederation was the result of a consensus of the provinces, a partnership and a desired interdependence.

An hon. Member: Quebecers will remember you.

Mr. Stewart: It united bankrupt provinces, and to the surprise of the world was the basis of fewer than two million people building a railroad some 4,000 miles from sea to sea.

• (2100)

By this same British North America Act, our French Canadian brothers were able to retain their language and their culture, which they have to this moment. Had we not been cemented together by this act, I am sure we would not be a united nation today, but rather a conquered appendage of the United States. I can imagine how much bilingualism there would then be. This language right seems to be much on the Prime Minister's mind and that of the Minister of Justice (Mr. Chrétien), but I would remind them that my premier says no to entrenching. Is it as Shakespeare would say, me thinks they protest too much. Is the real purpose of the charter of rights to entrench?

The British North America Act did not enshrine our differences, it protected them. This was done though Clause 7 of the Statute of Westminster, as pointed out by my colleague, the hon. member for Durham-Northumberland (Mr. Lawrence). Now the time has come to change that Constitution. I would like it clearly and unequivocably understood that not only do I champion bringing home our Constitution with its equalization rights, but so does my leader and, unanimously, our party. I want our Constitution home just as I wanted and strived for our own official national anthem. I withdrew my private member's bill, C-220, in favour of the government's Bill C-36, and I had the great honour of being the sole speaker on behalf of my party, by agreement of our House leaders, on making O Canada our official national anthem.

In 1867 the provinces gave up the right of individual powers to form a strong federation. They formed a partnership which still had strong individual powers yet equally strong central powers. It was a federation, a partnership and a good one. This must continue. We must not go down the slippery road to republicanism, as stated so eloquently by Premier Lyon of Manitoba.

We have heard a great ado made of human rights by the leader of the party opposite. I ask, is there any federal party in this House which has more claim to be proud in that field of endeavour than the Progressive Conservative Party? I have in my hand a copy of the Canadian Bill of Rights introduced by the late Right Hon. John Diefenbaker in 1960. It is a code by which my party lives. Of course, this bill of rights is not in our Constitution, but to me it can be in or out as long as it is interpreted properly. The most perfectly written bill of rights is contained in the constitution of the Union of Soviet Socialist Republics and one can just ask a citizen of Afghanistan how it is interpreted.

Again, unequivocably, I assert that I, my leader and my party are solidly behind the bill of rights for all Canadians, if that is what they want. But what is the rush? As one of the too often silent majority, I want to shout out for my rights for a change. As one of the approximately 70 per cent English-speaking people in this country, I want to talk about the saviour of "mon pays". How about my country, my Constitution? I am here to warn the Canadian people that this proposal is wrong and that I will fight this wrong. This whole process of constitutional change is wrong.

I am angry and I cannot take it any more. Fellow Canadians and, more importantly, Liberal backbenchers, do not take it any more. We are being wronged by this document. My constituents are being wronged. My country is being wronged; wronged by a deceitful document prepared by a Prime Minister who has worshipped at the throne of Machiavelli, Marx, Chairman Mao, Laskey and Castro and makes no bones about it. The only hope we have of change is a revolt of the Liberal backbenchers. From what I hear from over there, I don't think there is much hope.

The Prime Minister has the audacity to present this document to us, an effrontery to our country. He has the audacity to ask us to trust him in amending our Constitution; ours, not his Constitution. It has been said that Moses did not write the ten commandments, he just delivered them and led his people out of bondage. Well, the Prime Minister is leading us into bondage. We heard about his just society. What we have now is just a society.

In his book "Federalism and the French Canadian" the Prime Minister stated in reference to strong central government that:

> It would certainly be an advantage if the federal government consulted the provinces about matters that affect them even if these matters are entirely within federal jurisdiction.
>
> I do not see why we could not establish permanent consulting bodies to ensure that our trade, tariff, customs or monetary policies really reflect the opinions of people throughout the country and that no province feels undermined by the exercise of central power.

Why the change of heart? Why not then apply this to constitutional matters. Does this sound like a man who held up the first ministers' conference. Does this eschew trust? When I asked the Prime Minister about this statement, he said it was written ten or 15 years ago. Yet, in 1977 when asked if he wanted the book abridged, the answer was an unequivocal no. This is the same Prime Minister who recently, while in British Columbia, stated that if Canada did split apart because of his unilateral action on the Constitution, "Then I say it is not

worthy of living another day." Big deal! Well, I say balderdash to such despotic arrogance by the man who would alienate the demographically fastest growing half of this country for one last power fling.

A few days ago my colleague for Halton (Mr. Jelinek) caused an uproar in the House by referring to the Prime Minister in prose which Mr. Deputy Speaker termed "an unparliamentary expression". Apparently, it is unparliamentary to use the four letter word which begins with "l", ends with "r" and has "i" and "a" sandwiched in between. Far be it from me, as one of the new boys in this House, to question the wisdom of my elders and those who have gone before me in Parliament.

In our deliberations, I assume we are guided by Beauchesne's rules and forms and the sections which deal with offensive language and personal attacks by one member upon another. Beauchesne delicately refers to this as any "irregularity in the warmth of debate". Is it unparliamentary to say that the right hon. gentleman's words and actions are at variance with the truth? Is it unparliamentary to say that the House and the people of Canada have been misled? Or, could one get around the rules of the House by couching the barb in semantics; by speaking with less than candor, with tongue in cheek?

In another era in Parliament a former member for New Brunswick once said that a Liberal member of the treasury benches has as much regard for the truth as a tom cat had for a marriage licence. I am not a member of any Canadian Bar Association, but it seems to me that the only defence against libel or slander is the truth. I read some rather damning and direct statements written by one Geoffrey Stevens in February issues of *The Globe and Mail*. Yet, I see no movement to summon Mr. Stevens before the bar of this House to answer his accusations, and Mr. Stevens used the most unparliamentary prose. He wrote on February 2 that "clarity and truth are incidental byproducts". In another column he made reference to "Liberal lies, deceptions and evasions." In yet another column he wrote:

—the perception that Mr. Trudeau has sinister, ulterior motives is widely held. That's understandable, given the way he has lied, bullied the provinces and tried to browbeat the British.

Mr. Stevens stopped short of asking his readers if they would buy a used car from the Prime Minister. He wrote that:

Today, Canada is marked by a lack of trust among regions, between regions and the centre, between the people and their elected leaders.

Mr. Stevens concluded his column by saying:

By a single act of statesmanship—withdrawing his charter and giving Canadians an opportunity to approve it—Mr. Trudeau would demonstrate that he is not trying to pull a fast one, that he believes his constitution is worthy of public support, that he trusts the people, that they can trust him.

What trust can there be when *The Globe and Mail* contends that:

Mr. Trudeau misrepresented his constitutional plans to the government of Britain and that he and his ministers have been misleading the Canadian Parliament and public about Britain's position.

I wonder how some of the Liberal backbenchers are able to look themselves in the face while they are shaving in the morning. How can they remain mute and obedient trained seals in the face of the true facts, in the face of the truth?

• (2110)

The truth is that the Prime Minister's polls show that some 64 per cent of all Canadians in every province of Canada are opposed to unilateral action and amendment of the Constitution in Great Britain. The truth is that six of our ten provinces are attacking the federal position in the courts, that eight provinces are against it and I hope that after March 19 my own province makes it nine. At any rate, I ask the Prime Minister if eight troopers are marching down the street and one is out of step, who is at fault?

The truth is that a committee of the British House of Commons has stated it would be improper for Britain to amend the Constitution without the broad approval of the provinces. The truth is that the Prime Minister has been less than forthcoming about what he and his ministers told the British Prime Minister would be in the constitutional package and about what guarantees she gave concerning its passage through the British Parliament. That is very simple.

Why, then, are the trained seals on the government side of this House afraid to tell this Emperor Nero that he is fiddling while Canada burns? Why are they unwilling to do what is right instead of what his right hon. highness wants? Is there no one over there who will bell the cat? Why is that? Is a cabinet post or the job of parliamentary secretary worth the sellout of conscience?

I did not come to this House for personal position or gain. I now want to warn Canadian in general and members of the opposition in particular again against the three Ts—the trauma of the Trudeau treatise, this insidious plot to change our great Canada into a watered down republic.

Does fear of the Liberal Party prevent backbenchers from speaking their minds on this issue? Are backbenchers afraid of the living death that has befallen some of their colleagues like Turner, Basford and others who dared to speak out in opposition and in defiance of their leader and the Prime Minister? Are they afraid of limbo, of Coventry, of purgatory? Will no one on the Liberal side stand up against the Prime Minister and tell him he is wrong—dead wrong? Will no one tell him that he has gone too far? Is there no one who will oppose him in our steady march toward a presidential system of government? We must suffer power at any price because of one man's vanity. Let each government member ask himself or herself if he or she would buy a used car from that man. If Shakespeare were over on this side he would look across the aisle, aghast, and I am sure he would intone, "You blocks, you stones, you worse than senseless things."

An advertisement in *The Globe and Mail* of January 23 inserted by the National Citizens' Coalition—

Some hon. Members: "Quote".

Mr. Stewart: Yes, quote as follows:

The Constitution

FEDERAL LIBERALS:
STOP MR. TRUDEAU
HAS MR. TRUDEAU OUTLIVED HIS USEFULNESS?
YOU MUST KNOW THE MAJORITY OF CANADIANS—

1. Don't want his changes put in the BNA Act before it is brought back to Canada. (64 per cent against it in Gallup Poll).

2. Don't want his French-English bilingualism made official coast to coast.

3. Don't want his cutbacks in oil production.

4. Don't want his increase of more and more nationalization of industry which does away with competition.

5. Don't want to keep picking fights with the U.S.A.—our best customer and military protector.

6. Don't want Ottawa trying to bully the provinces.

7. Don't want government to encourage Canadians to live beyond their means.

8. Don't want to pay for fully indexed pensions for the civil servants and MPs.

9. Don't want to leave our children an immense national debt.

After all, he got elected, not on any of the above issues, but on the issue of cheap gas which has proven to be a deception.

If you are unhappy with the federal government, let your Liberal MP know. Armed with letters—even a backbencher will be noticed by the party.

YOUR LIBERAL MP HAS MORE POWER THAN YOU MIGHT REALIZE.

I had not realized that. It continues:

The Liberals have 145 seats, and the combined opposition have 133, therefore the abstention of 12 Liberals could force an election or a change in leadership.

That is not the case now. Since they got in bed with our friends on my left it is going to take about 20 hon. members opposite to see through the hoax and vote against this crazy package, but that is all. On the back of this advertisement under the heading "Somebody's lying about oil!" it continues as follows:

Ottawa says western provinces get 43 per cent of the oil revenue. Western provinces say it's only 28 per cent.

Who's telling the truth? British Columbia energy minister Mr. R. H. McClelland (Dec. 9/80 *Globe and Mail*) has asked Ottawa three times to produce the formula for Ottawa's calculation of 43 per cent. He has received no answer.

If the federal government and the Western provinces cannot agree on the basic figures for our National Energy Program, why is it being rammed through Parliament before they understand each other?

Is this a good deal? Why are we paying Mexicans the world price for oil, more than $40 a barrel while we pay our own Canadian producers less than half, $17.75 a barrel?

The National Citizens' Coalition contends that the federal government is intentionally depressing the value of oil companies operating in Canada so that it will be able to buy the companies at bargain prices—then to be run by the civil servants, like the Post Office.

I ask hon. members if they remember the right hon. gentleman who campaigned against wage and price controls and then imposed them a few months later? That is the man who wants to re-do our Constitution. Do they remember the right hon. gentleman who proclaimed the War Measures Act, suspended the basic legal rights of all Canadians, suspended habeas corpus and incarcerated several hundred Quebecers for long periods without charges being laid, when a few people with $10 and a "Saturday night special" were huddled in a cellar somewhere?

Some hon. Members: Oh, oh!

Mr. Deputy Speaker: Order, please. Order, please. The hon. member for Simcoe South (Mr. Stewart) has the floor.

Mr. Stewart: Remember the right hon. gentleman who allowed the first secret trial in Canada when even the charges were laid secretly? I presented a motion under Standing Order 43 requesting an apology to my old friend Peter Worthington, *The Toronto Sun* editor who was also charged. That appeal for an apology was to no avail.

Remember the right hon. gentleman who promised cheaper oil and gas at the pumps and now has given us the highest gas prices in history, higher prices than were ever contemplated in the Crosbie budget? Remember the right hon. gentleman who has always said that he would prefer a republic to a monarchy and now is trying to give us one? Remember this right hon. gentleman—

Mr. Evans: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The hon. member for Ottawa Centre (Mr. Evans) rises on a point of order.

Mr. Evans: Mr. Speaker, I rise on a point of order under Standing Order 35. I think it is quite clear that this speech has been one flagrant violation of Standing Order 35 after another. According to Beauchesne's it is quite clear that the imputation of motives to members as being other than honourable is contrary to the rules. On page 115 Citation 326.(2) reads as follows:

Words may not be used hypothetically or conditionally, if they are plainly intended to convey a direct imputation.

I would suggest that also includes the reading of material, quote or unquote, that has the effect and intention of imputing motives that are simply and factually not true.

Some hon. Members: Hear, hear!

Mr. Deputy Speaker: This is a question that has been raised before in the course of the debate. The Chair has attempted to bear in mind remarks that have come from both sides of the House and on occasion has asked the hon. member concerned to rephrase his remarks in such a way as to stay within parliamentary usage. I am sure it is the intention of the hon. member not to violate the rules of this House, and I invite him to take note of the comment that has been made.

Mr. Taylor: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The hon. member for Bow River (Mr. Taylor) on a point of order.

Mr. Taylor: Mr. Speaker, I am rising on a point of order. The actions of the Liberals have imputed more motions, more notions, disgraceful and sarcastic—

Mr. Deputy Speaker: The hon. member for Bow River is not raising a point of order, as he knows.

Mr. Taylor: It is as good a point of order as theirs was.

Mr. Deputy Speaker: The Chair has observed that there has been a certain latitude on both sides of the House in this debate. The hon. member who has the floor has indicated that he has taken note of the matter.

Mr. Stewart: Mr. Speaker, I recognize and respect the Chair. I might say that I made my remarks with tongue in cheek.

It will take a long time to overcome the hostility of the provincial governments which was brought about by the constitutional and energy policies. It will take a long time to recapture the trust of western Canada. The National Energy Program is supposed to be for Canadianization, and that is something all of us desire. However, it is nothing short of confiscation draped in the robes of a nationalization known as Petro-Can which really stands for the Hon. Pierre Elliott Trudeau ruining our Canada. Our symbols of nationhood—the flag, the anthem and the Constitution—should unite us. Instead, we are divided as never before. Trust has dissipated and vanished into the air because of the irresponsible and suicidal actions of this government. In another idealogy this type of government would be called a dictatorship. The Liberal Party of Canada has fallen on very dark days.

● (2120)

Mr. Evans: Mr. Speaker, I rise on a point of order. I think the excesses referred to in Standing Order 35 are quite clear here, and I ask that the hon. member be brought to order.

Mr. Deputy Speaker: I have been listening to this point, and the Chair is paying careful attention to the remarks being made.

Mr. Stewart: Mr. Speaker, as I was saying, the Liberal Party of Canada has fallen on dark days. The once great party of Laurier, King and St. Laurent has been reduced to a mouthpiece for a retreaded socialist, the last of the so-called—but misnamed, in my opinion—wise men. The Liberal Party has been taken over physically as well as ideologically. That is unfortunate. The sheep are content to bleat away as they follow the wolf, to abandon their principles and desert their party's beliefs and tenets. As once stated very aptly by the late Sir Winston Churchill, "They are sheep in sheep's clothing".

If we let this government have its way we will lose the important rights we now have, the rights which distinguish a democracy from a dictatorship. The most basic of rights is the individual's guarantee of the enjoyment of property without fear of confiscation by the state.

In a radio broadcast on September 1, 1944, Pope Pius XII stated, and I quote:

> Private property is a natural fruit of labour, a product of intense activity of man, acquired through his energetic determination to ensure and develop with his own strength his own existence and that of his family, and to create for himself and for his own an existence of just freedom, not only economic, but also political, cultural and religious.

The Virginia bill of rights, the parent of all American bills of rights, in June, 1776, stated, and I quote:

The Constitution

> That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot by any compact deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Our right to property was first asserted in the Magna Carta and has steadily been reasserted in the courts and in statute law. It was reasserted in John Diefenbaker's Bill of Rights and in the United Nations charter of human rights.

Another right we will lose is individual freedom from being imprisoned for mere political opposition. This is not the Soviet Union or China; this is Canada, yet under a section of this proposed Constitution the War Measures Act is incorporated in the new Constitution. Under it, if a government wishes, one can be sent to prison for mere political agitation. The government does not have to wait for one to act or to make an actual treasonable move. If the government even "apprehends" an insurrection, the government can move.

"Apprehension" is defined in the dictionary as a state of mind or a thought or feeling as opposed to reality. "Apprehension" can be committed by placard carriers, people who voice strong political opinions—such as myself—and even strikers. If you end up in the slammer a victim of an apprehended insurrection, do not expect due process of law or a speedy trial. Habeas corpus, our guarantee of a speedy trial, is gone, and it was gone once before under the War Measures Act. It is replaced now in this proposed Constitution by a new law which allows the government to decide what is a "reasonable time" to bring a person to trial.

The government is even permitted to hold off elections if two-thirds of Parliament agrees with the "apprehension" that there is or could be an insurrection. I am alarmed at this assault on the rights of the individual and at this harsh approach to our most fundamental of rights.

The *Barrie Banner*, a local newspaper in my constituency, is not well known as a Tory newspaper or for its all-out support for the Member of Parliament for Simcoe South. An editorial in that newspaper on February 18 states: "Package won't do". It goes on at great length to tell why the police chiefs of the country feel that way. The editorial reads in part as follows:

> It seems increasingly evident that the government's constitutional package does not represent the will of the people, although patriation in itself is supported by all of us who think it's time we wrestled out of the outdated relationship we have with Britain.

We all agree with that. It also say that the police association, and I quote:

> —is concerned that the legislation will be "so protective of civil rights that crime flourishes, while law enforcement is repeatedly emasculated."

The article ends as follows:

> We will never know how important our involvement proves to be, but the next generation surely will.

In reality this so-called charter of rights is doing for our rights what Jack the Ripper did for door to door selling.

Over the years the present Liberal government has attempted to reduce the role of the monarchy and also to substitute, in terms of the status of the Queen, the Governor General as our

head of state. When Members of Parliament take their oaths, I remind them that they affirm fidelity and allegiance to the monarchy; otherwise, they cannot take their seats in this chamber. In 1931 under the Statute of Westminster Canadians chose to retain the monarchy. In other words, Canadians wanted to retain the constitutional monarchial system of government and to be members of the Commonwealth of Nations.

The Constitution is no ordinary law. It is a fundamental document respecting our nationhood. It must serve not only the needs of today but also serve the needs of our children. Because the Constitution is so fundamental to this nation, it should not be arbitrarily imposed by any one individual or government. The Constitution should be brought home so that we Canadians can change it here for ourselves.

The position of the Conservative Party on the Constitution reflects the will of the Canadian people. After all, it was our party under the leadership of the Right Hon. John Diefenbaker which gave Canadians their first charter of rights.

Some hon. Members: Time.

Mr. Stewart: Mr. Speaker, I will close, if my time is up, by saying to the backbenchers on the opposite side that it only takes 20 of them to tell the Prime Minister they will vote against his unilateral patriation of the Constitution unless he calls the provincial premiers together one more time to seek unanimity on an amending formula and a charter of rights acceptable to all in this House; in short, a co-operative federalist country with the greatest future in the free world.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Bill Vankoughnet (Hastings-Frontenac-Lennox and Addington): Mr. Speaker, I am pleased to have this opportunity to speak on behalf of my constituents of Hastings-Frontenac-Lennox and Addington in this Canadian constitutional debate.

As a nation Canada may not have achieved all it might, but when we look about, we see that conditions could have been much worse. That is why I am concerned about the present government's attitude regarding unilateral change. Change leads to further change, and anyone who thinks the proposed changes being espoused are timeless is only fooling himself. However, change is inevitable and, if done properly and in an orderly manner, will be respected, even if not agreed to by all.

As a nation of nearly 114 years we have seen what looked like disastrous events at certain times, but as time passes we have found they were only incidents in the development of our nation. The unknown in this great country which holds so much promise is of concern to me. Our way of life, to a considerable extent, is new in human history. Under our present system of government we have moved toward eliminating poverty, and we have cut down illness to a degree which has not been seen elsewhere. We have spread opportunity for education throughout the country. We have maintained a high degree of harmony between freedom and order under the present division of federal and provincial powers.

As a Conservative I take a conservative view of what we are today and what we must do to make the future better. We must take a progressive step in maintaining a spirit of nationalism. I do not believe we can legislate or order the will to continue as a nation. Because of this belief I have taken the view that conservatism is not a rationalization of what exists but a rationalization of what will exist, and I pray that what will exist is a conservative order. One must first make what one is to conserve.

Having respect for the past, because of what our forefathers did and because of what that has enabled us to do, does not mean adopting it and becoming slaves to it; just as we should not change for the sake of change.

Canada has grown out of a wilderness, in a harsh climate, through the heartache of fate and beside powerful neighbours and natural barriers, but under a system of democracy which has served the test of time.

As we look back to our ancestors with very deep gratitude for all their industrious endeavours—the results of which we have inherited—we give them credit for their wisdom in laying the foundation on which we may from time to time revise to meet new challenges. As we try to improve the system they left, we may find ourselves even more appreciative of their foresight in not providing an easy way of changing our system of government.

• (2130)

The men and women who established this nation in 1867 were brave and wise people. They were not philosophical theorists like Plato who framed his Republic. They were not gifted with second sight to show them that within 114 years the population would increase so much, that our natural resources would be so vast and important to our standard of living, and that transportation by land, water, air and pipeline would revolutionize our way of living. Neither did they know of the electronic communication system which would become commonplace. What they did was to construct, within their scope of knowledge, with a spirit which was idealistic and with hands that were practical, a foundation on which many races and cultures could find firm footing as one united nation known as Canada.

We have reached our present standard of living because of our heritage, which is our past that we put into the present for the purpose of review. From our past we inherited the ethic of hard work, making do with what we had; then by improving it while attending to the business of today and preparing for tomorrow. From our more remote ancestors we have inherited the humanistic spirit of the Greeks and the Renaissance, emphasizing the dignity of men, the Roman and Anglo-Saxon rule of law to provide for peaceful change in our society, and the democratic faith in liberty, God and equality to make it a truly modern nation.

Many contributions have been made to this nation by people fleeing from oppression. Love of our country involves knowing

what went into building this nation, what it is and what it may become. Canada's past has been favourable, in that order has prevailed without civil war and major disaster, so our future also can be bright and prosperous. The greatest danger lies in the belief that our present well-being justifies complacency. The future of Canada will rest on whether we approach change on the basis of a thorough understanding of our foundation and of our expectations.

We have inherited in trust a potential for greatness which must be passed on to future generations. Just as John Cabot was an explorer, so are we, but in spirit and expectation. We must continue to explore democracy's mandate to make this bountiful land better; by discovering new ways of living with others. The spirit of exploration, whether it is exploration of the surface of the earth or of the principles of living, includes developing the capacity to face trouble with courage, to meet disappointment with cheerfulness and to accept success with humility. Our patriotism and faith in democracy requires a spirit that holds the community together by giving its citizens a sense of sharing something as unique as the Canadian flag. Although it is debatable whether the present design is best, it is now generally accepted as Canadian.

We may have different personal traditions, cultures, religions, backgrounds or earning powers, but we all believe ourselves to be vital parts of the Canadian society. This does not mean being patriotic in the sense of believing that our country, province or county, is superior to all others just because we were born here or live here. True love of one's country is not the emotional luxury of vanity expressing itself in flag waving, but a sentiment expressed by a firm stand in the name of one's country's principles. It is living together, sharing of goals in common, enthusiastic planning of effective means to reach goals, an aggressive and efficient team action to make goals become realities.

In our democracy, we should seek a spirit within individuals, not a piece of governmental machinery to hold people together. The picture of a democratic country is one of self-reliant individuals who want to be allowed to do their own work, but who are also closely bound together by the great common aim that everyone seeks to devote himself to his country's good.

When looking at Canada's constitutional patriation, one finds it is necessary to cut through attitudes and prejudices which have built up for generations, and to look at the facts as they are and then to join others to fix what is faulty and to expand what is good. This approach brings together people of all races, languages, political parties and even religions in the realization of their ability to change this large and diverse land. History shows that the break-up of Canada into smaller states would be like blowing out candles in a castle until all is dark. It is clear that prosperity results when pious, law-abiding and industrial people develop a civilization, but civilization will fall apart in the midst of petty bickering.

Culture is more than the ability to perform or to admire the arts; it is the superiority of thought, the enjoyment of beauty, efforts to raise oneself and others to a higher level. It implies openness of mind, a sensitive appreciation of human values and the development of the potential which each individual has within him. Canada needs leadership in church, university and the community, and we need governments with vision and with the unbiased ability to engender in Canadians a strong national feeling and a wish for individual advancement. Certainly Sir John A. Macdonald and John Diefenbaker had this ability. It is not so much a new ideology that is needed, as an earnest spirit which will sustain the people of this great nation in seeking a good life in this wonderful land.

I myself cannot define, and I doubt whether anyone else can, exactly what should be contained in a Constitution or charter of rights simply because the rights which it should contain can be argued endlessly. A charter of rights would give people a feeling of security and be an integrating force which would bring people together. However, it must not be taken for granted that in itself it will forever guarantee freedom to individuals. There are many examples where this is not the case. A nation such as Canada is unique and is in itself an ethnic and cultural entity tied together by such forces as language, history, technology and outlook.

Many countries in the world today have written constitutions using all kinds of grand wording and slogans and containing elaborate bills of rights. There is more to creating a just and workable constitution than putting it into words. Attempts by many countries to translate into chapter and verse a system which has taken our system many centuries to develop has led to disappointing results. Great Britain has no written constitution, yet it enjoys constitutional government with limited and accountable rule. Many would argue that the fundamental laws of Great Britain, along with a basic national consensus, are in reality more real constitution which is more frequently observed in practice than most other written and codified constitutions.

The supreme laws of Britain and Canada are perhaps most aptly described in Rousseau's words: "Not graven in tablets or brass, but on the hearts of the citizen".

A national constitution could be described as an official grouping of principles and rules which set out the sources, uses, purposes and restraints of public power. To this end, constitutional studies should look beyond written documents to constitutional practices, judicial interpretations, general laws, customs and tradition.

In Great Britain, over centuries of time, concern for maintaining the fundamental rights which we take for granted today grew together with the growth of democratic government. Britain has no written constitution, and no declaration of the liberties of the individual exists in British law. The principles set out in such historic documents as the Magna Carta of 1215, the Petition of Right of 1628, the Habeas Corpus Act of 1679, the Bill of Rights of 1869, and the Act of Settlement of 1701 form a basis for the English constitution within which the government must show due regard for the rights and liberties of the citizen.

The basic rights in these conventions may be defined as the right to personal security, the right to personal liberty and the right to own private property. Under the British system, a

person is free to do and to say what he likes provided he does not break the established rule of law. If his freedoms and rights are infringed, there are remedies in the courts. Under the British common law system, everything in general that is not specifically prohibited by law is lawful. Napoleonic law or codified systems of law such as in the U.S.S.R. work in the opposite fashion; everything that is not specifically mentioned is forbidden. We should be proud of our heritage and fine system which has worked so well, and be ever watchful of change for the sake of change. Why would anyone really want to change such a good system as ours?

• (2140)

We in Canada have followed the British system of government and it has served us well. A democratic society which respects the rule of law is the envy of people around the world. We have, as in Britain and Australia, a tradition of constitutional practice characterized by understanding, a sense of fair play, adherence to the rule of law, a vigilant opposition, a free press, public opinion and ultimate accountability through the free and secret ballot. To change such a workable and respected system for the sake of change and for the unknown requires proof that our system is not acceptable and assurance that we would be better off with another system. I do not feel such a case has been made by the present government for such unilateral change.

The Soviet Union has a written constitution which guarantees human rights. But all the rights and freedoms in that document are not worth the paper they are written on because the Soviets do not honour them. There is explicit and extensive abuse because of a one-party system and no free or secret ballot. I visited the Soviet Union and spoke to the common person there; believe me, I would not leave Canada with its unwritten constitution for the U.S.S.R. and its written constitution.

There is a vast difference between written rights and actual rights. In comparing constitutional practices in various countries, we see there is in practice little relationship between declarations of rights, written guarantees of rights and freedoms and the actual rights of citizens. Australia and Great Britain make no declarations, yet there are few infringements of rights, thanks to such checks as the government, the opposition, the judiciary, freedom of the press and the citizenry.

In contrast, countries such as the Soviet Union, Argentina, Brazil and Czechoslovakia have in their written constitutions general statements and specific guarantees of fundamental rights and liberties, but we hear reports that these countries do not respect them, and we hear of many abuses with little check on arbitrary executive power.

These comparisons indicate the inadequacy of written constitutional guarantees of human rights. Governments and citizens must respect what constitutes any constitution, written or unwritten, if it is to work. It seems clear that written constitutional guarantees alone are neither necessary nor sufficient to guarantee the exercise of fundamental human rights. Where rights already exist in practice, through traditions, conventions and respect for the rule of law, writing them down may not be necessary. Where such rights only exist in theory, writing them down will not help.

We are one of the few countries in the world without a written constitution, yet we have rights and freedoms in Canada second to none. We have inherited our system from Great Britain, and it has served us well. Instead of all this talk about "Brit-bashing", we should take the time to remember from where our fine system of democratic government came. We have inherited a system that serves Canada as an independent nation well.

Any changes to such a fine system of government should be changes for the better. Changes imposed on partners in our federal system of government with which they strongly disagree would not seem to be changes for the better. Consensus in a federation is certainly necessary. I approve patriation of the BNA Act to Canada, but any changes to that act should be done in Canada by Canadians as partners in our system.

Our tradition and our workable and proven Constitution should not be unilaterally changed. Relations with our traditional ally, Great Britain, should not be unnecessarily strained when this is not necessary or desirable. The federal government should not forget that the union of the various provinces created Canada.

We do not need another country to change our laws for us. We do not need to create problems for Great Britain by the federal government trying to shift the heat across the ocean on an issue as important as the one created by the present government. This is not fair to anyone and should not be seen as a self-serving opening for the Prime Minister (Mr. Trudeau) and his government to drive in a wedge and weaken our strong relationship to both Great Britain and the monarchy.

The Statute of Westminster, 1931 recognized the autonomy of the various dominions and ended whatever discretionary right the British government still had to legislate on behalf of the dominions including Canada.

We are in favour of a charter of rights, but do not favour unilateral imposition of such a charter in the face of strong opposition from a majority of the provinces and of Canadians. This indicates a denial of Canada's federal nature, since the provinces are partners in the Canadian federation. Therefore, work remains to be done to create a true consensus on a charter of rights so that it is accepted rather than imposed.

The best protection of fundamental rights and freedoms commences with the concept that rights originate with individuals and are not conferred upon people by the government. For a charter of rights to be successful and to command respect, it should reflect this basic principle. When a suitable and acceptable charter of rights can be arrived at, I feel such a charter should have a preamble which recognizes the supremacy of God, the essential worth of the human person and the special importance of the family in our society. These fundamental values were in the Diefenbaker Bill of Rights. We as Canadians should ensure that such stable institutions which helped build a strong Canada are included for all to see. I also

feel an agreed-to charter of rights should ensure Canadians the right to the enjoyment of property, as this too has been of great importance in the building of our country.

The Vancouver amending formula accepts the equality of all provinces and has the necessary characteristics of flexibility and a reasonable national consensus before any amendments are approved. It better reflects the reality of the federal nature of Canada, composed of different yet equal partners, and provides a safeguard from undue centralization.

I feel this refusal to accept God and reference to property rights is just another dilatory tactic for the government to amend and introduce these concepts, to manipulate the people into a false sense of passion for partriotism so that other important and far-reaching changes will be accepted without question about the long-term loss of individual rights. It would not surprise me in the least if the government introduced these measures affecting God and property rights at a convenient time to try and divert attention from other controversial aspects of its package.

The Constitution should be the result of broad consensus if it is to be respected across the country. We cannot run the risk of spawning secretive or semi-secretive organizations and movements as a result of unfair, arbitrary and unilateral constitutional proposals. Some countries send arbitrary dictates out from the centre of government to try and control the people, and we hear of the unfortunate results of such arbitrary action.

We in Canada are fortunate to have freedom of religion and worship and freedom of assembly in order to practise our different religions. The Fathers of Confederation founded Canada recognizing the supremacy of God, the importance of the family and private property, and the respect for moral and spiritual values. Just like property rights, people have fought and died over religious beliefs for centuries because of the strong feeling they instil. The Diefenbaker Bill of Rights recognized the importance of this quality of Canadian life in its wording.

My riding of Hastings-Frontenac-Lennox and Addington is one of the oldest settled areas in Ontario. In 1784 much of the area was settled by United Empire Loyalists who left the United States because they chose to face hardships and the unknown to retain their way of life. These people through conviction, faith and hard work settled the area and worked to build what became the nation of Canada. Because of their faith, through their hard work, and through the work and faith of other groups across Canada the social fabric of our nation was created. It is because of the strong beliefs and hard work of our forefathers that we have such a great country today. We are not an atheist state, as some communist countries profess to be. Canada was built on high principles, strong heritage and religious beliefs.

• (2150)

You cannot do a good job on such an important document respecting the concept of Canada when what you are trying to do is change the concept of Canada in a unilateral fashion. The government should slow down and listen to reason, because reason is the future of a strong Canada based on a workable system through the broadest possible consensus. There is no reason for personal ambitions or arbitrary deadlines in an issue as important as the Constitution of our country.

Canada is composed of ten provinces and two territories. The federal government should not forget this fact. We have one of the largest countries in the world. Due to geographic expanse, by definition, many of the component parts of Canada differ greatly with respect to climate, topography, resource allocation and living standards. People in different parts of Canada have very real and different problems to face as a result of their location and heritage. This is an asset for any country. It adds strength and colour to the Canadian mosaic.

Powers and responsibility in the BNA Act are given to the federal government and others are given to the provinces. Powers of a more local nature were generally granted to the provinces in order to have a government in touch with and in understanding of the various unique provincial concerns in different areas across this vast country. On the other hand, the federal government was given powers over matters of a larger and more national concern. This system has served us rather well over the years as the various powers set out in the BNA Act were interpreted and utilized.

The basic premise of Canada is that it is a federation of provinces, each with its own sovereign government, united together in a federal state with a sovereign federal government. The provinces and the federal government are partners in confederation. They entered confederation with an agreement to define their roles in this country. They are partners in Canada. They are all integral and important components in confederation. No one part is a background of fluctuating importance, but every province, along with the federal government, is an active partner with something to contribute. It is important to realize that it was the regions of this British North America that created Canada and not the federal state that created the provinces. This is important to a strong partnership, something which the federal government does not seem to understand.

Federal-provincial relations have suffered greatly under the present government. It seems the federal government goes out of its way with unpopular legislation to trample the interests of the provinces. This is no way to treat a partner, and certainly not a proper atmosphere to create in the midst of the government's push for constitutional change. This is a federal state, not a unitary one. If the federal government continues to try to write the provinces out of confederation we could be heading for a unitary state; that is not the Canadian way. The provinces realize this and they are standing up for their rights, their future, and because they are good Canadians, for Canada's future.

We in the Progressive Conservative Party are in favour of patriation of the BNA Act to Canada. Patriation could be done quickly to get our document of nationhood where it

belongs without bothering to trouble any other country with our own concerns. Once home it should be amended by Canadians using an amending formula agreed upon between the federal government and the provinces.

One aspect of our present federal arrangements which I feel is imperative to maintain is our constitutional monarchy. Any attempt to alter or downplay this tradition, which is one of the main reasons our country is the best place to live in the world, will only worsen the division which exists. The monarchy is too deeply rooted in our culture and history to be removed from our political experience. There is no room in Canada for a threat by cunning people, or government, to upset political order and remake it according to their desire. I am opposed to any efforts to reduce the role of the monarchy. I support the retention of Her Majesty as the head of state in Canada.

The Loyalists took pride in their love of God and the monarch. They stood up for what they believed in to protect a way of life they cherished for future generations. I am honoured to be a descendant of such a group of people. I appreciate the Canada they strove to create. I do not forget or take for granted their sacrifices. I think we owe them and other pioneers the decency and respect to preserve the tradition and way of life they helped pass on to us.

No system of government is perfect, Mr. Speaker, but I, for myself, feel that our system is one of the best. I am proud of our heritage and tradition respected here and around the world. Let us remember where we came from so that we can better know where we are going. The government seems to have lost sight of this, but the people of Canada have not.

I think that with the concerns of many over the issue of women's rights and opportunities for women, we tend to forget the capable and highly respected standard set over the years by our gracious head of state, Her Majesty Queen Elizabeth the Second. With estimates of somewhat over half our national population being women, their place as equal human beings is certainly established in Canada and should be ensured for the future. There are differing views put forward concerning the need for the rights of the unborn child and I would suggest that our time would be better spent considering all aspects of this issue.

For the people of a country to make the constitution work they must respect what it stands for. To command this respect it must be just, fair and inspiring now and into the future. The people must trust their government to lead them into that future with promises, rights and freedoms the Constitution promises to uphold.

The present government has made and broken many promises in this and previous Parliaments. It has consistently refused to deal with such serious matters of concern to Canadians as high interest rates, inflation and unemployment. There is no comprehensive industrial policy to help Canadian business and industry plan and grow for the future. Canada's standard of living has slipped and our economy has seen better days. The present government, under the Prime Minister, has had more than enough time to deal with these matters.

Canadians are now being confronted with constitutional proposals put forward by this same government which has done so little for Canadians over the years. How can Canadians put trust and faith in such proposals from such a government? The answer is they cannot. How can Canadians respect a government which tries to get a foreign country, for which Canadians have long-standing respect, do its dirty work and then, at the same time, blame that country for every little thing that crops up? Great Britain deserves better treatment than this, Mr. Speaker. We owe her that much.

National unity, our economy and energy self-sufficiency are all suffering because the government will not listen to Canadians. In Canada we have great potential, with energy sources, raw materials and human resources that any country would be proud to possess, yet the federal government cannot digest reality. Mr. Speaker, the present government with its myriad of ivory-tower, short-gain programs is harming Canada, a country about which I feel very strongly.

The government should listen to reason on the constitutional issue and patriate the BNA Act to Canada, with an acceptable amending formula, with the provinces in Canada to make amendments in Canada. This would be the better course for Canadians. Patriation could be achieved quickly and the government could get on with the real issues facing Canadians, providing leadership, support and direction so that industry and business can plan for the future.

The present government has been nipping away at the Canada we know and love for some time now. Little changes here and little changes there gradually over time are taking their toll. I, along with many other Canadians, do not like what I am seeing and I am concerned for the future of our country.

Mr. Speaker, may I call it ten o'clock?

• (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

GOVERNMENT EXPENDITURES—QUERY RESPECTING INCREASES

Hon. Sinclair Stevens (York-Peel): Mr. Speaker, my comments tonight centre on a question and answer, as recorded in *Hansard* of February 24 at page 7606, between myself and the Minister of Finance (Mr. MacEachen). At that time I was questioning the Minister of Finance concerning some statements that appeared to be quite misleading in his address to a luncheon meeting of the Canadian Club of Montreal on February 23.

My main exception was that he indicated the government was following the trend line with regard to expenditures of the gross national product in this country. A very observant person would know that is simply not the truth. The government has not been following the trend line as it has represented. It has been allowing expenditures to grow in the country at a substantially faster rate than the trend line.

I remind hon. members of the rather startling growth we have seen in Canada in expenditures. In 1968, total federal government expenditure was approximately $12 billion. At that time national revenue was roughly equal to the expenditure level and we were able to show a position where the net national debt was only $16,759 million. On a per capita basis, the net debt was $792 and in total, 21.2 per cent of the gross national product was reflected in our net debt.

I mention this because it is important to realize that not only has the government been allowing its gross expenditures to increase at a faster rate than the growth in the gross national product, it has not succeeded in obtaining the revenue to balance the budget. The net result is that the net debt in 1968 was about $16 billion. By 1970 it was still under the $17 billion level. By 1979, it grew to $55 billion, or $2,360 per capita. This represented, as a percentage of our gross national product 22.2 per cent, or about 3 per cent more than it had been, for example, in 1970.

There can be absolutely no doubt, now that the estimates have been tabled in the House that what is proposed, for example, is to take the expenditures, which we feel are unduly high in the current fiscal year, to some $82,275 million in the fiscal year 1984.

I think the government should start to level with the Canadian public now. Perhaps for a few years, both Canada and the United States were, if you like, similar to those attending a party: we both got a little drunk. We got drunk in our irresponsible attitude in handling affairs of the people in the United States and Canada. In the United States, the responsible government of President Reagan has now taken power. It has given every indication that it plans to straighten out the country; but there is absolutely no such indication here by the Government of Canada.

I know you do not attend parties, Mr. Speaker, but those who do realize that if everybody else is somewhat drunk, perhaps one can get away with more than usual. As soon as the other countries attending start to sober up, Canada will obviously be the drunken country at this world party.

• (2205)

I would suggest to you, Mr. Speaker, that this government is leading us into higher inflation and higher interest rates as a result of its total irresponsibility in handling our affairs. The government is drunk; it is drunk first with the craze for power, but it is drunk beyond the point of realizing how it is putting our nation into a situation which will be very difficult to rectify.

How quickly we forget that in 1970 the interest on our public debt was $1,675 million. That is what we spent in that year in interest costs. As hon. members know, in the current year, the year beginning next month, we are told that total debt costs will be $12,350 million. What further evidence should this government need that what it has been doing in the line of expenditures, incurring greater and greater deficits, is something it cannot continue to do without an obvious steady increase in our debt charges?

If we look at the 1981-1982 estimates, we find those debt charges are projected to go up to $16 billion by 1984. It is not long ago that the total federal budget was less than $16 billion. It was certainly a lot less than that when the emperor, the man who pretends to be a prime minister today, took power. It is time we got some answers.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, I have often noticed that hon. members select their analogies from situations with which they are most familiar. I hope that is not the case with the hon. member opposite tonight.

Mr. Kempling: He does not drink.

Mr. Evans: The hon. member for York-Peel (Mr. Stevens) expressed some confusion the other day, and even more tonight, about the government's commitment to keep federal spending within the trend growth of the economy.

Mr. Stevens: That is not what you said.

Mr. Evans: I will try to clear up this confusion.

The confusion stems from the comparison the hon. member made between the 16 per cent growth of budgetary expenditure over the nine months ending December 31, 1980, with his own estimate of actual GNP growth of 12 per cent in 1980-1981.

First, the hon. member should be aware that the government's commitment is with regard to the growth of total outlays; in other words, the sum of budgetary expenditures plus loans, investments and advances. Total outlays grew 14.4 per cent over the same nine-month period ending December 31, 1980. This is significantly less than budgetary expenditures.

Second, the hon. member uses a 12 per cent estimate for GNP growth in 1980-1981 when he should have used trend GNP growth. In a year of cyclical weakness such as 1980-1981, actual GNP growth would be significantly less than trend GNP growth. Our current estimate of trend growth would be in the 13.5 per cent to 14.5 per cent range. This is composed of 10 per cent inflation and trend real growth in the 3 per cent to 4 per cent range.

Mr. Stevens: What was the real growth last year?

Mr. Evans: It should be noted that, while the growth rate in total outlays for the nine months ending December, 1980, was 14.4 per cent, it is still expected that the growth of total outlays for the fiscal year 1980-1981 will be 13.2 per cent as estimated in the budget, and well within trend GNP. The

slowing in the growth of total outlays in the last three months of the fiscal year is expected to result from decreased net petroleum compensation payments, among other factors. Thus, the government fully expects to live up to its commitment to restrain the growth of its spending to less than trend GNP, even in this year of cyclical weakness.

HAZARDOUS SUBSTANCES—UREA FORMALDEHYDE FOAM INSULATION—NOTIFICATION OF POTENTIAL HEALTH HAZARD

Mr. Ray Skelly (Comox-Powell River): Mr. Speaker, tonight the subject I wish to address concerns urea formaldehyde, an insulation product which has been used in roughly 60,000 Canadian homes. This substance has quite a long history. It has been the subject of study in both Europe and the United States. Because of some of the very serious side effects of this product, when improperly installed in homes as insulation, concerns were raised in this country and in this House.

● (2210)

I had occasion to raise this matter last spring, in the summer and in the fall, asking for government action. These requests for action in the committee, and in the House in one case, stemmed from the province of Saskatchewan where the minister of consumer affairs raised the matter with the government in writing, asking that the product be dealt with under the hazardous products provisions. When no action came from that, I was asked if I would meet directly with the ministers concerned and raise the matter, which I did.

The case arose as a result of a family in Saskatchewan which had to be moved because of the fumes, or the formaldehyde gas concentrations in the house. The house was longer habitable.

It was obvious that the situation involved much more than that one case. The answer we continued to receive from the government was that it was still studying the matter. While the government was studying it, people were insulating their homes with this substance under the CHIP program and under other government subsidized and encouraged programs such as the Residential Rehabilitation Assistance Program. In short, the government was encouraging and paying people to insulate their homes with this material.

Finally on December 12 the minister decided to ban the material. It had been linked to cancer. Certain concentrations of formaldehyde gas was linked to cancer in rats. The minister imposed a ban and a temporary study group continued to look into the problem. Nothing in particular happened. Apparently they are still awaiting the results of that study group.

The government was asked what it was going to do about those Canadians who had experienced the problem. In answer to a question in the House, the minister said these people should contact their doctor, the department of health, energy mines and resources, or the National Research Council.

I contacted those groups. None of them were aware of what to do. No testing equipment was available. Physicians who had come in contact with people suffering the symptoms were not aware of the cause. I would like to cite a case in my riding.

After reading a column in the paper describing the symptoms, a woman came to my constituency office and stated that two years previous her doctor had asked her to leave work because of some allergy symptoms she was experiencing. As she remained in the home longer, the symptoms got worse. Neither she nor her doctor were aware of the reason. She lost her job and experienced several years of poor health because of this material. It is now clear that is what it was. The point is that the physician was not aware of the facts. There was no testing equipment available to place in the home. At that point, none of the departments the minister recommended had any information.

The minister has two responsibilities, the first being to study this, get the final report and put the ban in place permanently. Second, with regard to those already harmed, all physicians in Canada should be informed of the symptoms of this exposure. Testing equipment should be made available to be used in the homes in my riding where this material has been used, as well as in every other region in this country, in order to determine the level of formaldehyde gas and if these homes are habitable.

A list of every home in Canada in which this material has been placed should be obtained. The symptoms should be described to these home owners, they should be advised how to have their homes tested, and their physicians should be informed as to what must be done. This information is available. Every insulating contractor who has obtained government funding is listed, and there is a list of the people who installed it.

The minister has a responsibility because the government encouraged that this material be placed in the homes. It should provide a funding program to assist people remove the material from those homes that are not habitable as a result of the use of urea formaldehyde.

● (2215)

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, the points raised by the hon. member have been discussed within the department. He points out quite correctly that part of the problem envisaged as a result of the use of urea formaldehyde in homes led to a decision by the minister last September to set up a non-government expert committee to review all the available data on the use of urea formaldehyde as a foam insulator. As time passed we realized some problems were arising largely as a result of the release of formaldehyde from the urea formaldehyde foam being used for home insulation. At the very beginning, most of the problems were related to symptoms that resembled the common cold, such as eye and nose irritation.

It was only when we had access to toxicological studies emanating from the United States that we found in laboratory models where there were 15 parts per million of formaldehyde in the atmosphere; cancerous tumours resulted in about 1 per cent of cases. The studies in the United States also found that there were some homes in the United States in which the parts

per million of formaldehyde amounted to roughly half the scale used in the laboratory model. In other words, when we realized that the safety factor was one half of the laboratory scale model, there was no choice for the minister but to place a temporary ban on the use of this material. The hon. member correctly pointed out that this was done on December 17.

I think the hon. member made some valid points about how we should inform the Canadian public of a situation that could exist in their homes at the present time. The minister has informed me that a pamphlet is being made ready for distribution to home owners who are affected. It will outline the steps the department feels should be taken if any of the symptoms are evident in the home.

The minister has also instructed her staff to prepare a special pamphlet for distribution to all physicians in Canada. It is hoped that both these pamphlets will be ready for distribution in the next two weeks. In this way we can at least inform the public about the inherent dangers that could exist in homes where urea formaldehyde has been used.

The hon. member raised the question of the availability of equipment to test for parts per million of formaldehyde in the atmosphere in these homes. I have been given to understand that some provinces already have that equipment. If the hon. member would contact me tomorrow, perhaps I could tell him which provinces have the equipment to test the homes for the presence of formaldehyde in the atmosphere.

Once these steps have been taken, and it is hoped the final report of the committee will be ready in three weeks, I expect the government will make recommendations to deal with the other problems which may arise as a result of the banning of the product.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 2 p.m.

At 10.19 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, March 4, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

BALTIC EVENING ON PARLIAMENT HILL

MOTION UNDER S.O. 43

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I move, under the provisions of Standing Order 43, the following motion, seconded by the hon. member for York East (Mr. Collenette):

That this House, in recognition of the contribution to Canada of Canadians of Latvian, Lithuanian and Estonian descent, welcomes their honorary consuls and representatives of their respective communities to the ninth annual Baltic evening on Parliament Hill.

Some hon. Members: Hear, hear!

Madam Speaker: I take it the House wants to express sentiments toward this community, but I do not think this is a motion under the provisions of Standing Order 43.

* * *

HOUSE OF COMMONS

VISIT OF UNITED STATES PRESIDENT REAGAN—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise under the provisions of Standing Order 43 on an important matter.

Every member in this House is pleased that the President of the United States of America is visiting Canada next week and will be addressing jointly members of this House and the Senate on March 11. Therefore, I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House, through the unanimous passage of this motion, welcome President Reagan and wish him and his government well, and furthermore encourage him to meet with world leaders, particularly President Brezhnev, in the very near future to initiate negotiations for arresting aggression wherever it occurs in the world; to renew détente and establish a rationale for limiting the world's arms race and to reaffirm world peace and fundamental human rights as the first priority of international relations.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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COMBINES

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

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise on a matter of some urgency under the provisions of Standing Order 43. In light of the fact that after eight years of investigation the government plans to hold a public inquiry into alleged price fixing by major oil companies, the timing of which so conveniently and so transparently shifts public focus and blame away from the government over its oil price levy earlier this week, I move, seconded by the hon. member for Durham-Northumberland (Mr. Lawrence):

That the government be condemned for not instructing that appropriate charges be laid against any oil companies found to have contravened any existing laws of Canada and that the minister make a statement on motions as to why prosecutions have not been instituted.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ASTRA TRUST

CALL FOR PUBLIC INQUIRY—MOTION UNDER S.O. 43

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. Whereas eight people were charged yesterday with conspiracy to defraud the public of $35 million in the collapse of Astra Trust and associated companies; and whereas the collapse of Astra was the first collapse of a federally-chartered financial institution since the depression; and whereas the justice committee of the Ontario legislature has determined that officials of Astra used political influence to gain their federal charter, I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That the federal government set up a public inquiry to determine why Astra received a federal charter, how it operated, why it collapsed, who was responsible, what compensation should be paid to its victims, and ways of ensuring such a collapse is not repeated.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

[*Translation*]

THE CONSTITUTION

REQUEST THAT COPIES OF MARCH 3 *HANSARD* BE DISTRIBUTED TO ALL FRANCOPHONES—MOTION UNDER S.O. 43

Mr. Pierre Gimaïel (Lac-Saint-Jean): Madam Speaker, under the provisions of Standing Order 43, I ask the unanimous consent of the House to move a motion on an important matter of pressing and urgent necessity.

Considering that the member for Simcoe South (Mr. Stewart) has clearly stated the position of his party, the Progressive Conservative Party, on linguistic and constitutional policies; considering also that it is the first time this position has been so clearly stated and that it sheds light on the disagreement among the Progressive Conservatives about the French fact in this country, I move, seconded by the hon. member for Spadina (Mr. Stollery):

That additional copies of *Hansard* for March 3, 1981, be printed and made available to all French-speaking Canadians.

[*English*]

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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CANADIAN NATIONAL RAILWAYS

POLICIES AFFECTING ATLANTIC CANADA—MOTION UNDER S.O. 43

Mr. Howard Crosby (Halifax West): Madam Speaker, I too rise under the provisions of Standing Order 43. The Canadian National Railway Company has adopted policies applicable to Nova Scotia and the Atlantic provinces which threaten the economy of the region. These policies include the removal and the reduction of rail passenger service through VIA Rail, the transfer of ferry responsibility through CN Marine, drastic reductions in the CN Express service, the subsidization of the CAST shipping group of Montreal and the sale of the CN hotel to business interests outside the region. I move, seconded by the hon. member for Dartmouth-Halifax East (Mr. Forrestall):

That this House direct the Minister of Transport to institute an immediate independent inquiry into the activities of the CNR board of directors and management affecting Atlantic Canada and to report publicly on the result.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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CANADIAN PACIFIC RAILWAY

AVAILABILITY OF GRAIN HOPPER CARS—MOTION UNDER S.O. 43

Mr. Arnold Malone (Crowfoot): Madam Speaker, in light of the fact that 16 communities located on the CPR rail line between Provost and Camrose, Alberta, have endured with extraordinary patience inadequate quotas for the shipment of grain and gross lack of availability of grain hopper cars, and since there has been apparent discrimination in the spotting of these cars in favour of some communities to the neglect of others, I move, seconded by the hon. member for Peace River (Mr. Cooper):

That this Parliament request that the government take heed of this matter, seek the counsel it deems necessary and recommend a plan of action which gives a satisfactory result.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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CANADA LABOUR CODE

ENLARGEMENT OF COVERAGE—MOTION UNDER S.O. 43

Mr. John Bosley (Don Valley West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter which, given government business today, is quite urgent.

Whereas even the inadequate occupational health and safety provisions of Part IV of the Canada Labour Code apply only to certain federally-regulated industries, I move, seconded by the hon. member for Dartmouth-Halifax East (Mr. Forrestall):

That this House advise the government that it would support an amendment to the Canada Labour Code to bring all people, otherwise covered by sections of the Canada Labour Code, under the umbrella of Part IV of the Canada Labour Code.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

HAZARDOUS SUBSTANCES

CALL FOR INTRODUCTION OF LEGISLATION GOVERNING CIGARETTE ADDITIVES—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise pursuant to the provisions of Standing Order 43. In view of various reports, including the recent study by the *Toronto Star,* which indicates that cigarette smokers who have switched to lighter brands may be in much greater danger than they think due to the increased consumption on their part, and particularly due to the added danger of cancer-causing additives, more of which are to be found in such brands, I move, seconded by the hon. member for Regina East (Mr. de Jong):

That the Minister of National Health and Welfare be instructed by this House to bring in legislation enabling the government to obtain and publish the names of additives in cigarettes and other such substances as are now to be found in various products but which are presently trade secrets because competition is a higher value in our society than human health.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

AIR CANADA

REQUEST FOR MORNING SERVICE BETWEEN MONTREAL AND OTTAWA—MOTION UNDER S.O. 43

Mr. Marcel Dionne (Chicoutimi): Madam Speaker, under the provisions of Standing Order 43 I beg to move the following motion:

As Air Canada intends to cancel all flights from Montreal to Ottawa between 8.30 a.m. and 12 noon in its summer schedule, and as passengers coming in to Montreal from the Atlantic provinces and eastern Quebec will have to wait three hours for a connection to the capital of Canada, I move, seconded by the hon. member for Jonquière (Mr. Marceau):

That the Minister of Transport insist that at least one airline provide service between Montreal and the national capital between 9 a.m. and 12 noon.

[*English*]

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—REFERRAL OF REPORT TO RESTRICTIVE TRADE PRACTICES COMMISSION

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, in the absence of the Minister of Consumer and Corporate Affairs I feel I have no alternative but to ask the Prime Minister a question arising from the report of price fixing in the oil industry which, you will appreciate, Madam Speaker, none of us have seen because it is only to be released later this afternoon. I wonder if the Prime Minister could tell the House who made the decision to refer this long awaited report, which apparently contains accusations of collusion and price fixing resulting in billions of dollars of presumably illegal profits to the oil companies. Can the Prime Minister tell us who made the decision to refer this to a minor tribunal for a further public inquiry, which may well take another two years? Was this a governmental decision, was it a decision of the director of the bureau of competition policy, or was it recommended to the government by its legal advisers?

An hon. Member: Jim Coutts.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I expect the Minister of Consumer and Corporate Affairs to be arriving incessantly in the House.

Some hon. Members: Oh, oh!

An hon. Member: Imminently.

Mr. Trudeau: My answer is somewhat subject to the details he may want to bring, but my belief is that it is the director of the combines investigation branch himself who, along with legal officers, recommended that it would be better to refer this matter to the restrictive trade practices tribunal since, as the House knows, it is not always easy under the present Combines Investigation Act to be successful in pressing criminal charges. It is for that reason that we have been attempting to improve the act.

DELAY IN PUBLISHING REPORT

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my supplementary question must also be directed to the Prime Minister who, I am sure, can explain to the House the reason for the unconsiderable delay in publishing this report, because I am sure the Prime Minister is aware that, more than a year ago, the Clark government had appointed independent outside counsel to advise on what action should be taken on the findings in the report. Those counsel were expected to report to the government within six months, but more than a year has passed since then. What is the reason for this delay? Has the timing more to do with an attempt to ram a bad energy policy down the throats of the Canadian public?

Were the original counsel replaced by the present government and, if so, why?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, it seems to me it ill behooves the hon. member to be criticizing the minister for not being hawkish enough when it comes to applying the Combines Investigation Act against a particular industry. The House will recall that it was those hon. members opposite who, not so long ago, were attacking the minister rather ferociously, accusing him of being somewhat hawkish as regards the sugar industry. He certainly did not have the support of hon. members opposite.

Mr. Lawrence: If I remember rightly, that was an illegal action as well on the part of the minister.

QUERY RESPECTING INTRODUCTION OF LEGISLATION

Hon. Allan Lawrence (Durham-Northumberland): Now that we have the minister here, I wish to put to him my final question about the inevitable delay in the procedure now being followed by the government in the matter of the oil pricing report and the very genuine anger that it will create among the general public who, according to the report, have been ripped off to the tune of several billions of dollars on their gasoline and home heating fuel oil bills over the last several years. To the hard pressed car and home owner this is no small matter—

Some hon. Members: Order.

Mr. Lawrence: In the light of these reported illegal massive profits to the oil industry and the oil companies, the government must surely now be ready to announce some new regulations, new legislation, a new pricing policy, to ensure that the average Canadian, the person on the end of the hosepipe, is getting a fair deal. My question to the minister is, where is it?

• (1420)

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I am surprised that the hon. member, who was the former minister responsible for my department, does not know the responsibility of the Director of Combines and Investigation. The question he asked today is very surprising because it is clearly written in the law that it is the option of the director to decide what route to follow. Indeed I support the director in the decision he made.

Mr. Lawrence: Madam Speaker, I am afraid I was not getting through to the minister. I was not asking him about the past, but about the present. The people have been ripped off by the oil industry; something must be done. What will the minister do in respect of new regulations, new legislation, or a new pricing policy?

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. I have given the hon. member an opportunity to ask an extra question. I would expect him to be extremely brief.

Mr. Baker (Nepean-Carleton): I thought he was.

Mr. Lawrence: I always am, Madam Speaker. Where is the new pricing policy which will prevent further actions of this type taking place over the next two years, while this matter is dragged out by the government for a further length of time?

[*Translation*]

Mr. Ouellet: Madam Speaker, I think that the hon. member is jumping to conclusions. He ought to know that pursuant to the act the Restrictive Trade Practices Commission will hear the evidence submitted by the Director of Investigation and Research; but it will also ask the companies involved to express their views. Quite aside from that investigation which is going on, the Canadian government wants to improve free competition in this country, not only between oil companies but in all sectors generally, and to ensure that competition is fair and correct. We have stated that we would soon introduce amendments to the Combines Investigation Act, and I am impatient to see whether the members of the Progressive Conservative Party will lend us their support when the bill is introduced.

[*English*]

PROPOSED AMENDMENTS TO COMBINES INVESTIGATION ACT

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, I want to express our disappointment that the government did not provide members on this side of the House with such an important report in advance of today's question period. It is a discourtesy to the House to have to rely on second-hand information.

Can the Minister of Consumer and Corporate Affairs assure the House that the amendments to the Combines Investigation Act, which he said he will introduce in the next session, will prevent this kind of consumer rip-off from ever happening to Canadian consumers again?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I would like to refer to the comments of the hon. member who first voiced his concern because he had not received the documents he wanted to have. I can assure him that at the same time this afternoon at 4 p.m. all those documents will be made available to all members on both sides of the House, to the news media in the press gallery, and to all interested parties. This seven-volume report will not be made public before 4 p.m. this afternoon because the chairman of the Restrictive Trade Practices Commission wanted to follow a procedure whereby documents such as these are not released to the public before the stock markets close.

[*English*]

POSSIBLE RETURN TO CONSUMERS OF OVERPAYMENTS

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, as a former member of the parliamentary press gallery, I know about seeing government documents in advance. I just say it was a discourtesy to the House that the press gallery should see it before we did.

Some hon. Members: Oh, oh!

Mr. Scott (Hamilton-Wentworth): Will we consumers just have to lay back and enjoy another two years of being ripped off through price fixing or, if indeed the allegations of wrongdoing are true, will the government arrange to let Canadian consumers get their money back?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I am quite surprised to see that all of a sudden the spokesmen for the Progressive Conservative Party should pose as the great defenders of the consumers. For years they have been known to protect the interests of companies, particularly oil companies, but now that the report of an investigation made under the act is to be referred to a commission or a tribunal, those Conservative members draw conclusions even before the facts are known and condemn the oil companies. I hope their former friends will figure out where they stand and realize that, depending what day it is, they are on one side of the fence or the other.

● (1425)

[*English*]

DELAY IN INTRODUCTION OF LEGISLATION

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, my question also relates to this eight-year investigation into a billion dollar rip-off perpetrated by the oil companies. I would like the minister to explain to this House, if he would, why it has taken more than 12 years for the Liberal government to bring legislation before this House which would protect the Canadian people from this kind of rip-off? Frankly, I do not believe he will be able to deliver that legislation within the time-frame.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I realize that the hon. member is new in this House. He does not remember that in 1975 a Liberal government not only introduced but got through a bill to amend substantially the Combines Investigation Act. Unfortunately, due to the slowness of the parliamentary process, which tends to hinder rapid progress, we have not been able to complete the second phase of the act. The questions that I am being asked show that the Progressive Conservatives and the New Democrats now agree with my objectives.

Madam Speaker: Order, please.

[*English*]

Mr. Skelly: Unfortunately, Madam Speaker, another interpretation might be that the government did not have the jam to put the required parts together—

Some hon. Members: Hear, hear!

Mr. Skelly: The movement here to refer this question to the Restrictive Trade Practices Commission is one which is sidestepping the issue. What we really need is protection through strong legislation. I would again ask the minister to give us a date for this legislation. It is more important than many of the issues which are facing the House right now. We want a date.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Ouellet: Madam Speaker, this new commitment voiced by opposition members makes me more confident than ever that we will be able to achieve passage of the second phase amendments to the Combines Investigation Act. I shall discuss this matter with my colleague who is responsible for the business of the House who in turn will try to arrange, together with the other House leaders, an appropriate date to introduce these amendments. I hope that hon. members will recall the representations made today when the bill is introduced and that they will help the government ensure prompt passage of the bill.

[*English*]

Mr. Skelly: Madam Speaker, I hope that the date will be tomorrow, when the minister begins discussions with the House leader.

Some hon. Members: Hear, hear!

POSSIBILITY OF NEGOTIATING COMPENSATION FOR CONSUMERS

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, my supplementary question is for the Minister of Finance. Since the Canadian people have been skinned over the last decade to the tune of billions of dollars, will the minister undertake to negotiate compensation for the Canadian people, by having the oil companies provide restitution for the money which they have stolen? If the minister will not do that by negotiation, is he prepared to lay before this House legislation to compel the oil companies to make restitution? There is a sense of justice involved here and the consumers must be reimbursed. The moneys recovered could go into the oil import compensation fund to offset the price increases we are facing now.

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, as a first step, I would appreciate more support from the hon. member's party for the additional taxes I am placing on the oil and gas industry—

Some hon. Members: Oh!

Mr. MacEachen: —rather than constant attacks from them about what I am doing.

• (1430)

DETERMINATION WITH RESPECT TO LAYING OF CHARGES

Hon. Sinclair Stevens (York-Peel): Madam Speaker, perhaps I could put my question to the Minister of Justice, dealing with the petroleum inquiry which for the first time in more than ten years has now been referred to the Restrictive Trade Practices Commission. Would the Minister of Justice first indicate if the Department of Justice was consulted with respect to whether charges should be laid in connection with this matter; were outside counsel consulted; and if such was the case, was it determined by the Department of Justice that no formal prosecution should continue against the companies involved?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, the Director General at the Department of Consumer Affairs decided yesterday to refer the whole file to the commission involved. There will be a quasi-judicial inquiry. As for the Department of Justice, it has been involved through legal advisers, and it finds the procedure recommended by the director quite acceptable.

[*English*]

COURSE ADOPTED FOLLOWING COMPLETION OF INVESTIGATION

Hon. Sinclair Stevens (York-Peel): Madam Speaker, perhaps I could ask the minister of Consumer and Corporate Affairs a twofold question, as the Minister of Justice did not answer my question. Was the minister advised directly by his director, or otherwise, by the Department of Justice, that criminal charges were not warranted in connection with the petroleum inquiry? Second, would he now inform the House—

Some hon. Members: Order.

Mr. Stevens: —of the outcome of the uranium inquiry, one concerning the apparent involvement of the government in price rigging itself?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Perhaps it would be useful for me to remind the hon. member that the director of combines has three courses of action he may follow. One is to terminate an inquiry, report to the minister that he has terminated the inquiry, and cannot find reasons to pursue it. It is obvious that the director did not follow that course.

The second course of action is to refer his findings to the Department of Justice, and ask it to lay charges based on the evidence that he has gathered during the inquiry.

Mr. Baker (Nepean-Carleton): Was that done?

Mr. Ouellet: The director has not followed that course.

Mr. Baker (Nepean-Carleton): Why?

Mr. Ouellet: Instead, he decided to follow the third course of action which was open to him—

Mr. Baker (Nepean-Carleton): You have no evidence.

Mr. Ouellet: —and to refer his findings to the Restrictive Trade Practices Commission.

The director has three courses of action open to him, and it is in his discretion to decide which one of the three he follows. Under the law, he decided to follow the third one.

In relation to the second question of the hon. member regarding the uranium inquiry, this inquiry by the director is not completed. Obviously, when it has been completed, his findings will be made public.

REASONS FOR ADOPTION OF THIRD OPTION IN CONNECTION WITH FUTURE PROCEEDINGS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the director reports to the minister. Can the minister tell us why the director chose that third course, and whether he will pass that information on to the House?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Yes, I will take the request of the Leader of the Opposition under advisement. I will talk to the director and ask him why he preferred the third option, and not the second.

Some hon. Members: You don't know?

Mr. Clark: Would the minister tell the House whether there was any consultation between the director and the minister or any of his colleagues in cabinet, or parliamentary secretaries, before the director made that decision?

Mr. Ouellet: I am happy to be asked this question. I was expecting it. I am glad to say that the government has not followed the bad example of the previous government. We did not consult other departments or ministers before deciding to proceed with the decision of the director. In other words, we did not consult other colleagues on the course of action taken. The Minister of Energy, Mines and Resources was not consulted, as the previous government had wrongly done when it consulted the Minister of Transport.

Mr. Clark: Did the director consult the minister before the director exercised his discretion?

Mr. Ouellet: The director, according to law, indicated his intention to me. He did not ask me which of the three courses

of action he should follow as it is his responsibility to decide himself. He decided to go to the Restrictive Trade Practices Commission. He informed me of his decision, and I accepted it. I understood that it was the course of action he wanted to follow, and I supported him in his decision.

Some hon. Members: Hear, hear!

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RAILWAYS

IMPLEMENTATION OF HALL COMMISSION RECOMMENDATIONS RESPECTING CROWSNEST PASS RATE AGREEMENT

Mr. Les Benjamin (Regina West): Madam Speaker, I have a couple of questions for the Right Hon. Prime Minister, to assist him and help his government in not fouling our Crowsnest—that is spelled f-o-u-l.

Mr. Baker (Nepean-Carleton): —"ing".

Mr. Benjamin: Mr. Justice Emmett Hall said that the Crow rate is essential to unity in the country. In view of the fact that his recommendations are widely supported by farmers, the government of Saskatchewan, and other farm organizations, would the Prime Minister now agree that the time has come to make a decision in support of implementing the Hall Commission recommendations on the Crowsnest Pass rate?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): The hon. member returns to the same kind of allegation which a fellow member of his party made the other day—that the people support a particular course. I answered the other day, and I repeat that I met a group called the Western Agricultural Conference, which represents many thousands of members, and they advised a contrary course. That is why, on this side of the House, the government is attempting to ascertain what seems to be so clear in the member's mind, which apparently is not even clear in the minds of the provincial governments out there, since some of them support re-opening the Crow rates, and others, particularly in Saskatchewan, support the contrary position. That is why the Minister of Transport, in particular, is busily engaged in trying to ascertain the sentiments of the people in the west.

Mr. Benjamin: This is one of the main reasons why there are no Liberals west of Winnipeg.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): You do have the NDP.

Mr. Benjamin: I mention that the dissension on the Crow rate comes from a minority, private interest commodity groups, including the Grain Exchange, James Richardson & Sons Limited, and Pioneer Grain Company, Limited.

An hon. Member: Lloyd Axworthy.

Mr. Benjamin: I would ask the Prime Minister, in view of the fact that not only did Mr. Justice Hall hear briefs from over 1,400 people in 160 days, but a further survey held very recently of 1,200 prairie grain-producers showed the overwhelming majority said we should implement Mr. Justice Hall's—

Madam Speaker: Order, please. The hon. member should be much briefer in his second question. I would ask him to co-operate with the Chair.

Mr. Benjamin: The WAC presentation is something less than Emmett Hall's recommendation. In view of the pandering that his minister and others have done to minority groups, will the Prime Minister, while considering WAC, implement the recommendations of Mr. Justice Emmett Hall instead and get the matter settled once and for all if he wants to really do something about unity in western Canada?

Some hon. Members: Hear, hear!

Mr. Trudeau: I really find it difficult to accept the assertion of the hon. member that he is speaking collectively for the west, because I met two weeks ago with members of the Western Agricultural Conference. They represent many more members than the National Farmers Union with which I met yesterday and hold a contrary view. He knows that the Saskatchewan government holds one view and that the Manitoba and Alberta governments hold the contrary view.

If the hon. member is correct in saying that that is why we do not have more Liberals in the west, because we are trying to help the west arrive at a consensus on this, then what he is saying is that the NDP do have some members because they are playing to ambiguity, and are often sitting on the fence on this particular matter.

* * *

• (1440)

[*Translation*]

THE CONSTITUTION

CONSEQUENCES OF ADOPTION OF RESOLUTION—GOVERNMENT POSITION

Mr. Jean-Guy Dubois (Lotbinière): Madam Speaker, my question is for the hon. Minister of Justice. As it has been reported yesterday on the news and today in the newspapers that the Quebec justice minister has referred to a report by three lawyers to the effect that the resolution now before the House would affect several Quebec laws, I would like to ask the minister whether his department has conducted such studies in the past, even though according to the report, Quebec laws contained some inequities that might have to be corrected. Can the minister tell the House whether studies have been conducted in this regard and whether there are actually

irregularities which caused problems for Canadians and Quebecers?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, when we have a Canadian charter of rights applicable to all Canadians, the federal government as well as the provincial governments will have to ensure that all statutes are in keeping with this charter. The Department of Justice knows that we shall have to amend several statutes in this Parliament in order to delete from them some discriminatory provisions. And if there are unfortunately 100 Quebec statutes which contain discriminatory provisions, I hope that the provincial government will be more than willing to act rapidly to remove from them every discriminatory aspect.

* * *

[*English*]

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—REASONS FOR NOT INSTITUTING PROSECUTIONS

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I should like to turn to the Minister of Consumer and Corporate Affairs with respect to the report of the director on price fixing. It seems to me that there is a principle of natural justice involved here. The government cannot try to avoid its responsibility by simply saying it accepts the recommendations of the director. There is a question here of an almost Star Chamberish attitude on the part of the government in that it declares that the people are guilty and then allows them two years in which to prove they are innocent. Why does the government not now proceed with the prosecution and get this matter before the courts? The courts are open, the courts are independent, so why can we not now have an adjudication within the proper judicial process? Why does the government not initiate such action at this time?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I do not know if the hon. member was present a few minutes ago.

Mr. Stevens: Answer the question.

Mr. Ouellet: The type of questions that were asked by the hon. member for Hamilton-Wentworth and the hon. member for Northumberland-Durham earlier implied that the facts gathered by the director of combines had to be taken as a reality, have to be accepted—

Mr. Hnatyshyn: That is what you said.

Mr. Ouellet: —and be taken as if the case were completed. The government did not do that. The government allowed the director to go before the Restrictive Trade Practices Commission to present his evidence and allowed the companies to present their own point of view and have the Restrictive Trade Practices Commission render decisions on the evidence presented before the tribunal. I submit that we have not jumped the gun but that it is the colleagues of the hon. member who have jumped to conclusions rather quickly.

Mr. Hnatyshyn: Madam Speaker, the minister cannot attempt to shift the responsibility from himself to the opposition. That will not work; it will not wash. The minister knows that the director must make a report in his annual report on whether there was sufficient evidence to warrant prosecution. That report will be handed down today, but the minister did not have the courage to bring the matter before the House by a statement on motions. He did it outside the House.

In view of the fact that the report that will be brought down today—which mysteriously got into the hands of the press—indicates that the director finds details of collusion amongst the oil companies to fix prices, and makes specific recommendations on how the practice can be halted—that is in the report and the minister will have read it—what is the purpose of now referring the matter to the Restrictive Trade Practices Commission? What will be gained and what will be the conclusion if the Restrictive Trade Practices Commission does not have the ability to adjudicate on this issue?

Mr. Ouellet: Madam Speaker, I think the hon. member is prejudging the case before it is presented.

An hon. Member: No.

An hon. Member: You are.

Mr. Ouellet: I submit to hon. members that they should first of all read the report and access for themselves the evidence gathered and then, maybe in the days to come, put questions on a document that they will have received and on which everyone will be in a position to speak, and not speculate in advance as the hon. member is doing.

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MARINE TRANSPORT

WITHDRAWAL OF DART CONTAINERLINE SERVICE FROM HALIFAX—DATE OF ANNOUNCEMENT

Mr. Howard Crosby (Halifax West): Madam Speaker, my question is for the Minister of Transport respecting the withdrawal of the Dart Containerline Service from the port of Halifax. The minister now knows the havoc created by this action. He knows that Nova Scotians are blaming the CNR and himself for the action and he knows he is being accused of aiding the Cast shipping group in favour of the port of Montreal to the detriment of the port of Halifax.

When did the minister tell the National Harbours Board, when did he tell the port of Halifax and when did he tell his colleague from the city of Halifax, the Minister of Labour, about the impending action? Why did he not inform the public so that it would know what was transpiring and could take action against it?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, my hon. friend mentioned so many events that I do not know with respect to which one he wants me to tell when I was involved. If it is the Dart decision, I was informed the same day that everybody else was, as he was. This is the situation.

This morning I had a very useful conversation with Premier Buchanan on this subject. We agreed to meet next week to look at all aspects of this case, that is, the freight rates, the CN investment in Cast, the National Harbours Board port charges and, the ice-breaking activities of my department. We will meet on Tuesday, I think, when he and I and our officials will look at every aspect of the matter so that we will at least have the facts on which to comment. Sometimes it is useful to have all the facts.

Mr. Crosby: Madam Speaker, I will take the minister at his word when he says that he did not know in advance about this. I will say to him, however, that he should check with his officials at Canadian National Railways because they knew of the impending action many months ago when the Dart Containerline Service officials consulted with them, asked these questions, and put this problem to them.

I want to know what the minister is prepared to do now by way of equalizing the treatment of the port of Halifax and the port of Montreal, bearing in mind that the Government of Canada, according to Dart Containerline officials, spends $20 million on clearing the St. Lawrence River for the benefit of the port of Montreal and spends no such amount of money for the benefit of the port of Halifax.

Mr. Pepin: Madam Speaker, my hon. friend has just repeated in his second question the elements that I said the Premier of Nova Scotia and I would discuss. The least he can do is to suspend his judgment for a few days. I presume that at the end of that meeting we will issue a communiqué of some kind to establish what are the facts.

Of course, I was in touch with CN as soon as I heard the news about Dart. The president of CN assured me that he had been assured repeatedly by the participants in this movement that the rates for freight were not a cause of the decision that was taken by Dart. Similarly, the National Harbours Board chairman, to whom I speak almost every day, has assured me that the charges in the port of Halifax are lower than those in the port of Montreal. We are trying to establish all these facts and I will present them to my hon. friend after the meeting with Premier Buchanan.

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PUBLIC SERVICE

DESIGNATION OF AIR TRAFFIC CONTROLLERS AS ESSENTIAL WORKERS

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is for the President of the Treasury Board. It arises out of Treasury Board's proposal to designate Canada's air traffic controllers. Can the minister explain to the House why Treasury Board chose to ignore the warnings of a six-member Transport Canada committee which stated that designation of all of Canada's air traffic controllers would seriously impair and jeopardize Canada's air traffic services?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, all matters were taken into account at the time the decision was made to seek designation of, I believe, between 1,700 and 1,800, air traffic controllers. That matter is still pending. I do not think the decision was taken without full knowledge of the facts and without due regard to all considerations, particularly the safety of the public.

● (1450)

IMPACT ON SAFETY OF TRAVELLING PUBLIC

Hon. Don Mazankowski (Vegreville): Madam Speaker, may I ask the Minister of Transport why he chose to ignore the warnings of his departmental officials on this very important matter inasmuch as the President of the Treasury Board stated in a letter to the president of the Air Traffic Controllers Association that the Minister of Transport has endorsed the position taken by the President of the Treasury Board? It would appear that the actions of the Minister of Transport are clearly not in keeping with the objective of providing safety and security to Canada's air travelling public.

Hon. Jean-Luc Pepin (Minister of Transport): In order to answer the question, Madam Speaker, we should have the complete document before us so that we can analyse it line by line. The document states that safety would be endangered if we followed a certain course of action because the union people would be angry, not because the system would be inadequate. I am sorry I cannot go into the details, but I will be happy to look at the document that I have received. As the President of the Treasury Board said, the decision was based on a number of factors, and that was one among many.

WARNING ISSUED BY DEPARTMENTAL OFFICIALS

Hon. Don Mazankowski (Vegreville): Madam Speaker, the Minister of Transport is responsible for the safety and security of air traffic services. Given the statements made by his officials, the six-member committee, surely that must cause some anxiety and apprehension in the mind of the minister. If not, it certainly should.

Hon. Jean-Luc Pepin (Minister of Transport): I quite agree, Madam Speaker. The decision was not an easy one to make. There were four options. One was to operate a limited system. That, of course, offered quite a lot of security but also disadvantages in terms of the economics of the country. Another one was to designate the 1,700 controllers. That involved safety factors, which we examined. It is not that long ago since the hon. member was minister of transport, and I am sure he remembers how difficult these decisions are, how balanced they must be.

Oral Questions

ENERGY

OIL COMPANIES' SHARE OF INCREASE IN PRICE OF GASOLINE

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. I wish to return to the matter of oil prices. If the minister filled his gas tank on Sunday, as did many Canadians, he found that gas costs two to three cents a litre more. Will the minister confirm these figures, that of the increase, .7 cents was due to the regular increase with the 1981 price coming on stream, .5 cents was due to the Lalonde-Lougheed levy the other day, and 1.5 cents was due to the oil companies charging for so-called increased production costs? Will the minister confirm those figures, and the fact that the oil companies have piggybacked an additional 1.5-cent increase on to the .5-cent increase which came in as a result of prices going up?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I want first to tell the hon. member that I filled my gas tank only on Tuesday in order to avoid any leak about what was coming.

Mr. Lawrence: You mean the government car?

Mr. Lalonde: My own. I want to confirm to the hon. member that several oil companies did take advantage of the increase arising from the $1 increase in January. They doubled the amount of the increase. I wrote to my colleague, the Minister of Consumer and Corporate Affairs, and asked that the protection of consumers division examine this matter and advise whether the increases were proper in the circumstances. As far as the total price is concerned, I remind the hon. member that at the present time in Toronto, for example, the price at the pump is still 9.45 cents a gallon less than it would have been under the Conservative budget had it passed.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Waddell: That is not a sufficient answer. As far as the Canadian public is concerned, both the Conservatives and Liberals are parties of high prices.

Mr. Malone: Only the NDP are cheap.

* * *

CORPORATE AFFAIRS

QUERY RESPECTING NATIONALIZATION OF OIL COMPANIES

Mr. Ian Waddell (Vancouver-Kingsway): I will direct my supplementary question to the Minister of Consumer and Corporate Affairs, since he is full of gas today. Will the minister confirm that because of the complicity of his government and previous Liberal and Conservative governments, the Canadian public, as shown by the report he is going to release this afternoon, has lost the equivalent of over $80 billion to the oil companies through overcharges and poor marketing practices? Will the minister tell us, if he is not prepared to bring in legislation, restitution, or prosecution, whether he is prepared to advocate to cabinet public ownership of these companies?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I am happy to report that the mail is moving. I received a letter from my colleague and, at his request, my officials are looking at the matter.

Second, I want to assure the hon. member that the evidence gathered by the director will be presented, and obviously challenged and thoroughly discussed, before the Restrictive Trade Practices Commission. The figures he refers to as rip-offs are figures that were allegedly gathered by the director of combines. Obviously they will be tested and the commission will make its findings. We will have to wait until the commission reports before we can be certain of these allegations. If they are true and the commission finds that the consumers of Canada have been ripped off, the government will take its responsibility and act accordingly.

I remind the hon. member that even before the report was made public the government had gone a long way toward Canadianizing this industry. It is to the credit of the government that it has already begun moving in this direction.

GOVERNMENT POSITION RESPECTING INQUIRY FINDINGS

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, the concern of the House is whether the government has indeed taken its responsibility with respect to this matter and with regard to the course of action it has taken. The minister is no doubt aware of Section 15 of the Combines Investigation Act which says that the director may, at any stage of an inquiry, including the beginning of an inquiry as is the case today, refer any record, etc. to the Attorney General to see whether an offence has been or is about to be committed against the act, and for such action as the Attorney General of Canada may be pleased to take. The obvious question is whether this has been submitted to the Attorney General and, if so, when. If it has been submitted and advice was obtained by the director, what was the advice? What is the state of affairs? It appears to the House that the minister is most inconclusive with respect to the intentions of the government on this matter.

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, the hon. member referred to Section 15 of the act. The director decided to act according to Section 47. He exercised his option and the matter is now before the Restrictive Trade Practices Commission.

Mr. Baker (Nepean-Carleton): The question is whether that is the appropriate option under the circumstances, and what will be the outcome. It appears in his report that there are many actions started which are ultimately dropped. If an offence has been committed, the companies should be charged. The minister has not answered my question. The question is

whether the Attorney General of Canada has given his advice to the director and/or the minister, but particularly to the director, as to the appropriateness of the action. If he has not, will the minister undertake to look into this matter and report to the House so that we can have the whole picture?

● (1500)

Mr. Ouellet: Madam Speaker, the director has decided to refer the matter to the Restrictive Trade Practices Commission under Section 47 of the act and the hon. member should know that it is a proper course of action for him to take. That is his own decision. That does not preclude the possibility of referring some aspect of his findings to the Department of Justice at a later date.

Mr. Nielsen: Nor does it now.

Mr. Ouellet: It does not preclude this at all. But the decision of the director to go before the Restrictive Trade Practices Commission at this time is a decision which I respect, and I support him in his decision. If at a later date it is decided to refer the matter to the Department of Justice, it will then be the decision of the Attorney General of Canada to decide whether or not prosecutions will be laid before the courts.

Mr. Clark: Why has that not been done?

Mr. Ouellet: I am not going to intervene on this question in advance. It is a matter possibly to be dealt with at a later date.

* * *

PRIVILEGE

MR. BAKER (NEPEAN-CARLETON)—PREMATURE RELEASE OF ESTIMATES—RULING BY MADAM SPEAKER

Madam Speaker: I have before me from Wednesday and Thursday last a question of privilege raised by the hon. member for Nepean-Carleton (Mr. Baker) alleging that the premature release of information from the 1981-1982 estimates constituted breaches of privilege of the House.

I want to be clear on this point. The hon. member was not referring to the fact that the estimates were released to the press in a lock-up held on the morning of February 25, 1981, because that was the subject of another question of privilege by the hon. member for Capilano (Mr. Huntington) upon which I ruled that day. Nor was the hon. member referring to the minister's briefing of opposition critics, which I understand took place at the luncheon also on Wednesday. The premature release to which the hon. member refers is a wire story which was available on Canadian Press wire at about 17.30 on Wednesday which, in turn, derived from a press advance which was annotated for release "possibly at 3.45 p.m. eastern standard time on the same day."

I do not think we need go into arguments with respect to the facts. There was a lock-up; there was a press advance; there were print and electronic media stories on the contents of the estimates for some hours prior to those estimates having been tabled in the House. These things are not really at issue. What is at issue is whether or not the premature release of the estimates constitutes a contempt of the House and, therefore, a breach of parliamentary privilege.

In the course of the consideration of the matter on Wednesday and Thursday last, many assertions were made, particularly to this effect. Much argument was offered on the substance of the issue. Analogies were drawn between the estimates, on the one hand, and the budget, on the other. The issue of cabinet secrecy was discussed. There was also reference made to one of our own precedents of December 12, 1979.

Certain hon. members drew attention to the Dalton case, now a well-known British precedent on the issue of budget secrecy. The House should note that while an inquiry was undertaken by a select committee, the issue was not dealt with at Westminster as privilege.

Again, the hon. member for York-Peel (Mr. Stevens) offered an argument based on the conventions of cabinet secrecy. I have examined that argument carefully but I could not find in it any link between those very important conventions and the law of privilege. No matter how important the principle of cabinet secrecy may be—and I acknowledge the force of the hon. member's argument in that regard—the Chair has no duty to uphold that principle as it has to uphold the law of privilege.

Furthermore, the hon. member for Saskatoon West (Mr. Hnatyshyn) asked me to consider the consequences of a situation in which estimates were never tabled but simply published in the press. I do not know that I can consider that hypothetical case, except to refer the hon. member to his own assertion that—and I will quote his words—"until the estimates are formally filed, they are nothing more than a mere document. People who act on information in documents before they are filed do so at their own peril."

Finally, it was alleged that the President of the Treasury Board (Mr. Johnston) failed to take proper precautions in connection with the lock-up to guard against premature release. I cannot become involved in that argument. The minister must take his own responsibilities as, I am sure he does, and I do not sit in judgment upon the manner in which he or any other member fulfils his responsibilities.

In conclusion, I have simply dealt with the arguments offered by members in attempting to assist the Chair in finding whether or not a prima facie case of contempt had been committed. No argument was offered relating to the specific privileges set out so clearly in Chapters V, VII and VIII of the nineteenth edition of Erskine May, or those citations in Chapter X dealing extensively with breaches of privilege and contempt.

Therefore, I must conclude that a prima facie case has not been established as a result of which I could allow priority to the motion offered by the hon. member for Nepean-Carleton.

Privilege—Mr. Rae

MR. RAE—ALLEGED DISCREPANCIES AND MISLEADING ANSWERS BY MINISTERS—MINISTERS' RESPONSIBILITIES FOR RIDINGS—RULING BY MADAM SPEAKER

Madam Speaker: Again last Wednesday the hon. member for Broadview-Greenwood (Mr. Rae) on a question of privilege raised the matter of what he felt was a discrepancy between the answers which the Minister of Finance (Mr. MacEachen) had given to him on February 19 and the answers given to him by the Solicitor General (Mr. Kaplan) on February 18 respecting an earlier question of privilege which the hon. member had raised on February 18 relating to the appointment of ministers of the Crown responsible for individual ridings.

While the debate ranged over the field of representation within the cabinet of provincial, regional and constituency interests, I am charged with the responsibility of determining whether any statement of facts constitutes on its face sufficient evidence of breach of privilege or, as the hon. member for Winnipeg North Centre (Mr. Knowles) put it, "whether there is enough of a case" that I should give the matter priority and ask the House to decide whether it should be sent to committee.

Everyone who participated in the debate seemed to agree that there was a tradition, and indeed a necessity, for the interests of regions to be represented in the cabinet. The concern of the hon. member for Broadview-Greenwood, however, is that there was a representation contained in a letter sent to one of his constituents by the Solicitor General stating that he was responsible for the riding of Broadview-Greenwood in the cabinet, and that the Solicitor General gave one explanation of that letter while the Minister of Finance gave another. The hon. member in effect says that there is a discrepancy between the two statements and that there yet remains what amounts to interference or implication that the Solicitor General represents the riding of Broadview-Greenwood in the cabinet.

There was a full debate from all sides on this matter and during his intervention the Prime Minister (Mr. Trudeau) indicated that the only intention was to continue the tradition that the interests of regions of Canada were represented in cabinet, including those regions not represented in Parliament by the government party.

The hon. member for Broadview-Greenwood will appreciate that while some forms of representation could amount to a breach of privilege or contempt—for example, May's nineteenth edition at page 147 tells us that to represent oneself to be a parliamentary agent without possessing the necessary qualifications would amount to contempt—before any representation could be considered by the House as privilege, there would have to be evidence of something being done quite clearly improperly. It is trite to say that while a member is elected to one riding, he represents the whole country. Can one deny that each member of the government represents all of Canada in cabinet, even though his or her departmental duties normally relate to a particular department? How that representation is done, however, is another matter. What has happened here is that the choice used in this case has occasioned the hon. member to raise what is really a grievance rather than a matter of privilege.

During the course of debate on the matter it was suggested by the hon. member for Nepean-Carleton (Mr. Baker) and for that matter the hon. member for Winnipeg North Centre that when the Prime Minister was advising the House that hon. members could get assistance from the regional representative in the cabinet, apart from departmental ministers, the Prime Minister may have somehow changed the form of the question period and that henceforth members may not only direct questions to the departmental minister but also to the regional minister in order to get some kind of assistance.

I must state very clearly in this regard that members will appreciate that, even if a document is tabled or if a statement is made in the House, this does not in itself alter the rules of the House, and that those rules will continue to be applied during question period as was traditionally done according to rules and practices of the House of Commons.

* * *

● (1510)

[*Translation*]

POINT OF ORDER

MR. PINARD—MOTION TO TELEVISE MR. REAGAN'S SPEECH AND APPEND IT TO *HANSARD*

Hon. Yvon Pinard (President of Privy Council): I rise on a point of order, Madam Speaker.

Madam Speaker: The President of the Privy Council on a point of order.

Mr. Pinard: Madam Speaker, concerning the address which the President of the United States will deliver before this House next Wednesday, I have consulted the spokesmen for the opposition parties and we are agreed as follows:

That the address of the President of the United States, Mr. Ronald Reagan, to be delivered in the House Chamber on Wednesday, March 11, 1981, before members of the Senate and the House of Commons, together with all introductory and related speeches, be printed as an Appendix to the House of Commons *Debates* of that day and form part of the records of this House; and

That the President's speech, attendant and related remarks be made available to the media for transmission in the usual way by the House of Commons broadcast system.

Motion agreed to.

[*English*]

PRIVILEGE

MR. RAE—ACCESS TO INFORMATION RESPECTING PUBLIC FUNDS

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I rise on a question of privilege. I gave Your Honour notice this morning about the matter, which is related to one on which you have ruled, but, since you did not specifically rule on the submission I intend to make with respect to the householder sent out by the hon. member for Ottawa Centre (Mr. Evans), I want to raise it with you and ask you to consider it.

I have in my hand a copy of the parliamentary householder going out under the name of the hon. member for Ottawa Centre. On the inside of the cover page there is a picture of the hon. member. It says, "John Evans presenting a government multiculturalism grant."

Some hon. Members: Hear, hear!

Mr. Rae: My first conclusion from that was that the minister politically responsible for the riding of Ottawa Centre was clearly falling down on the job since in my riding it is the minister responsible for Broadview-Greenwood who does the handing out of cheques and not the individual member of Parliament. My first conclusion was that clearly there is a minister who is not doing his job in Ottawa Centre. I think it should be drawn to the attention of the Prime Minister (Mr. Trudeau) that some of his ministers are not living up to their political responsibilities.

I want to raise this question in all seriousness in the context of a decision which was referred to Your Honour, but to which I have not seen Your Honour refer, and that is the decision of Mr. Speaker Jerome given on December 10, 1979, as recorded at page 2180 and 2181 of *Hansard*, with respect to a related question.

Mr. Stollery: He was fired a week later.

Mr. Rae: The hon. member for Spadina (Mr. Stollery) says he was fired a week later. I think that shows the respect for occupants of the Chair held by members of the Liberal Party.

I simply want to refer to that judgment and the problem in that case and relate it to the problem in this case. I remind Your Honour that the problem in that case was that the government of the day had established a series of committees which were House committees but which were composed entirely of members of the governing party. Members of the opposition were denied access. Those committees were partially paid for out of public funds.

I want to refer Your Honour to some things Mr. Speaker Jerome said. He said that while he would not rule on the actual question of privilege, he did want to refer to the practice which was involved. He referred specifically to the practice. He said:

> I refer to the practice of supporting from public funds a committee composed of members of any one caucus.

Then he went on to say:

> The support of public funds, where applied to parliamentary activities, ought, I think, to apply across the floor of Parliament, particularly so since—

Then he went on to say something else, but the critical point was that the support of public funds, where applied to parliamentary activities, ought to apply across the floor of Parliament.

Furthermore, on page 2181 Mr. Speaker Jerome is reported to have said, and I quote:

> —in my opinion the greater wisdom would be to ensure that in every case where this is done, where public funds are used to support such a committee even if it is an informal committee, such a committee consist of members of more than one party in the House. I think that is a wise practice to follow.

It seems to me that by analogy something is happening here which reflects on my ability as a Member of Parliament to have access to information with respect to public funds, that members of the governing party have a privilege and a right which is denied to me as a member of an opposition party, that members of the government party are being publicly funded, that the publicity for these activities is being publicly funded and that the publicity for these activities is directly related to householders sent out under the guise of being non-partisan publications which are supposed to provide information. All Members of Parliament distribute them, and yet the kind of publicity that is granted to hon. members opposite is not granted to members of the opposition parties.

I want to make quite clear why I resent that implication and also why I think you, Madam Speaker, have an obligation to provide protection to members of the opposition when they find themselves in this position. I think Your Honour has an obligation, if not to comment on whether a question of privilege is involved, to follow the ruling of Mr. Speaker Jerome and at least comment on the wisdom of a practice whereby members of the governing party are given a right and a privilege with respect to public funds and parliamentary publications which is not granted to any member of the opposition.

Mr. Nielsen: Denied.

Mr. Rae: Not only has it not been granted but, the last time he was involved in this House with this question of privilege, the Prime Minister explicitly said he allowed that kind of thing to go on. He says it is a practice which he regards as a good practice. The Prime Minister gave two reasons for saying it was a good practice. He said it was a good practice because it was important that the presence of the federal government be known when grants are being handed out.

I want to put clearly on the record why I reject and resent that argument as much as I reject and resent anything I have heard about this since I have become a Member of Parliament. That argument implies that to be a good federalist one has to be a Liberal. That is something which goes to the very heart of this country. There are no second-class Canadians in this House of Commons, there are no second-class patriots in this House of Commons and there are no second-class federalists in this House of Commons. I think a remark like that by the Prime Minister goes to the very core of what it means to be a

federal Member of Parliament. There is no reason in the world why the governing party should be able to take unilateral credit for grants and programs which are under the authority of the Parliament of Canada while other Members of Parliament are denied that same right.

The Prime Minister says this is the real world. Let me tell him about the real world of politics in my constituency. The real world of politics in my constituency is that when there is an opening of a senior citizens' building I am not allowed on the platform because I am not a member of the governing party. That is the real world of politics. Do hon. members not believe that the residents of my constituency resent that implication and resent what happened?

Mr. Mazankowski: Suffer.

Mr. Rae: That is why it seems to me if Your Honour is not prepared to find that there is a question of privilege involved here, Your Honour should at least very carefully consider the nature of the practice involved whereby public funds are being used in a totally partisan way and whereby members are told that the only condition under which they will be allowed to take the federal case to the people of Canada is if they happen to be members of the Liberal Party of Canada. That is a corruption of the political process, but it is also an insult to every opposition member of the House.

With respect to this particular question of privilege, Your Honour has a specific case here in which we are told that the practice with respect to the information which we receive as Members of Parliament regarding grants given out in our ridings is different for a member of the Liberal Party than it is for a member of the opposition.

With respect to the wisdom of the practice, I remind Your Honour that when this same practice was brought to the attention of the Minister of National Health and Welfare (Miss Bégin), she fired her assistant who was said to have been responsible. I would simply like Your Honour to consider very carefully and comment on a similar practice whereby a multiculturalism grant is given out in the riding of Ottawa Centre, and it is the hon. member for Ottawa Centre who takes the credit for the fact that the grant is going out, but when a multiculturalism grant is given out in the riding of Broadview-Greenwood, the Member of Parliament for Broadview-Greenwood is not even told it is happening. If that is not a discrepancy, an abuse of process and a practice which affects my rights, not as a member of the New Democratic Party but as a Member of Parliament, then I suggest I do not know what is. If we cannot appeal to Your Honour to comment on the wisdom of this practice and to see that this kind of abuse does not go on, to whom can we make such an appeal?

● (1520)

Madam Speaker: Is the hon. member for Nepean-Carleton (Mr. Baker) rising on this question of privilege?

Hon. Walter Baker (Nepean-Carleton): Yes I am, Madam Speaker. I listened with open ears to the argument just made, and I have to cast my mind back to about a year or so ago in order to judge the crocodile tears of the hon. member and his complaint about being left out of the decisions of the Liberal Party; decisions on which he may be left in now. But I do not want that recollection of mine to detract in any way from the importance of the issue he raises and which was raised before.

You will recall, Madam Speaker, I had undertaken to write you about the judgment of Mr. Speaker Jerome telling you about the practice which had been adopted on another day on a matter which he considered improper at that time on the basis of precedents, although he was wrong. He felt compelled to comment on that alleged impropriety in order to protect members of the House. There were other members of the New Democratic Party who were involved at that time. I was going to bring that comment by Mr. Speaker and that precedent to your attention, Madam Speaker. However, the hon. member for Broadview-Greenwood (Mr. Rae) has saved me the necessity of doing it by mentioning precisely the precedent and the judgment to which I referred at that time.

The practice to which he referred is one which should not exist in the House of Commons. I do not know whether that is the grant which is alleged to have lain around in the office of the hon. member for Ottawa Centre (Mr. Evans) before he was ready to present it. I understand it had come through the Minister of Transport (Mr. Pepin), as the political minister, and was lying in the hon. member's office. Although this may not have been the same grant, it was one of the cases. This is the kind of practice that should be frowned upon. The Speaker's role—and I say it with respect—is to keep order, but it is also to protect the proprieties which should exist between members of the House of Commons. No government, regardless of its stripe, can make fish of some members and fowl of others. That is the kind of practice being referred to by the hon. member.

The precedent which I wanted to draw to your attention, Madam Speaker, has now been referred to, and this will save me the necessity of making the argument. I think that anyone who listens to this debate would be moved to suggest that, although such conduct is not illegal—no one would ever argue that—it is most inappropriate and should be condemned. I say with respect that it should be condemned from the Chair.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Madam Speaker, I rise to try to clarify to some extent the accusations which have been made, both by the hon. member for Nepean-Carleton (Mr. Baker) and the hon. member for Broadview-Greenwood (Mr. Rae) with regard to this case. It is not the only case, because I have done this on a number of occasions, and I will tell you, Madam Speaker, exactly what I have done.

In dealing with my constituents I come from time to time across a group of people who tell me they have made an application to the Minister of State for Multiculturalism (Mr. Fleming) or to another minister for a grant under a particular granting program. They want to know what the status of that grant is and when the cheque will be coming if it has been approved. I come back to my office and call the minister

involved, asking him whether he has received a grant application, whether it is in order, whether it has been approved and, if so, when the cheque will be issued. In the case to which reference was made relating to the picture, I was asked to do that. I then committed myself to my constituent, who is a member of that organization, to check into the matter. I called the minister's office and the minister said that, yes, in fact, the grant had been approved and the cheque was being processed now. I asked him where the cheque was because those people were badly in need of the funds—it was an organizational grant for some $41,000—and I asked whether we could get the cheque to them as fast as possible. The minister said that he was preparing to present that cheque but, if it was urgent, I could deliver it to them. I said, "Yes, please", and then I called the organization and said, "Will you please pick up the cheque in my office, or we will put it in the mail", to which the organization said clearly that they preferred to have it sooner rather than later and not risk it being sent by the mails—

Some hon. Members: Oh, oh!

Mr. Evans: As a result, the secretary—not the president or any other official of the organization—was sent to my office by the organization, and I delivered the cheque on that very same day it had been delivered to me by the minister—

Mr. Nielsen: With the cameras and the press present.

Mr. Evans: At the same time I called our own caucus research people and asked that a photographer be sent there for that purpose.

Some hon. Members: Oh, oh!

Mr. Evans: The point is that if you are concerned about your constituents, then you make it a practice of finding out what are your constituents' needs, and if they have a concern, you look into it for them. I did just that, and I have no regrets whatsoever. In fact, I will continue to do the same thing in the future.

Some hon. Members: Hear, hear!

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I would just like to speak for a moment on this subject and refer to a statement by the hon. member from the NDP who said that if this is happening it is a corruption of the political process, or something to that effect. Naturally I would agree with those remarks. Apparently it is happening because he has produced evidence in one case, and I am sure there are others who can produce similar evidence. However, I believe in fairness—and this is probably the first time I will have said anything good about members on the other side of the House—

An hon. Member: Easy.

Mr. Cossitt: I must be sick today. Perhaps what is done in my constituency could be adopted as a model for other constituencies. For example, the Minister of State for Trade (Mr. Lumley) came down to speak to the chamber of commerce in my constituency last week and announced the allocation of grants for the city of Brockville and the town of Gananoque. He then made the statement that these grants were due directly to representations made by the member for Leeds-Grenville. I thought that was being very fair. I would like to say that there are two sides to this coin.

An hon. Member: They are afraid of you.

Mr. Cossitt: In any event, I suggest that if all ridings could be treated the same as mine in this regard, there would be no complaints, but apparently they are not. The answer is that if all cheques for these grants could go through the sitting member, regardless of his political affiliation, that may well resolve the problem. For example, the Minister of National Health and Welfare (Miss Bégin)—whose attention was drawn to this—was involved in a similar situation. She made a statement at that time that in the future she would forward cheques through the sitting member regardless of politics. Someone cut that off somewhere along the line. I think if that practice were followed, and the other ministers did the same thing, no one would have cause for complaint.

I agree with the member for the NDP that we are all here because the people in our own ridings elected us. We are here, whether we are Liberal, Conservative or NDP, to represent all the people in the riding, and when a cheque is presented, it is not a Liberal Party gift, it is not a government gift, it is a grant which is allocated, supposedly, regardless of the politics which exist in that riding. That is the way it should be.

Perhaps I should sit down now. I said too much that is favourable about the government, which I never should do.

Hon. Jim Fleming (Minister of State (Multiculturalism)): Madam Speaker, I will not prolong this discussion for long, but, since I seem to be involved to some degree, it might be useful if I participated in the discussion for a moment.

I would like to argue, if I may, that, of course, this may well be an airing of a grievance by the hon. member for Broadview-Greenwood (Mr. Rae), but it is not a legitimate question of privilege. I do not believe, and I think the case has been made by others on similar questions of privilege in recent weeks, that the members' privileges to perform in this House and to perform for their constituents are being abrogated.

I wanted to make something clear which I think has been passed over. As the Minister of State for Multiculturalism, I must make decisions on all grants and contributions. It is finally my neck on whether I decide in favour or against on the establishment of policy, subject to cabinet concurrence, and so on. As such, when any grant or contribution goes to any particular group of Canadians or to a constituency, I am responsible. I could lose my job, I could be fired or I could be criticized by any member of the House if I have not performed that duty in a proper manner.

● (1530)

If I am responsible for the decision making on that grant, surely I should be responsible for the decision on how that grant reaches a group of Canadians. I am subject to grievances, concerns or attacks here for the way I do that. However, it seems to me natural enough, as a minister in a government on this side of the House, if I cannot deliver a grant to a particular group, to ask a colleague to do it. It is very foolish and very naive if someone suggests that that is inappropriate.

I take on the responsibility. We are political parties in this House. I am open to criticism at any time by someone from another party that I do not have the right to deliver that cheque or ask somebody to do it on my behalf. However, I want to put that into context because I think there has been some misunderstanding. As the Prime Minister (Mr. Trudeau) pointed out earlier in a similar discussion with the hon. member for Broadview-Greenwood, different ministers have different approaches to this particular issue. I am just trying to be open and candid about my approach to my particular responsibility.

There was a misunderstanding in my office of policy in the sending of cheques. If I or a colleague on my behalf delivers a cheque, particularly when an event is taking place, and it is done with a note, as is the practice in my office, it seems to me it is done in a non-partisan manner; I am sure I will hear some hee-haws on the far side to some degree. But it is done on my behalf. We wish them well; we hope they will be successful; we ask them to live up to Treasury Board requirements in accountability.

Some hon. Members: Hee-haw!

Mr. Fleming: As predicted, they have reacted, Madam Speaker. At any rate, it is my view of my ministerial responsibility that if those cheques cannot be presented by me—and I am often invited to do that—or a colleague on my behalf, then I should send them directly. It was a misunderstanding in my office which allowed that incident to happen in the Broadview-Greenwood riding.

In the case of a colleague who came to me, the hon. member for Ottawa Centre (Mr. Evans), he asked that I accelerate the presentation of the cheque. Was it going through all right? Were there problems? They needed their money; the event was coming up; he pressed me on that. I telephoned and asked, "Is there any problem? Where is it?" It was brought over.

Mr. McKnight: And you gave him the cheque.

Mr. Fleming: Yes, I gave him the cheque, or he called them and they gave it to him in the office.

I make no apology for my colleagues; I am responsible. I do not expect hon. members on the other side to lean over backwards in kindness to me in carrying out my duty. I expect them to be vigilant. Some may be surprised that I say so, but there are elements of politics, party controversy and confrontation in this House. I am a member of the government. I am one of the representatives of this particular party on the government side of the House at this time. I am responsible for the decisions I make on grants. I am open to any criticism by any member. If I live under those conditions, I think I have the right to select who I believe can best represent me when there is a cheque to be presented; I had to make a decision on that matter.

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I should like to take just a moment to underline the terms in which the hon. member for Broadview-Greenwood (Mr. Rae) addressed this issue to Your Honour and to underline the fact that the hon. member for Nepean-Carleton (Mr. Baker) agreed with that position.

Neither of these members has argued that there is what we would call a prima facie case of privilege on which Your Honour would have to rule in that respect, but they have argued that there is a clear analogy between what has been done now and what was done in the latter part of 1979 which produced the statement of Mr. Speaker Jerome.

He said clearly that he did not feel he could call it a question of privilege, but that there was something upon which he needed to comment because it was a case of public money, money voted under the authority of Parliament, being used in a way to bring advantage to one political party. I would urge very strongly that Your Honour study that decision or statement by Mr. Speaker Jerome and give some weight to the suggestion that there is a strong analogy.

I am very sorry, as we all are, that the Deputy Chairman of Committees of the Whole House is away from Parliament because of illness. I wish he could be in on this discussion because it was he who raised the question of privilege in the first place, back in 1979. It was supported by quite a few others; a lot of time and thought were put into it. Most of us think that the comments of Mr. Speaker Jerome were very well put and that perhaps similar comments should be made again.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I see that you are about to make a ruling. Since my colleagues opposite acknowledge that there is no question of privilege involved, I would simply ask that you settle the matter so that we may go on to the orders of the day. There is absolutely no basis for a question of privilege. They have referred to a ruling made by a former Speaker of the House. With all due respect, I must say that the Standing Orders are there, but it is not up to the Chair to make them. Madam Speaker, your responsibility is to apply them. The grievance has nothing to do with a rule or a practice and I submit that we ought to proceed with the business of the House.

Madam Speaker: Indeed I was about to say that I will take the matter under advisement. I only want hon. members to note that those who rose in this debate referred to a practice. But our practices are not always the object of specific rules for

the House. Just the same I will review the matter. However, a practice is something which lends itself to very different interpretations and the House will understand that I would be in a very bad position to give an interpretation of it in light of the Standing Orders of the House.

However, the hon. member for Broadview-Greenwood (Mr. Rae) recalled a precedent of the former occupant of the Chair. I believe I remember that precedent. It has to do with public funds which allegedly were spent for so-called parliamentary committees or caucus committees. He commented at length on the way we should look upon the expenditure of public funds for the establishment of parliamentary committees or caucus committees. I am not sure an analogy can be drawn between the two situations, but since the hon. member for Broadview-Greenwood is usually so logical in his arguments I cannot simply dismiss the serious argument he has made before the House. Therefore I will examine this question.

As regards that part of the intervention of the hon. member for Nepean-Carleton (Mr. Baker) wherein he urged me to reflect upon a comment made by my predecessor, I want to say to him that the first time he spoke about that I was somewhat ill at ease because, after all, I had just made a ruling and I had the impression that under the request to reflect further upon a precedent or a ruling made by my predecessor, the hon. member was very careful but I had a vague impression that he and some of this colleagues were questioning one of the rulings I had made.

Again today he has asked me to reflect and comment. I want to tell him right away that I will refuse to comment on hypothetical situations. And if in a given circumstance my predecessor deemed appropriate to make comments rather than a ruling, personally I would hesitate to comment on situations which are not clearly put to me for a ruling to be made. Still, the comment which was made will certainly assist me in the consideration of the question of privilege which has just been raised by the hon. member for Broadview-Greenwood.

[*English*]

Hon. Erik Nielsen (Yukon): Madam Speaker, it is not my intention to comment on your remarks and your ruling in any adverse way. I am rising on behalf of my colleague, the hon. member for Nepean-Carleton (Mr. Baker). There should be no misunderstanding in the mind of the Chair, as there is none in mine, that he was addressing himself to a specific question of privilege raised by the hon. member for Broadview-Greenwood (Mr. Rae). It was specific enough; it was not a hypothetical matter.

Second, he invited the Chair to comment on the propriety of the specific question raised by the hon. member for Broadview-Greenwood, as your predecessor had occasion to comment and did in fact comment upon a similar question which was raised. There should be no misunderstanding, which perhaps the Chair might have had, about the intention of the hon. member for Nepean-Carleton when he made his presentation on this specific matter.

• (1540)

Mr. Baker (Nepean-Carleton): Madam Speaker, naturally I concur with the statement made by my colleague, the hon. member for Yukon (Mr. Nielsen). I want to make it clear, Madam Speaker, that I was not asking you to reconsider a judgment which you had made just previously. I listened to the judgment. I suppose many counsel who appear before judges from time to time can be unhappy with the decisions but not disagree with them. Or, perhaps I wished the Speaker might have decided otherwise, but I recognize the rules of the House of Commons, that your word is supreme in these matters. My comment was not directed at your previous ruling. I want to make that absolutely clear.

Madam Speaker: I want to reassure the hon. member that what I was saying in French was and perhaps there was something lost in the translation while he was asking me to reflect on a commentary that is, the last time, I was a bit uneasy. I was referring to that in order to tell him now that, in general, I would not be inclined to comment on hypothetical situations. I am not referring to this one today. It is clear to me that the hon. member for Nepean-Carleton was speaking precisely about the question of privilege raised by the hon. member for Broadview-Greenwood.

ROUTINE PROCEEDINGS

[*Translation*]

ENERGY

TABLING OF LETTER TO RIGHT HON. LEADER OF THE OPPOSITION

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I would like to table a letter that the Minister of Energy, Mines and Resources (Mr. Lalonde) sent to the Leader of the Opposition (Mr. Clark) following a reply he gave him during question period.

* * *

[*English*]

SUPPLEMENTARY ESTIMATES (C), 1980-81

REFERENCE TO STANDING COMMITTEES

A message from His Excellency the Governor General transmitting Supplementary Estimates (C) of sums required for the service of Canada for the fiscal year ending March 31, 1981, and in accordance with the provisions of the British North America Act, 1867, was presented by Hon. Donald J. Johnston (President of the Treasury Board) and read by Madam Speaker to the House.

Mr. Stevens: On a point of order, Madam Speaker. I was wondering if the President of the Treasury Board could indicate if he intends to make a statement with respect to the supplementary estimates which have just been tabled.

Mr. Pinard: That is not the practice, no.

Mr. Johnston: No, Madam Speaker. There is no lock-up and no statement with respect to these supplementary estimates.

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, pursuant to the provisions of Standing Orders 58(15) and 59, I move:

That the Supplementary Estimates (C), 1980-81, tabled this day, be referred to the several standing committees of the House as follows:

Madam Speaker, since this is a very long motion which has been shown to the other House leaders, and which merely follows the allocations made with the Main Estimates and the previous Supplementary Estimates, may I suggest that Your Honour put the question as if it had been read?

Madam Speaker: Is that agreed?

Some hon. Members: Agreed.

[*Editor's Note: List referred to above is as follows:*]

To the Standing Committee on Agriculture

Agriculture Votes 5c, 20c, 25c and 50c

To the Standing Committee on Communications and Culture

Secretary of State Votes 15c, 20c, 30c, 35c, 45c, 55c, 70c, L76c, 85c, 90c and 100c

To the Standing Committee on External Affairs and National Defence

External Affairs Votes 10c, L17c, 20c, 25c, L30c, L40c and L45c

National Defence Vote 10c

To the Standing Committee on Finance, Trade and Economic Affairs

Finance Votes 1c, 17c and L18c

Industry, Trade and Commerce Votes 1c, 7c, 8c, 10c, 20c, 25c, L32c, 56c and 65c

National Revenue Votes 1c and 5c

To the Standing Committee on Fisheries and Forestry

Environment Votes 5c, 15c and 25c

Fisheries and Oceans Votes 1c and 5c

To the Standing Committee on Health, Welfare and Social Affairs

National Health and Welfare Votes 1c, 15c, 25c and 30c

To the Standing Committee on Indian Affairs and Northern Development

Indian Affairs and Northern Development Votes 1c, 15c, 20c, 30c, L35c, L56c and 61c

To the Standing Committee on Justice and Legal Affairs

Justice Vote 1c

Solicitor General Vote 5c

To the Standing Committee on Labour, Manpower and Immigration

Employment and Immigration Votes 1c, 5c, 20c and 25c

Labour Votes 1c, 5c and 10c

To the Standing Committee on Management and Members Services

Parliament Vote 5c

To the Standing Committee on Miscellaneous Estimates

Governor General Vote 1c

Parliament Votes 1c and 10c

Privy Council Votes 5c and 15c

Supply and Services Vote 5c

To the Standing Committee on National Resources and Public Works

Energy, Mines and Resources Votes 5c, 15c, 50c, 65c, 70c and L107c

Public Works Votes 5c, 10c, 20c, 25c and 40c

To the Standing Committee on Regional Development

Regional Economic Expansion Votes 1c, 10c, 45c and 50c

To the Standing Committee on Transport

Transport Votes 10c, 15c, 36c, 65c, 70c, 75c and 92c

Mr. Stevens: Madam Speaker—

Madam Speaker: Is the hon. member for York-Peel rising on a point of order?

Mr. Stevens: No, Madam Speaker. I am rising to speak on the motion. The reason I wanted to speak on the motion is that we have not seen the Supplementary Estimates today. Unfortunately, that is due to the fact that we had no lock-up, that we had no previous opportunity—

Mr. Knowles: On a point of order, Madam Speaker. Is the hon. member not aware of Standing Order 59 which says—

Mr. Stevens: We have a Speaker's ruling. She is hearing me.

Mr. Knowles: The standing order says this should be decided without amendment or debate.

Mr. Stevens: No. I have been recognized.

Madam Speaker: The hon. member sought the floor on a point of order. The hon. member for Winnipeg North Centre is probably quicker than I to recognize that the hon. member was debating. If he is debating I am afraid I cannot hear him.

Mr. Knowles: He said he was not on a point of order, that he wanted to speak to the motion.

Madam Speaker: Is the hon. member for York-Peel now rising on a point of order?

Mr. Stevens: Yes, Madam Speaker. My point is that if we review the motion which is now before the House proposing that various things be referred to standing committees, the one item which is not referred to is the Treasury Board estimates, because presumably there are no Supplementary Estimates (C) touching on the Treasury Board. I think this is most unfortunate because it will mean that we have no opportunity now to question the minister. He has declined to make a statement in the House. Presumably these are the last estimates he will be tabling with respect to spending for 1981.

The thrust of my point of order is simply to request if the government, through the House leader or perhaps through the President of the Treasury Board, would consider having a special reference made, for example, to the Miscellaneous Estimates Committee of his Main Estimates so that we could have a final, if you like, discussion and inquiry with him in respect of the 1981 fiscal year estimates.

[*Translation*]

Mr. Pinard: Madam Speaker, the alleged point of order raised by my colleague is actually a question, a request on his part for us to consent to include in Supplementary Estimates (C) an item which would allow him to question the President of the Treasury Board (Mr. Johnston) in committee. I remind him, Madam Speaker, that the procedure established for the consideration of supply provides that the main estimates be sent to the various committees for three months. We have just tabled the main estimates for the coming fiscal year. So, if the hon. member wants to ask the President of the Treasury Board questions relating to the estimates for the year which is about to end, I think he has had ample opportunity to do so in the appropriate committee. In fact, since we have had two elections in less than a year, he has had nine months instead of three to do so. Now, we are not forced to do so; as he has said himself, no item relates to the Treasury Board in Supplementary Estimates (C) and we do not have to include such an item. We will consider his request, but as I said, he has had more time than usual in the last year. Even though we have complied with the Standing Orders, I will nevertheless discuss his request with the President of the Treasury Board and report to him in due time.

[*English*]

Mr. Stevens: Madam Speaker, if I may speak again on the same point of order, which is prompted by the House leader's comments. He says he will accept my word that the Treasury Board estimates are not referred to in Supplementary Estimates (C) which have just been tabled. It is not my word, it is his own motion. If he has not read his own motion I find it most amazing that he is proposing it.

My second point, Madam Speaker, is that the estimates he is referring to are next year's estimates—

Madam Speaker: Order, please. It is becoming increasingly obvious that the hon. member is entering into debate. His point of order is not justified.

I must ask the House if it is the pleasure of the House to adopt the motion of the President of the Privy Council.

Mr. Baker (Nepean-Carleton): On a very short point of order, Madam Speaker. Can the President of the Privy Council assure the House that the references are in accordance with the usual practices and that there is nothing unusual about the committees to which the various items would be transmitted?

Mr. Pinard: Yes, Madam Speaker. In so far as I know everything is in accordance with usual practice. I assume my colleague had the opportunity in advance to look at the motion, and with his experience he would know that it is in accordance with practice.

Madam Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to.

● (1550)

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 22, 1,001, 1,971, 1,982, 2,060 and 2,090.

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

[*Text*]

FEATHERBED FILE

Question No. 22—**Mr. Cossitt:**

What are the names of all persons who authorized the commencement of the Featherbed File including any person in the RCMP, the public service or any government branch and the name of any person who ordered the file to become dormant or made the decision that it become dormant in 1974-75 and specifically, did the fact that the file was first raised in the House of Commons by the hon. member for Leeds-Grenville at the approximate time the file became dormant have any connection with the state of dormancy?

Hon. Bob Kaplan (Solicitor General): The names of all persons who authorized the commencement of the Featherbed File including any person in the RCMP, the public service or any government branch are kept confidential for reasons of national security, pursuant to the government's policy on access to information. The name of any person who ordered the file to become dormant or made the decision that it become dormant is also kept confidential for the same reason.

The fact that the file was first raised in the House of Commons by the hon. member for Leeds-Grenville had no connection with its state of dormancy.

ADDRESS DELIVERED BY RCMP COMMISSIONER ROBERT SIMMONDS

Question No. 1,001—**Mr. Cossitt:**

1. Did RCMP Commissioner Robert Simmonds deliver an address, lecture, etc. to Toronto members of the RCMP and, if so (a) was it delivered at the Jarvis Street Divisional Headquarters in Toronto (b) how many members attended the address and how many remained until he had concluded his remarks?

2. Is there any indication of a morale problem in the RCMP Toronto area?

Hon. Bob Kaplan (Solicitor General): 1. RCMP Commissioner Robert Simmonds attended a general meeting of south western Ontario area command security service members on February 8, 1980, at which he did address the members.

(a) The meeting was held at the RCMP "O" division headquarters, 225 Jarvis Street, Toronto.

(b) Approximately 240 members attended this general meeting. Approximately 232 members remained until the meeting ended, the other members had to leave to facilitate previous transportation arrangements.

2. There is no indication of a morale problem in the RCMP in the Toronto area.

OAS—SPOUSE'S ALLOWANCE

Question No. 1,971—**Mr. Knowles:**

1. In each month during 1980, how many persons were in receipt of the spouse's allowance provided under the Old Age Security Act and how many were (a) male (b) female?

2. In each month during 1980, what was the average amount paid to the younger spouse where both spouses were alive and what was the average amount paid to the surviving spouse where the older spouse had died?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): 1 and 2. Please see list below.

Number of Persons in Receipt of the Spouse's Allowance Provided Under the Old Age Security Act

	1. Number of Spouse's Allowance Recipients	2. Average Amount Paid to Each Spouse's Allowance Recipient
January, 1980	79,071	$164.09
February	80,350	168.82
March	81,024	168.54
April	71,016	170.90
May	75,562	162.16
June	80,122	163.91
July	82,571	181.27
August	83,095	180.16
September	83,563	178.40
October	83,497	185.32
November	83,957	186.48
December	84,333	186.10

NOTE: 1 (a) and (b). Information to indicate the sex of spouse's allowance recipients is not available on a regular basis. However, information compiled for the month of June, 1980 only, indicates there were 6,834 male and 73,288 female recipients of the spouse's allowance.

2. The average amount paid to spouse's allowance recipients is not available broken down to show average amount paid to the younger spouse when both spouses were alive and surviving spouse where the older spouse had died.

CNR PENSION FUNDS

Question No. 1,982—**Mr. Knowles:**

1. What was the total amount on the books of the pension funds of the Canadian National Railways as at December 31 (a) 1978 (b) 1979 (c) 1980?

2. What rate of interest was earned on such funds during (a) 1978 (b) 1979 (c) 1980?

3. What amount of interest was credited to the funds during the year ended December 31 (a) 1978 (b) 1979 (c) 1980?

4. What amount was added to the funds from employee contributions during the year ended December 31 (a) 1978 (b) 1979 (c) 1980?

5. What amount was added to the funds as regular or current contributions by the Canadian National Railways during the year ended December 31 (a) 1978 (b) 1979 (c) 1980?

6. What amount was added to the funds in any other way by the Canadian National Railways during the year ended December 31 (a) 1978 (b) 1979 (c) 1980?

7. Is money owed to the above funds by the Canadian National Railways and, if so, how much and what arrangements are being made to meet such debt?

8. What was the total amount paid from the above funds in pensions during the year ended December 31 (a) 1978 (b) 1979 (c) 1980?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The management of Canadian National Railways advises as follows:

1. (a) $1,815,514,274;
   (b) 2,073,487,974;
   (c) 2,419,762,284.

2. To calculate the yield we have used the Statistics Canada formula, under which the investment is deemed to be opening investments plus closing investments, less earnings, divided by two. On this basis, the yield is:
   (a) 7.89 per cent;
   (b) 11.22 per cent;
   (c) 12.75 per cent.

3. (a) $128,113,932;
   (b) 201,508,600;
   (c) 264,587,072.

Net

4. (a) $56,619,429;
   (b) 64,522,094;
   (c) 69,582,060.

5. (a) $135,637,393;
   (b) 139,664,761;
   (c) 141,201,135.

6. (a) $20,050,500;
   (b) 45,751,900;
   (c) 41,741,700.

7. At December 31, 1980, Canadian National Railways owed $6,573,652 representing December items. This amount was paid in January, 1981.

8. (a) $140,376,729;
   (b) 155,402,954;
   (c) 169,429,815.

BANANAS

Question No. 2,060—**Mr. Cossitt:**

1. Is the Department of Industry, Trade and Commerce taking special steps to promote the quantity of bananas imported annually?

2. Are any agencies, such as the National Research Council, at the request of the Department of Industry, Trade and Commerce, studying the question as to whether bananas could be grown in large quantities in Canada in artificially created climatical conditions with the use of such things as solar energy?

3. Is it the policy of the government by promoting the growth and importation of bananas that Canada become known at some future date as the world's largest banana republic?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): In so far as the Department of Industry, Trade and Commerce is concerned: 1. No.

2. The department has not requested any such studies from any agency.

3. It is not the policy of the government to promote the development of banana cultivation in Canada.

CANADA'S EMBASSIES

Question No. 2,090—**Mr. Herbert:**

1. Was a decision taken in 1980 to co-ordinate the activities of several ministries in Canada's embassies in other countries?

2. Was the decision intended to reduce the number of personnel in the embassies and, if so, how many positions were cut?

3. Was there a prior study to ascertain the extent of any possible communications problems between ministries that might result from such a decision?

4. Which ministries with personnel in embassies in other countries were not covered by any co-ordinating activity, if any?

Hon. Mark MacGuigan (Secretary of State for External Affairs): 1. No. Co-ordination is the responsibility of the head of post who is held accountable for the programs of departments in his or her area of jurisdiction. This is recognized and accepted by all departments concerned and is not altered by the Prime Minister's decision on consolidation of the foreign service announced on March 20, 1980.

2. Not applicable.

3. Not applicable.

4. Not applicable.

[*English*]

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

Mr. Gordon Taylor (Bow River): Madam Speaker, I would like to ask when we might expect an answer to No. 681. This question has been on the Order Paper for several weeks. It should not be a difficult question to answer. I would like to get this information in connection with studies carried out in Banff National Park at a reasonably early date.

Mr. Collenette: Madam Speaker, I will try to get the information as quickly as possible. I cannot guarantee any particular date for any given answer, but I will do my best.

* * *

MOTIONS FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, Notice of Motion for the Production of Papers No. 40 is acceptable to the government. I ask that the remaining notices of motions for the production of papers stand.

Madam Speaker: Is it the pleasure of the House that notice of motion No. 40 be deemed to have been adopted?

Some hon. Members: Agreed.

[*Text*]

DIAND—COPIES OF REGULATIONS FOR PUBLICATION OF TENDER CALLS

Motion No. 40—**Mr. Herbert:**

That an Order of the House do issue for copies of all regulations and instructions in the Department of Indian Affairs and Northern Development, concerning the publication of tender calls for construction work, including all references to the amount and form of deposits that may accompany such tenders.

Motion agreed to.

[*English*]

Mr. Tom Cossitt (Leeds-Grenville): Briefly, Madam Speaker, I would like to refer to motion No. 38, which is a notice for the production of papers in regard to an air crash some years ago, which I put on the Order Paper for very valid reasons; the accident resulted in the death of a minister of national defence.

I was advised subsequently that the papers were missing, both by the National Archives and the Department of National Defence. Subsequent to that, I was contacted by the Privy Council office, which said that they had apparently been located. The papers are quite voluminous. The Privy Council office has made photocopies and is prepared to furnish them to me, but has pointed out that to do so would require that they be translated into both official languages, which is estimated to take approximately eight months and would obviously cost the taxpayers a great deal of money.

It is not my intention that this should happen, and the Privy Council office has suggested that if I am prepared to withdraw the motion, it would furnish photocopies of all the papers to me without having to go through the procedure of having them tabled in the House. So if the parliamentary secretary could assure the House that that meets with the approval of the government, I would be quite prepared to withdraw the motion later today.

Mr. Collenette: Madam Speaker, this is the first knowledge that I have had of any arrangements being made between the hon. member for Leeds-Grenville (Mr. Cossitt) and the Department of National Defence. I will consult with the Minister of National Defence (Mr. Lamontagne), because any document to be tabled in the House must be tabled in both official languages, as you well know, Madam Speaker. However, if a compromise can be worked out between the hon. member and the department, then I am sure that will meet with the satisfaction of all members. I will get back to him later.

Mr. Cossitt: It was not the Department of National Defence, although I realize that the ultimate responsibility might lie there, but it was the Privy Council office which made the proposal and dealt with my office. I suggest that the parliamentary secretary talk to the appropriate officials in the Privy Council office who have proposed this solution.

Mr. Collenette: Yes, I will undertake to do that. It is obvious that the hon. member has better access than I to some officials in the Privy Council office.

The Constitution

Mr. Jim Fulton (Skeena): Madam Speaker, I rise with regard to motions Nos. 42 and 43 which were filed January 21, regarding correspondence, telegrams and communications between cabinet ministers and/or their present staff and Amax Limited, and any correspondence, telegrams or communications exchanged between Mr. John Aird and cabinet ministers and /or their past or present staff regarding permits for Amax Limited at Alice Arms.

I recognize that some of these documents do in fact exist. There has been a substantial period of time enabling them to be put together and presented to me through the House. My concern is that the mining company now proposes to start dumping on April 1, just a few weeks from now. The Chairman of the scientific panel that was struck by the government, Dr. Winston Mayer, has now resigned, and it is extremely important that these documents be provided as soon as possible. I wonder if I could get a date? I had filed to have them provided by March 2, 1981. I think a couple of months should be sufficient time. I wonder if I could have some direction as to whether or not those will be available prior to the mine starting to dump on April 1.

Mr. Collenette: Madam Speaker, I am not aware of any of the circumstances arising from this notice of motion for the production of papers, only the fact that it is on the Order Paper. As I said in reply to the hon. member opposite, who questioned me about getting answers to questions, I cannot guarantee any particular answer will be given on any given day because of the time it takes to prepare such answers; but I will look into this particular matter.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Bill Vankoughnet (Hastings-Frontenac-Lennox and Addington): Madam Speaker, I appreciate the opportunity to conclude my remarks of last evening on the constitutional debate.

Since the Prime Minister (Mr. Trudeau) and his government have been in power, and this has been much too long, Canada has suffered. Our economy has suffered. We have massive unemployment, inflation and high interest rates. We have had metric conversion and gun control imposed on us, along with a bilingualism policy not necessary in many areas of Canada. We have had an energy program imposed on us that reduces greatly our chances of energy self-sufficiency and leads us steadily down the road to socialism. We are still waiting for a budget to deal with the real issues facing Canadians.

We hear the need for the government constitutional proposals from a party that has done much to cause division and bad feelings across this country, from a party that cannot be said adequately to represent the various regions of Canada yet seems intent on forcing unpopular programs on the people. We hear reports of public deception by the Prime Minister and his government when they are apparently less than candid with the people of Canada. Many Canadians fought and died for our country and our system and they and their ancestors and the free world allies would likely be a little skeptical if they were told their system needed change by someone who perhaps did not take the opportunity to really stand up for his country at the time.

Mr. Speaker, the present government, on its record, has not earned the right even to consider unilateral patriation of an amended Constitution. The provinces and the people of Canada have had enough abuse from the present federal government, and any attempt by it to do something so controversial with something so very important must be viewed with suspicion.

Canada is a lot of things to a lot of people. It is our home. Few of us would want to leave here for anywhere else in the world, and at the same time many from other countries want to come and do come here to live in Canada. Canada is renowned for freedom, fair play and respect for the rule of law. Canada is ten provinces and two territories with a host of people from all backgrounds spread from sea to sea. We have an abundance of resources and much hope for the future. We have come a long way and we have a bright future ahead. Much of what we have today and our potential for the future stems from what we had in the past. That is a good system, an enduring system that is based on a constitutional monarchy and a democratic parliamentary system of government.

All of the good qualities that make up Canada did not happen in 54 years or 114 years, but evolved over centuries with the help of precedent, borrowing from systems that have been proven over time. We enjoy our rights. Through the parliamentary system, the common law and the Crown, we must ensure our time-honoured system of government prevails to serve us for the future. We must protect our system from slipping toward a socialistic system of government, as some feel we are heading towards. We must ensure that Canada does not become a unitary state as some feel we are heading towards. We must oppose these ideologies and work to preserve and improve the parliamentary federation we have now.

We must not forget that the government serves the people; it is not that the people serve the government. At least, that is how it has been in Canada and the free world and is exactly what we should work to preserve. Rights are not granted by

any government but are created with the individual human being as inalienable rights. The people always have these rights regardless of how different governments approach them.

● (1600)

We have inherited a strong heritage in our system that respects and enforces rights and freedoms and, whether written down or not, we must ensure that we continue to observe these in the future. We must guard against those whose ideologies are suspect and who want to change Canada, whether for their own self-interest or the interest of a larger over-all philosophy in opposition to that of our traditions.

This can be done gradually under a smokescreen of rhetoric and charisma and that is exactly what Canadians must not be fooled by. Look back and look ahead and then look at the last 12 or 13 years our country has been under the spell of the present Prime Minister. Think of the self-imposed rush to change our time honoured Constitution and ask, "Why?".

Mr. Speaker, we cannot be in a blind rush to let the present government do any more real or potential harm to the future of our country. I am pleased to be part of a system which wants sincerely to maintain and build a better Canada by building on our present system and its strengths, not by unilateral and divisive change for the sake of change.

Some hon. Members: Hear, hear!

Mr. Douglas Fisher (Mississauga North): Mr. Speaker, I strongly support this resolution and I am very pleased that we are, at long last, bringing our own Constitution under our own control inside Canada. I believe that most of my constituents support this course of action as well. I am, therefore, honoured to take part and to make my contribution in this debate today. I believe in a strong Canada and I believe we need a strong federal government to have a strong country.

During Quebec's referendum campaign almost a year ago, a most impressive array of prominent people made pledges to people there about Canada's future. Members of Parliament, provincial premiers, municipal and local leaders, volunteer associations and service clubs, churches and schools, and private citizens all joined together to tell referendum voters that Canada is a vibrant country, a country ready to change, a country ready to remove irritants and a country ready to restore to everyone the full benefits of national unity.

Our debate today is a natural continuation of that campaign and of those pledges. We are acting on those promises. We are recognizing in these initial steps that we need the symbolism of self-control in our political life. We need the protections and the limits contained in the charter. We need the flexibility and the promise for change represented by the amending formula.

People in my part of Canada do not automatically associate this Constitution with that referendum, but, once reminded, they recognize we did indeed make promises that we must now fulfill. We know that honest people who voted with the majority for Canada now want us to hold up our end of the bargain. We also know that there are others who voted with the minority against Canada who are waiting in ambush in case we stumble or fail.

In a broader sense, people everywhere know that our work now is summing up a long and sometimes tedious history, a history of debate going back 50 years. Let us look at this summing up. Let us look at what we are offering. Our governments will continue to follow the guidelines contained in the old BNA Act. We need to alter these relationships very soon to get rid of the irritations created by an old fashioner document. We are not doing that, however, at this stage. Those refinements can come in the future after specific concrete negotiations. It is enough for now to settle on these familiar foundations.

These needed changes will happen soon, however, because we will be able to negotiate knowing that amendments are possible. The formula we are proposing offers everyone adequate safeguards. On the one hand, changes will be so politically challenging that the federal government will be forced to find suitable compromises. On the other hand, we will have enough flexibility to ensure that every provincial government sticks to the point during the negotiations and seeks the same compromises and the same balances. This gives us the chance to focus our future negotiations and to know that change is possible. Each side has some clout, so neither side can risk negotiating in bad faith. We have the opportunity to bring renewal and progress to our federation, to adapt to the future in good faith.

I believe in a strong central government for Canada. The alternative proposal for an amending formula put forward by the official opposition would greatly weaken the federal government.

Our formula allows debate, decisions by each province, regional and provincial approval, and then approval and application right across the country. Their formula would allow different proposals to have a different impact in different provinces, the famous checkerboard effect. Some critics have made a strong, emotional case for this idea and have argued that everything from traffic laws to pension reform is already in a checkerboard across Canada. That argument, especially with those kinds of examples, avoids the real point in this debate.

There are some rules that have to apply to everyone in Canada. We are looking at the fundamental rules of the game, not at minor regulations like automobile speed limits or negotiable government programs like pensions. The constitutional rules are so important that everything else stems from them. They must be the same everywhere. They cannot be ignored anywhere.

I cannot support, for example, any checkerboard or any opting out plan that can turn on or turn off my personal rights in different provinces. My freedom to worship is not a light switch that can be flicked on or flicked off by a provincial legislature. A handicapped person needs protections just as much in Ontario as in Manitoba. A woman's rights do not change just because she happens to be on the west coast instead of the east coast.

When we describe the charter of rights in this resolution, we are talking about fundamental freedoms. We are telling all of our governments, in city halls, in provincial legislatures and in this Parliament, that there are boundaries beyond which governments cannot go. We are saying that governments, not individual people, are limited. The charter we want must apply everywhere, not just in a few places with those who happen to find agreement convenient.

Some hon. Members: Hear, hear!

Mr. Fisher: We need to keep our principles straight. We need to go back to our bedrock; our freedoms are too easily threatened. Protection is needed. That is why our charter is not going to be checkerboarded across Canada; our rights cannot be checkerboarded. Canadians, not just some Canadians, not just a few Canadians, all Canadians, enjoy the same rights.

As I mentioned a moment ago, we have a responsibility to act now. We also have the authority to act. We have heard a lot of rhetoric uttered about the process that we have used and about its effect on our goals. Some people have argued that we must have much greater support from the provinces for our actions. They seem to feel that the provinces are our equals, or that they are somehow even greater in importance than the federal government. They claim that our initiatives, our process, will tear confederation apart. I believe the opposite. I believe that we must act now. Our actions on this resolution can only strengthen our country. The federal government must be more than just one extra voice among the different governments in Canada, especially on constitutional matters. Action on the Constitution is our obligation. The final decision belongs here, in the Parliament of Canada.

• (1610)

Of course, we do have a partnership in confederation. Our provinces do have independent and respected roles to play. They do touch parts of our lives that should not be affected by the central government. Their views, accordingly, must be heard in a fundamental debate such as this. When the provinces refuse to act, however, or when the partnership breaks down, then we must act ourselves.

We should see each government's role properly, not in some artificially inflated fashion. The provinces cannot extend their independence into a veto. They cannot demand that we turn our consultations, our interdependence, into the last word in the debate. Alone, or as a block, the provinces can give us valued insights. They cannot, however, simply add up all their jobs and all their claims and then conclude—as they have done—that the final word and the final decision is theirs. This Parliament must still receive more than provincial advice. We must take that advice. We must then add it in with other reactions and consider a wide variety of national pressures. We must use our own judgment and come up with our own answers.

In this debate, the provinces have been challenged to change federal actions by offering a better case. They have had plenty of opportunity to participate in the changes that are happening. Instead, they lost sight of the great national need and they pressed only for the sake of their local satisfactions. They saw the same marvellous opening to act as we did, to create change at long last, but they suggested only more delays as their alternatives. They have been given their chances over the past year, and over the past 50 years to improve our national life. Now, when we act and accept this opportunity, we are being called arrogant, insensitive and one-sided.

Well, we were elected, to all sides in this House, to take this responsibility and not to abdicate it or to assign it away to some poorly defined coalition, whether that coalition be a premier's group or a collection of private individuals. The job is ours to do. In fact, if we do not act, if we back away from the job, then we will be signalling a terminal weakness in the federal government. We will be seen as unwilling or unable to act and to lead the country. We need a strong central government in Canada. We need federal leadership.

I believe we have assumed our responsibilities and that we have acted very, very well. When federal leadership has been needed, we have provided it. Members from all political parties can point to some aspect of this Constitution with pride in their contributions. Contrary to our critics' views, this process has succeeded.

We have brought this discussion to the whole country. Through debates in this House and in the committee, constitutional change has become a truly national issue. There has not by any means been agreement, but everybody has had a full opportunity to be heard either here or in committee. Everybody has had a voice, and television has helped to take these voices to the public and to make them extra effective. Judging by my mail, opinions have become well informed and very firm. People who write or who stop to talk to me on this issue feel their views are worth expressing and that we are listening. I want to repeat, in conclusion, how pleased I am to be a part of this debate.

We are taking the first steps to give ourselves the proper tools for our government. We are bringing our Constitution to Canada, giving it the vital limits in the charter and making it possible to bring renewal in the future.

We have to start using this tool right away. At the beginning of my comments, I referred to the Quebec referendum as a great motivation and a great commitment to satisfy. I could, as easily, have added remarks about remote northern territories, about clashes between the resource and the consuming provinces, about disparities between the rich and the needy regions and about dissatisfactions and imbalances between populated and rural areeas. We obviously have to go now to those people who have deep differences and deep grievances and start to repair our national unity.

We have taken these first steps and, in doing so, we have made the next, bigger steps easier ones to take. We know how change will happen. That clears away the debris and lets us focus on what change is best for all. We must shape our institutions and our governments to fit our new needs. In the past, we have been paralysed by our lack of proper tools. Now

that we have given ourselves the equipment, we have to get on with the rest of the job.

Miss Pauline Jewett (New Westminster-Coquitlam): Mr. Speaker, like others, I am very proud to be taking part in this debate. I have felt for a very long time, in fact pretty well all my life, that one of the most important gaps in the Canadian Constitution, the British North America Act, has been the lack of a charter of human rights and freedoms binding on both federal and provincial legislatures. Therefore, when the constitutional proposals were introduced last fall, it was with particular pleasure that I noted there would be such a charter in this proposal.

It was, however, very discouraging when reading the fine print of the charter to discover how hastily conceived it had been and to what a large extent it had neglected the real needs of many Canadians. Indeed, in my speech in the House of Commons on October 23, I pointed out in particular that the charter, whatever its intent, did not guarantee women's human right to equality. It had used the very same phrases, such as equality before the law, that had been used in both common and civil law traditions and in the Diefenbaker Bill of Rights, which had been interpreted to mean equality in the administration of the law but not equality in the law itself and the very substance of the law. There were other deficiencies in the original proposals. That one, however, was so enormous that no woman in the country, or indeed any other group which had not hitherto been equal, could feel equality was being guaranteed.

● (1620)

Over the past several months one of the most exciting developments has been that Canadians have spoken. A very large number of Canadians have spoken to the Special Joint Committee on the Constitution of Canada, or have written submissions to it. When people say that this Constitution, and particularly this charter, is not being made in Canada, I really have to laugh. Not only is it being made in Canada by this Parliament, even more important than that, all the amendments introduced in January by the Minister of Justice (Mr. Chrétien) were proposed and pressed by the people of Canada and their various important groupings, both provincial and nationwide.

Perhaps those of us in Parliament and in the legislatures tend to forget that a democracy consists of more than us, that there is perhaps not just two orders of government of vital importance in our democratic society, but a third order. This third order intervenes usually between elections, because the people themselves fundamentally guide us at elections. This order consists of groupings of individuals, economic groupings, cultural groupings, groupings based on ethnicity, religion or sex. These are powerful, dynamic and democratic groupings of people whose points of view we, as legislators and parliamentarians, ignore at our peril. It is from this part of our democracy we have been hearing in the past several months.

The wisest thing the government did was to allow television coverage of the constitutional hearings and an extension of time for briefs to be presented, both orally and in writing, to that committee. The authors of these briefs and submissions, these representatives of Canadians, are the ones who have had more to do than any of us with making this charter much stronger and better than that originally proposed. It is a very good one. These are Canadians who have done this. Even I was taken aback by the strength of their voices, particularly in the case of the briefs concerning women's human rights to equality and by the general agreement among all the groups on what amendments were needed. We are not talking about just a few Canadians having been heard, we are talking about groups representing thousands and thousands of Canadians.

May I remind the House that on the issue of improving the charter, so far as women are concerned, excellent far-reaching briefs were heard from the Canadian Advisory Council on the Status of Women; the National Action Committee on the Status of Women; the National Association of Women and the Law; Indian Rights for Indian Women; the Canadian Committee on Learning Opportunities for Women; the Canadian Abortion Rights Action League; the Native Women's Association of Canada, and many more. These were just some of the groups who appeared before the committee. They represented women, and men too in some cases, not only as national organizations but as the umbrella group for many provincial and liberal associations.

In the written submissions, we heard from a large number of provincial status of women action committees, committees of women for constitutional change, many business and professional women's clubs: The Catholic Women's League, Federated Women's Institutes of Canada, the National Council of Women of Canada, and through it the provincial and local councils of women; the National Council of Jewish Women of Canada, several provincial advisory councils on the status of women and, in some cases, municipal ones; the Vancouver Status of Women submitted an excellent brief; Women for Political Action; many branches of the YWCA as well as the National YWCA; several university clubs; a number of research centres; and a number of women's centres, including one very close to my riding, namely, the Port Coquitlam Women's Centre. This is only a partial list of the voices heard of Canadian women who wanted to see the charter entrenched but who wanted to see the best possible one entrenched. They did it. It is their charter, just as it is the charter of groups for other parts of the charter who were heard, whether it was the disabled and the handicapped, the aboriginal peoples, or representatives of our multicultural fabric. They too are responsible for, and share in, the creation of this amended charter, so I hope we will not hear any more about this charter not having been made in Canada by Canadians.

● (1630)

There was significant improvement in almost all 50 clauses of the government's constitutional proposals when the Minister of Justice brought his amendments forward in January. There were very significant improvements; there is no question about that. There is equally no question that further clarifications could be made. Further strengthening of certain clauses in the

charter could be achieved. Again I am talking today primarily about those parts affecting women.

A number of valuable clarifications and strengthenings were proposed by the ad hoc conference on Canadian women and the Constitution, about which hon. members have heard a great deal. There was a tremendously successful meeting in Ottawa the weekend of February 14 attended by over 1,000 women. I will not go through all the groups in Canada that have endorsed the recommendations of that conference, but once again there are literally dozens and dozens of them. This reflects the keen interest and participation in the creation of this charter of Canadian women.

I hope all hon. members will read very carefully the further suggestions made by the ad hoc conference. These are all now available to all hon. members. I hope hon. members will look particularly at three of the suggestions because the women themselves would like to see them highlighted in the charter.

The first suggestion is that there be a general statement, either in Section 1 or perhaps in Section 25, that the rights and freedoms set out in this charter be guaranteed to men and women equally. This should be an overriding statement, making it clear, in case there is any doubt in Section 15 or anywhere else, that the rights apply fully, completely and equally to women and men alike. This is important for all women but, perhaps I should say, particularly important for native women. It is something on which I think there is agreement on all sides. I know it is one of two amendments we proposed in the constitutional committee which the Conservatives were willing to support.

I am therefore very hopeful that if the Conservatives do not propose it as an amendment, or if we do not get the opportunity to propose it as an amendment, the Minister of Justice will bring it in.

Some hon. Members: Hear, hear!

Miss Jewett: The two others I would like to mention were not supported by either of the other two parties when the New Democrats introduced them in the committee. However, I think several members on the government side were willing at any rate to look at them very seriously. One is the use throughout the charter of the word "person" rather than "any individual", "anyone" or any of the other words being used. The word "person" should be used throughout the charter.

The other one has to do with Section 15(2), the affirmative action section of the equal rights provisions. The suggestion is that affirmative action programs which are to be allowed—indeed, encouraged—should relate to disadvantaged groups. It is not necessary to include individuals. In fact, it might be dangerous in some ways if we did.

The whole purpose of Section 15(2) is to ensure that the equality rights set out in Section 15(1) do not prevent any law, program or activity which has as its object the amelioration of conditions of disadvantaged groups. However, unfortunately it says "disadvantaged individuals or groups" and thereby makes it possible that a single individual, as happened in the famous Bakke case in the United States, could get some advantage that the group of which he was a member already had in abundance, and thereby prevent an individual in another group from being able to be advantaged by an affirmative action program. One has to look at the condition and situation of a group as a whole, and if a group as a whole is advantaged then the fact that a single member of that group is not should not give him or her something special. When one looks at the group as a whole and discovers it is disadvantaged, then it is the group as a whole for whom the affirmative action program should be undertaken.

I stress this because the women I have talked with and with whom other Members of Parliament have talked as well—and there are many from all over Canada—feel that to ensure that the intent of the charter is carried out so far as women are concerned and, indeed, other disadvantaged groups are concerned, it is vitally important to make this deletion from Section 15(2).

A moment ago I mentioned that the New Democratic Party had during the course of the committee actually introduced all but one of the amendments which are now being proposed by the ad hoc committee on women and the Constitution, and we would be more than happy to introduce them all again, but this may be procedurally extremely difficult to do. If it is, I can only urge the government, and specifically the Minister of Justice—I am afraid I have given up on the minister responsible for the status of women—

Some hon. Members: Hear, hear!

Miss Jewett: —with all the power at my command to seriously consider highlighting those three amendments I have mentioned and to look seriously at the others as well.

I am somewhat comforted because hon. members will remember that on February 20 in the House I asked the Minister of Justice about this possibility. He said, "It is not possible to have a perfect charter." These are the points of the women. Then he said, "If there is a possibility of more improvements, we will do our best to study all aspects of them". On an earlier day, on February 16, the Prime Minister (Mr. Trudeau) said that the additions, clarifications and further amendments are "probably very sensitive and worth-while additions." I say to the government: do not wait until the Tories support these amendments. I do not think they are going to do so, except for the one I mentioned first. They are paying lip service to them. Quite honestly, I have found no evidence that they are going to support them, let alone introduce them, although I encourage them to do so and I hope they will.

● (1640)

Unlike the people of Canada who have spoken, there are many parliamentarians and members of provincial legislatures who think we should wait until we have the Constitution back home with an amending formula before we start working on a charter of fundamental rights and freedoms. I become very upset when I realize that what these proponents are asking for

is nothing. We will never, or not for 100 years perhaps, get a charter protecting our fundamental rights and freedoms if we wait until later. Women of Canada have said to me and to many others that if this is thrown into the battleground of federal-provincial conferences, we do not believe the 11 first ministers are going to give us our equality; we have no faith in it at all.

For example, if we look at what has happened in the United States we find that women there have been trying to get an equal rights amendment since 1924 and have not succeeded yet. Nor do I think that a constituent assembly is likely. I would like to see it, but I think it is unlikely it will come about. It is certainly not part of the Canadian historic tradition.

I would also like to make the point that at least some of us who read Canadian constitutional law believe the question of fundamental rights and freedoms is not part of Section 92(13) on property and civil rights. A charter of rights and freedoms is not a matter which can vary from one part of the country to another. It is something that is not strictly under provincial jurisdiction. The most important cases in the 1950s and 1960s—I am thinking of the Jehovah Witness case, the Roncarelli and the padlock law case—which had to do with civil liberties, freedom of speech, freedom of worship and freedom of assembly, or some aspect of our fundamental freedoms, denied that those freedoms were part of property and civil rights, and therefore under provincial jurisdiction. All those cases saw those rights as something that all Canadians must have, regardless of where they live. That being the case, we should look at the few cases there are concerning our rights and freedoms in Canadian jurisprudence.

In some ways, I suppose, it could be argued that it is amazing there are any such cases, since we have not had a charter of rights. Even the hon. member for Provencher (Mr. Epp), I think, is coming to the position that rights and freedoms are not something that you have, maybe, in Quebec but not in Alberta, or vice versa, they have to be everywhere. There are a few significant cases from which it becomes clear that substantially it is no infringement of provincial jurisdiction at all. I wish we would stop talking as if we thought it was an infringement of provincial jurisdiction to have a charter of rights and freedoms entrenched in our Constitution.

Another argument one sometimes hears is that, with a charter of human rights and freedoms, we are replacing legislative supremacy by judicial supremacy. There is no doubt there will be more litigation, but may I remind the House—I am sure that members do not need this reminder, but may I do so anyway—that the courts have been interpreting our rights and freedoms under the common law, or under the civil law in the province of Quebec, for years and years. It is not a matter of the courts not interpreting our rights and freedoms all this time; they have been doing so under common law or under statutory law. As I pointed out a moment ago, even under the BNA Act, in a few monumental cases they have been interpreting our rights and freedoms. We are not going from something called legislative supremacy to judicial supremacy. There will be more litigation, there is no question, but the important thing which this charter has made a major effort to do since the people of Canada were heard from is to ensure that a clear signal is given to the courts about what freedoms and rights we want to have protected, and, above all, in the area in which I am particularly interested, a clear signal has been given now, I think, that we want equality for men and women in the very substance of the law itself.

Some hon. Members: Hear, hear!

Miss Jewett: A moment ago, I spoke about the people who say "wait until later" and I argued that we will wait forever. There is a lot of talk about the amending formula. No doubt it is somewhat more flexible than the rule of unanimity which, of course, would be a complete straitjacket, as we all know. The proposed amending formula is somewhat more flexible. It asks for an amendment to the Constitution to be supported by regional majority, and it divides Canada into four regions. Personally I think it is still pretty inflexible. Any region will be able to veto any amendment. As I say, it is not as bad as unanimity, of course, but I do not see how anyone can think it will result in very many amendments.

● (1650)

That may well be as it should be. But some people would argue that a federal system, particularly relating to the division of powers—and the charter has nothing to do with the division of powers—should not be too flexible; it should be really tough to get an amendment. I think it will be very tough, indeed, and I do not see much likelihood of many amendments getting through quickly. Therefore, those who are putting all their hopes on amendments coming through are misplacing their hopes.

I should like to say a word or two about the amending formula. A good many of my constituents are very interested in and concerned about the amending formula. As I understand the Constitution, the proposed amending formula, whereby there must be a majority in each of the four regions to support an amendment, is not necessarily the last word. If the legislators, premiers and all of us come up with a better alternative formula during the two years after the proposals are patriated and when unanimity is required, it is my understanding the people of Canada could then choose between the regional majority formula and whatever alternative was presented.

I, for one, will work very hard to have a five-region formula established in Canada. I know I will have lots of support from my British Columbia and northern colleagues in the New Democratic Party. We in British Columbia feel very strongly that British Columbia is a distinctive region and that we constitute a fifth region of this country. If there is to be a different amending formula, as an alternative to the one proposed now, many of us will work toward having a five-region formula. I do not know whether we will have the support of other provinces. If we are to present an alternative to the one in the constitutional proposals which we are patriating, certainly it must be agreeable to the other provinces. It is

our job as representatives of British Columbia to see if we can make it possible. In any event, I remind the House that there is an opportunity in the two years following the patriation of the Constitution for us to get cracking, put forward our alternative amending formula and try to do a selling job on other parts of the country.

In conclusion, I emphasize how important the whole process has been, particularly the hearings of the constitutional committee which allowed, permitted and encouraged Canadians in all walks of life to have an input in the charter of human rights. As Canadians I think we can all be incredibly proud of that achievement.

Some hon. Members: Hear, hear!

Miss Jewett: It is for this reason we all know in our hearts that this charter, particularly the amendments as a result of the input of the people of Canada, and the amendments we still hope will be made, is a charter created by Canadians.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Pierre Gimaïel (Lac-Saint-Jean): Mr. Speaker, may I first be allowed to say how happy I am to see the hon. member for Madawaska-Victoria (Mr. Corbin) occupy the chair, and I hope that the people of the Madawaska Republic will appreciate the fact that it is the duty of their representative to make sure that our standing orders are being observed.

I will now come to the heart of the matter, Mr. Speaker. I feel privileged to have the opportunity to discuss today in the House a matter of the utmost importance for our country, for all its inhabitants and perhaps still more for our children. This great debate on the Canadian constitution began some years ago. We have now reached the stages of implementation. A great many things have been said throughout the years, but very few things have been done. This government has now decided that the time has come to set in motion the appropriate mechanisms which will enable our count to renew itself and to continue to be one of the finest countries in the world. It is obvious that this debate could be lengthy. Presently, we are considering an amendment dealing with the referendum introduced by the official opposition. This amendment, as many others which could be moved by that same party, is only an excuse to extend the debate.

I cannot say that I have any complaint about that, Mr. Speaker, because as the debate proceeds we get to know the different positions held by the various parties in the House. The clearer the positions, the better we can see what hon. members really have in mind. This is important, because a country consists of a group of human beings living in a specific geographic area, goodwill and good relations rather than confrontations are essential among its inhabitants whatever their differences may be. I have to add, however, Mr. Speaker, that I am extremely disappointed by comments I heard in the House because they pained and shocked me but the more I consider them, the more they pain me rather than shock me. I am referring to the statements made last evening in the House by the hon. member for Simcoe South (Mr. Stewart). I would like to quote a few. Here is what one can read in the official English version of *Hansard* on page 7858, and I quote:

> Many of my colleagues have pointed out the history of this great Canada: the Quebec act of 1774, the constitutional act of 1791 and Lord Durham's report. They recognized the fact that the Quebec act and the constitutional act gave to French Canadians rights which were the most enlightened of their time. Unfortunately, no one pointed out that the Durham report recommended the union of Upper and Lower Canada and the use of one federal language, English. Had this been adhered to, we would not be having this acrimonious debate in the House today.

I shuddered when I heard those first words, but when we think about it we realize that there is room for interpretation. So I said to myself that perhaps the hon. member did not mean what he said. A few lines further I read another sentence and that one meant a lot of things:

> The bilingualism and biculturalism policies of this government have served only to act as an abrasive in English-speaking Canada.

I heard those words spoken here in the House where 284 sitting members represent millions of Canadians in the best interest of each and every one of our fellow citizens, and in all serenity. I heard those words spoken here in this House.

An hon. Member: Unbelievable!

Mr. Gimaïel: It is sheer nonsense!

Did one French-speaking member in this House recall all the hardships which francophones have had to put up with in this country over the past 100 years? Canada is a beautiful and great country because there were men who could understand one another. Some francophones have made tremendous sacrifices to be Canadians. That is why our country was built in harmony and with understanding and mutual respect, and I know that anglophones as well had a part to play, I know that there were anglophones who worked hard to build this country. I also know that they have shown respect for their French-speaking fellow citizens, but I think that in the debate we are holding now there is no room for nasty political partisanship, particularly when it smacks of racism, if we are to concentrate on building the country. I would be interested to hear the hon. member for Simcoe South say that he was voicing the opinion of all his constituents when he spoke in the House last night. I am sure that such is not the case and I would point out to him and to some of his colleagues that when he has the floor in the House he is not expressing the views of the Progressive Conservative Party but those of hundreds of thousands of people whom he represents here. That is his job and that is what he is paid for. I want to quote another sentence, and that one does not leave room for interpretation:

> National bilingualism is unnatural, undesirable, unwelcome and it is one of the central causes of national disunity.

We hear those words which bring us back to the days of Lord Durham who had been sent to Canada by England so he

could look after our problems. As a member of the House I am asking myself what do the people I represent here want me to do. Do they want me to build a new country or to try to initiate a power struggle throughout Canada so that English- and French-speaking Canadians will be for ever arguing with one another? That is not what the people want.

I come from a 100 per cent francophone constituency, where the people are proud of what they are, proud of this individuality, proud of their language and of their property, proud of their culture. However, above everything else, they love their country. What they love most of all is to be able to get along with those with whom they live. What they love most of all is the peace that they can offer their children. What they love most of all is the peace they have enjoyed all their lives. Mr. Speaker, it is not with such speeches that we can provide this security for Canadians. Since the beginning of this debate, the positions of each party have become quite clear. The New Democratic Party said: Fine, we agree to patriate the Constitution and we agree with the charter of rights—indeed, they worked quite hard to have this charter amended—ans we also agree on the amending formula. However, there are certain things that we would like to see and that we feel are important for those we represent. We would like certain things in the area of energy, and so on.

I respect such a position as it is based on the wishes of the population. However, I am having serious doubts about the position of the Progressive Conservative Party. First of all, we have been told that the Conservatives were against unilateral patriation. Then, we were told that they wanted patriation, but without the charter of rights and without the proposed amending formula. We were told that they wanted to amend the charter of rights and were opposed to patriation. They also proposed amendments to the status of women and many other provisions. Then, they asked which formula was the right one. They said it was the Vancouver formula. Last weekend, it proved to be the wrong one, since a two thirds majority is sufficient to have an amendment passed. This formula includes the two third majority rule as well as opting-out and opting-in provisions, and we saw at the last Tory convention the results of a two third majority with opting-in and opting-out provisions. It is clear that their party is out of whack. But let us be serious. In this context, I must conclude that everything the Conservatives now put forward as their position is simply aimed at obstructing our work.

An hon. Member: They are divided!

Mr. Gimaïel: On a point as serious and as basic to our country as language and the bilingualism policy, I am asking one thing, and it is simply this: If the opinion expressed by the hon. member for Simcoe South does not reflect that of the Progressive Conservative Party—

An hon. Member: Shame!

Mr. Gimaïel: —I ask the Right Hon. Leader of the Opposition (Mr. Clark) to do what his predecessor, the Hon. Bob Stanfield did in the case of the then hon. member for Moncton, and to expel the hon. member for Simcoe South from his party!

● (1700)

[*English*]

I would like to say this to hon. members in English. I would like to ask the Right Hon. Leader of the Opposition to do what is necessary, as the former leader of the opposition, Bob Stanfield, did when he expelled the member for Moncton because he did not support the view of the party with respect to the bilingual policy in Canada. I ask the Leader of the Opposition to do the same thing with the member for Simcoe South, if he was not expressing the view of his party. I ask him to do no less than that. Then we will know the truth.

Some hon. Members: Hear, hear!

Mr. Gimaïel: If he does not do so, this means the member for Simcoe South expresses the view of his party.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Gimaïel: I am pretty sure, however, that he will not do that, and I should like to explain why. First of all, is not the hon. Leader of the Opposition the man who, during a visit to Chicoutimi, signed the famous petition which the Quebec separatist government had been circulating throughout Quebec for the past six months?

[*English*]

Is he not the man who signed the petition the Quebec government made and circulated throughout the province for the last six months? Yes, they did it in Chicoutimi. The Leader of the Opposition did that.

[*Translation*]

Is it possible for us to say at this time that this party indeed has a policy promoting a bilingual and united Canada? No! In this respect, I should like now to direct my remarks especially to my own constituents. As residents of the Lac-Saint-Jean riding, you have certainly heard Quebec Premier René Lévesque make the following statement: "We are indeed lucky to have the Progressive Conservative Party fighting for our interests in the House of Commons." If that is what you mean when you talk about fighting for the interests of Quebecers in the House of Commons, Mr. Lévesque, just keep on babbling and try to convince everybody that you yourself are fighting for Quebecers.

I, for one, can tell you that I am proud to be here to represent my constituents and to help build our country instead of trying to break it up as you are doing, Mr. Lévesque. Let me tell you that I need not associate with people who make speeches such as this one to convince the people of

the Lac-Saint-Jean riding that I am working for them. Mr. Speaker, I feel the time has come for Quebecers to be told the truth about what is going on with regard to the constitutional renewal we are now launching. In Quebec, we have been accused of selling out the province, of betraying Bill 101, of changing the Constitution unilaterally, of everything imaginable. That has been said about the 75 Members of Parliament from Quebec, all the while insisting that we are acting like sheep. That is important.

• (1710)

There is one thing I want to tell the people of Quebec right now, and especially the people of my riding and that is that, as hon. members of the Government of Canada, we are not really changing the Canadian Constitution but preparing the context needed or desirable to change it in fact. This means, in simple terms, since I am an ordinary man, that we are in the process of asking the British government to send us back our Constitution so that 11 first ministers, the ten provincial premiers and the Right Hon. Prime Minister of Canada (Mr. Trudeau) can sit around a table and discuss what changes are necessary so that our country can better meet the needs of the Canadians of today and those of tomorrow. At the same time, we tell our friends on the other side of the river or the ocean: Enshrine a charter of rights in that Constitution. You may say: But why a charter of rights? Very simple. Renewing a Constitution is renewing a country. It may even mean changing all the rights, all the laws that govern Canadians.

In that context, as representative of the 80,000 citizens who live in the riding of Lac-Saint-Jean, I shall never accept that 11 first ministers, even if they are great Canadians, including the Right Hon. Prime Minister, should play around with the Canadian constitution and change it without first making sure that the fundamental rights of the people I represent are protected by a charter of rights enshrined forever in the Constitution. Of course, that is not perfect. But those who tried to achieve perfection at one fell swoop, do you know what they do in life? Nothing at all. Perfection cannot be achieved at first go. In addition, both a referendum formula and an amending formula will be included in the Constitution to prevent any systematic deadlock. We are not going to spend another 20 years of our life quibbling over that, wondering where we are going, what we are going to do. We have to find a solution to the Canadian constitutional problem. Our Constitution just has to be renewed because, as we know, when it was drawn up, there were no television, no airplanes; transportation even by road was much slower.

So many things have changed in this country. And so quickly. That is all we are about to do. To those who shout rape and treason, and those who come up with all sorts of arguments saying that we are betraying Quebec, I say that for the first time in the history of Canada, the rights of francophones to education in their own tongue, to their language, recognition of the French fact will be enshrined in the Constitution of Canada and no one, no prime minister, no government can change that without the consent of the Canadian people. Is that not a step forward?

I have seen very frustrating things happen in my riding, among others. We have all heard of the notorious petition which I mentioned earlier, the solidarity movement or whatever, which has been going around Quebec for the past six months. The signatures were to be gathered within a month and sent to all of us members from Quebec, challenging us to act according to the will of the people. I have seen how they operate. The people responsible for this petition tried first of all to go everywhere. When that did not work they went to the schools, but that did not work either. They asked the FTQ to help them and, like any good union they agreed and said, "Yes, Mr. Minister, we will do it." The FTQ had people sign it. But that did not work either. People were forced to sign. They were told to sign. No, thank you. Sign. After trying ten times, people signed. People were also told that if they did not sign, they were not genuine Quebecers. How great! What does that mean? That seems to imply that there are two classes of Quebecers. I am beginning to wonder about those two classes of Quebecers. I will give you an example.

If I had to choose between being a fake Quebecer like the Minister of Justice who went to Washington two years ago and addressed the World Bank, in French only, and being a genuine Quebecer like the Premier of Quebec, Mr. Lévesque, who two months after being elected delivered a speech entirely in English in New York, I would choose the former. He spoke two words in French: Saint-Félicien and Baie James, two projects, by the way, which he considered as political balloons before coming to power. I personally prefer being a fake francophone who speaks French in Washington than a genuine one who speaks English in New York. For sure. If being a fake Quebecer means deciding, like the Minister of National Defence (Mr. Lamontagne) did with his colleagues, to purchase F-18 fighters which will bring $1.5 million to Quebec, I prefer being a fake Quebecer rather than a genuine Quebecer like René Lévesque who buys $11 million worth of buses from General Motors in the U.S. rather than from Bombardier, in Québec.

I would rather be a fake Quebecer in that context. We do not need arm-chair Quebecers any longer. The drawing room days are gone when the intellectuals, the intelligentsia, were luring everybody in the province of Quebec, saying we all were going to rebuild this country, and perhaps by putting everything aside we were going to build another country which would be much better, a much better home to live in. Even if we have to keep outside in the cold for another ten years there would be nothing to it. We are going to build another country afterwards. Those days are over; all that silly talk is over. It is time now to act. Now we have people who sit down and discuss.

The Minister of Justice (Mr. Chrétien) is often blamed for not having held consultations. But I saw what happened last summer. After Quebecers had given their answer to the referendum held by the Parti Québécois, after Quebecers had said no, one of them, the same one who built Bombardier, the same man who built Canadair, stood up and said: "Let me deal with that, Pierre. I do not like the subject, I have never wanted to build a career around it but let me deal with it. I shall go and see the premiers, we shall see what they are made of." He went around and met the premiers and what answers did he get? Mr. Sterling Lyon, the Premier of Manitoba, came to Ottawa and said he did not want a charter of rights. In 1980, a charter of rights, ugh! There is no use for that, it is simply insulting the people. There is no need to protect the rights of the citizenry but the rights of the provinces should be written into the Constitution. Let us protect ourselves, but the citizenry needs no protection.

We have to understand what is happening. We want an answer from Alberta but we just had it. The best way to be a Canadian is to say to the Canadian people: You need oil? We will no longer sell you any because you are not paying us the right price.

I remember reading in history books that if eastern Canadians had reacted in the same manner in the past Canada would not be the strong country it is today, it would not have survived.

A fact remains, it is impossible to believe that the premiers meant business at the bargaining table. They did not. Their political strategy was quite simple, namely to attack the Canadian government, to debate the constitution issue in order to focus public attention away from the provincial opposition, to be on hot lines or appear before the TV cameras with representatives of the Government of Canada because when people have to vote they can only vote for them because their opponents are the provincial parties, never the Liberal Party of Canada. But in this great debate, the provincial parties have not had their say because such were the rules of the game. That is over now. We have now come to the bottom line. We are now creating the necessary conditions in which a change can be made.

Later, the provincial premiers will come and sit with the Prime Minister of Canada and will build a new country on behalf of all Canadians. And in this regard, I can assure you, my constituents, that my deepest thoughts are for you and most of my work here is directed toward safeguarding your interests. That is why I attended more than 15 sittings of the committee on the Constitution and why I want to watch closely what is happening, because whatever happens in Canada in the years to come, whatever changes are made to our Constitution, I can swear to you that nobody will ever fiddle with your basic rights, nobody will ever deprive you of what your fathers and ancestors have fought for, because the responsibility you have invested in me is precisely to protect those rights, and this is what I am doing along with my colleagues. On their behalf, I simply say to you that if we vote for this resolution, it is because our country's future is built on success, on change, and because we, as your representatives in Parliament, are ensuring that your interests and those of your children are protected.

In this regard I say to the government which is now involved: Go ahead! This country will be more beautiful because some honest and stouthearted men have worked on behalf of the anglophones, the francophones and the native people as well as of all the others who have built this country and helped to make it even more beautiful and more honest. I would ask my colleagues in the opposition to think more about their constituents instead of being concerned with an as yet undefined position for which their party is trying to drum up support.

• (1720)

[*English*]

Hon. John A. Fraser (Vancouver South): Mr. Speaker, it is a privilege to rise on this occasion and take part in this debate. I know that Mr. Speaker will take it with appropriate good humour when I say I have been waiting this afternoon for some time. I must say that this has given me the opportunity to hear three very interesting speeches, two from my friends and colleagues on the government benches and one from a British Columbia friend and colleague, the hon. member for New Westminster-Coquitlam (Miss Jewett). I think hon. members will agree that in all the speeches there was a combination of thoughtfulness, passion and certainly a very great amount of conviction. I see some of my friends on the government side nodding in assent.

The hon. member who wins the prize for passion this afternoon, of course, is my friend the hon. member for Lac Saint-Jean (Mr. Gimaïel) who certainly left us in no doubt about what he thought on this subject. I am not sure whether my hon. friend dealt with some of the other matters of very great concern but he left me in no doubt about his feelings which are very sincerely held.

I may be forgiven if I point out that the speech of which he complains sounds suspiciously familiar, and I had a chance to look at it. It is similar to speeches made by the former member for Crowfoot who later, because it was politically advantageous to the Liberal Party, was brought into the bosom of the Liberal cabinet. I know that my good friend will not mind if I point that out. It may give him a chance to make another speech.

The speech of the hon. member for Mississauga North (Mr. Fisher) was restrained and concentrated on one aspect of the debate, the charter of rights, as did the speech of the hon. member for New Westminster. That is a legitimate subject in this debate but, while I think the charter of rights is very important, and I am sure hon. members will agree that with other hon. members I worked very hard to make it a better

charter of rights than it started out, it is not the only aspect of this debate.

Before I get into that subject, Mr. Speaker, I want to mention a couple of other matters that give me great pleasure. The first is to offer my congratulations to the co-chairmen of the joint committee on the Constitution on which I had the privilege and responsibility of serving. I think especially of the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) who throughout the proceedings exhibited a great deal of competence, justice and fair play. In fact, he was so objective I thought when it came his turn to speak in the House he might adopt some of the views we had expressed to him. We found that he had other things on his mind, however, and cut off from the constraints on his almost quasi-judicial position, he managed to find something to say in support of the government's views on this particular measure. That did not surprise me but I think it ought to be recorded that while I do not agree with what he said after he ceased to be a co-chairman, with others I compliment him on his very fine deliberations on behalf of all of us as co-chairman of that committee.

I want also to pay a tribute to one of my colleagues, the hon. member for Provencher (Mr. Epp). I think all hon. members will agree that he conducted himself throughout the proceedings of the constitutional committee with dignity, competence and a measure of patriotism to which all of us aspire and can understand.

I want to say something else because there are honest views held in this chamber and in this country which are very different views. The Right Hon. Leader of the Opposition (Mr. Clark) had the courage on October 2 last to say that not everybody agreed with the Prime Minister's (Mr. Trudeau) package and had the courage to say no. The Right Hon. Leader of the Opposition has been proven right in that fundamental decision over and over again during the weeks of deliberations that have taken place. Certainly he has been right about the reaction of the Canadian people.

One of the things that plagued this consideration of a new constitution has been the fact that many members of the public have been critical of politicians for acting like politicians, for being partisan. A letter which appeared in *The Globe and Mail* on February 24, 1981, had this to say:

> Much of the debate in the House and elsewhere is blatantly partisan, and (possibly wrongly with the more sincere presentations) gives the appearance of being more concerned with the paramountcy of different levels of government than it is with what a new constitution will or will not do for the people of Canada.

The citizen who wrote that letter has every right to his opinion but I have to say in answer to that citizen and others who have written in a similar vein, being equally critical of all sides, that these deliberations were placed in a highly partisan cockpit. That was the decision of the government. It was a stacked deck. The package was imposed unilaterally in early October on the Canadian people and was not a consequence of 53 years of discussion and deliberation.

It behooves members of the Liberal government who claim that this is something we have been discussing for 53 years to go through the record and see how much has been discussed for 53 years. They will find very little. It is true there have been discussions about an amending formula but until recently we never heard about a referendum, a charter of rights and other things being discussed. The elimination of the power of the Senate as the last defender of the provinces was never discussed. The shibboleth that this has been going on for 53 years and has to be settled by July 1 is just that, a shibboleth. I would ask all fairminded members on the government side, and there are many, to keep that in mind. I would ask them to pay attention to the fact that although it is true there were meetings, the public was not involved in those meetings until this party, with the help of some members of the New Democratic Party, opened up the proceedings to television and radio.

Most of the discussions that have taken place between the federal government and the provinces were held in secret, as were the documents. It is a mistake to say that we have been debating this publicly for all these years.

Mr. LeBlanc: A point of order, Mr. Speaker. I happened to be the press secretary who opened federal-provincial conferences to television with Mr. Pearson in 1968. Since that time most federal-provincial conferences have been held in front of the television cameras.

Mr. Fraser: Mr. Speaker, may I answer the minister by saying that some parts of them have been public.

Mr. LeBlanc: Most of them.

Mr. Fraser: Some of the key parts were not, however. Why are all the arguments taking place about what was agreed upon and what was not? Most of it, or a significant part of it, was not done publicly. Until a few months ago, most people would not have known what the Victoria formula was all about so let us not pretend the Canadian public has had a long period of involvement.

Let us look at the atmosphere which existed when discussion on the resolution began. As I said, it was placed in a highly partisan cockpit. The wonder is that hon. members rose to their duty and the occasion, and that it was as civilized as it turned out. Remember, and I say this to the public which is watching, this was a highly partisan operation.

In the first place, it was created by closure in the House of Commons. That is not a very good way to start a debate about the way we ought to improve the basic laws under which we live. At first, radio and television coverage was not allowed. It was only allowed after tremendous opposition on the part of the Conservative Party and some members of the New Democratic Party. The committee was not allowed to travel. If some members from central Canada wanted to know how people in the west really feel, why did they not travel? I would hate to think it was because someone did not want them to find out. They would have learned a lot. Some of them have not learned yet.

• (1730)

Some hon. Members: Oh, oh!

Mr. Fraser: The members are not travelling now. They are sitting in Ottawa. If anyone thinks people in western Canada believe that Ottawa is listening to them, they are wrong.

Then there was the ridiculous time limit of December 9. After a tremendous battle, that was extended. This must be the strangest committee or joint committee which has ever been established. They voted to limit the number of experts on the subject being discussed who could appear before the committee. This has been a highly partisan debate. If anything, it has been a highly partisan structure.

Let us look at what the other place is doing. The Senate began its debate, because it is controlled by government members, before the House of Commons finished its debate. That is surely a most extraordinary bit of conduct on the part of the Senate.

Mr. Evans: It is not unusual at all.

Mr. Fraser: The hon. member says it is not unusual. I cannot imagine a debate on the fundamental laws of our country taking place here and proceeding at the same time in the Senate. That is incredible. The debate should have taken place here and then the Senate, exercising its prerogative, could have taken a look at what we had done.

Mr. Blais: On a point of order, Mr. Speaker.

Mr. Fraser: You will have your chance to speak later.

Mr. Blais: The hon. member is suggesting that the joint resolution ought to be dealt with first in the House of Commons and then in the Senate, seriatum. Is he implying that in terms of the joint committee, of which he was a member, he wanted the Senators excluded?

The Acting Speaker (Mr. Corbin): That is not a point of order.

Mr. Fraser: It is not even a good question. I will go down the list of the Senators from the province of British Columbia. Senator Bell was asked to vote on whether the senate should proceed while we were still debating. That Senator was not there. Senator Lawson said it was perfectly all right to go ahead with the debate. So did Senator van Roggen, Senator Williams, Senator Perrault and Senator Austin.

Mr. Evans: I rise on a point of order. Unless I am mistaken, I believe it is out of order to refer to proceedings currently going on in the other place.

Mr. Fraser: The hon. member just proved my point. Apparently we in this chamber are not allowed to make reference to what is going on in the other chamber because it is going on at the same time. You want to close us off with closure, close us off with no TV and radio, and time limits and now with a procedural rule, you put us in a Catch 22 position. The hon. member just proved the point I am making.

An hon. Member: We only get 20 minutes.

Mr. Fraser: Somebody on the government side says they only get 20 minutes. That is something worked out by their House leader. If they are complaining about the time they are allotted, they should complain to their own people.

Let me give another classic example of the partisanship which existed. What happened on the question of property rights? The committee was clearly promised by a minister of the Crown that a property rights amendment by the Conservative party would be allowed. That was overruled a few days later. If anyone wants to know how partisan this has been, they can look at the words of the Prime Minister when speaking in Vancouver. Despite all the efforts of the NDP, even though they were misguided, to try to co-operate with the government, the Prime Minister said this:

> "We've managed to split the NDP right down the middle between those who love freedom and justice more and the Liberals less . . . and those who hate Liberals more and love freedom and justice less".

An extraordinary statement in an editorial in the Winnipeg *Free Press* said:

> That statement stinks of everything that is wrong with Mr. Trudeau's approach to the Constitution: its arrogance, its narrow partisanship and its sheer dishonesty.

I think I made the point that the debate on this resolution started off in a partisan manner. It has maintained a considerable degree of partisanship since. If this is going to be done by one party with a majority, rather than go through any kind of forum, it will be partisan. I am sorry if the public is upset about it, but the public ought to know why this is so.

What is the real issue in this debate? The issue is whether what we are doing is being done in the right way another, if so, is it the right answer. Mr. Justice O'Sullivan, one of the dissenting judges in the Manitoba case, said this:

> —the Attorney General of Canada ends up in the proposition that a political party, if it forms the majority of both houses of the Canadian Parliament, has the power to amend the Constitution of our country as it pleases.

That was basically the position of the government lawyers in the court. In addition, it is the position in this, the highest court, with the vast majority of government speakers. Somebody referred to the province of Quebec and the promises made to that province during the referendum. Was that the promise made to the province of Quebec? I ask hon. members on the government side, especially those from the province of Quebec, whether that province was told during the referendum debate in that province that the federal government would come to the House of Commons and ask for the right to unilaterally change the Constitution of Canada? There is not a member in this House from the province of Quebec who can answer yes to that. They know the answer is no. Of course, Quebec was never told that. If that had been the basis of the campaign a few months ago to keep Quebec in confederation, the vote would have gone the other way.

Mr. Baker (Nepean-Carleton): What did Ryan say?

Mr. Fraser: Mr. Ryan did not appear before the constitutional committee. He did speak to the press gallery, pointing out how dissatisfied he was with the process and how wrong it was. He said something else that was interesting, and which cuts through to the problem in this debate. He said that western separatism is more dangerous than Quebec separatism.

When I returned to the constitutional committee a few hours later, I was asked to comment on Mr. Ryan's statement. I said I would. I said we had been here for a half a dozen years telling everyone that, but nobody would listen. The difficulty in terms of understanding between the centre of this country and the west is that until Mr. Ryan said there is a danger with regard to western separatism, nobody asked a western member of Parliament about it. That is the problem.

Some say that other problems in the country should not arise in this constitutional debate. However, when I hear people on a phone-in program in Ottawa advocating that we send troops to Alberta to take the oil, then I say there is trouble in this country.

Mr. Justice O'Sullivan went on to say:

> What is proposed by the resolution which is the subject of this reference is that the majority of both houses of Parliament should invoke this legally unlimited power of the United Kingdom Parliament not only to "patriate" our Constitution but also first to change the Constitution in fundamental respects before patriating it.

● (1740)

Was that ever said to the people of Quebec during the referendum? Of course not, because one could not have held an audience if it had been said and certainly hon. members opposite could not have won the referendum, although I am glad they did. The government did not do it by publishing these things. It talked about change and addressing the needs of the French-speaking people of Canada and the province of Quebec. That was legitimate. But these kinds of statements were never put because any Quebecer worth his or her salt knows that is the very thing which has always concerned the people in the province of Quebec; that a federal government can move unilaterally to change the rules, because that puts Quebec, which is a minority and which has special things to be protected, in a position of very grave difficulty.

Mr. Justice O'Sullivan went on to say:

> —but I find it difficult to understand how the Attorney General of Canada can assert that the Imperial Parliament remains supreme and sovereign over Canada, bound only by a "convention" which has no force of law and which it can legally disregard as it pleases.

Did anybody during the Quebec referendum tell Quebecers that the general principle, enunciated by Prime Minister St. Laurent, that right hon. gentleman, also contained in the government white paper of 1965, that no major amendment which affected the powers and the distribution of powers in this country ought to be made unilaterally by a federal government, was going to be changed? That was never put to anyone in Quebec. If anyone can find a speech where any leading member of any party, and certainly in the government party, went to Quebecers and said that was what they intended doing, then I will apologize publicly. But that was not the thesis upon which Quebec was told to vote "no."

Mr. Justice O'Sullivan continued by saying this:

> To hold that the United Kingdom Parliament has still the legal power to alter the fundamental structure of our confederation without the consent of its constituents would be to decline to give effect to constitutional principles and practices that are by now well settled.

I could go on.

That is what the issue was all about. I happen to believe that Mr. Diefenbaker's Bill of Rights should have been entrenched. I happen to believe that some rights should be entrenched. I also happen to believe that if changes are to be made in the fundamental laws of Canada, we must respect our partners. Respecting our partners is not to ignore them or for the federal government to decide it is right and they are wrong. I ask hon. members to give me an explanation of why the government is in trouble in the west.

Here is an article by Mr. Gordon Gibson. Mr. Gordon Gibson, just so hon. members on the government side will remember, worked in the Prime Minister's office for some years. Three times since then he has run as a Liberal candidate in British Columbia and has been defeated. I have the highest regard for Mr. Gibson. I was one of those who had to run against him. Then he was elected to the British Columbia legislature and became the leader of the B.C. Liberal party. He is also the person who made promises in writing that if the Liberal government was successful in the 1980 campaign there would be no export tax on B.C. gas.

Mr. Baker (Nepean-Carleton): Remember that promise.

Mr. Fraser: He is the one who was betrayed by the minister of energy—

Mr. Baker (Nepean-Carleton): And the whole government.

Mr. Fraser: —only a few weeks later when I raised the matter in the House. This is what Mr. Gibson said only a few weeks ago:

> What sort of mentality could plan to impose a new constitutional system—the very basis of our rules for living together—impose it through a procedure rejected not only by most provincial governments, but by an overwhelming majority of the people as well?

My goodness, why is it that the Liberal government wrings its hands and wonders why it cannot elect anyone in the west? That article is by the former leader of the Liberal party in British Columbia.

Mr. Baker (Nepean-Carleton): The betrayed leader.

Mr. Fraser: There has been a lot of talk about a checkerboard. My party has been accused of offering a process different from that proposed by the government respecting a charter of rights because that process would create a checkerboard. I do not have to tell hon. members why there is a checkerboard. I am not talking about different places where stop signs or speed limit signs are put, I am talking about much of what goes on in this country. I am reminding hon. members that the British North America Act was a checkerboard. Whenever we put up a proposal to get people to agree to the charter of rights which has come from the committee,

and will probably come from these proceedings, hon. members opposite say we should not do this by persuasion, that we should not go to the public and to the legislatures to get agreement. We are criticized because there is a possibility of a checkerboard. In fact, the hon. member for New Westminster-Coquitlam, a very distinguished lady, said she has given up all hope that it will ever come about.

Let me remind hon. members on the government side that they have left the biggest checker on the board, and let me remind them what it is. In order to gain support in central Canada, in the province of Ontario, the Liberal government has left half a million francophones outside the protection of Section 133. There is no use running away from it. If hon. members want to talk about a checkerboard, just look at that. I would suggest that is a black spot. I do not agree with unilateral imposition. But if members opposite are going to criticize our formula because it may take a little longer, and it may not happen all at the same time, then in fairness they better look long and hard at what they are doing themselves.

The question is this: How do members opposite explain to francophones in Ontario that Manitoba, Quebec and now New Brunswick will be protected by Section 133 but the largest single majority of francophones outside of the province of Quebec will not be? If the Liberal Government wants to talk about a checkerboard, let me talk about a checkerboard.

What about immigrants coming to the province of Quebec? They are not going to be treated in the same way respecting the education of their children. I can live with a lot of differences in this country, but I think it is pretty hard to live with what gets to be near hypocrisy when the only criticism hon. members opposite can make about us saying we have a little more faith in our fellow Canadians than they have, and we think we can get it with a little time and persuasion, is that there will be a checkerboard. They have got a checkerboard.

On the question of the checkerboard and the rights, our proposal is that we take a little more time. The argument put forward by the government is that the premiers would never agree to anything. I ask hon. members opposite how they know that? I can see it on their lips already. They will say the premiers have not agreed to anything for 53 years. But that is not true. All kinds of changes have been made, many of them by agreement and consultation.

Mr. Baker (Nepean-Carleton): Eighteen.

Mr. Fraser: We have lived together as a country for 113 years. We have lived together, not as the Dominion of Canada, but we have lived together before that and we have done a lot of things by agreement. To come before the public and say there is no possibility of ever getting agreement again shows an extraordinary lack of faith. The hon. member for New Westminster-Coquitlam said that for two years the New Democratic Party would like to work on something which they could present as an amending formula, and that they would like some amendments with respect to women and the charter of rights. There are a number of things she wishes will come about and she hopes that everyone will agree. Does that not indicate the thought that we will be able to make changes as time goes by? That just contradicts her position completely.

My hon. friends from British Columbia have a dilemma. The hon. member for Burnaby (Mr. Robinson), unfortunately is not in the House right now, but he is a very strong defender of rights—so am I—and I understand how he feels. He said he did not like the amending formula but he would go ahead anyway because he wanted those rights very badly.

• (1750)

Yet that apparently is the position of the hon. member for Skeena (Mr. Fulton), the hon. member for New Westminster-Coquitlam, the hon. member for Kootenay West (Mr. Kristiansen), the hon. member for Cowichan-Malahat-The Islands (Mr. Manly), the hon. member for Vancouver East (Mrs. Mitchell), the hon. member for Kootenay East-Revelstoke (Mr. Parker), the hon. member for Kamloops-Shuswap (Mr. Riis), the hon. member for Mission-Port Moody (Mr. Rose), the hon. member for Comox-Powell River (Mr. Skelly) and the hon. member for Vancouver-Kingsway (Mr. Waddell). That is the New Democratic phalanx. They have ganged up with the senators from British Columbia to defend British Columbia interests by selling them out on the amending formula.

Let us take a look at what that amending formula does. Section 41, which is now section 45, gives eternally and for all time an absolute veto on constitutional change to the province of Ontario and to the province of Quebec.

Before I go any further, let me make something clear. I am prepared to put a veto in the hands of Quebec on some things, but I am not prepared to put a veto in the hands of the province of Ontario, no matter what its population will ever be and enshrine forever first-class and second-class—even third-class—status among provinces. If hon. members think this is not bothering people in western Canada, then they have not been listening. It is, and it is serious. That amending formula is seen by westerners as, first of all, unfair; and second, armed with the referendum, unnecessary.

Hon. members might ask, "Why is it unnecessary?" They want to break a deadlock. Let me tell hon. members why. Let us assume for a moment that the Victoria formula is fair. I do not think it should create first-class and second-class provinces, but let us assume it is fair. Why did the government put it there? The government put it there because it thought that to be a fair way of deciding how to make changes. But then the federal government came along and said, "If we do not get our way by putting it through Section 41 (which is now Section 45) we will have a referendum and go over the heads of the provinces because there is a deadlock". For the life of me I do not understand what my friends on the government side mean by a deadlock.

If we have an amending formula which calls for passage by so many legislatures of different provinces in different regions, and if that is a fair proposal, why not live by the result? Why come along with a further amending formula which says that if the federal government does not get what it wants under

that so-called fair system, then it will go over the heads of the people with a referendum? I just cannot emphasize too much how that particular provision and that approach are offensive to western Canada and, quite possibly, to other places. For the life of me I do not know why they are necessary.

I can argue about the Victoria formula or some other formula. I prefer a formula which does not make first-class and second-class promises. I can live with a veto where there are cultural matters to defend when a minority population is involved, but how can the government and the NDP members from British Columbia ask us to go along with something which makes second-class citizens of British Columbians, changes profoundly the balance of power in this country and puts in the hands of the federal government a referendum which only the federal government can use?

Ten provinces could come to the federal government and say they have decided what is in the interests of this country, but they cannot adopt it because the federal government will not let them. I ask hon. members to think about this. If Section 45, the Victoria formula, is fair—and I do not think it is—and if the government thinks it fair, why does it need a referendum? That referendum proposal is causing an awful lot of trouble out west because it is seen as giving a central government power it never had before and power it does not need unless it is after something.

An hon. Member: Resource control.

Mr. Fraser: I want to point out something else. My hon. friends in the NDP from British Columbia make much of the fact that they do not like the amending formula we have proposed. They say there would be too many formulas and too many things left unanswered. My point is that my friends in the NDP are not voting for our formula, but apparently they are prepared to vote for the government's formula.

Let us take a look at what the federal government formula does. It is not just Section 45 and the referendum; it is more complicated than that. There are too many formulas in the government proposal. Let us take a look at Section 36, which requires unanimity for two years. Let us take a look at Section 45, which is the Victoria formula. There could be a provincial alternative to the Victoria formula and another formula for tabling of that alternative. I refer hon. members to Section 42(1). There could be a federal alternative to the Victoria formula, and we would have no way of knowing what it was. I refer hon. members to Section 42(3)(a). There could be a referendum to decide between the federal proposal and the provincial proposal. Again I refer hon. members back to Section 41. There could be a permanent alternative formula and amendment by referendum. In that respect I refer to Section 46. If we look at the sections carefully we see there are six amending formulas contained in the government proposal.

Some of my friends on the government side look at me incredulously. I ask them to get themselves a lawyer or, if they are lawyers, put on their glasses and read the sections because that is what they show.

My hon. friends, especially my friends in the New Democratic Party, say they cannot go along with the Conservative amending formula because it might take too long. Just look at the delays involved in the government proposal. Unanimity would prevail for two years. Again I refer to Section 36. At the end of that two-year period failure to agree on an amending formula would result in recourse to a referendum. Just so that it will be on the record, I refer hon. members to Section 42(3); that referendum would be held within another two years during which time unanimity would still prevail. After the referendum had determined which formula would apply, the federal option or the provincial option, then six months would pass before the successful option would be proclaimed and put into place. That opens up the potential of four and a half to nearly five years of delay. How can NDP members from the province of British Columbia vote for that proposal and say they will not vote for ours?

Their argument was ably made by the hon. member for Burnaby, and this afternoon by the hon. member for New Westminster-Coquitlam. They do not care whether this leaves British Columbia in a second-class position. They do not care whether that provision of a referendum is driving the west away from the centre—and Quebec too, if we listen to what Mr. Ryan and Mr. Levesque say. The hon. members to whom I have referred do not care about that kind of division. They have so little faith that we could ever come to some agreement on a charter of rights they are prepared to go along with a formula which sells their province out. They will pay the price. Mr. Nystrom makes no mistake, not by a long shot. Mr. Nystrom and three others understand the west.

Mr. Knowles: Order.

Mr. Fraser: I am sorry. I mean the hon. member for Yorkton-Melville (Mr. Nystrom). I apologize to the hon. member and to other hon. members. The hon. member for Yorkton-Melville saw what this is. He pointed this out in the first speech he made in the House weeks and weeks ago. I ask that people listen to some of these members.

I would like to read some comments into the record. This is directed not only to government members but also to members of the New Democratic Party. Let me read what Stephen Lewis said. Mr. Lewis is the very respected former leader of the New Democratic Party in the province of Ontario. He said:

> But at the final level there are those who argue, from Joe Clark to Allan Blakeney, from René Lévesque to Lorne Nystrom that Pierre Trudeau's dogmatic unilateral insistence is doing such terrible damage to the country that the constitutional package just isn't worth it, not even with the charter.

He went on:

> In personal terms, that is the roughest argument for me to cope with. I detest the petty provincialism of a number of the premiers.

He is tough on them.

> I see nothing particularly noble in the ruckusness of the federal Tories.

He does not pat us on the back.

> I am even disappointed in . . . Premier Blakeney. But as bad as all of that is I do believe that the federal Liberal behaviour is even worse, that we are doing

irreparable harm to our country. I have been told by those whose opinions I revere that one year after the new Constitution is proclaimed the scars will have healed and pride will take their place. With all my heart I want to believe that—but I don't, I just don't. The wounds have run too deep.

I am a westerner, but not one who just wants to be an alarmist. I am asking my friends to listen. I am asking them to make the changes which can make this package a Canadian package made in Canada, and which will unite our country and not divide it.

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Corbin): It being six o'clock, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 2(1).

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Thursday, March 5, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

HOUSING

SUGGESTED EMERGENCY DEBATE—MOTION UNDER S.O 43

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. This one really is urgent and pressing. There is a major crisis on the west coast.

The cost of the ordinary home in Vancouver has practically doubled in the past 12 months. Interest rates on mortgages—first and second—make it impossible for the average citizen to afford monthly payments, much less accumulate a down payment. As a result of the government's failure to respond to the massive move of people from east to west, Vancouver is now in a crisis situation. Particularly since a national housing conference is taking place today in Ottawa I move, seconded by the hon. member for Fraser Valley East (Mr. Patterson):

That this House immediately have an emergency debate on the housing crisis facing not only Vancouver but also the country as a result of lack of action by this government.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

POST OFFICE

LACK OF SERVICE IN CALGARY—MOTION UNDER S.O. 43

Mr. John Kushner (Calgary East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The residents of Whitehorn, Temple, Falconridge and Castle Ridge are being shortchanged and treated as second-class citizens by not being provided with mail delivery of any kind. A year ago studies were promised to resolve this pressing problem. The minister has shown no concern or interest in doing his job, is not doing his job, and has not been to this date. Now he is shunting the problem off to a Crown corporation; effectively, it will be buried for another year or so.

I therefore move, seconded by the hon. member for Vancouver South (Mr. Fraser):

That this House condemns the Postmaster General for failing to ensure that the residents of Calgary are provided with letter carrier service and requests the minister to take immediate action to provide these residents in Calgary with the same level of service provided to those living in other parts of the city.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

COMBINES INVESTIGATION ACT

CALL FOR INTRODUCTION OF AMENDMENTS—MOTION UNDER S.O. 43

Hon. Warren Allmand (Notre-Dame-de-Grâce-Lachine East): Madam Speaker, I want to move a motion under Standing Order 43 on a matter of urgent and pressing necessity. Considering the report released yesterday by the Director of Investigation and Research that the major oil companies have combined to fix prices and engage in monopolistic practices, considering that the present combines laws requiring a criminal burden of proof are so inadequate that few convictions have been rendered in the area of monopolistic practices, considering that during the past ten years the government has tabled three bills to strengthen the Combines Investigation Act but none have been passed in this House, and considering that yesterday great interest was shown by all parties in amendments to strengthen the Combines Investigation Act, I move, seconded by the hon. member for Davenport (Mr. Caccia):

That this House endorses the government's intention to bring forward as soon as possible amendments to the Combines Investigation Act to deal effectively with monopolies, mergers and price-fixing.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

An hon. Member: Who said no?

Madam Speaker: Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

S.O. 43

STATUS OF WOMEN

SUGGESTED REMOVAL OF MINISTERIAL DUTIES—MOTION UNDER S.O. 43

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion of urgent and pressing necessity. Whereas over 1,000 women recently met in Ottawa to discuss issues pertaining to them with special emphasis on constitutional matters, and relayed those concerns to the government, and whereas the minister responsible for the status of women has now exposed his real feelings toward women by calling them "tiresome", by saying he "couldn't care less" and by branding women's legitimate representations to him as "a form of mischief and should be treated as such", I move, seconded by the hon. member for Peace River (Mr. Cooper)—and I am glad the Prime Minister (Mr. Trudeau) is here to hear this:

That the Prime Minister relieve the Minister of Employment and Immigration from his cabinet duties pertaining to the status of women immediately and apologize to the women of Canada on behalf of the government for his minister's chauvinistic behaviour and attitude toward a group he supposedly represents but obviously despises.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

SUGGESTION MINISTER BE STRIPPED OF DUTIES—MOTION UNDER S.O. 43

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, in a similar vein I hope to get unanimous consent this time for my motion under Standing Order 43. In view of the fact that repeated calls for the resignation of the minister responsible for the status of women are becoming "pretty tiresome" and that, frankly, the women of Canada "couldn't care less" about the fate of the minister responsible for them, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That the Prime Minister immediately, and in recognition of International Women's Day this Sunday, strip the hon. member for Winnipeg-Fort Garry—

Some hon. Members: Oh, oh!

Miss Jewett:

—of all his responsibilities relating to women.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

THE CONSTITUTION

LOBBYING OF BRITISH MEMBERS OF PARLIAMENT—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, Robin Sears, the national director and federal secretary of the New Democratic Party, has been appointed "ambassador" and/or lobbyist to the British Labour party by this government in its co-ordinated efforts with the NDP. I therefore move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

● (1410)

That the Secretary of State for External Affairs, on motions, report to this House as to, first, the arrangements whereby Robin Sears is making representations to British Members of Parliament with the assistance of our High Commissioner, second, what salary, benefits or other arrangements is Robin Sears or the NDP receiving from the government for Mr. Sears' activities for and on behalf of the government, and, third, whether Mr. Sears is making representations for both viewpoints held by the NDP to British members or are his representations only on behalf of the Liberal party wing of the NDP.

Madam Speaker: Is there unanimous consent to this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Whereas the Quebec wing of the New Democratic Party, the Saskatchewan NDP, and the Alberta NDP have each adopted a resolution opposing any form of unilateral patriation, †therefore, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That this House urges the Leader of the New Democratic Party to get out of Trudeau's bed—

Some hon. Members: Order.

Mr. Taylor:

—and start reflecting the thinking of the rank and file of his own party.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENVIRONMENTAL AFFAIRS

GARRISON DIVERSION PROJECT—EXPRESSION OF CANADIAN CONCERN—MOTION UNDER S.O. 43

Mr. Jack Murta (Lisgar): Madam Speaker, I rise under the provisions of Standing Order 43, to move a motion respecting a matter of urgent and pressing necessity that directly affects

next week's discussions between the Prime Minister (Mr. Trudeau) and the President of the United States, a motion for which, I understand, I have unanimous agreement. One of the high priority matters on the agenda of those discussions is the Garrison diversion. It is reported that Garrison has just received approval from the administration in Washington for new funding of some $4 million. Therefore, I move, seconded by the hon. member for St. Boniface (Mr. Bockstael), and the hon. member for Winnipeg-Birds Hill (Mr. Blaikie):

That this House express to the government of the United States, through the Secretary of State for External Affairs, its strong concern that important funding decisions on Garrison are being made in Washington before the start of discussions between the Prime Minister and the President that are to deal with this fundamental and serious issue.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Madam Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

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CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—MEASURES TO COMPENSATE CONSUMERS—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I too rise under the provisions of Standing Order 43. In view of the fact that each man, woman and child in Canada over the last 15 years, while successive Liberal and Conservative consumer and energy ministers stood by, has been bilked out of $2,500, and in view of the fact that these practices have escalated since 1973, and indeed continued last weekend when the oil companies piggybacked increased costs when oil prices went up, and in view of the fact that the people of Canada are demanding their money back, I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That this House direct the Government of Canada to present immediate measures to Parliament to ensure that the people of Canada will get their money back.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

THE CONSTITUTION

CONDEMNATION OF ADVERTISEMENT ATTACKING BILINGUALISM—MOTION UNDER S.O. 43

Mr. Chas. L. Caccia (Davenport): Madam Speaker, I rise under Standing Order 43 on a matter to which there may be favourable disposition on all sides of the House. In view of the fact that today an advertisement has appeared in the *Globe and Mail* which equates unity with a unilingual speaking Canada, and in view of the fact that the same ad says that official bilingualism as proposed in the constitutional package will become the central cause of permanent division, and in view of the fact that federal bilingualism is a policy endorsed and practised by the leaders and members of all three parties in this House, I move, seconded by the hon. member for Vancouver Quadra (Mr. Clarke):

That this House unanimously condemn the spirit and the letter of this backward advertisement which ignores the rights of millions of Canadians.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Some hon. Members: Who said no?

• (1415)

ORAL QUESTION PERIOD

[*English*]

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—GOVERNMENT'S POSITION RESPECTING COURT PROSECUTIONS

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I should like to direct a question to the Minister of Consumer and Corporate Affairs and Postmaster General arising out of those matters under combines investigations, the restrictive trade practices of the oil companies.

Yesterday the minister made it pretty clear to the House that he had no intention at all of taking any action arising out of the report of the director, save and except to move on toward another inquiry about an inquiry which has already taken place. He indicated in the House of Commons that he had no intention of taking the advice of the Attorney General of Canada with respect to the prosecution of offenders as had been found in a report, which was about the most strongly worded report I have seen since coming here.

As the minister has had overnight to reconsider his position, is it still his position, notwithstanding the strong evidence and strong wording of the report presented yesterday, that the

government will not move quickly and expeditiously to the courts to bring these alleged offenders to justice?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I want to correct the impression the hon. member has given. I never said yesterday that we were not going to do anything but refer the report to the commission. In fact I indicated in answering a question that it was still possible a charge would be laid. That option was possible. If he looks at *Hansard,* he will find in my remarks yesterday that I indicated it was an open avenue which could be explored and that a decision could be made in that regard at a later date.

Mr. Baker (Nepean-Carleton): Madam Speaker, I suppose the proof of the pudding is in the eating. I assume the minister is conferring with the Minister of Justice. Has he officially conferred with or officially apprised the Minister of Justice of the contents of the report and asked for the inquiry by the Minister of Justice to which he is entitled, to see whether or not there ought to be prosecutions? Has this been done by the Minister of Consumer and Corporate Affairs?

Mr. Ouellet: Madam Speaker, I repeat what I said yesterday. The Director of Investigation and Research has the responsibility for an inquiry. He is the sole person who decides what course of action should be taken. If, on the merit of the evidence he gathered, he decides to go to the Attorney General of Canada and to ask for a prosecution, this is an avenue he could follow. If he prefers—and this is according to the law—to go to the Restrictive Trade Practices Commission, he can. It is entirely his own decision. Now that we know the contents of the report, now that the report of the director is public and has been referred to the Restrictive Trade Practices Commission, the hon. member is asking whether as a minister I will consult the Minister of Justice to find out, independent of the matter being referred to the Restrictive Trade Practice Commission, if some charge could be laid arising out of specific aspects of the report. My answer is yes, this is a possibility.

● (1420)

There is nothing that prevents the government from looking at the evidence gathered, assessing it and deciding, after due consultation, whether or not a charge could be laid. But that is not the prerogative of the Minister of Consumer and Corporate Affairs. The entire inquiry was in the hands of the Director of Investigation and Research. He did his job and he made a reference to the Restrictive Trade Practices Commission, in accordance with the law.

Mr. Baker (Nepean-Carleton): Surely the minister is not saying to the House that the director, having chosen the course of action he did, is beyond at least having a discussion with the minister, to be initiated by the minister, with respect to the advisability of the director making the referral under Section 15 of the Combines Investigation Act? Surely that is not beyond the right and power of a minister of the Crown responsible for an agency, and for which he reports to Parliament? Will the minister do that? That is question No. 1.

Second, will he in fact not say that he may discuss matters with the Minister of Justice, but that he will discuss matters with the minister with a view to seeing whether there is any substance to very strong allegations with respect to those companies? If there are, will the minister then lay the appropriate charges? Surely that is the responsibility of the Minister of Consumer and Corporate Affairs, if he is to do anything at all with respect to this matter besides sit in his seat.

Mr. Ouellet: Madam Speaker, if you will permit me, as I undertook yesterday, when answering questions by the Leader of the Opposition, I checked with the Director of Combines and Investigation and Research and asked him precisely why he did not ask the Attorney General of Canada to lay charges. His answer was that he believed there are several solid reasons to follow the course which he has decided to follow. The fact that the focus of a criminal trial will be on several narrowly defined legal issues and would largely overlook, if not entirely ignore, the major structural problems which the director's findings have revealed, is the basic reason why he did not go to the courts.

The second reason is the fact that the type of remedial measures available to a court of criminal jurisdiction would be very limited, that is, imprisonment or a fine.

Mr. Baker (Nepean-Carleton): Or deterrence.

Mr. Ouellet: The third reason, which is very important, is the fact that even the limited relief available from successful criminal prosecution will be withheld for years pending the final resolution of the judicial process. This was another reason why the director preferred to go to the Restrictive Trade Practices Commission rather than to the courts.

Finally, the director told me that the reference to the Restrictive Trade Practices Commission is his preferred choice but that it does not preclude the laying of criminal charges at another time.

These are the four reasons for the director going to the Restrictive Trade Practices Commission. I hope the hon. member and the members of his party will not wish to deny the public of knowledge, at this time, of the findings of the director.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): We know the findings. We have had the findings.

QUERY RESPECTING REFERRAL OF REPORT TO RESTRICTIVE TRADE PRACTICES COMMISSION

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, of course the minister omits to mention the fact that we have the findings of the director. Everyone in Canada knows exactly what the allegations are. So the minister, in effect, unintentionally I am sure, misleads the House.

The director's report, released yesterday, states that in Section 47 the inquiry will have a significant role in placing the

importance of competition in the petroleum industry in the forefront of public debate. The minister apparently agrees with the director's assessment. The minister has said that public awareness will have a very strong deterrent effect in the future, and that during the inquiry the activities of those oil companies will be up front. That is the reason why the minister agrees when the director says it must go to the Restrictive Trade Practices Commission.

● (1425)

Will the minister stand in his place and say that is the sole purpose for referring the report to the Restrictive Trade Practices Commission?

An hon. Member: He just gave four reasons.

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, my answer is absolutely no. I have just given the House the answer that has been supplied to me by the director. Yesterday, in answering the Leader of the Opposition, I undertook to talk to the director and ask him the reason why he preferred the option of going to the Restrictive Trade Practices Commission.

My position as Minister of Consumer and Corporate Affairs is not to agree or disagree with the finding of the director's inquiry, but to concur with the course of action taken by the director. I agree with the director that at this time it is good that he has decided to go before the Restrictive Trade Practices Commission.

Mr. Hnatyshyn: The minister has avoided answering the question. He has not told us why he thinks it is a good reason to go to the Restrictive Trade Practices Commission. He answered why the director did not want to proceed with prosecution. I have quoted the director as to why he wanted to go, and it is highly unlikely. The fact is that this whole access is going to delay relief and changes in the law—because that is all the commission will do—Mr. Stoner said all they can suggest is changes to the legislation. That was the purpose of his hearings.

A Section 47 investigation is currently being conducted into the relationship between Bell Canada and Northern Telecom. The RTPC had four years of hearings, sat for 224 days, travelled the entire breadth of the country—

Madam Speaker: Order. Will the hon. member please proceed with his question?

Mr. Hnatyshyn: I will simply ask him the question. What concerns me is that nothing will happen if Northern Telecom and the Bell Telephone matters are any indication, for an immense period of time. Why and how can the minister have this unconscionable delay before taking any action, if he is waiting for the recommendation of that commission?

Mr. Ouellet: I think that the answer is very simple. This director referred one matter to the Restrictive Trade Practices Commission, that is, the Bell Northern inquiry. Previously, two other large inquiries were referred to the Restrictive Trade Practices Commission—

An hon. Member: Who has ever heard of them?

Mr. Ouellet: —the bid depositories and also the ophthalmic goods. The time that the commission took to deal with these questions was two years for the bid depository and three years for the ophthalmic goods, and it is expected that within the three and a half years the Bell Northern inquiry will be completed.

In comparison, when the director dealt with the sugar cases, he went to court and it took 11 years to go through the process.

Mr. Hnatyshyn: It took you one minute to get in trouble.

Mr. Ouellet: In assessing the various routes he could follow, the director made his decision, and preferred to go to the Restrictive Trade Practices Commission rather than go to court at this time.

Some hon. Members: Hear, hear!

AMOUNT GARNERED BY COMPANIES SINCE 1973

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Minister of Consumer and Corporate Affairs as well. The minister knows that the report documents the greatest rip-off in Canadian history, for the period from 1958 to 1973 which cost every man, woman and child $2,500. It says that the monopolistic practices of these companies have continued since 1973. Considering that there have been additional price increases in excess of $30 billion, will the minister confirm that in addition to the $2,500 from every citizen in Canada, there have been other rip-offs of billions of dollars, and could he give us a precise amount since 1973?

● (1430)

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, it is very difficult for me to start to speculate on figures. What we have in front of us is a report of an inquiry that went pretty deeply into analysing the operation of the companies. It has come forward with a set of recommendations. It has come forward with findings that will be assessed by the Restrictive Trade Practices Commission and that will allow the companies to respond. I think in all fairness, for justice to be done, it is natural that we allow the accused a chance to present their own defence. At this time I would not want to speculate on things that have not yet been investigated by the director during his inquiry. I think we have sufficient evidence in front of us to allow the Restrictive Trade Practices Commission to hold hearings and report to us in the near future.

Oral Questions

ACTION TO HALT PRESENT PRACTICES

Mr. Edward Broadbent (Oshawa): Madam Speaker, the report makes two points that have absolute and clear relevance to the present. The first is that the practices are continuing, and the second is that the report says that not only are the practices continuing but the dominance of the majors is even greater today then in 1973. Considering that there were massive rip-offs up to 1973, and they are continuing—there is no reasonable ground for supposing anything other than that—why is the minister not taking some action now to stop the continuation of these rip-offs?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I want to remind the hon. member that the government took its responsibility in initiating an energy policy for Canada. The very reason that this party was so much in favour of Petro-Canada and that we so vigorously opposed the Conservatives when they wanted to dismantle Petro-Canada, was that this government and this party knew it was important to have a player there, to have a window on this industry, an honest broker in the field, to make sure that the consumer would be protected. In this way we will at last know what is going on in the industry. I think the government has already started taking its responsibility in this regard, not only to protect the consumer but to make sure that this industry is Canadianized.

Mr. Broadbent: Madam Speaker, the minister took a long time to give a completely irrelevant answer, and he knows that. It is totally irrelevant. The Canadian consumers who are being gouged right now want to know not what effect Petro-Canada will have in the future, we know all about that, but what benefit they are going to get now from this government that is just setting up the oil industry to take whacks at, and is getting political gain, but not doing anything about the price gouging.

Just 48 hours ago the oil companies raised their prices between two and three cents per gallon more than they needed, piggy-backing increases, thus adding millions of dollars of windfall profits to their already excessive profits. Will the minister do two things now? Instead of just talking about what would happen in the future, will he call in the heads of the oil companies responsible, the big four in question, and say to them, "We, the Government of Canada, want you to roll back that two or three cents increase and, in addition, roll back a few more cents to make up for the 25 years of gouging"?

Mr. Ouellet: Madam Speaker, in answering a question yesterday I indicated to another member of the New Democratic Party that this question has been brought to my attention by my colleague, the Minister of Energy, Mines and Resources, and that my department was looking at these recent increases by two oil companies. I want to assure the hon. member that we will indeed be looking at this question and will take any remedial action that can be taken under the circumstances.

COMBINES ACT

QUERY RESPECTING INTRODUCTION OF AMENDING LEGISLATION

Hon. Warren Allmand (Notre-Dame-de-Grâce-Lachine East): Madam Speaker, I have a supplementary question for the Minister of Consumer and Corporate Affairs. Considering the criminal burden of proof which is provided under the Combines Investigation Act for predatory pricing and monopolistic practices, is it not a fact that there have been very few convictions for charges under the present law? Also, is it not correct that under the present law there are not adequate remedies for what has been pointed out in the report of the director? In view of this, when will the minister bring in amendments to the present legislation? Will he do it in this session?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I fully agree with the hon. member that it is urgent to amend the competition legislation. I have already told the House that I want to introduce those amendments at the earliest opportunity. Yesterday I suggested that the parliamentary leaders meet to discuss this topic and, should both sides of the House be prepared to proceed rapidly, I would be the first one to hail such an agreement.

* * *

[*English*]

THE ENVIRONMENT

GARRISON DIVERSION PROJECT—SUGGESTED TOPIC FOR DISCUSSION BETWEEN PRIME MINISTER AND U.S. PRESIDENT REAGAN

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, I have a question for the Prime Minister about the recently announced additional funding for the Garrison project in North Dakota. I was glad to see that the motion presented under Standing Order 43 which was moved by my colleague, the hon. member for Lisgar, was adopted. In addition to the $4 million, another $3 million has been left over from the previous year, so that means there is an additional $7 million to be spent on the Garrison project. We are concerned that each dollar spent adds impetus to the completion of that project. Would the Prime Minister not only raise this issue with President Reagan when he is here next week, but raise it as a priority item when we get to that part of the agenda which deals with things that are of mutual concern to our two countries?

Right Hon. P. E. Trudeau (Prime Minister): Yes, Madam Speaker, I have indicated before that this will be very high on the agenda but I am happy to have the unanimous support of this House to a motion moved by the Conservative Party and supported by the Liberals—

An hon. Member: And the NDP.

Mr. Trudeau: —and presumably the NDP. We are all concerned about this.

Mr. Hnatyshyn: They never say no.

Mr. Trudeau: Madam Speaker, I am sure that this position of the entire Parliament of Canada will be very important in my representations to President Reagan.

Mr. Mayer: Madam Speaker, my supplementary question is to the Prime Minister. Many from both parties in opposition have made suggestions about some things we should be doing to represent our concerns about Garrison to the Americans. We know now that the new Secretary of the Interior, James Watt, apparently will be more favourably disposed toward the completion of the project than was the Carter administration. I wonder if the Prime Minister and the government will accept some of the suggestions we have made, for instance, with regard to sending an all-party delegation of our legislators to the U.S. capital to persuade them on our behalf, or if he has any other new initiatives that he could announce. This is clearly a federal responsibility but I think a lot of us would like to see the federal government assume some of its responsibilities in this regard.

Mr. Trudeau: Madam Speaker, the federal minister of the environment intends to meet with the Secretary of the Interior of the United States in the near future. If, as a result of my discussions with President Reagan and the meeting I have just indicated, it appears to be useful to exercise further representations with the United States Congress and administration, I will gladly consider the recommendation of the hon. member.

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HOUSING

COMMITMENT TO NON-PROFIT SOCIAL HOUSING

Mr. Doug Lewis (Simcoe North): Madam Speaker, my question is for the Minister of Public Works who is responsible for housing. On February 18, 1981, I asked the minister what action the government was taking on high interest rates. The minister pointed out that the government had increased the annual commitment for non-profit social housing from 25,000 starts to 30,000 starts per year. One week later CMHC announced that the commitment for social housing had been cut back by cabinet. I would ask the minister if it is not true that at the same time he was bragging about increasing social housing starts he already knew they had been cut back by cabinet?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, the allocation of 5,000 additional social housing starts last year is just that, an allocation for starts. Those projects will come on stream this year and it is expected that with those starts coming into the marketplace this year, where it is anticipated that the market is in a rebound position, the general effect in the market, the impact of those additional starts from last year, means it is possible for the corporation to stand back and observe the market for a little while further.

Mr. Lewis: I am interested in the rebound because CMHC recently revised its 1981 estimated housing starts downward by 9,300 units. That reduction is entirely for multiple unit dwellings. An official of CMHC has attributed the lowering of the forecast to continuing concern about mortgage rates. How can we rebound up when CMHC says we are rebounding down? What action does the minister plan to take to stimulate this market?

• (1440)

Mr. Cosgrove: Madam Speaker, when I was referring to rebounds, I was comparing the projections for starts in 1981 to those of 1980, and to the two previous years before that. I think the hon. member will agree that by all standards, all projections show starts in 1981 will be ahead of those in 1980. That is what I meant by a rebound.

In terms of multiple starts, the province of Ontario, for example, has built upon the MURB provision, which was introduced in last fall's budget. By a subsidy of $4,200 per unit in the multiple area the province of Ontario has indicated and identified a responsibility in the market which we perceive will be another increase in the multiple market. I wish that some of the other provinces, where there has been difficulty—for example, the difficulty in British Columbia which was identified today in a motion under the provisions of Standing Order 43—would also follow that lead and attempt to build on the work and the leadership which this government has shown.

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CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—RELATIONSHIP OF IMPERIAL OIL COMPANY WITH GOVERNMENT

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, my question today is for the Minister of Consumer and Corporate Affairs. The report clearly identifies that the problem we face today in large part is the responsibility of Imperial Oil. Imperial Oil is a ringleader in the unconscionable sting that has been placed on Canadian people for about $89 million. Every minister of consumer and corporate affairs since 1973 has known about this. Could the minister explain to this House, with the knowledge those ministers have, why Imperial Oil was allowed to have a special relationship with the government in advising the government on confidential energy policy? In addition, why did the Minister of Consumer and Corporate Affairs approve the appointment of the president of Imperial Oil to a special committee which gave advice on competition legislation in Canada?

Some hon. Members: Oh, oh!

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I cannot speak for my Progressive Conservative predecessor. I have no idea what happened when the Tory government was in office, but I can assure the hon. member that, as Minister of Consumer and Corporate Affairs, I did not receive or ask for the advice or guidance of Imperial Oil.

[*English*]

SUGGESTED TRUSTEESHIP FOR IMPERIAL OIL COMPANY

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, the old response clearly is "I do not know what is going on," and it is absolutely true.

I have one other key point to address to the minister. I think the Liberal Party is setting up a travelling road show to bash the Tories in the province of Alberta. We feel that the minister has a responsibility to consumers in Canada. Therefore, I ask him this: in addition would he fulfil that responsibility by placing Imperial Oil under trusteeship and imposing a condition that the legislation will be in this House immediately? Also, will the government, either through negotiation or legislation, set up a procedure for restitution for the Canadian people?

An hon. Member: What do you think, Marc?

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Lawrence: Exxon-can.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I wish to reassure the hon. member that no one at Imperial Oil was consulted or invited to give advice in the development of the energy policy. That energy policy was developed by the Government of Canada for the benefit of all Canadians, and it appears to have been vindicated by some of the allegations which are in that report. I hope in the future we will get the support of opposition parties in the implementation of that policy as soon as possible.

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[*Translation*]

THE ECONOMY

NON-PARTICIPATION OF GOVERNMENT IN MONTREAL ECONOMIC SUMMIT

Mrs. Thérèse Killens (Saint-Michel): Madam Speaker, my question is for the Prime Minister and has to do with the Montreal economic summit. Can the Prime Minister explain to the House the total absence, the non-participation of the Canadian government in the current economic summit in Montreal, knowing as we all do that most of the economic serum injected in the bloodline of the city of Montreal comes from the federal government?

Right Hon. P. E. Trudeau (Prime Minister): No, Madam Speaker. I am sorry I am unable to offer reasonable explanations for the absence of the federal government. Given the harbour facilities and the various accommodations of the federal government in and around the city of Montreal, including Mirabel, it is obvious that the participation of the federal government was important and should have been taken into account, considering our efforts to promote the city of Montreal. I can only think, as does the Minister of Energy, Mines and Resources, that it amounts to electoral posturing rather than an endeavour to boost the interests of the residents of Montreal.

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[*English*]

HOUSING

SHORTAGE OF DWELLING UNITS IN VANCOUVER—GOVERNMENT ACTION

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, my question is for the Minister of Public Works, the minister responsible for Canada Mortgage and Housing Corporation and responsible for the housing crisis in Vancouver.

Some hon. Members: Oh, oh!

Mr. Cook: An average of 2,500 people have been and are arriving in British Columbia each month. That means 2,500 people arrived last month and 2,500 will arrive this month. The vacancy rate is four tenths of 1 per cent. Actually it is a minus figure as many people have been forced to double up, move into substandard, unsanitary or illegal basement rooms. It is no longer a news story in Vancouver to find people living in automobiles or tents. I repeat, 2,500 people arrived in British Columbia last month, 2,500 will arrive this month, and 2,500 people will arrive next month. What is the minister doing to help alleviate this shortage of housing? What does he plan to do on an emergency basis, either in the short term or the long term, to lessen this severe situation which is the most severe in Canada? What will he do now?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, in response to the very real concerns expressed by the hon. member opposite, I visited Vancouver on Monday, Tuesday, and Wednesday of this week. I met with the mayor and with provincial officials to ensure that a number of the federal government's and CMHC's initiatives were taking place. For example, I had the opportunity, along with the mayor, of looking at some of the site locations for the new projects which were recently authorized under the increased social housing starts for the city of Vancouver.

In addition to that I had a meeting with the mayor to review the site location for B.C. Place. In co-operation with the developers of B.C. Place, the provincial minister of housing

and officials of CMHC, we have identified a need and an opportunity for introducing what we hope will be lower than market housing in that project. I can assure the hon. member that we are concerned. We have been able to respond in reallocations of budget. With the co-operation of local officials, and of the provincial minister, I am hopeful, as I said, that with possible provincial add-ons to our MURB program that we can address that problem.

Mr. Cook: Madam Speaker, I thank the minister for a fairly detailed answer but it does not deal with the present crisis. When he talks about MURBs, that is long-term planning. I am talking about short-term planning. In terms of anything firm, all I have got from this minister is 800 social housing units this year. Out of that 800, does the minister really feel that is sufficient for a population which is moving into the province at the rate of 30,000 people a year?

Mr. Siddon: Answer that one.

Mr. Cosgrove: Madam Speaker, the hon. member is either not aware of the response of CMHC in terms of social housing, or his figures must be confused. On Monday and Tuesday of this week I had an opportunity to walk through sites which have a total of 3,000 social housing units which were designated last year and are presently being constructed.

Mr. Baker (Nepean-Carleton): That is ten to a room.

Mr. Cosgrove: I ask the hon. member to check his facts before he wishes a reaction to occur upon us, although it is a very serious situation.

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CANADA MORTGAGE AND HOUSING CORPORATION

PROCEDURES GOVERNING SALE OF REPOSSESSED DWELLINGS

Mr. Don Blenkarn (Mississauga South): Madam Speaker, my questions are for the minister responsible for Canada Mortgage and Housing Corporation. The minister will know that in Mississauga his department has control over 900 repossessed townhouses and condominiums.

Mr. Kempling: Send them out to B.C.

Mr. Blenkarn: The minister knows that these units are selling, that the market is improving, but they are being sold for $10,000 to $20,000 below their cost. One of the problems is that they are being sold for cash. The purchasers have to arrange their own financing. Will the minister undertake to the House that these houses will not be sold wholesale to speculators and investors but will be sold directly to owners and occupants so that the speculators will not again rip off Canada?

● (1450)

Hon. Paul J. Cosgrove (Minister of Public Works): I am very pleased to respond to the hon. member. The first objective of sales by the corporation is to ensure that the sales are to home owners, people who will occupy and use the property for home owner purposes. The hon. member will recognize that when the market was difficult some two years ago, and his government authorized an additional $200 million to Canada Mortgage and Housing Corporation to address the problem of the mortgage insurance fund, that market was different and the procedures were different. I would like to assure him that we are addressing the home ownership question.

Mr. Blenkarn: With the high interest rate policy of the government, interest rates up again today, and at 17 per cent or more for 11 weeks, the minister's policy is to sell these houses for all cash, with purchasers having to arrange their own financing. It is exceptionally difficult to get realistic interest rate financing on the market. That is the reason the minister is taking low ball prices for these properties. Will the minister rearrange the sales program so that CMHC will take back vendor mortgages at realistic interest rates for people who intend to occupy these homes?

Mr. Cosgrove: As I already indicated to the hon. member, Madam Speaker, in view of the tightening and improved market, the corporation is looking to achieve the best prices it can to replenish the mortgage insurance fund. I cannot respond favourably to the hon. member's question or his request that we possibly take a lower interest rate than would normally be possible or, indeed, that we take vendor mortgages. Our objective in this exercise, as I indicated, is to replenish the mortgage insurance fund which had a $200 million advance by the hon. member's government in 1979.

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INDIAN AFFAIRS

QUERY RESPECTING LEGISLATION COVERING STATUS OF WOMEN

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is to the Minister of Indian Affairs and Northern Development. In November, 1980, the Canadian government replied to questions of the United Nations Human Rights Committee regarding discrimination against Indian women with specific reference to the case of Sandra Lovelace. The government indicated that it was preparing legislation to end such discrimination and to give Indian bands power to pass non-discriminatory bylaws concerning membership. Can the minister tell the House when this legislation will be introduced? Can he inform us what process of consultation is being followed with Indian organizations, particularly organizations which specifically represent Indian women?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, dealing with the latter part of the question first, I announced several months ago that I have power under the present Indian Act and that if the chief and band council, by band council resolution, ask me to exercise my powers under the Indian Act to give exemption

to this alleged "discriminatory feature" of the Indian Act as it applies to a status Indian woman marrying a white person and losing her status, I would do so. That option is now there for chiefs and band councils to exercise, if they so wish.

With regard to the first part of the hon. member's question as to when we are going to attack the whole question of the discriminatory section of the Indian Act, may I indicate, as the Prime Minister did earlier, that we wish to give ample opportunity to the Indian people to consult and let us know when they will be ready, within a reasonable time, for us to deal with this aspect of the alleged discrimination, mainly because it involves complex questions dealing with membership, as the hon. member knows. Certainly the Indian community is well aware of the constitutional resolution now before the House. After the three-year period involved, we will automatically do away with the discriminatory feature in the Indian Act.

Mr. Manly: The Canadian government in its response to the United Nations specifically said that it hoped this legislation would be prepared and tabled in the House by mid-1981. What process of consultation is being followed now with Indian organizations so that this legislation will represent their views, specifically organizations which represent Indian women?

Mr. Munro (Hamilton East): Madam Speaker, as the hon. member knows, the constitutional resolution now before the House includes a clause which will do away with discrimination based on sex. That clause is to be operative three years hence, giving the provinces time to gear up their legislation to deal with the rationale for that. The Indian people have had the constitutional resolution before them for months. They have made appearances before the constitutional committee. They are well aware there will be a law entrenched doing away with discrimination of this kind, to be effective three years from now. Therefore, they have been richly consulted with regard to that aspect of the resolution.

Innumerable Indian organizations appeared before the constitutional committee to give their views on this particular section and on the whole Constitution. This consultative process has been open to them. They are aware of the section. They have been aware of the parliamentary committee where they can make all sorts of representations with respect to it. One need only read the record of the constitutional committee's proceedings to see the tremendous availability for consultation there has been.

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NATIONAL CAPITAL

DELAY RESPECTING RIDEAU CENTRE DEVELOPMENT PROJECT

Mr. Jean-Robert Gauthier (Ottawa-Vanier): Madam Speaker, my question is addressed to the very popular Minister of Public Works in his capacity as minister responsible for the National Capital Commission. It deals with the long awaited and much needed Rideau Centre development in my riding. My question is prompted by several comments made by developers, contractors, suppliers, and citizens concerning press reports that the Rideau Centre development has been put off once more. Can the minister confirm that there will not be a loss of $5 million per month as reported in the press? Can he advise whether there is any truth to the fact that the lawyers representing the developer, Viking Rideau and a hotel, Western International, are having difficulty reaching agreement, and that is basically the reason why it is being delayed?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I am glad to have the opportunity to respond to the question of the hon. member for Ottawa-Vanier. I want to express my optimism that although there have been additional delays on the project, I remain confident that the problems are temporary and the project will go ahead. We feel very positive about the project. For example, the announcement of this project with the convention centre has encouraged other developments in the city of Ottawa. It will be good not only for the city, but the region generally. In direct response to the question, the newspaper reports are accurate. There are some legal difficulties between the major parties involved, the developer and the hotel, and the federal government, at the request of the major developer, changing the program from a lease to a sale has encountered some delay in legal implementation as well. Hopefully it will proceed.

• (1500)

Madam Speaker: Some answers to questions today were quite long, and justifiably so. I did not think it in the interest of the House to intervene, but the House will probably agree that I should extend the question period for a while.

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HOUSING

STEPS TO ALLEVIATE SHORTAGE ON EAST COAST

Mr. Howard Crosby (Halifax West): Madam Speaker, I have a question for the Minister of Public Works, who is responsible for housing. The vacancy rate for rental housing in St. John's, Newfoundland, is down to 2.5 per cent and now equals the national rate. Housing starts are down over 10 per cent on the east coast, which is greater than the national average. Mortgage interest rates are up 5 per cent. This puts great financial pressure on renters on the east coast and across Canada. There are three million of them.

We have heard about MURBs, which are not successful in the long-term. We have heard about social housing, which is not proceeding in Nova Scotia. What more can the minister tell us about what he will do for the east coast? Let us remember that much of what he has told us is about provincial initiatives such as those in the province of Ontario. Will the minister tell us what the federal government will do for the east coast?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I should at the outset indicate for the record that the social housing component of CMHC is a national program. The allocation of the 25,000 social housing units is on a proportionate basis in all of the provinces from coast to coast. This is in response to needs on the east coast as well as those on the west.

Second, the MURB provision is a national policy. It is a tax policy of the government which applies everywhere. If it is not by itself sufficient to engender action and response to the points raised by the hon. member, I have no hesitation in saying that some provinces have felt that they can, with their resources, add to those expenditures of the federal government. I would recommend that that be considered by the provincial ministry.

REQUEST FOR MEETING WITH NOVA SCOTIA MINISTER

Mr. Howard Crosby (Halifax West): Madam Speaker, perhaps I could ask the minister to contact the regional office of Canada Mortgage and Housing Corporation in Halifax and ask about the status of the social program in Nova Scotia and about how it is proceeding.

In order to help the area to take a positive approach, will the minister meet with the minister responsible for housing in Nova Scotia and with other maritime housing ministers in order to establish some additional programs to resolve the problems in the housing field?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I have a meeting arranged with the minister for Monday.

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FISHERIES

IMPACT OR REGULATIONS ON SPORT FISHING IN BRITISH COLUMBIA

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, my question is to the Minister of Fisheries and Oceans. It arises out of the recent regulations the minister has announced which impact very heavily on the sports fishing and recreational community in British Columbia, as the minister well knows because of the thousands of letters he has been receiving. The minister initiated these regulations without reference to the sports fish advisory council or to his own ministerial advisory board. He has produced no scientific evidence to justify the measures he has announced.

As he is a man who has a great deal of regard for the concept of fairness and equity, I wonder if the minister might tell this House how many of the Fraser River chinook salmon are caught by the sports fishery of British Columbia, what percentage are caught by the industrial seine fishery, and what percentage are caught by interception by U.S. fishermen in Puget Sound and the San Juan islands area.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I do not have in front of me the arithmetic the hon. member requests. I can obviously look and make sure that his office receives a copy. In fact, I was looking at that information in a report which was sent to me last night.

Certainly it was in an effort to be fair to all groups that I felt that conservation measures should affect all groups. There should not be one or two groups which are completely excluded from conservation measures. In fact we have approached United States authorities to explain that the situation regarding the Fraser chinook was very serious and that we were hoping they would also implement measures to accommodate the Canadian interests. They have not rejected this approach. In fact, I thought their reaction was rather positive. I am waiting for confirmation from them.

ECONOMIC EFFECT OF REGULATIONS—REQUEST FOR SUSPENSION

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, the sports fishermen of British Columbia are particularly annoyed by this rather ridiculous one-fish-per-day rule, which essentially cripples the sports fishing industry, which includes guiding and tackle operations, tackle manufacturers, and all those who benefit from the sports fishery.

Is the minister prepared to announce a 90-day suspension at least of the one-a-day chinook salmon regulation so that he can meet with the sports fishery advisory committee and so that there can be full disclosure of scientific facts with respect to the potential effectiveness of this measure? Before reimplementing these initiatives will the minister announce action against the industrial seine fleet and the American fishery at the same time?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I am sure the hon. member would not want to drag a red herring across this problem. The information is available to all interest groups, including the sport fishery advisery groups. I accept that perhaps we did not at the very last minute consult adequately, although discussions on bag limits, etc. have been going on for months and months. In fact, I have had very prolonged discussions with sports fishermen's representatives in the past six months. A meeting was scheduled for yesterday. I have not yet seen a report on this. There will be another meeting with another sports fishing group later this week.

I will repeat what I said ten days ago to the hon. member for Esquimalt-Saanich: if the sports fishing community can come up with alternatives which are perhaps slightly better adapted to what they identify as their needs, and yet make sure that conservation of the wild chinook stock does take place, then obviously I am open to suggestions.

I do not think a 90-day moratorium is the right approach. There was a suggestion—and I am looking at the possibility—that we might look at a shorter moratorium, but then the onus would be on all users to come up with alternative suggestions.

Interestingly enough, not too many people have wanted that problem to be dumped on their laps yet.

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AIRPORTS

TEN-YEAR PLAN FOR TORONTO INTERNATIONAL AIRPORT

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is directed to the Minister of Transport. On November 21 in this House I asked the minister when he planned to introduce long-range planning for Toronto international airport, a ten-year plan. On that day the minister announced it would be released in January. It is now March 5. The people in Brampton, Mississauga, Etobicoke, and Toronto are wondering where this long-awaited plan is and what is the hold up.

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, unfortunately there will be a short delay. The master plan will be concluded in the coming weeks. I wrote yesterday to all members from the Toronto area asking them for suggestions as to the best way of bringing the plan to the attention of the public. The short answer is that we will be late by three or four weeks.

Mr. McDermid: Madam Speaker, I think the minister means by three or four months. He is eight weeks late now, so I think that is what he is referring to. Will the minister assure the people of Toronto that this delay will not preclude them from making proper representations to the ministry on the plans as presented?

Mr. Pepin: Madam Speaker, to make it short, I can give that solemn assurance.

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PUBLIC SERVICE

EQUAL RIGHTS OPPORTUNITIES FOR WOMEN

Mr. Rod Murphy (Churchill): Madam Speaker, my question is to the President of the Treasury Board. In light of the fact that this Sunday is International Women's Day, and since it has been nine months since the Canadian government was found guilty by the Canadian Human Rights Commission with respect to providing equal pay for work of equal value to 3,000 members of the general services group of the PSAC, would the President of the Treasury Board not agree that it is time the government now acted? Would he also not agree that by having only Mr. John Campbell and one assistant looking into all complaints of inequality in government pay scales, the government is really just giving token recognition to equality in the public service?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I do not agree with the remarks of the hon. member that we are paying token lip service, or whatever the comment was, to this very important and fundamental principle. I indicated earlier to the House that the matter referred to by the hon. member is very complicated because of the difficulty involved in establishing a firm basis for compensation. I hope we have solved that problem. The hon. member is right that it is time the matter was settled. I want to assure him, however, Madam Speaker, that all settlements will be retroactive in any event, so ultimately no one will suffer through these delays. The important thing is to establish a firm and fair basis to give effect to the principle found in Section 11.

• (1510)

So far as the staffing of departments is concerned, I will look into the matter that has been raised. I have committed Treasury Board to moving ahead in trying to ferret out areas where there may be a contravention of this fundamental principle. I would point out that so far as the number of complaints that we have received is concerned, they are all being dealt with and they are not that numerous.

Mr. Murphy: I thank the minister for his answer. I have a supplementary question for him. As there are only 14 people involved in the three government departments that have any affirmative action programs at all, as there are only two people at present looking into equal pay for work of equal value complaints, and in view of the fact that it has been over nine years since the Treasury Board issued a directive stating that department managers are supposed to be hiring and promoting women within their departments, does the minister not think that, unlike the minister responsible for the status of women who could not care less, this is tiresome? Should the Treasury Board not make sure that all government agencies act to make sure that there is equality within the public service?

Mr. Johnston: Madam Speaker, on behalf of the Treasury Board and on behalf of my colleague to whom reference was made, may I say that my colleague has been instrumental, along with the Secretary of State and my own department, in moving forward on these three pilot projects which are independent of the equal opportunities program which already exists and, I suggest, has moved forward relatively effectively.

We have been attempting, as I have said before in the House, Madam Speaker, to identify across Canada, starting with three departments, what is known as systemic discrimination, not only against women but against handicapped people and against native people. This is a form of unconscious discrimination which undoubtedly has an impact in preventing women from moving ahead in the ranks of the public service at a rate which we would find acceptable. There has been no lack of resolve and no withdrawal from that very firm commitment, and I resent any suggestion that we have in any way departed from what I think are very ambitious pilot projects which have been undertaken. When those results are known, which I expect will be very soon, the hon. member can rest assured that we will make a concerted effort to apply the principle across government. As I suggested before, we regard it as a

mistake to take on additional person-years and bloat the public service without first knowing exactly where we are going.

An hon. Member: Enough.

Mr. Johnston: We should know that in a very few months.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Baker (Nepean-Carleton): Madam Speaker, could I ask the government House leader to tell us the legislative intentions of the government for today, tomorrow and into next week?

Mr. Pinard: Madam Speaker, today we will go on with the debate on the Constitution and conclude five months of debate. Tomorrow we will deal with Bill C-55, the Canada Student Loans Act amendment, through all the stages. Then we will deal with Bill C-34 and with the fourth report of the Standing Committee on Transport. If we have any time left, we will start debate, and if possible conclude it, on Bill C-58, the Canada Elections Act.

[*Translation*]

Next Monday, Madam Speaker, will be an allotted day, and I understand that the New Democratic Party will sponsor the motion. Then on Tuesday, we shall resume debate on the Constitution. We shall thus begin the sixth month of debate on the resolution and the constitutional issue. Wednesday morning the President of the United States will address the House at 11 a.m. Since we expect everything to be over around 12 noon, this will not affect our regular sitting hours. We shall, therefore, sit as usual on Wednesday and, of course, the following day. Next week, Madam Speaker, after Monday, the constitutional issue will again come before the House.

[*English*]

Mr. Baker (Nepean-Carleton): I want to thank the government House leader. It is because of our desire to ensure that there is adequate time for all hon. members to speak on the Constitution debate that we are agreeable to putting some legislation through quickly, legislation which could have gone to Committee of the Whole, and send it to committees of the House. We are agreeable, for instance in respect of Bill C-55, to go through all three stages, and we are agreeable generally to the program that the government House leader has outlined because we want to reserve as much House time as we can for that portion of business which the government obviously regards as the most important, namely, the Constitution.

I want to ask the government House leader about one other bill which we discussed, and that is Bill C-60 respecting the National Energy Board Act. There had been a discussion with respect to that bill and the government was to consider its position on the bill. Has my friend had an opportunity to do so?

While I am on my feet, Madam Speaker, I should like to have it confirmed that the agreement has been that next Monday will be an NDP allotted day. I hope they will bring up the matter of the price gouging by the oil companies because we look forward to participating in that debate.

Mr. Pinard: Madam Speaker, with regard to the last part of the question concerning Bill C-60, I have not had the opportunity to discuss the matter with the minister responsible. I will speak to him and I will try to bring the bill in front of the House as soon as possible.

My colleague mentioned his desire to allow more members to speak in the Constitution debate. I agree with him on the importance of that debate and if he wishes to accept my proposal that the length of speeches be reduced to 20 minutes and that we sit additional hours, I hereby make that offer to him. I propose that we reduce the length of speeches to 20 minutes and that we allow the House to sit from six to ten additional hours a week, thus allowing more members to participate. If my colleague is serious and sincere in his desire to allow more members to participate in the debate, he will accept my proposal. In fact, I understand—and this has been made public in the House—that two or three weeks ago when we resumed debate on the Constitution his party refused additional hours of sittings.

Since he has mentioned today, three weeks after that refusal, that he wishes more members to participate in the debate, I am willing to oblige him and I hereby once again make the formal offer that speeches be reduced in length to 20 minutes. If my colleague wishes to settle for 25 minutes, I will agree to any length of time below the unacceptable 40-minute time limit which deprives many members from participating, not only in the Constitution debate but when debating any government bill. Because of the large number of members in the House, 40-minute speeches have become unacceptable. That is why I make what I believe to be a reasonable offer. Also, if my colleague wishes the House to sit during meal hours from 6 p.m. to 8 p.m. on Mondays, Tuesdays and Thursdays and even from 11 a.m. to 1 p.m. on these days, we are willing to agree to that.

I think the NDP should also be seized of this offer which I am making formally at this stage. If the official opposition House leader, who just now mentioned his desire to allow more hon. members to participate in the Constitution debate, is serious in what he says, he will accept, if not the total, then part of this generous offer.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Madam Speaker, my friend's generosity is overwhelming and I want to thank him. I want to say that I have been following the course of the debate very carefully and I want to thank the government for its forbearance in putting up only one speaker a day for about 20 minutes—

An hon. Member: Two speakers.

Mr. Baker (Nepean-Carleton): Yes, two speakers a day for about 20 minutes each. I think that is very generous of them. As a result of their generosity and of the fact that there seems to be, as we go on, a shortening of speaking time, I have no doubt at all that there will be ample House time for all Members of Parliament to speak on the Constitution package. I want to thank the government for its generosity because I think that at last the light is dawning upon them that indeed the Constitution is important. However, notwithstanding the fact that members are entitled to use 40 minutes in making their speeches, most of them are not using that time. The government is applying itself quite appropriately to allowing members of the House of Commons to speak, those members who wish to speak and were denied the opportunity before by the government's act of closure. I hope this change of heart on the part of the government will be continued and that there will be no need hereafter to negotiate in public with respect to House leaders' matters.

● (1520)

Mr. Pinard: Madam Speaker, I hope our example will be followed by members of the Conservative Party and that they will voluntarily limit themselves to 20-minute speeches as well.

Some hon. Members: Hear, hear!

Mr. Knowles: Madam Speaker, I should like to make a comment or two with respect to the matter under discussion. First, may I say to the President of the Privy Council that I was somewhat surprised when he said the New Democratic Party should also be seized of the offer. I do not quite know what "seized" means in that context but, as he knows, the last time this matter was discussed on the floor of the House of Commons I indicated our party was prepared to go for shorter speeches and for additional hours in the week so that as many members as possible might speak. Although we hold our House leaders' meetings in camera, some of these things have got out. He also knows that whatever the others have said at our meeting, I have said that we are prepared to agree to 20-minute speeches for the rest of the debate on the Constitution and that we are also prepared for additional hours.

We think the suggestion of adding ten hours per week is a bit much. We have suggested six, but we are prepared to negotiate the number of hours. Like the President of the Privy Council, we are prepared to negotiate 25 minutes if that is what it must be; certainly it is better than 40. At any rate, we are asking that this matter continue to be considered.

I should also like to express the hope that some time soon there be an understanding under which we could have a vote on the amendment of the hon. member for Provencher which is now before the House. As has been indicated, there are a number of members with amendments they would like to make. It has been suggested that the Progressive Conservative Party has other amendments; we have two or three we should like to make. But if we continue debating the amendment before the House, it could be spring or summer before we get a chance to put up other amendments.

I say to hon. members who are making their main speeches that they could make their speeches just as well on the motion with another amendment as they can make it on the motion with the present amendment. I am not asking for a House order. I am just expressing a hope, as I have expressed privately to members to my right, that they might soon let the vote come on the amendment of the hon. member for Provencher. It seems to me this would give a chance to this party and to other members in the other parties to get amendments before the House. Otherwise, as matters stand, as long as that amendment is there no other amendment can be moved.

Here we are again discussing these things in public, but it got started that way. I hope we can come to some understanding. We are prepared for shorter speeches and for a few additional hours during the week.

While I am on my feet dealing with House business, I should like to refer to a couple of other matters. First, I believe, having discussed the matter with my colleagues, that we can do a number of things tomorrow along the lines suggested by the government House leader. We may not get all of that work done, but I think we can do fairly well. I join with the hon. member for Nepean-Carleton in expressing the hope that Bill C-60 might be brought forward very soon. We understand that all it does is to make changes in the arrangements for expropriation of land out west where the pipeline is being built. We want to see those changes; we could pass that bill quickly.

The other bill to which I should like to refer is Bill C-42 to turn the Post Office into a Crown corporation. Some of us were quite concerned for a few weeks that the failure to get the bill through might result in a letter carriers' strike. Apparently that will not take place. While there is some time available, I would hope that we might get Bill C-42 before us. The crucial thing about the bill is that when it was in committee the Postmaster General said that he was willing to accept the amendment to the bill proposed by the representative of the workers. When it was not possible to do that in committee because the matter had not been before cabinet, he made the offer to put that amendment down at report stage. I hope that will now be done. We have a little time, since apparently there is to be no strike. The Postmaster General promised in committee to take that amendment to cabinet for cabinet approval and to put it on the Order Paper. It is another bill with which we could deal rather quickly. As for Bill C-60, if it is put on the list we can deal with it very fast; but we also want to see action on Bill C-42.

Mr. Pinard: Madam Speaker, I take note of the suggestions of the hon. member for Nepean-Carleton and the hon. member for Winnipeg North Centre concerning Bill C-60. If they want to deal with it through all stages tomorrow, I am in a position to tell them that I will bring that bill up for discussion. I am willing to discuss that later on this afternoon.

I could accept the replacement of Bill C-58, dealing with the Canada Elections Act, with Bill C-60 so that we could deal with the bill before the end of the afternoon, after dealing with the student loans bill and the Judges Act.

The hon. member referred to the Post Office bill. It is a very important bill and we do not intend to delay it either. We would like to have much more time, but I want to talk with the Postmaster General to clarify the situation concerning the amendment about which the hon. member just talked. I hope to be in a position to announce when we will definitely proceed with report stage and third reading stage of that bill later on, but prior to that I would like to have a House leaders' meeting to negotiate a reasonable length of time to dispose of that bill.

Finally, once again I welcome the formal acceptance of the NDP to limit speeches and to extend the hours. I take note of this. I am willing to continue discussions with the Tory party so that we can reach an agreement on the matter as soon as possible. But I understand, from the reaction of my colleague, that this agreement is not for today. Let us hope that it will be for tomorrow or within the next few days.

Mr. Baker (Nepean-Carleton): Madam Speaker, there could not be any agreement today to the suggestion of my hon. friend. But the President of the Privy Council and the House should note that there is agreement today to clear other matters on the Order Paper as quickly as we can in order for us to have the time to debate the Constitution matter. This has been my position from the outset, and it remains my position. Naturally discussions continue between us in the friendliest possible manner.

When Bill C-60 is reached later in the day—and I gather that is his intention—we would be prepared to agree to greatly limit speeches. In fact, ten minutes per speech and one speaker per party would be satisfactory to us.

Mr. Broadbent: Madam Speaker, I rise on the same point of order. I listened with interest to the proposal of the government House leader in terms of reducing the length of speeches and adding hours so that we would have time to debate the important constitutional matter before the House and to the reply of my House leader on behalf of the New Democratic Party. But I express some concern in terms of what the House leader of the Conservative Party had to say. As I understood it, there was no commitment to reducing the length of speeches or adding to the number of hours available for debate during the week. I should like to ask the House leader of the Conservative party—

Mr. Nielsen: He is the official opposition House leader.

Mr. Broadbent: The official opposition House leader, right. That is wonderful, a very perceptive comment.

Mr. Nielsen: Get it straight.

● (1530)

Mr. Broadbent: It is a precise comment, which is rare for the hon. member, but I appreciate it. It was even truthful, which is almost—no, I had better watch my language!

In any case, I would like the House leader of the Conservative Party to indicate to the House if his party will be prepared to indicate tomorrow, or Monday at the latest, an answer to two questions. One, is the Conservative Party prepared to shorten the length of speeches to 20 minutes and increase the number of hours?

Some hon. Members: Order!

Mr. Broadbent: Second, is it prepared to have a vote quickly on their amendment so that the House can get on and discuss other important amendments as they affect the native people of Canada, the women of Canada and the Senate of Canada? Or do they really plan to conduct a filibuster?

Madam Speaker: I want to say that it is most unusual that a question should be asked of a member. I do not think I can allow that. If the hon. member for Nepean-Carleton wishes to make a response, it is up to him.

Mr. Baker (Nepean-Carleton): Madam Speaker, I think one of the most distinguished people in Parliament is the House leader for the party of the member for Oshawa, and perhaps he should learn a few parliamentary manners from that hon. gentleman. It would serve him well.

Mr. Cossitt: Madam Speaker, on the same point of order, I would like to ask the government House leader a question with respect to Bill C-38, which I realize may be low on the priority list of the government's legislation. I have had a number of inquiries from constituents who are concerned as to when this bill may come up for second reading. The bill deals, among other things, with making it possible to garnishee public servants' wages, so that they are not on a level other than the ordinary citizens of Canada; in other words, so that they do not have extra privileges over and above that accorded other people. I know there are a great many people concerned about this bill, certainly in my constituency. I am wondering if the government House leader might indicate to the House when this bill will be called for second reading.

Mr. Pinard: Madam Speaker, this is another good reason for the hon. member to advise his party to agree to shorter speeches and extended hours, which would allow us to deal with more bills which are on the Order Paper. In fact, there are over 35 of them on the Order Paper which could be dealt with expeditiously. It is a good start for tomorrow. I hope that we will be able to come to grips with all 35 of those bills within a reasonable length of time. Bill C-38 is one of them.

* * *

PRIVILEGE

MR. FULTON—ALLEGED MISLEADING MINISTERIAL STATEMENTS—RULING BY MADAM SPEAKER

Madam Speaker: On February 12 last, the hon. member for Skeena (Mr. Fulton) raised a question of privilege concerning misleading statements made by certain Ministers of the Crown. I have now reviewed with care the arguments presented by the hon. member and the remarks made by the ministers involved.

In his presentation, the member referred to a number of questions and answers in the House which started back in July, 1980, and which he pursued until February of this year. It is obviously an important matter, one which is of great interest to him. The fact that he also raised it during the adjournment proceedings and twice as a question of privilege is a clear demonstration of his concern. I am sure the House has noted that.

Essentially, the hon. member for Skeena is taking objection to a certain permit granted to Amax Ltd. which, in his view, does not comply with the provisions of the Fisheries Act and, consequently, he asked for a public inquiry into the matter.

The hon. member for Skeena claims that he has been misled by the ministers who gave him conflicting information in answer to his questions. He raised a question of privilege to this effect on January 23, after the hon. Minister of Indian Affairs and Northern Development (Mr. Munro) had told him that:

—a panel of experts has been set up to look into the matter, notice of which has been communicated to the Nishga tribal chief, Mr. Gosnell.

The hon. member stated then:

I have taken the time to check, and in fact no panel has been set up, and no notice has been communicated to Mr. James Gosnell, president and chief of the Nishga Tribal Council.

In an effort to clarify the matter, the Minister of Indian Affairs and Northern Development said:

Subject to checking, it was my information that the scientific panel was constituted. It may be in the process of being constituted, which is apparently at variance with what was said yesterday.

It seems to me that the hon. member for Skeena followed the appropriate course of action open to him in order to deal with his concern when he asked questions during question period and followed them up with an adjournment debate. Obviously, he is not satisfied with the answers given to him by the ministers, but the Chair is not in a position to insist on any other answer nor to comment on the quality or the substance of such answers. The hon. member has expressed his dissatisfaction by way of a question of privilege, but he has not persuaded the Chair that his privileges as a member of this House have been breached. What he has established, however, is a difference of opinion between himself and certain ministers of the Crown as to the interpretation of certain facts. I hardly need to refer hon. members to Citation 19(1) of the fifth edition of Beauchesne's Parliamentary Rules and Forms, which reads as follows:

A dispute arising between two members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

I therefore rule that, in this instance, a prima facie case of privilege has not been established.

BUSINESS OF THE HOUSE

MOTION RESPECTING STUDY OF OPERATIONS OF NORTHERN CANADA POWER COMMISSION

Mr. Pinard: Madam Speaker, there is an agreement I forgot to mention. It is very short. After consultation with my colleagues it is agreed:

That the Standing Committee on Indian Affairs and Northern Development be empowered to study any aspects of the operations of the Northern Canada Power Commission;

That it be an instruction to the committee that it appoint a subcommittee for the aforementioned purpose;

That the subcommittee be empowered to adjourn from place to place within Canada; and

That the subcommittee be empowered to employ expert and technical staff that shall be authorized to accompany the subcommittee.

Madam Speaker: Is it agreed?

Some hon. Members: Agreed.

Motion agreed to.

* * *

PRIVILEGE

MR. COSGROVE—QUESTION ASKED BY MR. BROADBENT RESPECTING RENT CONTROLS

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I served written notice of my intention to raise a question of privilege this afternoon. It is my first opportunity to address the matter since returning to the House from a trip to British Columbia. It arises out of a question addressed to the Prime Minister (Mr. Trudeau) by the hon. member for Oshawa (Mr. Broadbent), the Leader of the New Democratic Party, on March 3. His words were as follows:

Yesterday the minister responsible for housing was in Toronto giving the government of Ontario some advice on rent controls. At that time he said that the government of Ontario should get rid of rent controls.

I have three points I would like to bring to your attention, Madam Speaker. As I have indicated, I was not in Toronto on that day; I was in British Columbia, in the city of Vancouver. Second, at no time did I give advice to the government, any member, or any servant of the government of Ontario on the matter of rent controls. Third, the information provided to the hon. member in preparation for his question probably arose from a newspaper report published in Toronto.

Finally, I would like to indicate that, contrary to that report, it is not my intention to address the question of rent controls at the national housing conference this weekend. It never was my intention to do so, it is not my intention to do so and it will not be my practice. I am there to listen.

I have indicated three reasons why I have raised this matter, Madam Speaker. If the Chair recognizes that there is a prima facie case of privilege, I would be pleased to provide the appropriate motion complaining of the same.

Mr. Edward Broadbent (Oshawa): I was listening to the minister with care, Madam Speaker. I have not yet been able to determine from *Hansard* my question concerning this subject. I am quite prepared to accept the minister's claim that he was not in Toronto. As I recall, I did not say that he was in Toronto. If I did say it, I take it back. I was taking a quote from the *Toronto Star* for Monday, which is surely the essential point.

What I think would be useful in terms of the substantive issue of rent controls, which presumably the minister responsible for housing is interested in, is whether he is now telling the House that he does not favour abolition of rent controls. Will he make it very clear what the government's position is with respect to that issue?

Madam Speaker: No, I do not think I will allow the hon. minister to reply. This question is obviously not a breach of the privileges of the House. The statements were made outside the House and there is a different interpretation as to those statements. The minister has made his point, as has the hon. member for Oshawa (Mr. Broadbent). I think the matter should be closed.

MR. SKELLY—QUESTION RESPECTING COMPETITION POLICY

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, I did send you a note concerning a question of privilege arising out of today's proceedings. I believe the situation resulted from questions to the Minister of Consumer and Corporate Affairs (Mr. Ouellet) and the responses of the Minister of Energy, Mines and Resources (Mr. Lalonde). I think it was a matter of misleading through inadvertence or misunderstanding.

● (1540)

My question basically asked the minister to explain why the president of Imperial Oil had been placed on a board that was advising the government on competition policy, and he said they had not. I have submitted to you two documents which show that William O. Twaits was a member of a committee which provided advice. The recent report says that that was one of the central documents in influencing competition policy. So I think that was a misunderstanding, and if the minister would confirm that the president of Imperial Oil was there it would clear it up. The point was that the Minister of Consumer and Corporate Affairs knew of the role of Imperial Oil in this matter prior to this situation.

Then somewhere out of the machine dropped the Minister of Energy, Mines and Resources, and I think his statement was also misleading by misunderstanding the question. My questions were directed strictly to the Minister of Consumer and Corporate Affairs. His officials have been aware since 1973 that Imperial Oil was a prime mover in this investigation, of bilking the Canadian public. However, the document, which the minister denied wholeheartedly, on page 33 indicates there were several documents in the possession of the government in which Imperial Oil has been asked by the National Energy Board and the government to provide confidential information on such matters as licence restrictions and energy policy.

The minister certainly misunderstood my question; but if you find that I have a point of privilege, I would like some clarification to confirm that the president of Imperial Oil, after the investigation began, was asked to sit on a committee advising the government on competition policy, and that Imperial Oil, years after the investigation commenced, provided special advice, as the report puts it, on confidential energy policy. This is a matter of record, and either the ministers are right or the people who investigated the matter are wrong. If you could find my privilege, Madam Speaker, I would appreciate clarification of these two points.

Madam Speaker: After listening to the hon. member, I do not think there is a privilege in the question he is now raising. It is clearly a different way of interpreting a report. The hon. member is not satisfied with the kind of answer he received from the minister, but the Chair has no way to redress a situation when one member is not happy with an answer that he has received from another member. The proper way to pursue the hon. member's concern is to continue his questioning during question period, or at other times, to get clarification from the hon. ministers to the questions to which he is seeking answers.

[*Translation*]

Mr. Ouellet: Madam Speaker, on the point of order—

Madam Speaker: I am willing to recognize the hon. minister, but I was looking at him in a certain way so that he would realize that he cannot go on discussing the question of privilege. If he rises on a point of order, I am willing to accept that, but I have already made my ruling. I did not realize that the minister might want to reply, but because this is clearly a debate, there therefore is no question of privilege.

ROUTINE PROCEEDINGS

[*English*]

MOTION TO ADJOURN UNDER S.O. 26

REPORT ON STATE OF COMPETITION IN THE CANADIAN PETROLEUM INDUSTRY

Mr. Edward Broadbent (Oshawa): Madam Speaker, I ask leave, seconded by the hon. member for Vancouver-Kingsway (Mr. Waddell), to move the adjournment of the House under Standing Order 26 for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the release yesterday by the Director of Investigation and Research under the combines investigation branch of the report on the state of competition in the Canadian petroleum industry, and its revelation of shocking evidence of price gouging of the Canadian consumer, costing each Canadian

man, woman, and child some $500, and its detailed accounting of predatory and monopolistic business and trade practices, thus requiring the Government of Canada to take urgent and immediate action to put a stop to the biggest consumer rip-off in Canadian history.

Madam Speaker: The hon. member for Oshawa (Mr. Broadbent) has given me notice under the terms of Standing Order 26 within the time prescribed. The hon. member seeks to move the adjournment of the House to discuss the matter of price gouging by the petroleum industry as indicated by the release of a report yesterday.

I might mention at the outset that during yesterday's question period a substantial number of questions were posed to the government on this very subject, and today the hon. Minister of Consumer and Corporate Affairs (Mr. Ouellet) did indicate in his answers that the matter had been referred to the Restrictive Trade Practices Commission.

It has been ruled by my predecessors on several occasions that matters of this nature, having been referred either to the courts or an administrative body, are not proper subjects for debate in this House under the terms of Standing Order 26. Furthermore, the provisions of Section 5 of this Standing Order are very clear, in that the Chair "shall have regard to the probability of the matter being brought before the House within reasonable time by other means." I have not been convinced that the publication of a report, even on a very important subject, constitutes an emergency contemplated by this Standing Order.

The House is well aware that the main estimates and supplementary estimates, tabled recently, are now before the various committees of the House. Also, we are presently in a supply period which provides an opportunity for members to discuss a subject matter of their choice.

Therefore, for these reasons, I regret that I cannot accept the hon. member's application for a debate under Standing Order 26.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,803, 1,851, 1,876, 2,007 and 2,087.

[*Text*]

TASK FORCE ON SUPPLY AND PRICE OF SERVICED LAND

Question No. 1,803—**Mrs. Mitchell:**

1. What was the cost of the federal-provincial study, completed in 1978, entitled "Down to Earth: The Report of the Federal-Provincial Task Force on the Supply and Price of Serviced Land"?

2. Are volumes I and II of the study available to the public free of charge and, if not, what is the cost and where can copies be obtained?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows: 1. The total cost of the study was $529,789. CMHC's share of the cost was $366,300 and the balance was provided through provincial contributions.

2. The two-volume report is available free of charge through the Canadian Housing Information Centre, Canada Mortgage and Housing Corporation, Montreal Road, Ottawa, Ontario, K1A 0P7.

DND—EXPENDITURE DIFFERENTIAL ON NEW FIGHTER AIRCRAFT

Question No. 1,851—**Mr. McKinnon:**

Do the Supplementary Estimates (B) for the fiscal year ending March 31, 1981, list an expenditure of $97,990,000 on aircraft and engines—new fighter aircraft and does the contract with McDonnell Douglas Corporation call for payments of $48,744,637 for the same period and, if so, on what is the additional $49,245,393 to be spent?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): The list below shows the sequence of forecasts in regards to funds for the main contract and the project support elements identified in total program requirements but which are not part of the main contract with McDonnell Douglas.

The original submission which became Supplementary Estimates (B), subsequently, was made in December, 1979. The January, 1981, forecast is the total which will be spent up to March 31, 1981.

	Supplementary (B) Submission to TB in December, 1979	Sept. 80 Forecast	Jan. 81 Forecast
Main Contract (U.S.)	48,771	48,771	48,771
Exchange	7,315	7,315	7,800
Contractor Spares	25,709	5,000	—
Maintenance Support Equipment	3,000	3,000	2,925
Missiles	3,066	3,400	6,460
Training Publications	—	—	2,287
Exchange	5,124	1,461	937
Management Costs	3,277	2,777	2,770
Other Support (Simulated, ETC)	1,728	5,330	1,923
Total	97,990	77,054	73,873

INTERPROVINCIAL TASK FORCE ON FUTURE FISCAL ARRANGEMENTS FOR HOUSING

Question No. 1,876—**Mr. Lewis:**

1. Did the provinces of Alberta, British Columbia, Quebec and Ontario form a task force of officials to study the potential for fiscal transfers in the housing field and, in the course of the study, did they contact the government?

2. Did the government, through Canada Mortgage and Housing Corporation, receive recommendations and, if so (a) what were they (b) what was the government's reaction to the recommendations?

Hon. Paul J. Cosgrove (Minister of Public Works): I am advised by Canada Mortgage and Housing Corporation as follows: 1. An Interprovincial Task Force on Future Fiscal Arrangements for Housing in Canada was formed in 1978 with all provinces participating and chaired by the province of Alberta. A report was completed in September, 1980. Task force members contacted CMHC on an informal basis to obtain information.

2. No.

ADVERTISING EXPENDITURES

Question No. 2,007—**Mr. McKinnon:**

How many contracts for advertising in the past year were awarded by the Department of National Defence and (a) to whom (b) in each case, in what amount?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): Seven contracts were awarded by the Department of Supply and Services on behalf of the Department of National Defence. All for recruiting of military personnel.

(a) and (b)

Agency	Location	Amount
Ronalds-Reynolds & Co. Ltd.	Toronto	1,625,000
Tremblay Publicité Inc.	Quebec	840,000
Wilshar Advertising Ltd.	Halifax	200,000
Payeur Publicité Inc.	Quebec	450,000
Reidcorp Advertising and Consultant Ltd.	Toronto	350,000
Baker-Lovick Ltd.	Calgary	325,000
DIR-AD	Montreal	85,000

DND—CONTRACT WITH BELL CANADA—DATA PROCESSING

Question No. 2,087—**Mr. McKinnon:**

Did the Department of National Defence place a contract for $7,474,000 with Bell Canada for data processing services and, if so, what proportion of this data processing expenditure is for (a) operational and/or training purposes (b) administrative purposes?

Hon. J.-J. Blais (Minister of Supply and Services): The Department of Supply and Services placed a contract on behalf of the Department of National Defence with Bell Canada for data processing services in the amount of $7,474,000.

(a) Approximately 94 per cent of the contract value was for operational purposes.

(b) Approximately 6 per cent of the contract was for administrative purposes.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,661 could be made an order for return, that return would be tabled immediately.

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,661 be deemed to have been made an order for return?

Some hon. Members: Agreed.

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

[*Text*]

DND—CANEX STORES

Question No. 1,661—**Mr. Cossitt:**

1. (a) How many CANEX stores are operated by or under the authority of the Department of National Defence (b) where are they located and what is the number of staff employed in each (c) are any of the persons employed by the Department and, if not, for what reason (d) on what basis are persons hired and what job protection, salary ranges, etc., are paid for the various levels of work?

2. During the last year for which figures are available, what was the (a) profit (b) deficit for each store and what was the total over-all result?

Return tabled.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. David Weatherhead (Scarborough West): Mr. Speaker, it is an honour for me to participate in this most historic debate this afternoon. In so doing, I join the thousands of Canadians who are following our deliberations in the media,

and who have discussed this important issue with their friends and neighbours. Hundreds more Canadians have participated directly in the committee process, making significant contributions to the final package we have before us.

We can point to the experience of the committee and claim that the parliamentary system of government works well for and with Canadians. Representing groups of Canadians from across Canada and Canadian society, witnesses before the committee found that body receptive to their feelings, resulting in certain changes to the resolution. Most notable among these are the strengthened aboriginal rights. Of the 72 total interventions by groups or individuals, fully 69 of these approved of the ultimate formula we have before us. Forty-one of the 54 interventions were in favour of entrenching minority language education rights in a Constitution, a principle favoured by all provincial premiers as recently as 1978. No one appearing before the committee disagreed substantially with the final form of legal rights.

Much of the credit for the fine work of the committee is due to its joint chairmen, and I would like to join my colleagues in offering my congratulations to the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) and to Senator Hays. Under unprecedented media scrutiny they performed magnificently, due in large part to the excellent spirit of co-operation among the committee members. Fifty-one members of the other place took part in the work of the committee, joining 132 members of the House of commons who participated in the committee's deliberations at one time or another.

● (1550)

Before going further, I would like to take this opportunity to dismiss a notion being stated by some members of the Conservative Party. Specifically, they charge that requesting action on this resolution from the parliament at Westminster is an act of colonialism. The Conservatives, while favouring a charter of rights, want this charter enacted in Canada. Frankly, that is exactly what is happening, and I am certain that some members opposite know full well that charges of colonialism are absurd. In addition to the almost 300 witnesses who appeared on behalf of more than 100 groups in Canada, a total of 35 pages were appended to the joint committee's report to Parliament, listing the hundreds of written submissions received by the committee.

The substantive amendments, the unprecedented participation of 183 parliamentarians in the work of the committee, and the appearances and intense lobbying by groups and individuals from across Canada, demonstrate clearly that this resolution is a Canadian document, made by Canadians, in Canada, for Canadians. It represents the will of the Canadian people.

As the hon. member for Provencher (Mr. Epp) told the joint committee:

> It is the popular will that we have a charter of rights and freedoms for the Canadian people, embedded in a constitution.

As members of the Parliament of Canada, we should be cognizant of the fact that it is here, in this Parliament, that the will of the Canadian people is expressed. By passing this resolution, we are proclaiming, once and for all, that it is the people who are sovereign, their rights supreme and unchallenged.

So long as most of the provincial governments are willing to hold the rights and dignity of the Canadian people hostage in exchange for greater provincial powers, these rights will continue to be considered secondary. Some provinces argue that discussions on a charter of rights should take place at the same time as talks on resource ownership or communications jurisdiction.

Hon. members know full well that to proceed in this fashion would effectively hold back the charter of rights forever. The two senior premiers in the federation have stated that unanimous, or even near-unanimous, agreement is impossible in a world of competing political ideas. That is why Premiers Hatfield and Davis, both Conservatives, support the position of the federal government in this debate. They speak from the experiences gained in frustrating talks dating back to 1971, when a glimmer of hope was seen at Victoria. They know, as I do, that since 1927 13 first ministers' conferences, 17 conferences of federal-provincial ministers, and countless meetings of officials have failed to reach agreement on patriation and an amending formula.

Surely, as a Parliament accountable to all the Canadian people, we have a responsibility to seize the political will to end this deadlock once and for all. To persist in holding the charter of rights for ransom, as is the case now, would be to tell the Canadian people that their rights are secondary to communications jurisdiction, or to a reformed Senate.

Some argue that unanimity should be the formula for constitutional change, knowing that it is a formula for failure. What sort of unanimous agreement can we expect if Premier Lyon continues to oppose a charter of rights in a new Constitution? What kind of unanimity can we hope for if Premier Peckford blocks a charter of rights until there is agreement on control of offshore resources? Will we continue to tell the Canadian people that their right to hold and express beliefs is only as important as the number of cod caught on the continental shelf?

What, exactly, did Premier Peckford say about a charter of rights? In a document placed before the first ministers last September entitled "Towards the Twenty-First Century—Together", the Premier of Newfoundland stated, and I quote:

> The people of Canada—as elsewhere—live in an age of continuing, almost radical change. Today there is not the same surety as yesterday that values enshrined in the heart and conscience of a people will be universally respected.
>
> The entrenchment of democratic rights and fundamental freedoms is a means of giving explicit constitutional recognition to values which have served Canada well . . . Newfoundland, therefore, supports a charter of rights which will entrench the democratic rights and freedoms of Canadians.

To those who argue that legislatures should be supreme in determining and protecting the rights and freedoms of Canadians, I ask: Where were those rights and freedoms protected when we stripped citizens of their rights merely because they were of Japanese origin? Tell the Jehovah's Witnesses about the kind of protection given them by Premier Duplessis and his

legislature during the 1940s and 1950s. Try to explain to Chinese Canadians that they were not even considered as persons in the Election Act of 1885.

These points illustrate one of the deficiencies of the Vancouver consensus as well. If, as under the provisions of that amending formula, provinces may opt out of constitutional obligations, the results would be disastrous. Alone among truly democratic nations, our citizens would be unsure of their rights from one provincial jurisdiction in the country to the next. We would have, as has been said often, a checkerboard of rights across Canada. Canadians travelling from one end of the country to the other would be playing Russian roulette with their fundamental rights. We need only look back to the actions of the government of Alberta during the early years of the Social Credit regime, where that government sought to stultify legitimate political opposition through repressive press laws.

Some will say that these are isolated incidents in our history, and fortunately they are. However, to hide our heads in the sand by patting ourselves on the back for our tolerance is to forget that Indian women are still discriminated against. As a group generally, women must still struggle to achieve some level of equality in the workplace and elsewhere. It is too easy for most of us to adopt an "I'm all right, Jack" attitude when it comes to providing services to the physically or mentally handicapped. Through my personal experience as a member of the Association for the Mentally Retarded, I am acutely aware of the frustrations of people who know that their contribution to Canada is stunted by a society structured to conform to an arbitrary standard of ability.

Some of the interest groups who came to my office represented aboriginal peoples who have grown dismayed by the erosion of their culture and the lack of participation they feel in the building of our country. They sought an affirmation of their rights within a strong and forward-looking Canada. All Members of Parliament share this view, as shown by the unanimous support for amendments strengthening aboriginal rights.

Mr. Speaker, people can deny the rights of others too. We know that throughout Canadian history immigrants were encouraged to come to Canada to escape religious discrimination, or the insidious discrimination that poverty brings. They saw and continue to see that Canada holds the promise of a bright future for them and their families. In all parts of Canada their industry, vision and imagination have added to the diversity and strength of this country.

What is the Canadian way of life, Mr. Speaker? Certainly it is not some narrow perception offered by a few fringe spokesmen. With few exceptions the Canadian way of life has been one of tolerance, enriched by the contribution of people from all over the world.

It has become a truism that Canada is a nation of immigrants, for, with the exception of the aboriginal peoples, Canadians can trace their roots to the four corners of the world. Canada owes its development as a peaceful and tranquil nation to its own people, be they new Canadians or people whose families have been in Canada for generations. It is for this reason that the enshrinement and recognition of Canada's multicultural heritage in our Constitution is so important.

What is easily forgotten is that politicians and political interpretations are transitory. With respect, I would point out to those who oppose this resolution that, as much as anything else, we are building the future. We are building a modern Canada. We would need a knowledge bordering on the divine to forecast the future, and while we would sincerely wish for orderly development, we are scarcely equipped to predict the endless possibilities for the future.

Equally transitory is public opinion and the social conditions which will rapidly change the face of future societies. For many people, Orwell's "1984" looms as an ominous year, demanding the vigilance of the people in order to protect their own rights. It is significant, then, that in advance of the change that is sure to overtake the future we as a Parliament affirm the rights and dignity of the person.

What are the rights that we seek to enshrine in a new Canadian Constitution, Mr. Speaker? Legal rights will ensure that the citizen is given the best possible protection from arbitrary justice. In attempting to build a sense of mutual trust between the citizen and the law, we seek to make clear rules that will inform the alleged offender of the charges and possible punishment that he or she faces. We want to embed in the Constitution the principle that persons may retain counsel promptly to assist the offender in seeing that justice is done.

The new Constitution will effectively outlaw unreasonable search and seizure, keeping Canadian law in line with the provisions of the United Nations covenant, to which Canada is a signatory.

The Constitution will make clear that no one will be prevented from voting in or contesting an election for the Parliament of Canada or a legislature of any province. This democratic right will ensure that one of the most fundamental principles of Canada is clearly spelled out, and that all citizens share in the governing of Canada.

● (1600)

The charter of rights contains provisions for fundamental freedoms that will guarantee Canadians freedom of expression, thought, conscience and religion. Canadians will be entitled to associate with people they choose, and to assemble peacefully with fellow citizens.

In a society which values democracy, freedom of the press is one of the most sacred principles that society can hold. Freedom of the press, therefore, is one of the fundamental freedoms this resolution seeks to enshrine in our Constitution.

Let me make it clear that in adopting this resolution, Parliament is not "granting" rights to people; we are merely affirming fundamental rights that we accept as a given fact of life in a democratic society.

By including the aged and mentally or physically disabled among the categories of people who may not be discriminated against, we are saying that all people in Canada may partici-

pate in the task of building our country. Finally, we are correcting an injustice that has gone on far too long. It would be unforgivable if we were to allow this situation to persist.

Among the rights we seek to enshrine in the Constitution are the rights of all Canadians to share in the boundless wealth and opportunity we have in Canada. For many years Ontario shared without complaint its tax dollars to aid in the development of other parts of Canada. Now, as the situation shifts, other areas of the country are able to share the responsibility of delivering the promise of Canada to all Canadians. A child from a less advantaged part of Canada must never lose out on that promise because he or she chooses to remain close to family roots. It is essential that the quality of government services be equal and that job opportunities exist everywhere in Canada, regardless of where a Canadian chooses to live.

Equalization is a principle that is vital to the continued survival of Canada as a nation together. Though regions formerly in need of assistance have found sources of wealth, opportunities will never be completely equal in Canada. But across this vast land, the quality of life may be more important than resources lying underground or in the offshore, more satisfying than life in the industrial cities of central Canada. If we can preserve the beauty that is tradition, if we can save the heritage of families and communities remaining together at home, then equalization will be seen, not just as an economic leveller, but as a builder.

Just as important as equalization is the right of Canadian residents to seek employment and residence anywhere in Canada. Mobility rights are an important guarantee of that opportunity. For many years Ontario's strong industrial base provided Canadians and people from all over the world with the opportunity to pursue a rewarding livelihood. Ontario's cities, towns and countryside are enriched by the contribution of peoples from around the world and across Canada who choose to make Ontario home. Once again, the shift in economic opportunity makes it essential that Canada is home to all Canadians.

The western provinces now welcome our sons and daughters to share in the boom that this region is experiencing. For its part, Atlantic Canada stands on the threshold of untold wealth, due in large part to the action of this government to assert Canadian sovereignty over the 200-mile limit.

Mobility, like free speech, is a fundamental right. Anything which would hamper this right flies in the face of the ideals which are Canada. Enshrining this right in the Constitution of Canada tells Canadians that all of Canada is theirs. The mere accident of birth in one area or another has never prevented an individual from sharing in the boundless promise that is Canada. It must never do so, for without the right of mobility for all of its citizens, Canada is a pointless, balkanized collection of communities out of touch with itself.

Mr. Speaker, I would also like to give my support to the principle of enshrining minority language education rights for our two official languages, where numbers warrant.

If a constitution is to reflect the make-up of a country, it must have an amending formula which provides for orderly and fair amendment. For that reason, I favour the position advocated by the government. The Victoria formula, as amended, gives all regions, and indeed all provinces, a large measure of protection which will ensure that their interests are not tampered with by a small majority in the country. By requiring the approval of the two most populous provinces, the support of two provinces in western Canada representing 50 per cent of the population in that region, and by needing the endorsement of two provinces in the Atlantic region, amendments under the Victoria formula will represent a consensus from all regions of the country. Of course, the provinces and the federal government have the two years following patriation in which to arrive at a formula by unanimous consent. While this has not been successful in the past, one would hope that the urgency to achieve greater consensus on an amending formula will spur the first ministers to closer agreement.

I spoke earlier of the nightmare that Canadians would face with the Vancouver formula. This formula is really a cop-out, requiring no commitment by the provinces to respect rights in a uniform and consistent pattern across Canada. If we are to remain as one country, we must assert once and for all that Canadian citizenship is one citizenship for all Canadians.

One of the people who came to my office in the past few months represented a group who wanted to ensure that this was not the end of the line for constitutional change. I made the commitment then, and I do so now: there is much, much more to be discussed at the first ministers' conferences which will be constitutionally required under this resolution. Family law, questions relating to interprovincial and international trade, reform of the Senate, Supreme Court and regional representation on federal government bodies, and the divisions of power, are but a few matters for discussion.

But, Mr. Speaker, all of this means nothing if the people of Canada do not have fundamental rights embedded in their Constitution. We must stop comparing the rights and dignity of individual Canadians to regional representation on the CRTC, important though it may be. Let us stop the horse trading, bartering equality of men and women for a reformed Senate. Let us not wait until the question of offshore jurisdiction is settled before telling the aged and the disabled that, finally, they are part of the process of building Canada's future.

In this Parliament we are answering the most important question facing Canada since 1867. What comes first, the rights of the people or the rights of governments? Let us answer, loud and clear, "the people come first!" Now is the time to break the deadlock.

Mr. Stan Darling (Parry Sound-Muskoka): Mr. Speaker, it is a privilege to speak on this very important resolution and on the amendment which was brought forward by my colleague, the hon. member for Provencher (Mr. Epp).

First, I want to commend our leader in the Constitution committee, the hon. member for Provencher, as well as the

hon. members from our side who made a great contribution to that debate. I have a special commendation for the co-chairman of the committee, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal). I also commend other hon. members who have spoken on this topic.

I find this is a distressing time for me. I am compelled to comment upon the arrogance and single-minded actions of the Prime Minister (Mr. Trudeau) regarding the patriation of the Constitution. I feel it is necessary to draw attention to what surely will be the tragic consequences of these actions. I feel just as strongly that I must apologize to the residents of my riding of Parry Sound-Muskoka and to millions of other Canadians. In fact, all of us in this House should apologize to Canadians everywhere who feel, as I do, that there are other more pressing problems facing this nation, such as inflation and unemployment. These are the matters we should be talking about and doing something about.

It is important that our Constitution be in Canada, but because the Prime Minister and members of his government have now arbitrarily placed this matter before us, we must challenge their approach and their methods. Surely we in Parliament have a very important responsibility, a responsibility to deal with those issues more urgently affecting the daily lives of the people of Canada.

A recent Gallup poll illustrates just how low on the level of priorities stands the issue we are now debating. Fifty-five per cent of those polled cited inflation as the most important problem facing the country today, and 15 per cent cited unemployment. Fewer than one in ten expressed concern over energy problems, national unity or problems connected with government.

● (1610)

Canadians want the Constitution brought home, I will admit that. However, another Gallup poll showed that 64 per cent are opposed to the government's unilateral position and high-handed decision to bring it home on the basis it has outlined. What they want now is for the government to get its priorities straight.

The Constitution is not going to feed a hungry family. It is not going to put a roof over the heads of people to keep them warm. It will not find or create jobs for anyone. It will not make us all one big happy family. The Constitution is important and can have an effect on living conditions, but let us not forget that we already have a Constitution and we still have inflation and unemployment. The Constitution is a declaration of principles. A proper application of those principles will put this country back on a sound and stable economic footing.

I would be much happier if we were now dealing with real problems rather than ones that have been created artificially. Regrettably, the constitutional debate is before us. I have some important points to bring forward in this regard. This is a fiery time in Canada's history. It is not a time for hasty or politically expedient decisions by any governmental body.

What we are discussing is not just an ordinary law. We are discussing the fundamental source of the law of the land, the country's Constitution. Let there be no doubt about it, the outcome of this debate will have monumental consequences for the future of this country. We are talking about the future of Canadians for generations to come. We are talking about the survival of this country as a federal state.

What this government is attempting to do is wrong. I know it, the members on this side of the House know it, the Canadian people know it and the British know it. Everyone seems to know it except the Prime Minister and his puppets. I suspect that, if the truth were known, a good many of them also know it. Despite the fact that the majority of people on both sides of the Atlantic oppose the Prime Minister's constitutional plans, he is determined to have his own way. I am reminded of a song which the great entertainer Frank Sinatra made famous, and probably made a great deal of money from, entitled "I did it my way". That seems to be the theme song of the Prime Minister. The time has come for Canadians to stand up to the arrogance of this administration and to yell out loud and clear, "enough is enough!"

This government is uncaring, indifferent and ruthless. It is not worthy of the confidence of the Canadian people. Canadians deserve better. They deserve a government they can trust, a government willing to act in accordance with their wishes and concerns.

It is with respect for the wishes and concerns of Canadians that I say this resolution before us must be rejected. It must be rejected if we value the foundation upon which this country was created. We pride ourselves on being a secure, independent nation. Why, then, is the Prime Minister forcing the British Parliament into a corner, demanding that the British do something we should be doing ourselves? To place the British Parliament in such a position is an embarrassing and regrettable move. What should or should not be included in the Canadian Constitution is a matter for Canadians to determine, but only after the Constitution has been patriated, not before.

The government's constitutional package must be defeated for three very important reasons. The legality of the government's actions is highly questionable, the government's move to amend the Constitution unilaterally is a violation of the true meaning of federalism, and the government does not have the support of the majority of the Canadian population. These are three sound and solid reasons for the immediate and absolute rejection of this resolution. If the people do not want it done this way, if some of the provinces are taking the issue to the courts and if members of this Parliament oppose the move, why in heaven's name does the Prime Minister not back off?

The Premier of Saskatchewan has now bolted the government ranks. It has been said that Blakeney now makes the score eight to two against the Trudeau package. However, that should be ten to two because we must not forget the territories. This is certainly worth considering.

Never have we had a Prime Minister who has caused more divisiveness. When we look back we see some who were far from good, but this Prime Minister has put us on more of a collision course than all the other prime ministers combined. We have region against region, province against province,

French against English, and to what end? Is it so that one day we may replace the Queen and pass the crown on to an emperor?

The time has come, not to bestow a crown, but to bell the cat who so arrogantly and flippantly suggests that, if the nation is destroyed over the issue of patriation, it was not worth saving in the first place.

Are we to sit submissively and allow one man to decide whether this country is worth saving, the very man who is pushing this country to the brink of destruction? Are we that placid? Are we that timid? I think not.

The dividing tactic used so effectively in the past is now being recognized, becoming fully understood and being acted upon. There has developed a groundswell of citizens in this nation who are coming forward and volunteering to place the bell around the cat's neck. Indeed, there are many who have a strong desire to hit him over the head with it. There is no man or woman in this country who should have the power to single-handedly determine what is best for the others. No one man or woman should be allowed to assume such power.

This is particularly true of a man who consciously excludes any reference to a higher authority. This omission, in itself, is highly revealing. The charter of rights, the one that has been proposed by this government, makes no mention of the fact that this country was founded upon the conviction that God and not the government is supreme.

The Fathers of Confederation went back to Psalm 72, verse 8:

He shall have dominion also from sea to sea, and from the river unto the ends of the earth.

The Fathers of Confederation, the men who created this nation, had no trouble accepting the supremacy of God. They did not find the acknowledgement of God a threat to the way in which this country was to be governed. They were simply stating and reaffirming the obvious.

As one of the witnesses appearing before the Constitution committee so eloquently reminded us:

—we were made in the image of God, and that our basic human value comes from that affirmation and that we live constantly in the presence of God.

● (1620)

We do live in the presence of God. We swear solemn oaths in His name. Prayers are held each day in this House before we begin debate. Many members attend weekly prayer breakfasts. The Canadian anthem now asks that God keep our land. Easter and Christmas are times we celebrate with humanity and gratitude. The Bill of Rights of the late Right Hon. John Diefenbaker opens with these words:

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

And so on. The government rejected this party's amendment that those words be contained in the government's charter of rights. I believe that any charter of rights which is ultimately incorporated into the Canadian Constitution should make reference to the fact that this nation was founded upon a belief in a supreme being. The charter of rights before us makes no such mention.

Not only does the absence of any reference to God in the proposed charter of rights upset and offend many Canadians; they are also distressed about the lack of mention of a more wordly nature. I speak now of property rights. I have been in the real estate business for many years and I know how important it is to many Canadians to own their own land. People in this country have always worked long and hard—and will continue to do so—and saved money so that they could own a piece of Canada they could call their own.

During my many years in the real estate business many new Canadians came to the area I have the honour to represent from the great city of Toronto. These people were from European and other countries where they had never had a chance to own any land whatever. I naturally assumed they were interested in buying summer cottages on lakes, but that did not interest them in the least. They wanted bigger pieces of land. They ended up buying 100-acre pieces of land with nothing much on them. There might have been roads to them and scrub bush, but that would be all. Some of those lots were purchased for $700, $800 or $1,000. I can see how astute those people were because those lots are now worth ten times or more what was paid for them.

Mr. McKinnon: They had a good real estate agent!

Mr. Darling: That could be correct.

Property rights are a basic desire which creates strength in our nation. That basic desire is inherent in the spirit of free men. It is a basic desire which cannot and should not be denied. This government did agree at one point to accept our recommendation that property rights be enshrined in the charter of rights. Then for purely political reasons the government decided not to honour its commitment. The reason for the abrupt turnabout of the government is very clear. The reason was very opportunistic. The government needed the support of the New Democratic Party. The New Democratic Party informed the government it would not support the government's constitutional package if property rights were included, so what has been proposed is a charter of rights with a fundamental right excluded. Perhaps the government should correct the title of its charter; it should be the "charter of partial rights". The government's proposed charter of rights is not acceptable because partial rights are not acceptable.

The very fact that so many Canadians have spoken out against the charter only reinforces the position taken on this side of the House that patriation of the Constitution with an amending formula acceptable to the provinces should be the sole act of Parliament at this time. Only when this is accomplished should the issue of a charter of rights be dealt with. If the constitutional package is divided in this manner, we will avoid the unnecessary difficulties which are now developing in our relationship with the British parliament.

There is no question that the British would be more than willing to respond favourably to Canada's request. For the life

of me I cannot understand why the Prime Minister is forcing the British in this way. Why does he want to make enemies outside the country? He has enough of them right here at home!

The amending formula is a perfect example. Back in 1867 when the British North America Act came into being and this country was born, the Fathers of Confederation decided that this country would be a federal state. Two levels of government were established and each had responsibility and authority over those matters falling within specific spheres of jurisdiction. It has been a working relationship which has served this country well for 114 years.

What the government now proposes through its amending formula and referendum procedure is a dangerous move. It is a move which will do nothing more than continue to divide the nation and undermine the federal state system. It is a move taken by the government with the conscious knowledge that it pits region against region, province against province and minority against minority, all because one man wants his way.

There has been the suggestion that those members of the government who are uneasy and privately opposed to letting the Prime Minister have his way on the issue are keeping silent because of the "gold watch" syndrome. A departing employee is given a gold watch from his firm and fellow workers for his years of service. The Prime Minister's gold watch, it is said, will be the patriation of the Constitution and the charter of rights.

Mr. Ellis: A very expensive watch!

Mr. Darling: What my colleague says is quite right. I urge hon. members opposite to consider very carefully what they are doing. If this is what they are doing, they will have to face the fact that there will be no one in the country able to repair this watch when its mechanism falls apart, as it surely will. All the Prime Minister really deserves is a simple watch, probably a Timex. I would be only too happy to supply him with one, especially if it would hasten his retirement.

It has been said that humour lessens pain and that we only laugh when it hurts. Well, it hurts. It hurts me and many other Canadians to see this magnificent nation of ours in such turmoil. It hurts to see what is happening to Canada because of that impregnable barrier of indifference with which the Prime Minister surrounds himself. It hurts to witness the damage he is doing and to know what he wants to do to this once proud and growing land. We will no longer accept the pain, and the time has come to put an end to this headache.

The resolution we have before us must not be passed. It is riddled with injustice. What the government is proposing is destructive. It is time for all Members of Parliament to put their country ahead of party loyalty. We must remember that because of a willingness on the part of all Canadians to co-operate, to sacrifice and to work together for the well-being of the entire nation, Canada, in its short lifetime, has flourished. The Canadian people have not stopped caring; they still believe this country is worth caring for.

Canadians who realize how fortunate they are to be living in such a magnificent country care very much. The riches of this nation are not measured only in terms of forest products, oil, wheat, minerals and other products we use and export; the great wealth of this country also includes its human resources, people who take silent and undemonstrative pride in calling themselves Canadians. It once was fashionable to call such people the silent majority. Well, that silence is being broken. The people who care are now making themselves heard.

The voices of a great many people in this country are being raised in anger about the fact that the government is setting in motion changes to the fundamental structure of this nation which will have grave consequences for the future. There is anger at the fact that such changes are being implemented with complete disregard for the will of the majority.

There is anger that such changes bypass and ignore many concepts Canadians deem important to what may be termed the Canadian identity. The Canadian identity is not as elusive as many people may think. We know what it means to be a Canadian. It means we are part of a nation of free and proud people who treasure that freedom and pride and who work not only to maintain but to assist others less fortunate in the world. It means we are part of a community of nations, the Commonwealth, whose head is Her Majesty, Queen Elizabeth the Second.

● (1630)

Recognition and acceptance of the monarchy is not a threat to Canada's freedom or pride. The monarchy serves only to enhance both. The monarchy does not imply a subservient role. The monarchy only serves to reinforce our position of prominence and stature in a community of nations. The monarchy does not seek to intrude; the monarchy only seeks to provide a link for the common good.

Over the years, the Liberal government has attempted, bit by bit, to erode that link. The Liberal government seeks to establish a Liberal identity in place of a Canadian identity. The present resolution before us makes it quite clear. The monarchy is important to Canada and Canadians understand this. Canadians are also beginning to understand that the Liberal government, through its proposed charter of rights, is removing control over certain legislation from the people's elected representatives.

I will speak now about the issues of capital punishment and abortion. This party proposed that there be included in the charter of rights a new section which would ensure that no provision of the charter would be used by a court to determine the issues of capital punishment and abortion, and that Parliament be allowed to legislate with respect to these delicate issues. The resolution before us offers no such safeguard.

These are two issues the fate of which must be decided by the people through their elected representatives. They are moral issues which cannot, and must not, be decided by the courts. By shifting the responsibility to the courts, this government seeks to avoid dealing with matters under its jurisdiction

and deprives the people of Canada of a voice in the forum of debate.

The voice of the people of Canada is of paramount importance. It is here in the House of Commons that the Canadian voice is heard and acted upon. All too often the government has turned a deaf ear to that voice and to that of members of the House who enlarge on what is being said, and all too often the Prime Minister orders a limit to debate when what is being said contradicts his notion of what is right and what is wrong for the people of Canada. It is highly possible that he is about to act in the same arbitrary manner over the debate on the patriation of the Constitution.

It is appropriate at this time to remind members of the House that the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) stated categorically that every member of the House would have the opportunity to speak on this issue. I presume such an assurance was not given lightly, and I say to the Deputy Prime Minister and government House leader that we certainly expect that all members of Parliament will have the opportunity to speak. I and my colleagues accept the right to debate the substance and style of the government's constitutional proposal, a proposal the style of which is as damaging as its substance. Because the issue before us is of such grave importance, it is the right of each and every member to have the opportunity to speak. For the Prime Minister and the government to invoke closure at some point during the debate would be an affront to members of the House and to the Canadian people. I would therefore call upon the government—

Mr. Lalonde: Mr. Speaker, I rise on a point of order. I have listened with great interest to the point of view expressed by the hon. member during his speech and I have noticed that he has been speaking now for 25 minutes. May I point out that the House leader of the official opposition stated earlier this afternoon, with approval, that hon. members on the government side had limited their speeches to 20 minutes and that only two of their members spoke a day. He stated that this was an example which members on his side would follow.

An hon. Member: That is not a point of order.

Mr. Lalonde: I wonder if members on the hon. member's side would listen to their House leader.

Mr. Nielsen: Mr. Speaker, I wish to speak on this spurious point of order.

The Acting Speaker (Mr. Corbin): That is not a point of order.

Mr. Nielsen: Mr. Speaker, I rise on a legitimate point of order. You should prevent such spurious acts on the part of ministers who should know better. The Minister of Energy, Mines and Resources (Mr. Lalonde) is trying to smuggle in a point of debate under the guise of a point of order.

The Acting Speaker (Mr. Corbin): Order, please. I accept the argument that this was not a point of order. The hon. member for Parry Sound-Muskoka (Mr. Darling) has the floor.

Mr. Darling: Thank you, Mr. Speaker. I appreciate the comments of the Minister of Energy, Mines and Resources (Mr. Lalonde).

Mr. Nielsen: I don't.

Mr. Darling: As was mentioned several times here, the Minister of Energy, Mines and Resources makes lengthy speeches here from time to time, but he has not produced too much. He is probably the member most responsible for the mess in which we find ourselves today. He is responsible for the high cost of energy.

An hon. Member: He is also dishonest.

Some hon. Members: Order!

Mr. Darling: Our leader, the Right Hon. Leader of the Opposition (Mr. Clark)—

Some hon. Members: Order!

Mr. Darling: I am not out of order. Do not worry about that.

Some hon. Members: Hear, hear!

Mr. Darling: The Right Hon. Leader of the Opposition had made an agreement with the province of Alberta, but over a year later the Minister of Energy, Mines and Resources has not produced anything.

Some hon. Members: Order!

Mr. Darling: As a result, we are paying through the nose. It is about time he left the House and headed for Alberta. It is about time he came up with a deal and it is about time he started to give in a bit.

Mr. Nielsen: Let him speak to the oil people and the real estate people over there.

Mr. Darling: I know that time and time again all of us have read many comments on this. I will mention the fact that when this resolution was presented to the House by the Prime Minister—I believe it was on October 2—one of the few times in the last few years that he has spoken in the House, our leader walked out. I can still see it. Our leader stated he was against this resolution, and I put my hand up to my face and said "Wow, what is this?" I was very skeptical of the position taken by the Right Hon. Leader of the Opposition, I will admit that to the hon. member for Sault Ste. Marie (Mr. Irwin) who is pointing to me.

Mr. Irwin: You were right.

Mr. Darling: I was wrong, as the people of Canada eventually decided, because, may I point out to the almighty Cabinet opposite, 64 per cent of the people of Canada are against the

government's unilateral, autocratic, and high-handed way of dealing with this question. Even the great columnists, the $100,000 a year columnists, who were the mouthpieces of the Prime Minister and of some of the hierarchy over there have changed their views.

An hon. Member: Fotheringham and Stevens.

Mr. Darling: Yes, Fotheringham and so on. You can mention all of them. Here is a columnist—

An hon. Member: It must be Lubor Zink.

Mr. Darling: That is right.

Some hon. Members: Hear, hear!

Mr. Darling: Just a minute, before you clap too much.

Mr. Lalonde: What about Bill Davis?

Mr. Darling: Mr. Lubor Zink is not the greatest advocate or admirer of the Prime Minister. We see here the headline "Not the first lie or the last". Here is another article in which the Prime Minister is quoted as having said "I am not a dictator".

Mr. Lalonde: Quote Bill Davis.

Mr. Darling: Here is another one. This is a special one of Mr. Lubor Zink's, and I ask the Minister of Energy, Mines and Resources to listen with care. The headline of this article reads "Tyrannical Brat".

● (1640)

[*Translation*]

In French, Mr. Minister, in French!

Some hon. Members: Encore! Encore!

Mr. Darling: Mr. Speaker, my French is very flimsy, and very vocal.

[*English*]

I wish I could speak better French. Instead of being taught to speak French in my six years of high school in Toronto, I was taught how to spell the words and to put the accents this way or the other. If I had been taught how to speak French at that time, I would be able to speak it much better now.

Instead of launching into one of his sometimes harsh comments, Mr. Lubor Zink wrote the following article:

On February 9, *Le Devoir* carried a column which packs more critical punch than anything I have seen printed in English. Even rainmaker Keith Davey will be hard put to dismiss the devastating blast in French as "lunatic fringe extremism," for neither the paper nor the writer can be branded with that iron. Shaped for years by Claude Ryan (now Quebec Liberal party leader)—

No doubt the hon. Minister of Energy, Mines and Resources knows Mr. Ryan and has considerable respect for him. The article continues:

—, *Le Devoir* at one time carried articles by Trudeau's close friend Gerard Pelletier (now Canada's Ambassador in Paris). By any standards, it is a highly respected and influential independent Montreal daily.

Would the Minister of Energy, Mines and Resources concede that? No, he will not concede that. The article continues:

It has no use for separatism. Its learnings, if you look hard enough to detect any, are impeccably "progressive."

For those who do not read French or would find it difficult to get hold of the February 9 issue of *Le Devoir*, I have made a rough translation of a few samples from Jacques Poisson's "*Les fantasmes de M. Trudeau*" (Mr. Trudeau's delusions) column. I tried to preserve the flavor but both the cadence and the punch are better, I assure you, in the French original. Just the same, everything printed in English about our peerless leader pales in comparison.

"It's becoming more and more evident," says Poisson, "that our Prime Minister is succumbing to domination delusions which may date back to his adolescent dreams. This may explain the arrogant forcing of his will on Britain while he misrepresents that country as a menace.

"He sees himself dominating the British Parliament and the Commonwealth, the French National Assembly, the international francophone community, nine out of ten of Canada's provinces, the Liberal Party, the NDP, North-South relations between the rich and the poor countries—

"Our Prime Minister certainly is a person outside and above all rules. It's not surprising any more than he plays fast and loose with traditions, customs, concepts and the vocabulary.

"It's not unusual for him to twist words to serve his despotic vision of reality. For example, he accuses Britain of trying to interfere in Canadian affairs at the very moment when the British show profound repugnance of Ottawa's mix of supplications and ultimata—

"It is said that our Prime Minister has found pleasure in grimacing behind the back of the Queen, thumbing his nose at heads of states at international meetings, rump-bumping Mrs. Thatcher, and in snickering at the BNA Act."—

The Acting Speaker (Mr. Corbin): Order, please. I regret to inform the hon. member that his time has now expired. He may continue only with the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Corbin): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Capilano (Mr. Huntington)—Small Business—Representations respecting independent retail sector of petroleum industry; the hon. member for Edmonton South (Mr. Roche)—The Constitution—Query whether charter of rights covers unborn children; the hon. member for Dauphin (Mr. Lewycky)—Communications—AM radio transmission—Proposed change in dial positions.

The Constitution

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour): Mr. Speaker, I believe I can shed some light on the debate because of my status as a French-speaking Canadian raised in an English-speaking province without, of course, presuming that either my personal feelings or political convictions run deeper than those of my esteemed colleagues, whatever their vision of the shape of our country's future. My background as a Canadian whose mother tongue is French, who was born and raised in Sudbury, Ontario, but who has been a Quebecer by adoption for the past 15 years, entitles me to offer a perspective based on live experience rather than abstract considerations.

At the outset, Mr. Speaker, let me briefly attempt to answer the basic question around which all subsequent debate must revolve: why does Canada need a new constitution? The reasons—which for so many peoples of the world are self-evident—are, unfortunately, often clouded and confused by our country's peculiar history, traditions, social evolution and development to nationhood. Unlike the great republic to the south, with which we share the longest undefended border in the world, Canada's birth was gradual and discreet, without cannon fire or trumpet blast, battle hymn, slogan or philosophy designed to turn the world upside-down. There are even those who maintain that the British North America Act was, in reality, little more than a trade pact, aimed at establishing harmonious interaction between Upper and Lower Canada, while providing a measure of solidarity against the danger of a takeover by the expanding United States.

But whatever the motives of Westminster, the coming of confederation in 1867 marked the beginning of our gradual drift toward the realization of our identity, our uniqueness, our right to take our place among the sovereign nations of the earth. Now it is obvious, Mr. Speaker, that in the absence of armed conflict or violent rupture, Canadians felt no immediate urgency in establishing a distinctive identity. But as the decades passed, the generations came and went, pressures inevitably began to build for a distinctive flag, national anthem, and finally, for our own Constitution, which would reflect the ideals and aspirations of all the diverse elements which have contributed to the building of our nation.

But why, many still ask, do we have to have a written constitution?

Why not just go along with the provisions of the BNA Act which, they argue, has served Canada well for more than a century?

Why not carry on in the British tradition of reliance on precedent, custom and jurisprudence, instead of attempting to enshrine fundamental principles in law?

Mr. Speaker, the initial answer is that Canada is not a nation-state like Britain or many of its European counterparts. This country is a mosaic, made up of people from every corner of the globe, of widely different origins, customs and backgrounds. Thus, to rely merely on implied consensus, deriving from the common ideals of a homogeneous population, is patently unworkable and unjust in this country today.

Moreover, we must realize that, despite our attachment to elements of custom and tradition, deriving from language and cultural ties with our European ancestors, Canadians are North Americans, we are North Americans who have elected to live within a federation. Thus, in defining our political structures realism dictates that, while we may draw on the experience of another federation such as Switzerland, coupled with what we deem most valuable in the systems of European nation-states, the end result must be a faithful reflection of our own distinctiveness. All very well and good, is the reaction of some to arguments such as the foregoing, but, they ask, why not confine our Constitution to a general statement of principle, a declaration of *de jure* sovereignty to ratify the *de facto* sovereignty Canada has already established with past actions, such as its separate declaration of war in the last world conflict.

And it is here, Mr. Speaker, that we get to the nub of current opposition to the government's constitutional proposals. And objections range all the way from global mistrust of constitutional definition of rights under a Canadian charter of individual rights and freedoms, to taking of issue with specific provisions, such as the entrenchment of language rights. In the absence of any specific guarantees, Canada, in fact, tends to follow the British tradition of the primacy of "law, order and good government" when the chips are really down.

So, despite the illusions fostered through the impact of American films, television and the like, but in the absence of specifically defined constitutional guarantees of individual rights, there is a less dramatic but more serious aspect involving infringement.

Recent examples might include imposition of the War Measures Act in 1970 or, in the more distant past, the wartime internment of Canadians of Japanese origin—is deemed bureaucratic expediency at all levels of government.

This lies in the development over decades of a mass of statutory regulations—often constituting a maze of contradictory confusion where personal freedoms are ignored or trampled over roughshod in the interest of what Canadians have to face the reality of just how easily basic human rights can be suppressed or ignored under our existing system.

Most serious consequence of this—as the Canadian Bar Association has pointed out—can be seen in the administration of criminal law. In this area, the Bar Association maintains there are instances where the administration process allows no public debate and, consequently, no consideration of civil liberties involved. As a result, people feel powerless to challenge the system and become either alienated from what they regard as the tyranny of the establishment, or simply bow in resigned, meek deference to authority. Is this how we want our free citizenry to behave? Is this any example to put before the world for a nation which subscribes to the United Nations' Charter of Human Rights and aspires to a role as mediator and peacemaker in today's world? While not going quite so far as to advocate adoption of the United States citizens' basic attitude of resistance and rebellion, when individual rights are suppressed or arbitrary measures become intolerable, I am convinced, Mr. Speaker, that we require a drastic change of attitude.

If we are ever to break out of this stifling web of statutory regulations, which may differ not only from province to province, but from parish to parish, if we are to ensure that inequities in administration of criminal law are to be eliminated as far as is humanly possible, we must rid ourselves of the notion that the Anglo-Saxon reliance on decency and fair play is adequate to our needs today.

The reality is that we are a federation, living within a North American context in a very imperfect world.

And we are now, I firmly believe, sufficiently mature as a people to decide exactly what democratic, legal, political, language or other rights we wish and intend to enjoy. And then we should take pride in spelling out these fundamental freedoms in clear and concise terms, so that our convictions are manifest not only to ourselves, but to all peoples of the world.

● (1650)

[*English*]

This brings me, Mr. Speaker, to what is perhaps the most sensitive area of the proposed Constitution—entrenchment of minority language rights. Although the perspective on this question may vary widely in accordance with a host of factors, such as geographic location, ethnic origin, individual goals in life and so on, there can be little doubt today that it remains crucial to the future survival and development of our nation. Over the past couple of decades alone it is safe to say that no other single issue has generated such sustained heat and controversy. Governments have grappled with the problem, some coming to subsequent grief at the polls, following legislative attempts which may have half pleased one segment of the population while infuriating another.

In my own province of Quebec I am reminded of the Union Nationale's controversial Bill-63, a direct result of the St. Leonard language riots of the late 1960s, of Premier Bourassa's equally ill-starred Bill-22 language law and, finally, of Premier Levesque's Bill-101, now a "cause célèbre", the impact and implications of which are still being assessed. Given this record of dissent and disaster, an outsider might well be forgiven for asking the simple question: Why? There is not a simple answer to this question, as any serious student of linguistics well knows. The roots of the matter run deep indeed, drawing their sustenance from the subtle psyche of the people.

But allow me, Mr. Speaker, to offer a more concrete example based on my personal experience. As I mentioned earlier, I was born and raised in Subdury, Ontario. French was the language of my home and I was able to attend elementary school in that language. But when it came time to go on to the secondary level, there was no French school then available in that Ontario town. So my parents were obliged to send me to Ottawa, simply to complete my pre-university education in the tongue they considered theirs by birthright and mine by inheritance. This, you might feel, was no great tragedy in those days, merely a mild trauma common to language minority children everywhere. But Canada was my country. The fact that the language through which I have learned to interpret life had second-class status set me to wondering about the quality of my citizenship.

Again, the Canadian Bar Association has summed up this feeling of alienation very succinctly with the blunt assertion that "constitutional language guarantees are required if Quebecers are to continue to feel that Canada is their country". This touches the very heart of the matter. It is not enough, nowhere nearly enough today, for French-speaking Canadians outside Quebec to rely on the much-vaunted declarations of intent or expressions of good will in this basic area of language.

Where is the intrinsic dignity, the vital sense of belonging, in such an arrangement? Can we create a proud citizenry out of a segment of our population condemned to receive its identity as a charity from the hands of some latter-day Lady Bountiful?

Of course, it is in recognition of this that governments in Quebec have made their agonized attempts to legislate such dignity. For its part, the federal government has gone as far as it can, giving bilingualism force of law in those fields over which it has jurisdiction. But under the present provisions of the BNA Act these areas are clearly restricted, with the result that access to minority language education still depends on the benevolence of the provincial governments. It is for this reason that we propose to entrench minority language rights in our Constitution as part of the charter of rights and freedoms.

What those opposing such entrenchment apparently fail to grasp is that very much more is at stake here than just the sense of identity and dignity of one of this country's two founding peoples. Quite clearly the corollary is that Canada's continued unity itself depends on successful inculcation of this vital sense of belonging. For despite the smokescreens created by the raising of economic and other issues over the recent decades of acute Quebec unrest, the language question is and has been at the heart of the issue.

● (1700)

It has become a truism to point out that, through use of its two official languages both at home and abroad, Canada has managed to maintain a measure of distinctness vis-à-vis the all-pervasive culture of the United States. But if Canada as a whole oft-times fears drowning in this American tidal wave, just imagine the apprehensions of Quebec and our four million unilingual French-speaking fellow Canadians who live there, surrounded by an English language ocean of more than 250 million—the most powerful, technologically advanced and wealthiest society in the world. Just try to envisage the fears, trepidations and uncertainties of the French-speaking Quebecer, and how these fears are increased a hundredfold for his counterpart outside his home province.

Thus there is no doubt in my mind that the language issue has always been, and remains, at the root of any Quebec independence movement, and the continued discrimination against French-speaking minorities in other parts of this land constitutes a major force for national disunity.

I feel, Mr. Speaker, that I must make the point here that French-speaking Canadians no longer believe that this is any particular person's fault. They realize that there is no devious Anglo-Saxon plot to eliminate their language.

An hon. Member: There never was.

Mr. Desmarais: The threat stems from a historical and geopolitical accident of circumstances, not necessarily from any ill will in the hearts of their English language compatriots or American neighbours. But this realization does nothing to make the danger any less real. And what thinking Quebecers fear most of all is the nightmare possibility that mere force of geographic and economic circumstances could lead to a gradual degeneration of their language to a folkloric level. They are now aware of instances elsewhere in the world where a language, culture and an entire people have slipped into a sort of twilight zone, providing a curiosity for tourists who come to see the natives "who talk funny".

Again, the modern day science of linguistics has made it abundantly clear that the very quality of our individual thought processes depends directly on the quality and precision of the language we use. All abstract concepts—for example, honour, courage, justice, equity and even love—are intangibles, impalpable ideas which exist only through words and their employment in our syntax. Thus it follows that if this precision is blunted, if this syntax is distorted through deterioration of language, the thought processes themselves inevitably degenerate. And we end up with something less than a full human being.

Now I am not, of course, suggesting, Mr. Speaker, that mere constitutional entrenchment of language rights will solve this problem, any more than will Quebec's Bill-101. I have made the point rather as a form of appeal to those opposed to such entrenchment to endeavour to look at the situation from another person's point of view.

It is, in essence, an appeal—perhaps I should even say a heartfelt plea—for realization that French-speaking Canadians are desperately in need of understanding and support from their English language fellow citizens. And this need, though often concealed beneath truculence and aggressiveness, is as poignantly real today as at any time in our country's history. From one Canadian to another it is, in fact, a cry for help.

In light of the foregoing, it is difficult to comprehend the opposition to the government's proposal for a truly Canadian Constitution. At the Victoria conference of 1970, it should be recalled, all provinces agreed to the principle of entrenchment of political rights in a new Constitution. At the 1977 New Brunswick premiers' conference, all provincial government heads again pledged to set up machinery to ensure access to minority language education facilities across the country, where warranted by sufficient population. This principle was ratified at subsequent premiers' meetings in Montreal and has since, apparently, remained an avowed goal.

At the same time, Premier Lévesque offered his provincial counterparts a formula for reciprocity covering minority language education rights. Now that such reciprocity is, in essence, being proposed in a constitutional charter which would be beyond the whims of any transitory majority, it is difficult indeed to see how the present Quebec government could find credible grounds for objection; nor are there, as far as I can determine, Mr. Speaker, any serious objections to the principle of placing wealth sharing, through equalization, beyond any such transitory tampering.

Thus we are forced to the conclusion that, with a majority of Canadians in favour of bringing home the Constitution, of the principle of entrenchment of basic rights, including language mobility and equalization, opposition is aimed at form rather than substance. Therefore, with your permission, Mr. Speaker, I will attempt to deal with this aspect in the concluding portion of my remarks today.

[*Translation*]

Now, examination of the substance of such opposition, in addition to the representations heard by our parliamentary committee, makes it clear that even most hon. members across the floor here are in favour of the thrust of the government's proposals. And this, in turn, places responsibility for any move to block our Constitution squarely on the shoulders of dissenting provincial governments. But in this respect I would like to make one pertinent observation. This is that, at the time when the Quebec sovereignty-association referendum campaign was in full swing, all other provincial premiers—some through their very silence—quite clearly indicated tacit consent to the

federal government's pledge to initiate immediate steps for patriation and amendment of the Constitution. Some went further and openly supported the promise that, if the No forces were to win—that is, if a majority of Quebecers voted to remain in Canada and give federalism another chance—they would help see to it that prompt constitutional change was forthcoming.

Well, optimistic Quebec voters took them at their word and the referendum result passed into history. And almost immediately, it appears, the hedging began.

Is it really possible, one wonders, that the rest of Canada really believes that one such referendum vote has wiped out any threat to Canadian unity? Can governments and electorates actually convince themselves that Quebec's fears, malaise, unrest and the independence movement itself have now been laid to rest and the remainder of the country can slide back into the "good old days?" It would be tragic indeed, Mr. Speaker, if our provincial leaders once again wore their two solitudes blinkers. But even more distressing—more potentially disruptive and dangerous—would be realization by Canadians that some provinces are now coldly determined to renege on the pre-referendum constitutional reform consensus for purely partisan, regional or electoral interests.

As a Canadian who remains a convinced federalist and has a sincere faith in the basic integrity of his fellow citizens, I would like to believe that such is not the case. Let us take a look at the substance of the objections to the government's proposed machinery for bringing home our Constitution and its subsequent amendment by Canadians and for Canadians. First of all, much is being made of what is termed the government's "unilateral" action in pressing ahead with patriation without obtaining prior unanimous approval of every detail from the provinces.

We have been floundering over this issue for about half a century now and there is no reason to believe that, if we have to wait for total unanimity on every question, we will be any further ahead in another fifty years' time. Thus I strongly suggest, Mr. Speaker, that the notion of prior unanimity—not only in the constitutional area, but in any fallible, human organism—is an elusive and virtually unobtainable ideal. We have allowed this myth, this bugbear, to block and cripple all our previous attempts to give ourselves a constitution of our own. I sometimes wonder just what we must look like here in the eyes of the rest of the world. This must not be allowed to happen again. Now that we have the impetus, we have got to press ahead, or reconcile ourselves to the realization that we are not really the mature people we would like to believe.

But it has become increasingly clear over recent decades, Mr. Speaker, that if we wait for perfection, we will wait forever. Thus, we have no choice but to bite the bullet and act now, while the majority impetus remains the driving force. And all those raising academic arguments against what they see fit to deem "unilateral" action in this respect, might do well to consider that the alternative to "now" is almost certainly "never".

This leads naturally to the second area of objection to the machinery—rather than the principle—of the government's patriation proposals: the amending formula. Recognition of the ever-present factor of human fallibility, of the virtual impossibility of total unanimity and of the need to avoid future constitutional stagnation, provides the basis for the proposed amending formula. But this has been carefully shaped to ensure that regional interests will remain forever protected from arbitrary constitutional change, effected by a simply majority of the country's population. Now this formula will clearly provide veto powers over certain areas of constitutional amendment for each of the country's four major regions. Again, it is a break of the futile ideal of unanimity, which past experience has shown all too painfully, would merely hamstring any future constitutional reform. Thus I submit that a formula along the lines proposed by our government has the dual advantage of providing for effective regional veto powers, while still permitting the people of this country to envisage realistically any constitutional reform clearly destined to enhance the over-all lifestyle of all Canadians.

On the question of the use of a referendum for popular ratification of any amending formula or subsequent constitutional change, I should make it clear that basic human rights must remain unaffected. This means that, as laid out in the Charter of Rights and Freedoms, such provisions could never be withdrawn or altered merely by a referendum majority vote. Improvements, however, could always be made. That is, additional rights and freedoms could be added to the charter, in the light of experience and to meet needs not covered in the present proposals. Thus the charter would remain for all time inviolable, protecting our people, while itself protected from any threat from the transient "tyranny of the majority".

Before concluding, Mr. Speaker, I respectfully urge all members to reflect seriously, until we vote on the proposed constitutional resolution, upon the words of the outstanding parliamentarian Lord Acton, and I quote:

The maturity of a society is measured by the maturity with which this society treats its minorities—

In concluding, I appeal to the maturity of all members to get on with the work. Despite our differences and endless debates in certain areas of disagreement, I remain convinced that there is infinitely more to unite than to divide us. Our future, our potential in people and resources sometimes staggers the imagination. What we are striving for now is some sort of common denominator which can bring it all together for the common good.

● (1710)

[*English*]

Madam Speaker, if there is one thought which I would like to emphasize and to leave with you in concluding my remarks

today, let me repeat Lord Acton's words: "The maturity of a society is measured by the maturity with which this society treats its minorities."

Despite our differences and seemingly endless debate in certain areas of disagreement, I remain convinced that there is and has always been infinitely more to unite than to divide us. Our future, our potential in people and resources, sometimes staggers the imagination. It is all there. What we are striving for now is some sort of common denominator which can bring it all together for the common good.

Let us get started. Let us get to work.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): A very good speech. A very useful contribution.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I should like to begin by congratulating the previous speaker, the hon. member for Dollard (Mr. Desmarais), on his remarks. He expressed in his speech considerable wisdom and the strength of feeling was evident to us all.

My congratulations, however, centre on the fact that he followed a spurious point of order interjected by the Minister of Energy, Mines and Resources (Mr. Lalonde) which bothered me a great deal. The minister said to the House that the 147 members who represent the Liberal party would be restricted to 20-minute speeches on an issue that is so important. I congratulate the hon. member for Dollard for taking almost the full 40 minutes to which his constituents are entitled. I think he used the time well to express a point of view which I cannot share in most respects, but which I can honour. I hope future speakers from the other side will take their responsibility to their constituents and to this Parliament seriously and take the time they need to bring to the floor of this House the message that they think they have to give. I hope they will not be muzzled by the wishes of cabinet ministers or the House leader.

Mr. Baker (Nepean-Carleton): Well said.

Some hon. Members: Hear, hear!

Mr. Hawkes: Mr. Speaker, I rise to speak as a Canadian from Alberta. I rise as a citizen within this federation, someone who values my freedom, my right to vote for a school board, a municipal or county government, a provincial legislature or this federal House of Commons.

In my province exactly 100 people are elected to serve in the legislature and the House of Commons, 79 in our provincial government and 21 in this House. I rise to report that 99 of those 100 people who represent the people of our province in a free, democratic way are totally and unalterably opposed to the present process and to the consequences of that process.

The hon. member for Dollard talked about national unity and the need for some changes relative to the people who live in the province of Quebec. In my brief intervention before this House today I will talk about the threat to national unity which this proposed constitutional amendment carries with it in my province and in my riding. That threat is real and it must be attended; it must be given consideration before it is too late.

Last night I attended Baltic night, an event which occurs once a year on Parliament Hill. The thrust of Baltic night and the message which is delivered to parliamentarians by the Baltic people centres exclusively on the need for vigilance, on the protection of our freedom. That is the message from Baltic night and it is particularly appropriate that I have the opportunity to speak on the Constitution of Canada the day after attending Baltic night. I had the opportunity to listen to the refugees from unitary, totalitarian states warn us about the dangers to freedom and to see that concern is passed through generations to the young people who belong to the Baltic states.

• (1720)

I rise in this House today to clarify a couple of matters. First, I attended 50 of the 56 sitting days of the committee which met on the Constitution of Canada and for a whole year prior to that I spent at least as many hours outside of that committee tyring to comprehend the nature of constitutions and the impact which they might have on a nation such as Canada. Through that kind of diligence I think one deserves the opportunity to speak in this House.

Second, this debate, in its initial short time in this House, in the Constitution committee itself and now at this phase, has demonstrated a great deal of difference between the members opposite and the members who serve in the official opposition. I believe the difference relates to the fact that members of the Liberal Party will give speech after speech centring on goals. On this side of the House we have no quarrel with the goals, but whether I appear on television with ministers of the Crown, in committee with Liberal members or whether I listen to speeches in the House of Commons, I think it is curious that members opposite seldom deal with the fine print. They seldom deal with the reality of what is written in this resolution. They seldom deal with the nature of Canada and the way we are governed; nor do they deal with the intrusion this particular legislation will make into our lives.

I think of this resolution we are debating today as a secret revolution. That it is a revolution, I have no doubt; and I will expound on that later. The fact that this is being done with a measure of secrecy, though not total secrecy, I also have no doubt; and I shall expound on that also. The revolution occurs in two ways. One way has been talked about a little, but the other way is seldom talked about. The revolution in the way we will be governed in the future will hit anyone who gives this measure serious study. It is a revolution related to the power of the people and to the supremacy of the voters of this country. This resolution will take away those powers from the people. That in itself is a revolutionary concept in its magnitude and repercussions.

It is also a revolution in both its process and its substance which attempts to dismantle the federal system. I wish to deal

with both of these in what I hope might be understandable ways, not only for members of this House—and I have found it helpful in achieving my own degree of clarity—but also for those who watch our proceedings from time to time through the medium of television. What I say may help them.

The principle on which this nation was founded, one which continues to this day, is that the voters are supreme. When we elect our school boards, municipal and county councils, our provincial legislatures, or this House of Commons, what we do is elect juries or peers to represent us in a decision-making process. In these forums the majority rules and we are governed. But critical to that is the notion that periodically, every three, four or five years, the voters of this country for each of those bodies have the power and the responsibility to decide whether or not the same people shall continue to govern in their areas of jurisdiction or a different group of people shall govern.

For instance, in the recent municipal elections in the city of Calgary, the latter course was chosen. The entire public school board was changed; half of the separate school board was changed, half of the city council was changed and a new mayor was elected because the voters of the city of Calgary had that democratic right and power to change the jury. I think for those who care about freedom there is nothing more important to protect than that power which lies in universal suffrage in the ballot which all of us enjoy.

Some hon. Members: Hear, hear!

Mr. Hawkes: The Liberal Party, aided and abetted by some members of the New Democratic Party, is attempting in secret to take that power away from the people and to give it to a jury of nine people, of which five of the nine shall rule. The government is not changing the process of the selection of the nine. That process today, and in the fine print of this resolution, which will be continued, is the selection of those nine people, largely in secret and chosen essentially by one person. That is the nature of the revolution.

There may be value, and I would assert there is value, in handing over to the courts some additional responsibility. But I think that should be matched by a great deal more care and attention. As we increase those responsibilities, then we need to deal with the mechanism of selection to ensure that we, as free people, retain control of that jury as well. Certainly when we attempt to take away from Canadian voters the power to choose who shall govern them, we should do it with a great deal more care, attention and time than we are devoting to the way we are doing it now.

Do I find this denial of the supremacy of voters to be discrepant through the last 12 or 13 years? I do not. There is a school of thought in philosophy and political science which must be described as an attitude portrayed by those who believe in oligarchies, those who believe that somehow there is an elite class of rulers who somehow have more wisdom and knowledge than others, and that this elite class shall rule. If we look back over the last 12 or 13 years, those years which bring us to this point in constitutional revision, we can see that mind set in operation. The growth to 400 Crown corporations in its basic element represents the fact that we have turned over jurisdiction in 400 areas of our lives to small boards of directors who are not chosen after public examination but are simply appointed.

• (1730)

We get into great debates in this House about patronage appointments, but we cannot have access to information from Crown corporations. These are hot topics for a day or two and then forgotten, but the sum total of 12 or 13 years is the fact that just at the federal level alone we have over 400 of those kinds of groups. That is the consequence of a philosophy which believes in oligarchy.

One of the big issues faced in this House with great frequency in recent times is the energy issue. We argue occasionally about Petro-Canada, its growth, and its development. I ask members of this House how the directors of Petro-Canada were chosen. Do they know their names? What are their qualifications? Are they good at what they do? Hon. members choose to expand that organization and its influence over our lives without the kind of careful consideration that should go into the selection of those people.

How is it that a corporation that is worth $3.5 billion only had a profit of $13 million at a time when other oil companies are being accused of excess profits? Does it relate in any way, shape or form to the method we use in choosing who shall govern? Why do we so willingly give those few people such an expanded role? Have they earned it? Are they subject to recall?

I would like to read the first paragraph of Beauchesne's. Soon after I was elected to this House in May, 1979, I was given a copy of Beauchesne. For those of the general population who do not serve in this House and may not know Beauchesne, it is a book which attempts to tell members of Parliament, new or old, their rights and responsibilities. The first paragraph deals with the principles of parliamentary law and reads as follows:

> The principles that lie at the basis of English parliamentary law, have always been kept steadily in view by the Canadian Parliament; these are: To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every member to express his opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure; and to prevent any legislative action being taken upon sudden impulse.

That is the responsibility of each and every member who serves in this House. We should put that in perspective and just deal with two of the key points, to "restrain the improvidence or tyranny of a majority" and "to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse." If all members, regardless of party affiliation, who accept the responsibility of sitting in this House, were to take those responsibilities seriously, how would we feel about the process in which we are presently engaged? I suggest we should at least

be nervous about the extent to which we are discharging that responsibility adequately.

I said there were two aspects to the resolution. One was the denigration of the power of the individual voter. The second was the dismantling of the federal system. Of those two issues, the most difficult to comprehend is the dismantling of the federal system.

The Minister of Justice (Mr. Chrétien) and others on that side indicated that there is no rearrangement of powers in this country. I think I have built a reasonable case to show that the powers of the voters have been diminished. However, those on the other side seem to leave us with the notion that the rights and privileges of the governments elected in the provinces are not seriously affected.

I ask members opposite, and anybody watching us today, to get a copy of this resolution. It will be seen that the provinces are specifically referred to 31 times in the resolution. If their powers are not to be significantly affected, why is it necessary to refer to provincial legislatures 31 times?

A federal system is not built on a principle of decentralization. If you examine the experts and constitutional theory, you find it is built on the principle of non-centralization. It is a form of government which does not exist universally throughout the world, or even universally throughout the free world, but it exists in some countries, not because it is preferred but because it is the best of government for a particular nation and its people.

The Fathers of Confederation and those who up to this point have been responsible for the affairs of the nation were and have been wise in the extent to which they have done their best to pay attention to the fact that any successful federation will adhere to the principle of non-centralization. Within that concept it is important to note that the various political entities, the various kinds of government in a true federation, are sovereign in their areas of jurisdiction. That has been the understanding in this nation until this point, that that sovereignty of jurisdiction exists constitutionally. It does today, and it cannot be taken away unilaterally without the agreement of those who are affected. To do that constitutes a revolution. It runs counter to any basic understanding of what a federation is all about.

The importance of the notion of a federation in a nation like Canada is twofold. This process we are engaged in today demonstrates clearly the importance of protection from arbitrary action by a transitory majority in a single level of government. Where would we be today if we did not have more than one level of government to object to the revolution which is being attempted in this House? The voters of this country need to be protected from the tyranny of transitory majorities, and I suggest that it is our federation and the interplay between the different constituent elements which provide us with that protection. Because of the size of this nation, territorial democracy is an important concept, and those who would deny the importance of that concept invite us all to run the risk of separation of the nation.

• (1740)

The true nature of a federation involves legal jurisdiction, and hon. members opposite, today and on other days, in addressing themselves to the amending formula have talked about its fairness because every region is represented. Where in this federation is there a regional government? In this federation we have ten provincial governments, the government of Yukon, and the government of the Northwest Territories. We do not have regional governments. We have provincial governments. That is the nature of this federation, and those are our nation's states. The provinces have legal jurisdictions guaranteed in the Constitution of Canada, and it is the Liberal government which is unilaterally trying to take those guarantees away from the Canadian people. I suggest that will not wash.

It is interesting to note also that scholars of federations talk not just about legal jurisdiction, but they also talk about the spirit and the practices of a federation. The spirit involves honouring the partnership and acknowledging that we are a federation, and to ignore the spirit is to weaken the spirit and weaken the will to survive. It is like a marriage. A marriage licence is a very simple, straightforward document. Not much is written on it. The terms and conditions are not specified, but those evolve and marriages last and prosper if the partners work at it. They decay and split apart if the need for parnership is not acknowledged and partnership is not worked at.

Today we have a situation in which eight of the ten provincial governments and the governments of both the Yukon and Northwest Territories—ten of the 12 governments which represent the areas of this country—are opposed to these constitutional amendments. I think it behooves all of us to think of that. If that opposition can be overcome by legal means which do not pay attention to the spirit and the practices of the federation, then what will happen to this nation? Are those risks worth running for all parts of this package?

I have said in committee and to the Minister of Justice that this proposal attempts to separate Canadians from their governing traditions, their legal traditions, and their economic traditions. The best word I can think of to describe those who support it is "separatist". Those who seek to separate are in fact the true separatists in this confederation of ours.

In my attendance at the constitutional committee hearings I thought that perhaps with the passage of time and process we might arrive at a Constitution which I felt was supportable, but in my attendance at those committee hearings I was an unwilling participant in a bad process, and we have produced a bad resolution which will not do good things for Canada.

I have sat many times and thought about what would constitute a good process. Perhaps I will just sketch that out briefly for the House. I think a good process of constitutional renewal would begin with an invitation to Canadians in all walks of life—whatever their responsibilities or stations—to submit to some central place their ideas on the constitutional problems which exist in the country, and their suggested solutions. Armed with that kind of input I suggest that a

constituent assembly composed of representatives of all Canadians—elected politicians, ethnic groups, women, men, labour, business, academics and others—could consider those statements of problems and proposed solutions and, after some considerable period of time and examination, make recommendations to the partners in our federation. With the moral authority of such a body I think we could end up with a good Constitution.

When I have those thoughts in my head, I run them against my personal experience in this Parliament in dealing with the Constitution of Canada. I read a memo which advised the Prime Minister (Mr. Trudeau) and the government opposite that it seemed unlikely that the partners in confederation could agree to the federal perspective or buy totally what the Prime Minister wanted them to, and in that event it was important to turn the September first ministers' conference into a public relations platform designed to convince the Canadian people that it was the provinces which were to blame and not the federal government.

The next piece of advice in that memo of 59 pages was that the federal government should then move quickly to ram its ideas through, and the federal government was warned that if it took too long, the opposition would grow. I refer to that as the strategy of speed and secrecy. Step one involved closure, the denial of free speech in this House of Commons on the Constitution of Canada after 24 hours of debate. After one full day of debate, closure was invoked. That fits the strategy of speed and secrecy.

Step two was to move the resolution to the committee. In the committee there were 15 Liberals, two New Democrats, and eight Conservatives. The memo advised that this step be taken because it would make it easier to control the committee. We think that committees are masters of their own destinies and that majority rules, but when there are 15 votes for the government and ten for the opposition, we can see that that control is evident. Was that control put to use? I suggest it was.

We started out with a 30-day time limit, no television, no broadcasting, and long hours. People became tired. We fought, and some of those things were amended slightly. However, hidden in the background was the exercise of control over the choice of witnesses and the length of time they had to appear before the committee. There was the warning that closure was everywhere we turned. As one member of this House who sat there for a long, long time, I have no sense of pride. I carry something more akin to a sense of shame that a free and democratic institution like the Parliament of Canada forced me to participate in something which had many elements of a charade rather than a true inquiry.

• (1750)

I sat there and I heard the hon. member for Provencher (Mr. Epp) and others in our party move an amendment, and before it was out of their mouths, the Minister of Justice said that the government would or would not vote for it. Before the arguments were heard, before the wisdom of that amendment was apparent, the minister said the government would or would not vote for it, and the 15 members did what the Minister of Justice told them to do.

An hon. Member: Shame!

Mr. Hawkes: Then they had the gall to come to the House and say this was a resolution sponsored by the Parliament of Canada. It is not; it is a government initiative supported by government members and by some of their marriage partners from the NDP.

In early October I took great pride in the fact that the leader of this party said on national television that this was a bad piece of legislation. That was on Thursday night. The Leader of the NDP (Mr. Broadbent) and the Prime Minister said it was good. But what are the facts, Mr. Speaker?

We have a resolution before us in the House today. The resolution we saw in early October had 59 clauses. The resolution we now have before us has 68 amendments: 67 mandated by the committee and one moved since then which nobody seems to have noticed. What does an amendment mean? When the government agrees to it, it means the government acknowledged the mistake. There were 67 mistakes which the government was willing to acknowledge in a bill which had 59 clauses. Have there ever been in the history of this Parliament 67 or 68 amendments to a 59 clause bill? It was the worst piece of legislation that this Parliament has ever considered, and the leader of our party told Canadians that.

I heard the Leader of the NDP stand up in the House the other day and say that this is the best we can hope to have. But the leader of that party and his caucus proposed 43 amendments to the resolution. They saw 43 mistakes in the bill. Two amendments were accepted and 41 were not—there are still 41 amendments which he identified, and now they call it the best that this country can do. I am ashamed of them.

If we looked around us, we would also find that in the process of federal-provincial consultation there was a 12-item agenda and agreement was reached in large part on such items as communications, offshore resources, fisheries, and family law. They agreed on a different amending formula, they agreed on something different on resource ownership, different from what we find in this resolution. Why is that? Why do the NDP and hon. members opposite sit here so willingly intending to vote for this resolution, when in fact they know that such a large part of what is needed in the way of constitutional revision, such a large part of what was agreed to, does not appear in this resolution? What does appear is a number of things on which there was never agreement or discussion.

I see that my time is running out, Mr. Speaker. When I began my comments, I was wondering whether I would be able to speak for 40 minutes. I see now that I have dealt with only one third of the items I had prepared for my speech today.

An hon. Member: Carry on.

Mr. Hawkes: I suppose that all I can really do in conclusion is to express, as clearly and as succinctly as I can, my belief

that the people of my province, the people of most western Canadian provinces, will not, in the long run, want to belong to a federation in which they are treated as second-class citizens. They will not want to belong to a unitary state. They wish to be partners in a federation. They will not be victims.

We are on a very dangerous cliff. I hope that perhaps in the quietness of the caucus, in the quietness of the halls and of the offices, hon. members opposite, before they vote to impose this resolution on all the people of Canada, will take at least a little time to speak with us and will come to our province to meet with our people and to judge for themselves the seriousness of what is facing Canada today.

Some hon. Members: Hear, hear!

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I am pleased to have the opportunity to speak in this debate. I suppose that at some time in the future people will look back and they may even read the comments made by members of the House of Commons and members of the Senate and give some consideration to what was the truth in the views various members put forward of what is likely to happen to Canada as a result of this debate and of this action by the government.

I have listened to many points of view, and I have found it sometimes difficult to determine exactly how much of what is being said is real, how much is partisan, how much is misinformation. I assume it is all said honestly, but it worries me because many of the things that have been said about the consequences of the passage of this piece of legislation could not and will not come to pass. This measure will not destroy confederation. It will not take away the rights of people to have a democracy where they will be able to elect Members of Parliament and where those Members of Parliament will represent them and, in some way or other, deal with the issues and the problems of the time.

I listened with interest to my friend from the Conservative Party who spoke before me as he said that going to the courts was such a terrible thing. Yet every single Member of Parliament knows that every piece of legislation we pass will, at some point, be interpreted by the courts, and the court interpretation will set the precedent which will be the benchmark against which the legislation will be applied. Every Member of Parliament knows that the legislation which we will pass from this day forward, as on any other day, will be subject to amendment in the House of Commons.

The one thing that has not been said by those who suggest that what is happening destroys democracy is that until today, and until this bill finally becomes law, if we wanted to make any change to the existing Constitution of Canada, we could not have gone to the courts of Canada; we had to go to Westminster and ask another Parliament, far removed from the concerns of Canada, with little, if any, interest in the day to day activities of our country, to approve or disapprove of the changes we would like to make. Frankly, I do not think it is all that bad to have the court in your own land, appointed by your own Parliament, make the final decision.

Mr. Andre: It is not appointed by us. That was the whole point of the speech.

Mr. Deans: It is appointed under an act of Parliament, and therefore appointed by Parliament.

Mr. Andre: No, that was the whole point of the speech.

Mr. Deans: The point of his speech was wrong.

Mr. Baker (Nepean-Carleton): How do you know it is wrong since you did not understand it?

Mr. Deans: The greatest part of the debate I have heard outside the House of Commons has been centred upon why we are doing this right now, why we are not dealing with the economy, with employment, with energy. I think there is a certain validity to that. Perhaps on balance it might have been better to spread out the discussion of the constitutional change over a longer period of time. This would have afforded an opportunity to deal with some of the problems which more evidently touch the lives of the vast majority of Canadians. But given that that was not to happen, it is appropriate that we should be dealing with the Constitution here in Canada and putting to rest, once and for all, the idle argument that this Constitution is to be made in Great Britain. What utter nonsense! What utter nonsense!

● (1800)

The committee sat countless hours listening to representations from Canadians. Members of Parliament and Senators deliberated carefully over the matters put before them. The House of Commons debated at great length the Constitution and the consequences of it. How can anyone say that this Constitution will be made in Britain? Yes, it will be approved in Britain for the last time, but it will be made in Canada by Canadians on behalf of Canadians.

Mr. Andre: Are the premiers involved?

Mr. Deans: When I return to my constituency, the people ask why the Conservatives are so naive and nasty. I say that it is their nature. Also they ask me what it is about this matter that I support. I should like to tell them that any time a discussion took place about the Constitution of Canada during my almost 15 years in politics, the one matter raised most often was that we ought to have our own Constitution, that we should have the British North America Act brought to Canada, since it was made here in the first place, and that it should be located here as a Constitution for this country. Perhaps I am one of the few members of the House who has looked at and read the actual British North America Act in Westminster. Therefore I think we are responding to the wishes of the vast majority by moving to bring the Constitution back.

What good would it be to have the Constitution in Canada with no way of amending it? The argument then centres on how it should be amended. Should we use the amending formula which was worked out in committee? Should we use

another formula, perhaps the one proposed by the Conservative party which is supported in part by some of the premiers? I asked myself those questions, and I came to the conclusion that it is better to have this formula, deficient though it may be, than one which allows the provinces to opt in or out of the constitutional provisions and thereby deny Canadians equal access to the rights that are being given, recognized, and written in this Constitution.

Surely it is better to have this amending formula, although it requires some change. Surely it is better to have this amending formula for the next two years and to allow the premiers of the various provinces and the government to come together and look for a formula which has their total support, one which reflects the concerns of western Canada.

Mr. Andre: At least blush when you say that.

Mr. Deans: I say to the hon. member for Calgary Centre (Mr. Andre), who speaks often but rarely rises, if what the Conservative Party is saying is true, that there is a willingness out there to find a way to resolve the differences of opinion, then within the next few years that willingness will rise to the top and there will be a new formula, if it has unanimity, which will be acceptable to everyone.

Mr. Andre: Why would Trudeau give up his power? You are an old union negotiator; use your head.

Mr. Deans: Despite the nattering of the hon. member for Calgary Centre, I should like to indicate we have almost agreed unanimously that we want to bring the Constitution to Canada and that we must have an amending formula. We have both those things in place. They are not absolutely perfect, but who would expect that they would be?

Then we hear arguments about the bill of rights. Who in Canada wants to perpetrate the system which exists in terms of dealing with the disabled? Who wants to deny the section dealing with the rights of women? Who in the Tory caucus, or out in the country, wants to deny natives the rights we have been able to negotiate and include in this bill of rights? Who says that we should leave the system as it is? It is not I, not I. I do not want to leave the way in which we deal with our disabled and handicapped as it has been over the last half century or more. I want to see it changed. I want to see some rights. I do not want to leave the question of women's rights hanging in the air for the next 15 or 20 years while discussions take place. I do not want to turn to the natives in this country who have placed so much trust in us, and say that for the sake of expediency and political gain, as the Conservatives have said, "we will back away; we will not guarantee your right to a place at the table."

It is difficult to come up with a constitution; it cannot be perfect. It must be a living document, not one which writes about history. It is a document upon which the future will be developed. It is a document which sets out the accepted norms and the parameters within which the majority of people feel comfortable in our society.

The question as to whether the bill of rights should be entrenched is a difficult one to answer. Although I have never been particularly in favour of a referendum, given the opportunity in the final analysis to have such a referendum, I suppose a bill of rights could be entrenched. We must bear in mind always that this bill of rights is not the final one, that it will change with the times and will reflect the concerns of society as society evolves.

I should like to refer to the report of the Royal Commission Inquiry Into Civil Rights written by former Chief Justice McRuer a number of years ago. He wrote the following about a bill of rights:

> When people demand a comprehensive "bill of rights" declared or defined in some authoritative legal form, what is it they seek? Is it not the age old demand for "justice"?
>
> To write a bill of rights is to express in general terms the expectation and claim of citizens that the legal system under which they live shall be just.

He went on to write:

> It is to be appreciated that the definition and implementation of a bill of rights cannot be done in one simple operation. Adherence to the standards set out in a bill of rights is a very complex process. It must allow for and promote continuous progress involving legal change, together with adjustment through the decisions of impartial courts and the legislative action of democratic legislatures.

Also he wrote about constitutional law as follows:

> As Sir Ivor Jennings has said, in a sense all law is constitutional law.

This is because it is in fact written within the constitutional framework of the country.

It is interesting to look at the arguments which have taken place here about constitutional law and whether certain things should or should not be included in the Constitution. One argument put forward by the Conservative Party—and I assume it was in good faith—dealth with property rights. But I should like to refer to what former Chief Justice McRuer wrote when he dealt with the matter of property rights. It reads:

> The laws against trespass and violence safeguard the free enjoyment of the ownership of land—

In fact it has been generally recognized in this country that property rights are the responsibility of provincial jurisdictions and that to write some vague reference to property rights in the Constitution can only serve to complicate further an already very complicated situation and to create even further problems in terms of whom has the ultimate jurisdiction to determine the right of individuals to quiet enjoyment of their own property. The fact that we pointed that out and said that this is an inappropriate place to put it cannot, and ought not, be interpreted to mean that somehow or other we are opposed to someone owning a home. I doubt that there is a political party anywhere which has spoken more often, more passionately and more carefully about the need to provide the opportunity for people at all income levels to have accommodation at a price they can afford, to buy a home of their own and to live in dignity. I do not think any party has any more claim to that than we do.

• (1810)

Some hon. Members: Hear, hear!

Mr. Deans: When I listen to Conservatives talking about what they put forward, they do not tell you the implications of it. The implications would have been a continuous harangue through the court system trying to determine whether, indeed, it was a provincial or a federal responsibility, whether the Constitution would take precedence over the rights of the provinces. That measure would have served no one. In fact it would have served only to frustrate and aggravate. It would not have made any sense.

So, when I look at those kinds of things I wonder why it is that we have allowed, at least what appears to me to be, a step forward toward establishing the Constitution in Canada with the rights of individuals written so that they can look at them and read them and so that they do not have to rely on something which is called "common law tradition" to determine what it is they are entitled to and what it is they have every right to expect.

When we refer to common law, of course we are not referring to Canadian common law. We are referring to British common law. Canada has not been a nation long enough to have established a sufficiently strong tradition in common law. Thus, when we try to make an interpretation about the rights of individuals, using common law, we are actually basing it on the common law traditions of Great Britain. Great Britain has centuries of history behind it, an evolution of a process which we have never had, an evolution which allowed for all changes that took place through many different systems, through the industrial revolution and through the emergence of the common man or woman into prominence in the state.

We cannot really base our tradition on that because our tradition is a different one. It is the North American tradition. It has a good core in British law but it is not necessarily governed by British law only. Therefore, to suggest for a moment that it is better to rely upon common law tradition than to rely upon a bill of rights, is a matter of opinion.

For many of us, having looked at it, opinion comes down more heavily on the need to say it to people in writing so that they can read it in any part of the country. This enables them to understand what it is that their laws are about and what their rights are. That does not take away for one moment the existing law and the weight of it. It does not depreciate for one moment the laws that we have already written into the books, the laws which have stood the test of time. They still remain. It is not as if you are starting all over again and eliminating all the other laws because you are writing the guidelines. You continue to use those laws. The laws that protect people still remain in place. The laws that give them the rights I have mentioned with regard to property still remain in place.

Therefore, it is not a matter of starting over. It is a matter of having reached a point where the growth of the country indicates that we are now capable, as Britain thought we were some years ago, to stand alone, not to be isolated but to stand alone to develop new friendships and to help strengthen old ones. The fact that we ask of Britain that she give us our Constitution back now does not mean that we do not want to continue to associate with her. It means that we want to have a relationship of maturity, of equality. That relationship will be strengthened by actions on both sides of the Atlantic. It means we will be doing what so many much smaller countries in the world decided they should do for themselves years and years ago, that is, to be masters in their own homes.

I just returned from speaking to the Prime Minister of Barbados, the Prime Minister of St. Lucia, and to some people in another part of the world. They listened with almost incredulity to the discussion that we might not want to be independent, that we are not really sure that we are ready for it yet. They do not believe it—neither do I. I think we are ready. In fact I think it is time.

As I talk to people across this country, all I can find out from them is that they are upset by the constant wrangling. They cannot differentiate between the charges and the countercharges. They do not have sufficient in-depth knowledge of the subject to be able properly to evaluate what is the truth, as I said at the beginning. As I see it, the truth is simple.

We will bring back the British North America Act, which was written here. When we have brought it back we will have a way to amend it. As part of our Constitution we will have decided to put down on paper what the rights of individual Canadians will be—each Canadian, not just Canadians living in one part of the country or another, but all Canadians no matter where they live. The Canadian living in Prince Edward Island, whose family lives in Alberta, will have the same rights as all others. A Canadian living in Ontario or in British Columbia will have the same rights, because they are all Canadians. If they decide to up and move, they can do that. They will not lose the rights that they have, as would be the case if we allow the opting in and out formula, as would be the case if we left it to the jurisdiction of each province to write its own bill of rights.

Surely to God being a Canadian means something. Surely being a Canadian in any part of this country is the same as being a Canadian in any other part. Surely the rights that you have in one part of the country are the same as the rights you have in another part of the country. You cannot have them denied because of the whim of one jurisdiction. That is what this is all about. That is what we are trying to achieve.

If I had my way, and I suspect maybe this will happen, I would have included the recognition of the supremacy of God in the preamble. We supported it. My good friend, the hon. member for Saskatoon East (Mr. Ogle) spoke about it in committee and he proposed it would be a good thing. I suspect we may see it yet.

If I had my way I would see the amending formula changed in order to correct an imbalance which exists in western Canada as a result of the formula we now have. Maybe we will get that. I do not want to risk a return to the inequities which exist across this country, the inequality which exists across this country in terms of the way individual jurisdictions deal with Canadians. I do not want to run that risk any longer.

In closing I say to you, Mr. Speaker, that I have great respect for the views that have been expressed by the many premiers across this country about what would be best for their jurisdictions. I must say that among all the letters I have received I have not received one from any premier. What I will say, because I am a Member of Parliament, is that in looking at it I do not doubt for a moment their sincerity as they speak about what is best for their jurisdictions.

I think what we must understand is that we are not talking about a jurisdictional dispute at the moment. We are talking about the rights of Canadians, regardless of where they live. We are talking about what is best for each of the component parts since, when added together, it is not necessarily best for the whole. That is the dilemma which confronts us. I wait with interest to hear the reasons why what we are doing is wrong, because I hear, from people on all sides of the House, that they support the constitutional package, bringing it back to Canada, having an amending formula, albeit we may disagree as to what it should be. They even support the bill of rights. Well, damn it, if we are supporting all these proposals, what are we fighting about?

• (1820)

One final point comes to mind. When this is over—and God knows that it will be over some day—and we have sovereignty in Canada, which we are striving for, and the Constitution is here, and the bill of rights is printed, and members are shipping them out by the hundreds to their constituents across the country, pointing out the good things contained in them, I hope we will be able to come together as a House of Commons and say to the people of Canada, "Look, in spite of our partisan differences and some reservations, this document is a good foundation upon which to build. If we work together, we can make it even better. It affords a good opportunity to preserve those items which are of value, and guarantees that you will receive a high quality of treatment, no matter where you are".

But what we will say to the people of Canada is, "Alongside the flag and the national anthem, you will have a Constitution which tells you, in the type of language that we can all understand, that being a Canadian is the best thing in the world, and that together we will have a better nation".

Mr. Thomas Siddon (Richmond-South Delta): Mr. Speaker, in listening to the concluding remarks of my hon. colleague from Hamilton-Mountain, I can only hope that the day will come when the Constitution adopted for Canada is the right one, and that there will be peace and harmony in the country arising from that document, whatever form it takes.

I reflect back to the summertime and to the month of September when we saw signs around our country admonishing Canadians to work together. I believe one sign said, "Let's work together to build a better country, now." I remember that sign quite vividly, and another sign which said, "A new Constitution: Make it right, make it work, make it ours."

I am sorry to begin my remarks this evening by suggesting that the present government initiative defies these slogans. Is it right to discriminate against some provinces and to favour others through a biased amending formula? Will it work if we set region against region, as some of these proposals do? Can it ever be ours, in our hearts, if the British government is to be blackmailed into passing amendments which are unacceptable to many Canadians and to many provinces—in fact, eight provinces?

Canada is a marvellous country, and we are all very thankful for having the opportunity to live here. We have a country where we respect the differences of one another, and that diversity makes us stronger; interdependency allows the country, collectively, to be much more than the sum of the individual parts. It is a team effort, and not everyone can play goalie and not everyone can play forward, but we all have a part to play in the future of our country.

I love this country as much as every other Canadian and every other Member of Parliament here this evening. I respect the fact that we come from different backgrounds, languages, and geographical locations. We are not all the same. I can only say, "Thank God for that".

I am reminded of a statement made during the confederation debates, in 1856. Sir George Cartier said:

> I view the diversity of races in British North America in this way: we are all of different races, not for the purpose of warring against each other, but in order to compete and emulate for the general good.

I must conclude that no one man or political party has the wisdom to surpass that of all others; that of the premiers; that of the people who are calling phone-in programs and writing letters to Members of Parliament these days, to express their views on the government's constitutional proposals.

I think of the closely knit family, much like the one I know so well, where the parents sometimes get a little bit out of control, but generally we try not to "talk down" to our children. Parents do not order them around, although they might get carried away from time to time; instead, parents attempt to teach by example and speak softly to their children in order to cultivate respect. In that process, the family spirit strengthens, and the family grows in its understanding of all its members, and learns from one another. Parents often learn a great deal from their children.

I would like to see our country come together as a family—a family which has the power to last. My fear this evening is that the process of constitutional reform is not bringing about that family spirit which I consider to be so important.

I would also like to remind members of the spirit of the Constitution enacted in 1867 and reflected in 1871 when my province joined this wonderful country. After all, "constitution" really means the putting together of a country. This is the way British Columbia felt on the morning of July 20, 1871, as reported in *The British Colonist* of Victoria, under the headline, "Confederation Complete", and I quote:

> Today British Columbia passes peacefully and, let us add, gracefully into the confederated empire of British North America . . . To-day British Columbia and Canada joined hands and hearts across the Rocky Mountains . . . let us join

hands in a friendly but firm resolve to begin our new political life a united and harmonious band.

I only wish that were the spirit in the chamber this evening, but I am afraid it is not; and that suggests that there is something seriously wrong—not necessarily wrong with all of the detail in the document we have before us at present, but something seriously wrong in the government's approach to this matter, and it concerns me deeply. After all, Canada has not consented to this process.

I must turn to the preamble of the resolution we have before us, and it states that, "whereas Canada has requested and consented to the enactment of an act of the parliament of the United Kingdom—"

Mr. Speaker, Canada has not consented! Most Canadians have not even been consulted on this matter! Our hon. colleagues to the left and across the way can talk about all of the delegations and individuals who appeared before the special committee that did such fine work for all of us, but the people of Canada have not been consulted and are in fact being ignored in this process, by not being allowed to be involved in deciding this issue.

It was the Leader of the Official Opposition (Mr. Clark) who had the courage on the evening of October 22 to stand alone. The Leader of the NDP (Mr. Broadbent) did not stand alone. He hopped quickly into bed with Mr. Trudeau and he has been there ever since.

Some hon. Members: Order, order.

The Acting Speaker (Mr. Blaker): I am sorry I must interrupt the hon. member, but there has been a developing trend to refer to hon. members by their names rather than by their office or riding, and I would remind the hon. member of the necessity to refer to members by title.

Mr. Siddon: Thank you, Mr. Speaker. I suppose those notes were appropriate for speaking across the country. I meant the Right Hon. Prime Minister (Mr. Trudeau).

Now, more than two thirds of Canadians agree with the position the Leader of the Opposition has taken, that the process, at the very least, is wrong, and the approach being taken by the Prime Minister in reforming our Constitution is wrong.

What is the correct course of action? I believe that was laid out very clearly by my leader, the hon. member for Yellowhead, and by our principal spokesman on the joint committee, the hon. member for Provencher (Mr. Epp), and other members of the Progressive Conservative Party, as that committee deliberated through the months of December and January.

● (1830)

First of all this party has a respect for the federal nature of this country; for the federal-provincial partnerships and division of powers as clearly set out in our existing Constitution, the British North America Act. In a few moments I will elaborate on this and show how the present document changes that arrangement of federal-provincial powers in a very profound way.

Secondly, Mr. Speaker, this party believes we should bring the Constitution home and bring it home now. The hon. member for Edmonton East (Mr. Yurko) initiated this process many months ago. I can only ask why it has not been brought home to date, following his motion which was passed in this House many months ago. This party also moved another motion on October 22 urging upon this House the immediate patriation of our Constitution on a very simple basis, so that we might make the subsequent and very important amendments in Canada.

This party advocates a bill of rights and advocates that it be entrenched in the Constitution. But it must be a practical bill of rights, a Canadian bill of rights. We are not prepared to accept a Constitution and a charter of rights on which the Canadian people have not had adequate opportunity to offer their input.

We believe that the amending formula by which this Constitution may be changed in the future has to be fair to all the parts and regions of Canada, by treating all provinces as equal. That is why we put forward the Vancouver amending formula which does not contain the outright discrimination that the government's amending proposal contains. We believe that all amendments to the Constitution in the future must be debated and adopted in Canada by Canadians, not by Great Britain. Canadians should decide on Canadian questions, as my leader has often said.

We put forward the proposal for a constituent assembly which would be given a certain period of time to recommend the appropriate changes to our Constitution, in the assurance that they would have the support not merely of the Prime Minister and his colleagues but of all the provinces and people as well.

Finally, Mr. Speaker, we believe that the referendum method which is being proposed as a means of amending our Constitution in the future is contrary to our parliamentary traditions, but, more seriously, it is divisive and threatens the rights of minority groups in this country. I will give some further explanation of this in a few moments.

We have put forward an amendment calling for the deletion of Clause 46. It would delete the use of referenda which could be abused to the extent they would deny rights to minorities and Canadians at large; given a certain spirit and time in the country. Senator Roblin in the other place often says that we must do things in the right way if they are to be done right. I heartily echo that sentiment.

What is wrong with the government's approach? First of all, this government has no mandate from many Canadians. It received no mandate on February 18 last year to change our Constitution in substantive ways. It has a mandate from members who come largely from two provinces, and it has the implied consent of two other provinces, one of which is a common province, the province of Ontario, but the rest of the country is being bypassed in this process. Neither does this

government have a mandate from the people of Quebec, as it often claims to have.

I am reminded of statements made by a well-known and respected political scientist in the province of Quebec, Dr. Léon Dion. As reported in the *Edmonton Journal* on October 3, 1980, the day after the Prime Minister presented his proposal, Dr. Dion said: "It's a sad day for democracy in Canada". He went on to note that the Prime Minister was using his promise made during the Quebec referendum to renew the Constitution as a reason for proceeding on the present path. He said in fact that Quebec had precise demands which were expounded during the referendum campaign and that the Prime Minister's plan for patriation and a bill of rights does not meet these precise demands, and does not meet the aspirations of Quebecers. I think that view is reflected when many of the hon. members opposite return to their constituencies each weekend.

Mr. Lalonde: He voted Yes on the referendum.

Mr. Siddon: The article in the *Edmonton Journal* continues:

Trudeau's 'stubborn desire to impose his views on the provinces' will create confusion, and might also create more antagonism, Dion predicted. A constitution must exist on consensus, not on force and constraint.

The third reason for believing the government is taking the wrong approach is the pace at which it is moving. The government is in a big rush, for some inexplicable reason. Perhaps this has something to do with the Prime Minister's personal timetable. Especially and above all else, I think the government is perpetrating a fraud and a deception upon the Canadian people. To be more specific, it is perpetrating a power grab on the provinces. That is what unilateralism is all about and it leads ultimately to a unitary state. I hope hon. members will hear me out, Mr. Speaker.

I believe that Canadians are being deceived, fraudulently, in three key areas. First of all, this government is substantially altering the nature of federalism. It is substantially altering the relationship between the provinces and the federal government. I shall elaborate on that in a moment.

Secondly, the government is using the government of Great Britain to enact changes in our Constitution in a manner which would not even pass the test of its own amending formula here in Canada. If it is so confident that this initiative will be widely accepted by Canadians, then for the life of me I cannot understand why the government would not put the question before Canadians, even using its own biased, amending formula, before sending the joint address to Westminster.

Thirdly, the most significant fraud in all of this, I believe, is the sham that minority rights and human rights are being proclaimed as reasons for this initiative. In fact, those rights are being abridged within the text. A referendum mechanism is being proposed which could, in many cases, be used to deny those rights later and to assert the will of the majority, in the face of the needs of minority groups.

I want to turn now to the British North America Act. Clause 55 of the resolution before the House removes the Guarantee of provincial rights which was clearly asserted in Section 91.1 of the British North America Act. Clause 55 of the resolution essentially repeals Section 91.1 of the British North America Act. This section gives to the federal government the power to amend, from time to time, the Constitution of Canada "except as regards matters coming within the classes of subjects by this act assigned exclusively to the legislatures of the provinces". In other words, through the use of Clause 55 to repeal Section 91.1 of the British North America Act, the government takes away the guarantee the provinces have enjoyed since 1867. The provinces which joined confederation after that date also enjoy that guarantee. Now it is being struck and the federal government is giving itself the power to change the Constitution of Canada in any matter whatsoever—in any matter pertaining to provincial rights as set out in Section 92 of the British North America Act. This deals with the right of the provinces to borrow money, to manage and sell public lands, to operate hospitals, municipal institutions, to undertake local works, to operate canals, telegraphs and other communications works, to alter provincial responsibility with regard to the solemnization of marriage, and with regard to property and civil rights.

To go further, Mr. Speaker, Clause 55 would deny the provinces the power over education as set out in Section 93, and control of resource ownership as set out in Section 109 of the British North America Act. In many other respects it would alter the powers and privileges that provincial governments have enjoyed since confederation and for which other provinces that joined later have worked and fought. I believe Clause 55 is unconstitutional, Mr. Speaker, as it frees the government to change the Constitution unilaterally. That becomes clear when one reads Section 91.1 of the BNA Act.

We all know now that the amending formula which is proposed creates not only two classes of provinces, but three or four. The western provinces will rank as at least third class. I believe this discrimination threatens the very future of our nation. No member opposite, except to hide behind the premiers at Victoria in 1971, has convinced me there is any good reason for implementing the present biased amending formula. Perhaps it is to secure and maintain their mandate and support from the two most populous provinces, to forget about and to deny completely the future I want for my children, and the development of communities in the less populated part of Canada, from where I come.

• (1840)

The present government is using Britain to do its own dirty work. The government's proposed constitutional amendments would not even stand the test of its own amending formula here in Canada. The resolution could not be passed in Canada. For one thing, whether or not there was a referendum, at least two of the western provinces would reject these proposals outright. There is a very good chance, and I am sure our colleagues from Quebec could confirm this, that Quebec, either through an act of the legislature or a referendum, would reject this act if the proposed amending formula were applied as the test as to whether it should proceed to Westminster.

Quebec would reject it because of the language rights situation in Ontario and Quebec. Therefore, the Prime Minister is asking the British parliament to prostitute itself by enabling, with the principal support of only two provinces, himself to accomplish his personal goals, even though two thirds of the Canadian people object to the process being put forward. Surely this had to be a form of dictatorship.

This act, which is being perpetrated, has the potential to become a major embarrassment to the parliament in Westminster. It could well be that Westminster might be blackmailed into passing this legislation, only to subsequently learn that it has been a party to something illegal, if and when the Supreme Court of Canada finds that the cases being brought by the provinces are right and proper and that the federal government is acting in an unconstitutional manner.

On the question of minority rights, and I have alleged that this is a sham perpetrated on all of the special interest and underprivileged groups in our nation, I believe these groups are being deceived into believing they will get certain rights which they do not already enjoy. However, in so far as the rights of minority groups are concerned, many of those rights as set out in the resolution are qualified by a limitation clause which empowers the Supreme Court of Canada to restrict those rights in any way it deems to be proper. Once those rights have been delineated and interpreted by a ruling of the Supreme Court of Canada, minority groups will have no further recourse to this Parliament, to their provincial legislatures or to seek redress in any other way for a perceived injustice arising out of a misjudgment by the Supreme Court of Canada.

In spite of the fond notion which comes from one or two of the members opposite, that Canadians should have the opportunity to litigate rather than to lobby, in fact they will not have the opportunity to litigate because once those decisions are rendered by the Supreme Court of Canada it will be virtually impossible to have them altered. It is not a matter of litigating or lobbying. Canadians will not be able to lobby because we Members of Parliament will not be able to help them. Neither will they be able to litigate, even if they had ample financial resources at their disposal, because the court will have made its determination.

For the sake of these various minority groups, I want to refer to Clause 6 of the resolution which contains the so-called mobility provisions. It has a limitation. Section 6(3) reads as follows:

> The rights specified in Subsection (2)—

That is the right to move from province to province and enjoy and seek employment, are mitigated by what follows. We read on in that Section 6(3)(a) that those rights are limited by:

> (a) any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of province of present or previous residence;—

These people are being led to believe they can move back and forth between provinces and seek employment. But if you read the Subsections of that clause, people will be denied that right, if there are laws or practices in general force which would deny that right. So it is a sham.

Similarly in Clause 7, which reads:

> Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

—we are qualifying everything. We are pretending we are granting people something which, under our system of common law, they have enjoyed in this country for decades.

We could also refer to Section 15(1) which talks about equality. All Canadians are equal under Section 15(1), but under Section 15(2) we are not all equal. Some are more equal than others. Some of us are very concerned about that.

It is not a matter of litigating or lobbying. It is a matter of locking people, in perpetuity—other than through the use of the referendum method, which I will come to in a moment—into judgments rendered by the Supreme Court of Canada.

Even more alarming for these minority groups is the proposed use of a referendum contrived by the federal government to amend those minority rights, if the majority should so choose. The referendum method of Section 46 is completely inconsistent with rights. It is completely contradictory to the spirit of the charter of rights because it can sweep those rights away at a moment's notice. If this country were swept by a wave of national emotion—it might last two, three, four or five years, as the Second World War did—the rights of any minority group could be denied very quickly. The will of the majority could be used to take those rights away. This is dangerous and divisive. This is why our amendment, deleting all reference to the referendum as an amending procedure, ought to be supported by all members in this House.

I want to speak for a moment of the virtues of the parliamentary system, as I see it. When I was younger I could not understand why a referendum or a simple ballot was not the best means of making all decisions in our country. But I have learned in my two and a half years here that there is much more to making important decisions than that. There is the important process of doing our homework, of listening to our colleagues from all parts of Canada and of sometimes tempering our strong regional feelings against what other members bring to my caucus or to this House. Often I will change my mind two or three times before I am sure.

The referendum procedure mitigates against all of that soul searching because people make their decisions on the basis of a moment's whim, a moment's instinct or a two-week campaign. I suggest that is what is seriously at fault with this proposed referendum method. I believe the notion of consensus and compromise is better. This is what I experience in my caucus, whereby members from all parts of Canada give me a much greater appreciation of what our country is really all about. Their views encourage me to tread more lightly than I might otherwise do, especially when a matter of entering into someone else's area of jurisdiction is involved.

This is a lesson which is probably more difficult for members opposite to appreciate, because they do not have enough

representation in some parts of the country. As a result, they are not able to sense these important regional feelings which we often try to express from this side of the House. As my good colleague, Senator Tremblay is fond of saying: "The approach of consensus is much more human than the approach of deadlock-breaking mechanisms", which is how this referendum method is being described.

I believe the government is perpetrating an intentional deceit on minority groups. We often hear from hon. members opposite, for example, the minister for propaganda and others, about the Japanese Canadians. We all sympathize for the way they were mistreated during the Second World War. We hear that they somehow might have been saved from discrimination had this charter of rights been enacted. I say that is rubbish. In a fit of national emotion those rights would be denied one way or the other and the dangers would be even more severe, given the referendum method which is included in this resolution.

Mr. Fleming: What do they say? They say they want it. Ask them.

Mr. McDermid: They had it in the United States and it didn't do them much good.

Mr. Siddon: It is not beyond the realm of possibility that, given the current climate between western Canada, Alberta in particular, and the national government, a referendum, if this mechanism were in place, could be used to take control of the resources of that province. It could take control of the timber of British Columbia, the uranium of Ontario or the gold and hydroelectric power of Quebec. That is symptomatic of the divisiveness which this referendum device can introduce to our nation. As a person born in Alberta and resident in British Columbia I can tell you; that is where my bottom line would come. If, through a national referendum, there was a vote to deny the people of Alberta, British Columbia, Quebec, or any other province their natural birthright, as clearly set out under the Constitution of Canada, then I would feel this country was no longer worth saving. I say that quite seriously.

We might also see a time when the referendum could be used to deny underprivileged Canadians of the unemployment insurance benefits or of welfare benefits. I would suggest to you that a majority of Canadians, if given that question to answer, would probably sweep those programs away at a moment's notice. So there is another danger here because a referendum might discriminate against a very significant and important minority group which receives a very important service from this government, such as welfare. We could conceivably have a bad government in Ottawa, as many believe we do at present, which would perpetrate these types of actions upon the people. With the benefit of government advertising this could lead to a situation where the will of majority would sweep away the rights of those important minority groups with which we must concern ourselves.

• (1850)

Let us talk for a moment about the entrenched bill of rights. What should it contain? Should it be simple or complex? Should it be rooted in the system of common law or civil law? Where do the rights of one person end and the rights of the next person begin? These are important questions which have not been clarified. That is why many of us believe the present charter of rights is flawed and premature.

Under the present proposal for a charter of rights, the only rights and freedoms which will exist after the charter becomes law are those which are presently recognized, as set out in Clause 26, and those other rights and freedoms which are clearly delineated in the charter.

This is the civil law approach. It is fraught with danger for minority groups, provinces and all those free individuals and community groups which enjoy certain privileges in this country.

I favour, as I believe most Canadians do, the common law approach, based on a thousand years of history, which grants to every citizen in a free democratic society all the rights in the world, all the rights in the country that they should wish, except in so far as those rights are restricted by law.

All rights are not absolute; of course some of them are. The basic fundamental rights most definitely are; but many of the things we call rights actually lead to areas of conflict. It is a very important principle in every phase of civilization that the rights of every person should in theory end where the rights of the next person begin. That is generally the case for the so-called fundamental rights; rights to freedom of worship, freedom of speech and the others listed under the fundamental rights definition. In reality, however, there will often be an overlap. If there is an overlap, the rights of one person or group will supersede those of another person or group. Then we can ultimately expect discrimination, arguments and ultimately personal conflict because we are setting up various classes of citizenship. I am not suggesting we should not do that in special cases.

I am going to suggest in a moment that affirmative action is important in some cases, but if rights are written down and become too complicated they will lead to trouble. We saw that before the committee, with many special interest groups lining up, wanting to be named in the body of the Constitution.

In cases where special status is perhaps required to redress an imbalance, such as affirmative action for women in the work force, or affirmative action with respect to the use of French language in the House of Commons or in the governments of the land, maybe there is a case for these special rights being accorded. However, we must always remember that if those affirmative action measures ultimately have their desired effect, then one day you will want to eliminate that special status. You will want to do that because you have corrected an inequity, an injustice within society. Such a correction or reversal from special status will be required from time to time and must be accomplished, not by referendum, but by a wise

deliberation in the democratically elected Parliament and legislatures of our land.

The proposed charter of rights will in fact entrench permanent discrimination against certain persons and groups, in perpetuity. Those whose rights are abused; those who are given second-class status by a decision of the courts, must have recourse to review by their democratically elected representatives. There is no other way to ensure justice for them.

This charter of rights would perpetrate second-class citizenship upon many Canadians; young and old, men and women with various special interests. Let me give a few examples of rights that come into conflict. There are the rights of smokers and non-smokers in a closed room. There is the question of the rights of the unborn child contained within his or her mother's womb. Who has the right to life; the mother or the child? Who has the final say?

What about the rights of those who happen to know both our official languages and therefore qualify for a better job? What about the rights of the unilingual person who does not qualify for the better job? Those are rights in conflict. On the use of property, should the owner have the right to obtain the highest and best use of his property or do the neighbours have some interest in that question?

There is the question of environmental concern versus industry, of development; the question of the right to strike versus the right to work. With regard to denominational education, should a teacher be able to insist on teaching in a Roman Catholic school even though he or she may not be a Christian? I say no, of course not! That is what this concept of special status would produce. One way or another a determination by the Supreme Court of Canada would fix and entrench into the future of our country for a long, long time, various degrees of discrimination.

What about the rights of the employer as distinct from the employee? We talk about individual rights. The person who may be alcoholic or have some other personal anomalies may not be viewed as employable by the employer. Should the employer be forced to hire that person? What about landlords versus tenants? Does the landlord have any say over who shall be allowed to rent and occupy his premises? These are examples of rights in conflict.

My assertion is that we need a simple entrenched bill of rights which covers the most fundamental rights, and a subsidiary list of special rights. I would not call them secondary rights, but special rights. We must make a distinction between special rights and these fundamental rights, because special rights are there for a special purpose, that is to right inequities; to give special advantage and status to the handicapped, the native people, women in the work force and the francophone minority in a particular province. They would get special status and special rights, but they would not be entrenched and engraved in stone forever and a day.

There must be a mechanism of flexibility which would allow for those special rights to be altered and adjusted with time so as to eliminate inequity, at the point where the other party becomes second-class. The present charter does not allow for this. It is rigid, inflexible and ambiguous.

I believe that the main elements of our Canadian Bill of Rights, John Diefenbakers' Bill of Rights as passed in this Parliament some 20 years ago, should form the main body of those fundamental rights which we enjoy in Canada. That Bill of Rights should be entrenched and the Constitution should incorporate the following words:

> The Parliament of Canada, affirming, that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions;
>
> Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;

It is hereby recognized that the fundamental rights of every person, as clearly set out in the Canadian Bill of Rights include:

> —the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;
>
> the right of the individual to equality before the law and the protection of the law;
>
> freedom of religion;
>
> freedom of speech;
>
> freedom of assembly and association; and
>
> freedom of the press.

Those are the sort of fundamental rights that are unambiguous. Such simplicity will avoid a hornet's nest and we will not end up creating anomalies in our society, with some people first-class, and others second-class, in perpetuity. I suggest that this government should consider very carefully some of these questions: The abuses to which a referendum can be put, the question of whether or not Canadians are indeed all equal as we pretend they ought to be, and whether the process the present government is following is right and proper.

In closing, I want to observe that one evening in January I was watching a delegation of Metis from northern Saskatchewan as they appeared before the constitutional committee. One of the witnesses, perhaps inadvertently, said "But if we are named in the Constitution, we are going to be singled out in perpetuity as requiring special status and that will guarantee discrimination against us."

I make that assertion very forcefully this evening. Entrenchment of special status guarantees discrimination. It is not true that the natives all want to see their rights reflected in the Constitution. They want their claims resolved. The Union of B.C. Indian Chiefs has certainly made that clear. It is not true that all Canadians want to have this great gift which the gods across the way are going to give us. They want the kind of standards and values on which our country was founded; respect for God, moral decency, spiritual values and the ability to own property and enjoy freedom.

The Acting Speaker (Mr. Blaker): The Chair will recognize the hon. member for Joliette (Mr. La Salle) who is seeking to be recognized. That will take place at eight o'clock.

It being seven o'clock, I do now leave the chair until eight o'clock.

At seven o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

The Acting Speaker (Mr. Blaker): Order, please. When the House rose at seven o'clock this evening, the Chair had recognized the hon. member for Joliette (Mr. La Salle), who had not yet begun his contribution to the debate. Accordingly, I will recognize him again for the full 40 minutes allowed.

● (2010)

[*Translation*]

Hon. Roch La Salle (Joliette): Mr. Speaker, I am very happy to take this opportunity to take part in this debate which I believe to be vitally important for our country. I would like to say, Mr. Speaker, that the Canadian people are now aware that this debate is of major importance for the future of Canadian federalism. There is every reason to believe that our fellow citizens throughout the country have understood the determining nature of the changes proposed by this government. Up to now, several Quebec members of the government, of course, have spoken in favour of the package deal proposed by the Prime Minister.

For my part, I wanted to take part in this historic debate so that those who follow our proceedings closely may have a true picture of the Quebec reality. I want the dissenting voices of hundreds of thousands of Quebecers to be heard strongly and vigorously in this House. I wish to thank my colleagues of the Progressive Conservative party for allowing me today to accomplish this mission on which I had set my heart. I greatly appreciate this gesture of friendship extended to me and this act of courtesy towards the Quebec people.

I want to make myself quite clear at the outset, Mr. Speaker. I am speaking today not only as the member for Joliette, not only in my new capacity as leader of the Union Nationale Party in Quebec, but first and foremost, I am speaking today in this imposing chamber as a French-speaking Quebecer, a Quebecer who stands by the hundreds of thousands of his fellow citizens who reject the resolution proposed by the Liberal government because it goes against their concept of Canadian federalism.

These Quebecers are not only Union Nationale members, Mr. Speaker. Nor are they only from the Parti Québécois. Many of them are very active supporters of the Quebec Liberal party. I believe it is important that Canadians everywhere understand that the opposition of Quebecers, as confirmed by many polls in the last few months, goes beyond traditional party lines. The reason is very simple for anyone willing to see beyond the partisan rut. The proposed resolution of the Liberal government is even worse that the status quo; it is a definite step backward for Quebec society as a whole and a tremendous insult to Quebec federalists. It is quite obvious that the Liberal government wants to claim ownership of the Constitution. This goes against our constitutional traditions.

Canada is not limited to Ottawa. It includes all the provinces. Until further notice, these provinces have sovereign governments in their own jurisdictions. When an amendment to the Constitution changes these exclusive jurisdictions, the provinces must not only be consulted, but they must also give their agreement. This is the true nature of our Canadian federalism. Instead of trying to agree with the provinces, instead of negotiating in good faith with an open mind, the Liberal government seeks confrontation, stirs up division, and successfully moreover, to better impose its centralizing concept of federalism and it narrow vision of the future.

Members opposite submit that the proposed resolution takes nothing away from the provinces. I say that this is not true, Mr. Speaker. First, it directly erodes the exclusive provincial jurisdiction over education and the language of instruction without the consent of a majority of provinces. Because of its distinctive nature as the only Canadian province with a francophone majority, Quebec cannot accept that its jurisdiction in this regard be curtailed in relation to the present status quo.

This evolution goes against the wishes of most Quebecers who have always fought to improve their condition in relation to the status quo. Second, Mr. Speaker, through the charter of rights and freedoms, the proposed resolution threatens to make inoperative about 100 Quebec statutes. At least, this is the legal opinion expressed by a group of Montreal lawyers at the request of the Quebec government. As recently as yesterday, the Minister of Justice (Mr. Chrétien) agreed that this was so. He even suggested that it would be a good thing, as though the statutes involved were necessarily discriminatory, when it is quite possible that they do not comply with the provisions of the charter not because they deny these rights and freedoms, but because they reflect a different concept of their application. Third, the proposed resolution represents a step backward for the provinces because of its unilateral nature.

By moving unilaterally, by moving against the explicit will of eight provinces out of ten, the federal government is dealing a very hard blow to all Quebec federalists, who still believe that our federal system must recognize equal constitutional status to both levels of government. Every political party in Quebec, Mr. Speaker, accepts that principle. Indeed, it is important to note that it was included in the recommendations of the late Pepin-Robarts report. That recommendation reads as follows:

> Since we view the provincial governments as equal in stature and maturity to the central government, we have no difficulty in stating that in a restructured, genuinely federal union, the provinces should be recognized as having a constitutional status equal with that of the central government.

Ottawa's unilateral action, if it passes here and later in London, will give a *de facto*, if not a legal status, a status of legal seniority to the federal government. That unilateral action will automatically destroy the beautiful dreams of equality of constitutional status between the two levels of government. The dice will be loaded once and for all in favour of Ottawa, and there will be nothing left for the provinces to do but to bite the bullet. And fourth, as if this were not enough, this Liberal government changes its bold stroke into a *coup d'État*. It establishes on a permanent basis unilateral action by the federal Parliament over the heads of provincial legislatures.

In this matter, I come more precisely to the amendment moved by my colleague from Provencher (Mr. Epp), which aims at deleting from the Liberal package the referendum as a permanent means of constitutional change. I wholeheartedly support that amendment. In a British parliamentary system as ours, Parliament is the ultimate expression of the sovereignty of the people. In a federative country like Canada, this sovereignty is also divided between two levels of government. I cannot accept that all of a sudden, without consultation, without previous study, and especially without the agreement of the provincial governments, a procedure such as a referendum be introduced as an ongoing amending formula in order to amend among other things the future division of this sovereignty between both levels of government.

On two occasions, the Liberal government is infringing upon parliamentary sovereignty. First of all, by shifting the responsibility for basic freedoms from the legislative power to the courts. Second, by ignoring the provincial legislatures with regard to constitutional amendments and by consulting the people directly. In addition, with a referendum, the right of veto that can be exercised by a province, whether Quebec or any other one, becomes totally useless. Should this right be exercised, the federal government would still be in a position to give the deadlock of its own making as a pretext pursuant to the rules required by the Canadian Parliament under a statute, to launch a referendum in order to settle the matter.

Let nobody tell me, Mr. Speaker, that the amendment made by the joint committee alters the basic principle of this proposal. The purpose of this amendment is to establish a referendum rules commission with a membership of three, one of them representing the provinces. This does not alter in any way the basic principle, since this commission has no authority to make decisions. Even though the Prime Minister (Mr. Trudeau) may say that those who are opposed to his package deal are stuck in a status quo, no one will take him seriously from now on. Indeed, what he is proposing is worse than the status quo and goes against the concept of federalism now prevailing in Quebec.

Quebecers have understood it, and that is why a majority of them reject the proposed resolution. Mr. Speaker, I say a majority of them. I know that present Quebec members have concealed from the rest of the country the reality of Quebec and the Quebec majority that will not be fooled by the proposal now before us.

An hon. Member: That's true!

Mr. La Salle: And I wonder why they do not have the courage to tell the Prime Minister to his face and the Canadian people that the majority of Quebecers are against this proposal.

• (2020)

But what I do not understand, Mr. Speaker, is why of the 73 Liberal members from Quebec, only one, the hon. member for Montmorency (Mr. Duclos) had the courage to stand up and say out loud what he thinks down deep and what several of his colleagues think also. Considering the mood of rejection which prevails in Quebec on this issue, should not those who supposedly represent the opinion of Quebecers have the decency to reflect the mood of the people of Quebec and do so without political partisanship? This issue is too crucial, Mr. Speaker, and will have too much of an impact on Canadian federalism to be confined to the narrow limits of party politics. Is it possible that only two out of 74 members of this House representing Quebec dare say what thousands of their fellow Quebecers think? If so, it is shameful and should be forcefully denounced.

I fully agree with the words of wisdom written by Marcel Pepin, editor of Quebec City's *Le Soleil*. This is what this prominent journalist wrote because of the way Liberal members of Parliament appear so powerless and idle:

> Liberal members of parliament—
>
> For Quebec of course.
>
> —must fully realize the extent to which they will be stabbing their province in the back by voting for the Liberal proposal. By doing so, they will be enshrining the principle of federal supremacy whereas in a federation all partners are supposed to be equal. Second, they will be endorsing the legitimacy of a unilateral action when the essence of federalism presupposes agreement between the two levels of government. Third, they will be giving the federal government the authority to alter unilaterally the balance of power between Ottawa and the provinces by means of a referendum whose rules would be set by the central government. And finally, they will be allowing the federal government to unilaterally establish the time-frame of an amending formula. The only ones who can stop irreparable damage from being done are the members of Parliament for Quebec. They must be reminded of their duty and told that their first loyalty is to the people who send them to a parliament which they do not and will never control but which they can still influence.

There is something I would like to ask the members from Quebec. In the last two months I have met thousands of Quebecers and they are concerned because they do not understand why, while you are sitting here, you do not express the views of the majority of Quebecers on this issue. They fully realize that the Prime Minister has decided to create a Canada in his image. But the majority of the Quebec people think that a group of Quebecers could stop this proposal. The greatest service you could do your province and your constituents,

would be to stop this Prime Minister before it is too late, before he completely tears this country apart, this country which is yours and mine. What I am asking my colleagues opposite is to show some courage, of course, and also some honesty and to let their heart speak out. I cannot believe that these 73 Liberal members from Quebec, 72 pardon me, there is one who wants to object to—

An hon. Member: 74!

Mr. La Salle: The member for Lévis is not yet elected. I ask them: Please be sensitive to the interests of the voters in Quebec who sent them here to represent them and not to carry out the dictates of an obsessed Prime Minister who refuses to take into account the Canadian reality. What I ask my Liberal colleagues opposite, Mr. Speaker, is to convince their Prime Minister to immediately return to the bargaining table with the provinces.

Patriation of the Constitution and amending formula, which must of necessity accompany it, must come about through negotiations between equal partners. Never should steps of such vital importance to the country be taken unilaterally as is the case in this instance. That is what Quebec public opinion wants: an opinion that has been expressed not only by the government but also by all political parties in Quebec; an opinion that has been expressed by many editors and renowned constitutional experts; finally, an opinion that has been expressed through a petition signed by over 750,000 persons from all over Quebec.

This, Mr. Speaker, is my last speech in this House as the Progressive Conservative member for the riding of Joliette. As I promised and, of course, as the rules would have it, I shall resign, and this I intend to do when the next provincial election is called. Still, I should like to remind my colleagues from Quebec that some of their speeches have made me very sad; I have read several though not all of them. But I should like to appeal to their sense of honesty and objectivity and ask them to tell this House the truth about Quebec, to tell this House that the Liberals in Quebec do not agree with the Liberals here, so that Canadians might be aware of it. The leader of the Liberal Party, who failed to appear before the Joint Committee on the Constitution of Canada—the committee would have been happy to see him there—went as close as 150 feet from it, where he stated his opposition to the proposal at a press conference, I believe, in which he delivered a message from his fellow-members from Quebec to the effect that the majority of Quebecers refuse to support this unilateral exercise and the idea that we should become a unitarian state.

After 13 years, Mr. Speaker, I could not leave this House without saying also just how sorry I am to realize that the Prime Minister who is leading the country to its demise is responsible, first and foremost, for the tearing apart of Canada, for the rising tide of alienation, not only in Quebec but in other provinces as well. I imagine he says there are still some Quebecers who have been encouraged to expose this unacceptable resolution the results of which will be unfortunate. It can be felt, it can be seen, but the stubbornness of that Prime Minister, and the lack of courage of those people who should reflect the Quebec views—I am referring to the Minister of Transport (Mr. Pepin), who was reprimanded for his extremely interesting study which reflected the Canadian reality and recommended remedial measures which, I think, would have solved some of our problems, a study that was shelved in no time flat, so that the Minister of Transport was unable to support and even respect his signature on that extremely important document which recommended solutions to the problems raised by the Constitution of Canada. The Prime Minister snuffed it, and a pity it is, Mr. Speaker. Still, there are people opposite who recognize the great value of that study which we no longer hear about. Instead, there is only the vision of one man, and his concept of an artificial Canada that does not exist, and that never will as the Prime Minister would like to invent it, and we all know that.

• (2030)

As a Quebecer, Mr. Speaker, I am ashamed to ask a foreign government to legislate on my basic rights. This is most shameful. You can laugh, you have been doing that for the past 13 years and you stoop so low as to ask a foreign parliament to do something that you should do yourselves if you were brave enough, but you refrain from acting because you know quite well that it would be difficult to induce most Canadians, through legally established procedures in Canada, to approve the proposal which you are asking a foreign government to support. It is embarrassing, Mr. Speaker.

I hope that some Quebecers—we are not against the patriation of the Constitution nor against an amending formula—we all agree on that. I urge you to patriate them and you will get our support. I urge you to bring them back to Canada and to amend that Constitution with Canadians by Canadians. This is what we are asking you to do.

Miss Bégin: This is what we are doing.

Mr. La Salle: The minister says: "This is what we are doing." No kidding! This is what we are doing! They say that to the people of Quebec who are unknowingly deceived by such comments, I think that it is sheer madness. I will not say any more.

An hon. Member: What were you doing on May 20?

Mr. La Salle: On May 20, I felt that you were hypocrites, and I was right, Mr. Speaker. I was standing up for Quebec and rejecting a proposal which suggested what I now feel is a constitutional reform of sorts that is a true reflection of the views of the Prime Minister (Mr. Trudeau). I am being thanked for not supporting such a commitment. Moreover, you forget to mention that the leader of the Liberal Party in

Quebec has clearly stated that if he had known that he would be misled as he is now, he would never have chaired the No committee. Those Liberals did not perhaps deserve such a fate and all Canadians should be aware of that.

An hon. Member: What is your position?

Mr. La Salle: Mr. Speaker, for those who are still unaware of my position, I support a principle, the protection of provincial autonomy. My position is clear, I wish to keep my province within a Canadian federation respectful of the aspirations of my province and of provincial aspirations generally, respectful of regional identities and based, and I do not hesitate to say so, on the Pepin-Robarts report. I find in this report some very good recommendations which could bring about this national harmony we are seeking. But it is neither through unilateral action such as the one you are taking, nor with intentions such as those which the Quebec government is entertaining that we will achieve it, but by respecting provincial jurisdictions and favouring a wider provincial participation in major national decisions, by convincing the provinces to co-operate in building this country, working together and not going their separate way as they do now.

In conclusion, Mr. Speaker, I wanted to send this message to my fellow Quebecers, and I hope others will oppose such an unacceptable measure. There is one among you who has already done so. Those hon. members were ready to stake their seats on the referendum. Well, let them do so, for this is the way you will secure your seats. The people of Quebec are waiting for you. Mr. Speaker, it is not without emotion that I must bid farewell to my colleagues of the Progressive Conservative Party. I salute also my colleagues on the government and NDP benches, as well as the support staff of the House.

For the past 13 years, Mr. Speaker, my electors in the federal riding of Joliette have renewed their trust in me.

An hon. Member: It won't last!

Mr. La Salle: I want to thank them from the bottom of my heart for this demonstration of friendship and faith in me. I want to tell them that I am not leaving them. On the contrary, I want to get closer to them to fight for their interests, certainly in a different way, but always with the same dedication, sincerity and enthusiasm. I consider accepting the leadership of a party in Quebec like a new challenge which is not inconsistent with the actions I have taken in the federal political arena over the past 12 years. I feel that it is a normal development, in view of the political climate which has existed in Quebec for the past few years.

I wish to thank the Leader of the Official Opposition (Mr. Clark) for the trust and support he bestowed upon me from the moment he became leader of the Progressive Conservative Party. That man stood out in the minds of several Quebecers and Canadians as an outspoken supporter of provincial rights and of a renewed federalism in keeping with our constitutional traditions and the Canadian reality such as it is experienced today in the various regions of this large country. To me, Mr. Speaker, he will always remain a politician who deserves our respect and admiration.

Mr. Speaker, during the 20 seconds I have left, I appeal once again to all my Quebec colleagues to ponder over the best way to serve their country and their province. Tonight I detected the same old arrogance I have felt for 13 years, and I forgive them before leaving, Mr. Speaker. But that is the kind of feeling which makes it easier to say goodbye to such people. For years I prevailed upon them to join with those who understood the importance of a real constitutional reform which would respect the integrity of the provinces and of the present-day Canadian reality.

I would hope, Mr. Speaker, that a majority in this House will succeed in defeating that diabolical scheme which can only tear this country apart. I hope we are going to revert to a better arrangement, and I trust the British government will understand we want our provinces respected and will not yield to the proposal of this government. I think this will be the most positive action we could take for the Canadian people whatever their languages, whatever their walks of life and I think this will be the greatest gesture we can extend to our provinces, and that it will make it possible for Quebec to retain its place within this confederation, a confederation respectful of the rights of all Canadians, within which Quebec will feel more at ease and very happy.

An hon. Member: As the hon. member for Simcoe-South (Mr. Stewart) said, only one language. Tell that to Quebecers.

Miss Bégin: I rise on a point of order, Mr. Speaker.

The Acting Speaker (Mr. Blaker): The hon. Minister of National Health and Welfare on a point of order.

Miss Bégin: Mr. Speaker, would you allow me, as a Quebecer, as a Canadian, on behalf of all of us on this side of the House, perhaps for the benefit of all those in the galleries who sometimes witness our shouting matches and wonder whether our hate for each other is equal to the pitch of our voices, to point out just the same that tonight we have heard the last speech of the hon. member for Joliette (Mr. La Salle) who will be leaving this House. After all, the task of all members on both sides of the House is thankless, and whatever we may think, sometimes we get carried away, but one can impute to other members but one motive for their actions, namely that once elected, they came here to do their best for all those who voted for them. I would like to urge all my colleagues to join with me in wishing the hon. member for Joliette all the best, not in his political life, because I cannot go that far, but in his private life.

Mr. Cousineau: Mr. Speaker, would the hon. member for Joliette (Mr. La Salle) allow a question from the hon. member for Gatineau?

Mr. La Salle: Certainly!

Mr. Cousineau: Instead of criticizing the Quebec members who are fighting for bilingualism in this country, does the hon. member for Joliette intend to reject and dissociate himself from the position taken by the hon. member for Simcoe South (Mr. Stewart) in his speech last Tuesday?

Mr. La Salle: I am pleased to answer that the hon. member did not fight against bilingualism. He discussed the manner in which it has been implemented. There are always two ways to implement something. I have read the hon. member's speech. He condemned the manner in which bilingualism has been implemented not its principle.

The Acting Speaker (Mr. Blaker): Order!

• (2040)

[*English*]

Mr. Andre: Go drown in the Gatineau River.

The Acting Speaker (Mr. Blaker): It would be much easier for the Chair to—

An hon. Member: The only thing you want from Quebec is their vote. That's all you want.

Mr. Andre: Why don't you ask Jack Horner his view, you jerk?

The Acting Speaker (Mr. Blaker): Order. It would be much easier for the Chair to recognize hon. members who, if they wish to speak, might stand up.

Mr. Forrestall: Do you want me to stand up?

The Acting Speaker (Mr. Blaker): If the hon. member wants to be recognized, he should learn to stand up. I intend to now recognize the hon. member for Brandon-Souris (Mr. Dinsdale) unless I have a point of order. The hon. member for Dartmouth-Halifax East (Mr. Forestall) on a point of privilege.

Mr. Forrestall: Mr. Speaker, one wonders what it is that this House is all about when, on the eve of an hon. member's distinguished career in this House, when he is making his last comments to this assembly, we witness a cheap, cheap, low question such as that posed by the hon. member opposite, among witnesses.

The Acting Speaker (Mr. Blaker): Order, please. Now the difficulty grows because, if the hon. member has found some fault with comments that have been made by a member on the other side, then I am sure the other side can easily find fault with comments being made now. Perhaps we can settle it in the following fashion:

[*Translation*]

I am reasonably sure that everybody wishes the hon. member for Joliette (Mr. La Salle) a brilliant career and a long and happy life, as others have already said.

[*English*]

That is sufficiently non-political, to wish the hon. member well.

[*Translation*]

Mr. Nystrom: Mr. Speaker, I rise on a point of order. I wish to join with the Minister of National Health and Welfare (Miss Bégin) in wishing all the best to my good friend Roch La Salle who has just made his last speech in this House. I have known the hon. member for Joliette (Mr. La Salle) for a long time. He was elected to this House in 1968 along with me and many others. He was re-elected in the next five general elections. The hon. member for Joliette has always been strongly motivated and strong-minded, and I want to wish him, on behalf of all New Democrats and on my own behalf, great success in his private life. We have been friends ever since we were elected to the Canadian Parliament, that is almost thirteen years ago.

[*English*]

Hon. W. G. Dinsdale (Brandon-Souris): Mr. Speaker, I begin my remarks tonight following those of the distinguished member for Joliette (Mr. La Salle). I think the members of this party view his departure with a certain degree of poignancy and regret, because he has been the "Lone Ranger", if I may use a western expression, and we have been able to make the proud boast that the party of Her Majesty's Loyal Opposition has been represented in every province and in the territories, from sea to sea. With the departure of the hon. member, we can no longer make that claim. However, I am sure that in the days ahead, after we have overcome the madness that has generated this divisive debate, there will come a time when the people of the province of Quebec will come back to that old blue party, the party of confederation; the Conservative Party which made confederation happen and which now is engaged in the most critical debate in respect of the continuation of this nation, from sea to sea, we have ever experienced.

In my 30 years in Parliament, this has been the most extraordinarily confusing debate. It is the first time I have faced a government which is doing everything possible to divide the nation. It is beyond understanding why they should pursue this divisive course.

I sat under Prime Minister Louis St. Laurent, who had the image of the father of the nation, so much so that he was known as "Uncle Louis"; what a contrast between Uncle Louis and the present Prime Minister (Mr. Trudeau).

I sat under Prime Minister John Diefenbaker, who initiated the policy of co-operative federalism, and when everything possible was done to make this country, which historically has been a difficult nation to govern, function as a united nation from sea to sea. I sat under Lester Pearson, who carried on that same spirit of co-operative federalism; and then, more

recently, the right hon. member who led the Conservative government for a short period.

It is a puzzling circumstance which finds me taking part in this debate, and I want to spend the time I have tonight trying to impress upon hon. members opposite that if they persist in this course, they will completely fracture this nation.

It would be different if the government had a mandate and a power base that was representative of the country; but this government has no such mandate. During the recent runoff election in 1980, not one word was mentioned about constitutional affairs. It was sort of a peek-a-boo, Goldfarb oriented election, where the main concern was keeping the leader of the Liberal party out of sight. In 1979, large areas of Canada had voted the Liberal Party out of office because of the right hon. gentleman's increasing unpopularity. So we have a government which has no mandate, its power is located in the two central provinces, using that power to force a constitution through Parliament that is opposed by 64 per cent of the people of Canada—by eight provinces—and what is most important, by the four western provinces and two territories.

● (2050)

As a matter of fact the two territories are not even mentioned in the Constitution. They are going to remain in a state of limbo. Their problem is to get into confederation, not to get out of it. The government is going to endeavour to enshrine in the Constitution the domination of this power base, Quebec and Ontario, in the Canadian body *politique* in perpetuity because of the veto power of the Victoria amending formula.

I think you will understand, Mr. Speaker, why the feeling of alienation in western Canada has been growing by leaps and bounds. Just before I came into the House tonight I was reading the Brandon *Sun* from my home town. The city of Brandon and western Manitoba never succumbed to all the problems of alienation there were in the early thirties with the party splintering, that saw the emergence of the CCF movement in Saskatchewan and the emergence of the Social Credit movement in Alberta. My own particular bailiwick in Manitoba never succumbed to that feeling of alienation. When I came to this House the CCF was known as "the crazy Canadian farmers" because it was part of this western agrarian protest.

An hon. Member: And the Progressives.

Mr. Dinsdale: The Progressives were earlier, in the twenties. I am referring to the thirties. The Progressives was a party of the twenties if we want an historic reference.

Last Thursday evening in the city of Brandon 750 people attended a meeting of West-Fed in the Keystone Centre. I would be lucky to get a hundred people out to a meeting, Mr. Speaker.

Mr. MacLaren: That is easy to understand!

Mr. Dinsdale: I want to tell the hon. member that even when the Prime Minister was out there two weeks ago he did not get that size audience either. The article in the Brandon *Sun* on February 27, reads in part:

During his speech, Mr. Knutson was interrupted several times by applause from the enthusiastic audience, one of the largest crowds he said he has drawn while criss-crossing western Canada in the one year since West-Fed was formed as a separatist movement.

I want to inform the hon. member for Etobicoke North (Mr. MacLaren) who is from central Canada and does not appreciate the degree of alienation rampant in western Canada at the present time, that what the government he supports—

Mr. MacLaren: I am from Vancouver!

Mr. Dinsdale: —is contemplating through its unilateral action to force a constitution over the united protests of the four provinces will contribute in a special way to the growing alienation in western Canada.

I do not know why the Prime Minister is doing this. Perhaps he anticipates what is going to happen should his Constitution pass by the use of his central Canadian based majority. He is already behaving as if Canada were a unitary state. What would happen if unitary-statism were ever imposed on the Constitution? It causes one to shudder.

The present critical imbalance of power resulted from thrusting Canada into an election six months after the people had voted for a change. The inevitable result was to split the country right down the middle. As all hon. members know, there are no government representatives west of the Red River. It is not the first time the Liberal Party has used the divide and conquer formula. It was used by the late Right Hon. Mackenzie King. He managed to keep his Upper Canada and Lower Canada power base pretty well intact during most of his long reign.

A moment ago I referred to the splintering of parties in Canada during the thirties. An hon. member seated behind me asked, "What about the Progressives of the 1920s?" It is not a happenstance that all the protest parties, all the splinter parties have had their origin in western Canada. During the twenties, thirties and forties it was possible to play these divisive political games without threatening to destroy Canada as a federal state because finance, industry and population were concentrated in the golden horseshoe area of Quebec City, Montreal, Toronto, Hamilton and Windsor. This is no longer true. Economic power has moved to western Canada. Unfortunately, political power remains in Ontario and Quebec. The unilateral action of the Prime Minister who has changed the rules in the middle of the game, is designed to ensure that it will remain there forever.

It is not a coincidence, for example, that in the two-pronged attack on western Canada, almost the same vehemence is given to the government's support of the National Energy Program and that will make it possible for the central government to invade the economic prerogatives of western Canada.

The Prime Minister moves unilaterally, using his majority based in central Canada. Unfortunately, at the present time the numbers in the other place support him, although it is encouraging to note that some very responsible voices in that other place have been heard to warn against the foolishness of unilateral action of this kind. It is becoming increasingly clear from the debates in this House, and reports in the newspapers, exactly what the Prime Minister is doing to Canada.

In a recent visit to British Columbia the message was made abundantly clear. A front page story in the Ottawa *Citizen* under the byline by Iain Hunter, national editor, put that situation in focus. In part the article said:

Prime Minister Trudeau admitted Thursday he is dividing Canadians by pushing through his constitutional reforms. He's not sorry about it, he declared—in some cases he finds it 'exhilarating.'

How can a national leader find a fundamental division in Canada exhilarating? In my experience in the House up to this time, I have observed that the main purpose of a prime minister has been to find the *modus vivendi*, some common ground, so that the process of reconciliation can go on, rather than the process of divisiveness. The newspaper article goes on:

Trudeau told more than 200 cheering Liberal supporters—

The hon. member for Etobicoke North referred to the 100 that came out to cheer me. I do not know whether or not there are any more than 200 Liberals in British Columbia. The story goes on:

Trudeau told more than 200 cheering Liberal supporters here that if the country breaks apart in five or 50 years because of his unilateral action to patriate the Constitution with an entrenched charter of rights and his own amending formula—

I am quoting now from the press article:

—"then I say it wasn't worthy of living another day".

In other words, "après moi, le déluge—If I don't get my way, the country is not worth saving."

● (2100)

I have heard of other political leaders in fascist countries who have expressed almost the same thought. I propound the question, why would a national leader deliberately want to create division in Canada? It has taken us a long time to reach the point of unity out of the diversity that we have at the present time. It has resulted from a spirit of tolerance and good will.

The Acting Speaker (Mr. Blaker): Order, please. I am sorry to interrupt the hon. member, but, as he may know, under the extended hours provisions of the House order we are expected at this time to proceed to private members' business.

It being nine o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, notices of motions, private bills and public bills.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

The Acting Speaker (Mr. Blaker): Does the House agree to stand all items under the heading notices of motions.

Some hon. Members: Agreed.

Royal Canadian Legion

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): On a point of order, Mr. Speaker.

The Acting Speaker (Mr. Blaker): I thought it would be wise to put the motion before the House first.

Mr. Collenette: Before we start with the consideration of Bill S-15, Mr. Speaker, there have been discussions among the parties and it has been agreed that all stages of this bill will be disposed of before ten o'clock tonight. The sponsor of the bill, the hon. member for Renfrew-Nipissing-Pembroke (Mr. Hopkins), had discussions with the other parties about the length of time that various speakers will participate in the debate. At Committee of the Whole stage questions may be directed to the hon. member for Renfrew-Nipissing-Pembroke. I would request a House order to the effect that this bill be disposed of by ten o'clock tonight.

Hon. Walter Baker (Nepean-Carleton): Mr. Speaker, I have consulted with the hon. member for Renfrew-Nipissing-Pembroke (Mr. Hopkins) who is in charge of this bill in the House. That is the agreement. There is unanimity both with respect to the substance and the timing suggested by the parliamentary secretary as far as he and I are concerned. This is a good piece of parliamentary work and we should have it completed by ten. We consent to a House order so that the Royal Canadian Legion will have its legislation as it expects.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, both the parliamentary secretary and the hon. member for Nepean-Carleton (Mr. Baker) have stated the situation as it is. We gladly agree to the House order for we would like this bill to be given second reading, Committee of the Whole stage and third reading by ten o'clock.

The Acting Speaker (Mr. Blaker): As indicated by the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette), I will put to the House the suggestion that the motion by the hon. member for Renfrew-Nipissing-Pembroke (Mr. Hopkins), that Bill S-15 respecting the Royal Canadian Legion be read a second time, put through Committee of the Whole stage and given third reading and be through all stages before ten o'clock this evening. Is it the pleasure of the House to proceed in that fashion?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): It is agreed and so ordered.

* * *

ROYAL CANADIAN LEGION

AMENDMENTS TO ACT OF INCORPORATION

Mr. Leonard Hopkins (Renfrew-Nipissing-Pembroke) moved that Bill S-15, respecting the Royal Canadian Legion be read the second time and referred to the Committee of the Whole.

He said: Mr. Speaker, it is with a deep sense of pride and honour that I accepted the privilege to move second reading of Bill S-15 in the House of Commons. It deals with four important amendments to the act of incorporation for the charter of the Royal Canadian Legion. It is very fitting that this bill should be seconded by the hon. member for Winnipeg North Centre (Mr. Knowles) whose "chief residence" has been the House of Commons for many years and who has been very active on behalf of veterans.

At this time, also, I would be very remiss if I did not state that the House leader of the Conservative Party was very willing to second the motion for second reading of this bill, but he willingly gave that privilege to the hon. member for Winnipeg North Centre. Therefore, I sincerely thank these gentlemen, members of their parties, for their co-operation.

The willingness on the part of political parties on both sides of this House to agree to these arrangements tonight is symbolic of the traditional non-partisanship that is practised in Parliament on matters dealing with the Royal Canadian Legion and veterans' affairs. The Royal Canadian Legion supports all veterans and their families, regardless of whether they are members of the Legion and at the same time are exceptionally strong supporters and promoters of the Canadian Armed Forces.

The Legion does not go around bragging about all the good work it does. Instead, its membership simply gets on with completing its many projects, be they of an individual nature, a community-oriented venture or national in scope. One thing that we, Members of Parliament, take great satisfaction from is the close co-operation that exists between the Royal Canadian Legion and the people in the Department of Veterans Affairs.

One thing that cannot be stressed strongly enough is that more than 1,800 branches of the Royal Canadian Legion across Canada take an exceedingly sincere and deep interest in the youth of our nation. The same can be said with regard to their fine treatment of senior citizens. By their many deeds, the Legion members of today are indeed keeping faith with their fallen comrades.

The bill before us tonight proves in a very concrete way that the Royal Canadian Legion is continually renewing itself and is keeping up with changing times, but is doing so without compromising the principles upon which it was built and upon which it has functioned successfully over the years.

The purpose of amending the act of incorporation is to regularize the position of the Legion. Over the years Dominion conventions have voted to admit other groups of people they thought worthy of joining the Legion, never realizing that these groups were not covered by the act of incorporation. This anomaly was brought to the attention of the executive and the convention of 1980 instructed the executive to seek an amendment to the act to cover the many groups which had been accepted into the Legion.

There must be other groups who served in some capacity during the wars and who might in future be proposed for membership in the Legion. This is why the Legion would like Section 4(a) to be changed. The result would cover both those who are in and those who might be accepted at a later date.

The purpose of the second amendment they are seeking is quite clear. In days gone by, they used to have most of their branches in the city core because that is where people used to live. Nowadays people have moved to the suburbs and in many cases branches in the city core have hardly enough members to keep them going and they often wish to amalgamate. The act will authorize them to amalgamate branches.

The third amendment they seek concerns the election of officers at Dominion Command. The fourth amendment that is sought is designed to protect the badge of the Legion.

I can certainly report, Mr. Speaker, that the Acting Minister of Veterans Affairs, like his predecessor, the late Daniel MacDonald, supports this bill and, Mr. Speaker, I want to say that the late Daniel MacDonald's record during a lifetime of service to his country will always be looked upon as the ideal model for all members of the Royal Canadian Legion to emulate.

• (2110)

The Legion has been a critic of government action—or inaction—from time to time. Certainly there have been occasions when it has objected to the pace of the progress being made toward improving benefits. I know that any criticisms are regarded as genuine attempts to stir Parliament and the public so that justice can be achieved more quickly. Similarly, briefs and resolutions prepared by the Legion are not merely acknowledged and then disregarded by the Department of Veterans Affairs but studied carefully because it is known that the Legion has done its homework and knows its subjects, as any past or present member of our Standing Committee on Veterans Affairs can confirm.

This spirit of dedication and co-operation is a healthy thing for Canada, and when at international conferences of veterans' organizations this country is praised for having the most progressive veterans legislation in the world, members of the Royal Canadian Legion can quite rightly share in that credit.

I also know that the present minister who, as we all know, is a Quebecer, was proud of the way the Royal Canadian Legion rallied around the federal forces during the referendum campaign last year. Once again when Canada needed them, members of the Legion were there.

Tonight we are dealing with a five-page bill, Bill S-15, which brings in four key amendments to the charter of the largest organization in all of Canada. The Royal Canadian Legion—with over 1,800 branches—over 546,000 members—over 315,000 saw active service in two world wars and Korea—there are over 800,000 veterans in Canada. These are the people who taught our nation what Winston Churchill meant when he said: "Courage is the first of human qualities because it is the quality which guarantees all the others". These are the people whose influence on the national life of Canada has lived up to Harry Lauder's statement: "I could tell where the lamplighter was by the trail he left behind him."

We in this House of Commons, Mr. Speaker, congratulate the members of the Royal Canadian Legion throughout their organization across Canada for the many "trails" they have built in Canada, and we know that they, as lamplighters, will continue to influence the lives of present and future generations of Canadians. We thank them and wish them well.

Some hon. Members: Hear, hear!

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, it is a pleasure to be speaking about a veterans' bill again. In reality tonight we are talking about a Royal Canadian Legion bill, and one should be careful to differentiate.

This bill will add some clauses to the charter which will enable people who are not veterans to become members of the Royal Canadian Legion. It is right that this should be done. The veterans are really people who served in World War I, World War II or in Korea. They are getting older, as we all do, and need more younger people to keep the Legion healthy as an institution, among other reasons.

I am pleased tonight to see that the Acting Minister of Veterans Affairs is in the House. I have some suggestions I intend to put to the Legion which it might wish to pursue. Possibly the minister will pay attention to some of them and perhaps even solve some of the problems this evening.

I think the broadening of the base of membership in the Legion is a welcome amendment, and the Legion should not lose sight of its aim. It says in the bill that the Legion will now take other persons who support the purposes and objects of the Legion. I have always believed that the principal purpose and object of the Legion was to look after the welfare of the veterans of the two world wars and the veterans of Korea. I hope the Legion will continue to do that.

Also in the bill, before it was amended, the Legion took in members who were members of Her Majesty's armed forces or any auxiliary force thereof whether or not they are still serving. I hope the Legion will take an interest in these ex-servicemen, and particularly long service pensioners. They are very concerned as to what will happen to their pensions.

Recently I wrote to the Minister of National Defence (Mr. Lamontagne) on their behalf for an assurance that the indexation of their pensions would continue. The reply from the Minister of National Defence, who is responsible for long service pensioners' pensions, was that he would only guarantee it for this year. He said it would be up to the President of the Treasury Board (Mr. Johnston) with respect to future years. That is rather alarming news for the long service pensioners who have a pension fund of something over $8 billion—at least in theory—to which they have contributed their share, and they believe that the fund is of a size which should be able to take the strain of the indexation of the annuitants' pensions.

Another area for Legion prodding might well be on behalf of the widows of disabled veterans. Their pensions are being phased in over an extended period, which should be shortened for two very good reasons. The first reason is that only one third, I understand, of the widows thought to be eligible in the first phase have actually applied for the widows' pensions. Therefore, there have been and will be unexpected savings in this area. The second reason is that when the Conservatives brought in the veterans' bill we brought it in to provide a breakthrough in widows' pensions; there was a period of restraint when the Progressive Conservative government of the day was trying to reduce the annual deficit. As the Liberals have shown no desire to reduce the deficit, their profligate spending might better go to a deserving cause than to some of their present causes.

Finally, the Legion might wish to pursue the cause of disabled veterans' pensions and their supposed connection to the take-home pay of five categories of civil servants. The pensions are at present below the civil service pay rates and have not been adjusted for several years. I have not been able to see why the adjustment cannot be made on an annual basis. I hope the Legion will actively campaign for this.

The final question I have is about the estimates of the minister. I realize we will not have a stage of this bill during which I can directly question the Acting Minister of Veterans Affairs, but I notice in his estimates—and he might wish to comment on this during his intervention—under the heading of assistance in accordance with the provisions of the assistance fund regulations this year there is a drop of $3 million or something over $3 million. The estimates have been reduced from $4,150,000 to $1 million. If that could be explained, I would appreciate it very much.

Finally, it is a pleasure to support this bill, and agree, as we have tonight, to put it through in one hour. It shows the flexibility of our parliamentary system when some bills can take one hour to go through all three stages and when, on the other hand, we have a resolution which might take a year to go through all the stages.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I am grateful to the hon. member for Renfrew-Nipissing-Pembroke (Mr. Hopkins) for permitting me to be the seconder of the motion for the second reading of this bill. I am honoured to have a few minutes to speak in its support.

As has already been suggested, there are times when we seem to take an eternity to get certain measures through this Parliament, but here we have ready agreement tonight to put this bill through second reading, Committee of the Whole and third reading, all in an hour or less. That does not set a pattern which is likely to be followed very often, but the fact we are prepared to do that indicates how warm is our affection in this House of Commons for the Royal Canadian Legion. Indeed, I suppose this hour will see members vying with each other to say the nicest things they can about the Legion. When all the nicest things have all been said, they will all be deserved. We are all conscious of the interest this organization has had and the things it has done.

• (2120)

Like others, I should like to pay tribute in particular to the persistence and the continuing effort with which the Royal

Canadian Legion has sought to protect the interests and the well-being of its members and of all veterans who have served this country. It was said a moment ago that the Legion could take some share of the credit for the legislation we have on our books for the veterans of this country. I think that share has to be very large one. There is no doubt that over the years the Legion has pressed, intelligently and with good background in terms of research, for legislation to take care of disabled veterans, older veterans, and of those who are in economic difficulties but do not have disabilities for which they could get pensions under the Pension Act and they have stayed with the job.

We are talking about an organization which has been working hard for over half a century, and my contacts with officers of the Royal Canadian Legion make it clear to me that they are just as active as ever. We commend them for the part they have played and we look forward to their continued contribution in this way.

Not only have they helped to raise the standards in terms of benefit, care and health protection for veterans, their families and their survivors, but to the extent they have persuaded governments and parliaments to bring in legislation on behalf of veterans, their families and their survivors, they have aided the cause of the protection of all people in our society. They have done a good job and they deserve whatever tributes are paid to them by members who speak in this hour tonight.

I was interested in the remarks of the hon. member for Victoria (Mr. McKinnon). I do not want to use this occasion as an opportunity to put pressure on the Acting Minister of Veterans Affairs. We do not want to make this into a partisan matter, and I shall not do so. We have other opportunities to make representations to the minister, but since we are talking about a bill on behalf of the Legion perhaps I can say I was delighted when, last Thursday, the Acting Minister of Veterans Affairs told me and told the House that some time soon, I believe it was to be this week, he would be meeting with officers of the Royal Canadian Legion to discuss a number of matters.

I do not direct my plea to him tonight, I direct it to the Legion. When he meets with them, I hope they will press very hard for some of the things that need to be resolved. The list, of course, is not as long as it used to be. There is the question of getting rid of that phasing-in period with respect to pensions for widows of disabled veterans. There is the question of getting the 100 per cent pension tied to the average take-home pay of the five designated categories in the public service. There is the question of reconsidering the rates of compensation to former prisoners of war, and a few other items.

We are all pleased that in these days more attention is being given to older veterans, and I believe one of the things that has happened amongst the Legionnaires themselves is that as they have become older and faced the prospect of leaving widows without pensions, they have become more interested in legislation which affects the pensions of widows. A decade or two ago that question was down a few notches on the Legion's agenda; now it is right at the top.

I hope the Legion will be encouraged by the good things being said on their behalf tonight to have a really friendly heart to heart talk with the Acting Minister of Veterans Affairs when he meets with them. This is not a speech on veterans affairs, and I am not making an appeal to the minister; I am just telling it as it is.

The last time I had the privilege of being at a gathering of the Dominion Command of the Legion, the minister was there, everything was warm and friendly, and I know that he knows how anxious the members of the Legion are to see still further progress in matters of veterans' legislation.

Mr. Speaker, I have tried to make my comments in terms that befit the spirit of this hour, but I return to the main thing I wanted to say, and we all wanted to say tonight, that we are happy to endorse the bill before us. We are pleased that the Legion has decided that this far away from wars—and we hope we will get still farther away from them—they would like to open up their membership so that people who are not veterans can join their ranks, and all of us in the House tonight extend our greetings and our best wishes to the Royal Canadian Legion.

Mr. Hal Herbert (Vaudreuil): Mr. Speaker, it is with genuine pleasure that I speak in support of Bill S-15, an act respecting the Royal Canadian Legion.

Old soldiers may never die, but we cannot hide the fact that there are fewer veterans and therefore an increasing need that other persons who support the purposes and objectives of the Legion participate on an equal basis in the Royal Canadian Legion.

Though so many years have passed, I will not forget the pride I felt when I joined the Royal Air Force Volunteer Reserve and became Airman 1394281. Nor will I forget the tumultuous welcome we received when we landed in Halifax to participate in the Commonwealth air training plan. The warm hospitality continued in Montreal, wide open Montreal, with a 3 a.m. closing and the generously donated Air Force house on Sherbrooke Street, which was so easy to visit from the Lachine Manning Depot. Then we were off to elementary flying training at St. Eugene in Ontario. I see the member in the party opposite who, I believe, was at the school at about the same time I was there. It was there that I got to know so many of the kind people of Hudson, Quebec, the town where my family and I have lived since the war.

It was here at Uplands, Ottawa, that I got my wings and commission and became Pilot Officer No. 136664. Who will forget those wonderful weekends across the river in Hull at the old Standish Hall. Next it was to Summerside, Prince Edward Island, and the not so dry hospitality of a dry island, and I suppose people know what I am talking about. Then it was to Europe for the more serious work. I lost 50 per cent of my buddies in the period when I was on operational flying. In so many ways, the Royal Canadian Legion ensures that we do not forget their sacrifice along with that of too many others who could never return to their families and friends.

The Legion is not just an association for socializing and for swapping wartime stories. It brings together veterans and their families with a common interest in caring for the needs of their sick and disabled comrades.

In my constituency of Vaudreuil, some 1,200 veterans are cared for in the magnificent Ste. Anne de Bellevue Veterans Hospital. The Royal Canadian Legion watches carefully to ensure that the Department of Veterans Affairs gives to these less fortunate ex-servicemen and women the standard and quality of care and attention they deserve. The Royal Canadian Legion branches have also been instrumental in providing housing for veterans. The General Vanier Branch No. 234 in Roxboro, the Churchill Branch No. 91 in Ste. Anne de Bellevue, the Pointe Claire Branch No. 57, and my own branch of which I am a proud comrade, Hudson Branch No. 115, joined together to build a block of 95 apartments with the assistance of veterans' housing legislation.

• (2130)

Those of us who were fortunate enough to survive unharmed the horrors of war, the bombs, the ack-ack, the box barrage, the machine guns and rifle fire, must ensure that our children are occasionally reminded of those frightening experiences, even if it is only once a year when Legion members sell the red Flanders Field poppies for the assistance of veterans and to commemorate the end of the First World War on November 11.

I salute the Royal Canadian Legion and support quick passage of Bill S-15.

Some hon. Members: Hear, hear!

Hon. J. Gilles Lamontagne (Minister of National Defence): Mr. Speaker, it is comforting to experience the friendly manner of members of the official opposition and the New Democratic Party in the consideration of Bill S-15. I hope members will be as friendly for the rest of this week, or even the rest of this month.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Lamontagne: Mr. Speaker, I am very happy to take part tonight in this debate on the Royal Canadian Legion. I must say that I am most pleased to do so because I believe the merits of the Canadian Legion are well recognized by all Canadians. I think we must also pay tribute tonight not only to the leaders of the Legion, the executive, but also to all those who work all across Canada, in the towns, cities, and communities, where they try, by all possible means, to give the best possible care and treatment to all our veterans. For those who would wonder how many veterans there are left in Canada, I will say there are still more that 700,000 of them. So, as far as veterans are concerned, they are a significant part of the Canadian population which is worth taking care of, and this is what we have been doing for a long time.

By the way, Mr. Speaker, I excuse the hon. member for Victoria (Mr. McKinnon) and the hon. member for Winnipeg North Centre (Mr. Knowles) who were understandably tempted to make some suggestions to the minister responsible for veterans. I suggest they took the opportunity even though they knew that this was a bill respecting the Royal Canadian Legion. I took their comments in good part and I know their purpose in doing so was to try to advise the minister in order to speed up the process and to find means to better the welfare of our veterans.

[*English*]

I am pleased to participate in the consideration of this bill. The Royal Canadian Legion has great merit and should have the recognition of all Canadians for its work over the past many years. I assure hon. members that I support the bill; this is why I wanted to say a few words tonight.

I thank members of the official opposition and the NDP for supporting Bill S-15. I assure the hon. member for Victoria and the hon. member for Winnipeg North Centre that we are aware of the problems concerning the phasing in of widows' pensions and the allocation to veterans of whatever they deserve. We recognize the impact of inflation upon their pensions. This is perhaps one of the most important things we have to take care of. We recognize their position in regard to the poverty line. In fact, we are aware of all their problems, as are the four agencies which administer the Department of Veterans Affairs. These agencies are attempting to do their job as efficiently and as rapidly as possible, so that the veterans will be given what they deserve.

I do not want to prolong this debate, especially considering the agreement that we pass it in all stages tonight. Again I thank hon. members opposite for their co-operation.

Some hon. Members: Hear, hear!

Motion agreed to, bill read the second time, considered in committee, reported, read the third time and passed.

Mr. Collenette: Mr. Speaker, I wonder whether we could proceed with the adjournment debate at this moment. If that is agreeable, I should like to call it ten o'clock.

Mr. Deputy Speaker: Is there unanimous agreement to proceed with the adjournment debate at this stage?

Mr. Baker (Nepean-Carleton): Mr. Speaker, the hon. member for Capilano (Mr. Huntington) is present. Since his question is the first one on the list, I think it would be appropriate to proceed.

Mr. Knowles: Mr. Speaker, the third member is present as well, the hon. member for Dauphin (Mr. Lewycky), so let us proceed.

Adjournment Debate

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

SMALL BUSINESS—REPRESENTATIONS RESPECTING INDEPENDENT RETAIL SECTOR OF PETROLEUM INDUSTRY

Hon. Ron Huntington (Capilano): Mr. Speaker, as reported at page 7606 of *Hansard* for February 24, I directed questions to the Minister of State for Small Businesses and Tourism (Mr. Lapointe). I asked him what he had done to represent independent oil distributors in the downstream sector of the petroleum industry. His answer was entirely unsatisfactory. In his answer he said:

All necessary action is being taken to ensure a regular supply to the independent distributors in Quebec and we are monitoring the situation daily.

Well, if that answer was correct, why are independent distributors in Quebec so distressed and so short of the raw material they need for their livelihood?

My second question was answered by the Minister of Energy, Mines and Resources (Mr. Lalonde). Part of my supplementary question was:

Will there be more or less competition now that Petro-Canada has joined the majors?

In other words, it is the refinery gate price and the cartel at the refinery gate which are strangling the life out of independent producers in Canada.

I am one of the few members in the House—perhaps I am the only member—who took the time and trouble to make a major presentation to the Bryce commission on corporate concentration, as I am very concerned about the ongoing collectivization in Canada in terms of larger and larger corporate entities in the marketplace. Conglomerates and monopolies are strangling individual initiative and the small and medium-enterprise sectors.

● (2140)

What we have here is study upon study, commission upon commission, all delaying the inevitable day of either a fascist state or a communist state. This is so because we are allowing everything to come under the umbrella of large corporations or under the umbrella of state ownership. It is right in the heart of this issue to which I was directing my question.

The independents at large across Canada, the independent distributors and retailers of petroleum products, distribute about 15 per cent on a national average. But it is very interesting to note that in the province of Quebec they distribute over 35 per cent of the product in that province. In that province, particularly as a result of the control that the majors have over the refinery gate price, they cannot get the product they need to survive and expand in a normal way. Now that the state has entered into the downstream sector of the petroleum industry, my questions were directed at whether it would continue to smother and stifle the independent sector or whether it would break the stranglehold and cartel on the refinery gate price which controls the independent sector.

There are independents in Quebec which have been very successful, but while they need 4,000 barrels a day they are only getting 2,000 barrels a day. They are in trouble. They are being smothered and stifled. I hope that with PetroCan entering that aspect of our lives this will open up some of the crude supplies and allow the independent sector in the petroleum industry to expand and grow. The independents are cost-efficient in this area where the majors have not been. I think that has been borne out by the Ontario Royal Commission on Petroleum Product Pricing, and it said so in 1975. From 1974 to 1978 the majors activities did not make a satisfactory return in the downstream sector. It was not until OPEC opened up, as we have just found out from the report of the director of combines, and this has been supported—it was not until that world problem opened up that the majors moved in, in a substantial way, in the downstream sector, and survival and growth of the independents all of a sudden came to a screeching halt. They found themselves in a completely controlled position.

In the few minutes I have left, Mr. Speaker, I would like to reiterate one of the examples I used in my questions to the Minister of State for Small Businesses and Tourism and the Minister of Energy, Mines and Resources. This was the example of Petro-Canada purchasing Merit Oil in Burnaby, B.C. Merit Oil Company was one of the companies in the private sector that cracked the monopoly and went into the pay and save and the self-service stations. They gave the consumers that break in life. They became very successful, selling up to 50 million gallons a year. But when this OPEC pricing started and the refinery gate became controlled by a cartel, Merit found itself in a condition of being smothered. Merit asked Imperial Oil, which was one of the four majors supplying it, the others being Gulf, Shell and Pacific to the tune of about 5 per cent to 10 per cent, if it would allow Merit a little more room at the refinery gate price in order to survive. It has been reported to me that Imperial Oil said no, it would allow Merit 13 per cent. When the owner of Merit heard that and when he understood it was the final word from the cartel controlling the refinery gate price, he turned to his lawyer and told him to go and accept the PetroCan offer. That is what is happening to the private and the independent sectors in Canada.

I was asking the two ministers concerned; with PetroCan coming in and state ownership taking over more of the Canadian operations under the guise of Canadianization, how they can Canadianize something which is already Canadian-owned. That is complete nationalization, Mr. Speaker. I am asking if Petro-Canada's entry into this area will continue to nationalize Canadian-owned independents, or will it crack the cartel which exists and break the stranglehold at the refinery gate with respect to price over the independent petroleum distributors in this country? They cannot grow unless something happens.

This problem exists in Newfoundland where an independent cannot sell out and it cannot get supplies at a fair price in order to survive. Irving Oil in the Atlantic will not supply independents. Imperial is not renewing contracts with independents. In Europe and in the United States the independents are much stronger because the governments there want to encourage and strengthen the independents, and as a result there is a far broader section of competition available to protect the interests of the consumer.

I want to know if this government is joining the cartel of the majors through Petro-Canada. Will it control the refinery gate price or will it be using its substantial powers to open up refinery product supply and prices to the Canadian-owned independent companies? The answers of the two ministers have not cleared this question up.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, the hon. member's remarks this evening are timely, given the release this week of the eight-year study entitled "The State of Competition in the Canadian Petroleum Industry", to which the hon. member has made reference. The report suggests that certain developments:

—have considerably enhanced the ability of the major domestic petroleum refiners to restrict the operations of independent suppliers of gasoline and fuel oil.

I am sure all members will await with interest the hearings and the recommendations of the Restrictive Trade Practices Commission.

Mr. Huntington: Put your notes down and just give the answer.

Mr. MacLaren: On the other hand, Mr. Speaker, the federal government has done a number of things to ensure the viability of the independent wholesalers and retailers in the petroleum industry. For example, in response to the tight supply conditions prevailing during 1979, the federal government advised Canadian refiners and terminal operators of the government's position that the vialibity of efficient retailers must be maintained. It requested that the major companies act to alleviate any problems which existed at the time. Government guidelines specifically directed that refiners and terminal operators, (1) not alter substantially their trade class mix, (2) continue to supply customers of record according to current requirements—historical off-takes unless superseded by recently made contractual renewal or cancellations—and (3), not arbitrarily deny contract renewal.

Continuous contact has been maintained with the independent oil distributors. The Minister of Energy, Mines and Resources (Mr. Lalonde) and the Minister of State for Small Businesses and Tourism (Mr. Lapointe) have met several times in recent months with representatives of the independent companies. Government officials have been monitoring the market. The market share of the independents has been maintained, in accordance with government policy and guidelines. In fact, the gasoline marketing sphere of the independents increased in 1980.

As a result of the recent acquisition of Petrofina by Petro-Canada, the role of that Crown corporation has become more clearly defined in eastern Canada. Petro-Canada and the government are now carefully examining new crude oil supply possibilities, in the light of this acquisition, with the intent of determining how the independents can be further assisted. The National Energy Program is specifically designed to maintain a strong and vigorous independent sector within our petroleum industry. The recent initiative by Petro-Canada is in full support of this objective.

While an important aim of the National Energy Program is to increase Canadian ownership and control within the oil and gas industry, this will not be done through increasing concentration of power in the hands of a small number of Canadian companies. A concentrated Canadian industry is an unsatisfactory substitute for a concentrated foreign-owned industry. Competition is the consumers best protection. It is the intent of the federal government to promote an increase in the number of Canadian participants within the industry.

THE CONSTITUTION—QUERY WHETHER CHARTER OF RIGHTS COVERS UNBORN CHILDREN

Mr. Douglas Roche (Edmonton South): Mr. Speaker, I have come here tonight to alert the House and the country to an issue which has not yet received attention. In my judgment, it is a sleeper issue and one which will have profound effects on the life of our country for decades to come. It is the abortion issue as it relates to the charter of rights, which is now before the House.

I want it understood that this brief presentation I am making tonight is not an attack on the charter, as such, and it is not a partisan appeal for any support. Rather, Sir, it is an effort to bring to the attention of the House my contention and my belief, supported by a legal opinion, that within the charter of rights, as it now stands before the House, Sections 7 and 15, contain therein not only the prospect but the likelihood of what will happen as a result of the entrenchment of Sections 7 and 15; that is, that in future any law on abortion will become unconstitutional.

● (2150)

I do not think this is what the public or members of the House want. I think we want a situation in which we can give a political response to the abortion issue, taking section 251 of the Criminal Code into consideration, which allows women to have abortions when the life or health of the mother is in danger. Since that amendment came into the Criminal Code in 1969, abortions have grown to the point where they now exceed 65,000 per year, and it is a very serious situation.

Tonight I only want to focus on what the charter of rights will do. I ask the parliamentary secretary to respond directly to the legal opinion which I will put before him and to draw this to the attention of the minister, because on February 20 I asked the minister whether the words "everyone and every individual", as used in Sections 7 and 15, would apply to the unborn child, and the minister said the government did not

intend to affect the abortion question with respect to the charter.

The legal opinion I have is from the distinguished firm of Stephens, French, McKeown & Taylor, in Toronto. It was presented to the members of the all-party committee on pro-life. It is a non-partisan committee, and there are representatives from every political party. One of the co-chairmen is the distinguished hon. member for Brandon-Souris (Mr. Dinsdale), who is in the House tonight, and this opinion was presented to members yesterday. I cannot take the time of the House, at the moment, to go through it all.

I would like to point out to the parliamentary secretary and to the House that the operative law with respect to the rights of human beings today, connected to the abortion question, is a case from the Ontario Supreme Court, in which Mr. Justice Robins, in September, 1979, reiterated the law which has been upheld since then by the Ontario Court of Appeal and the Supreme Court of Canada. Mr. Justice Robins said:

—the law has selected birth as the point at which the foetus becomes a person with full and independent rights.

It will not be possible under the charter, as it is now written, given the context of the law under which we are now operating, for the foetus to be considered to be a human being and given rights. In order for the foetus to have rights, it must be born, and become capable of asserting its right to life under section 7. That is the part of my contention.

I point out that the only rights and freedoms which will exist in Canada after the charter becomes law are those presently in existence. I have already said that Mr. Justice Robins' decision is the operative court decision. In order to make any change in that, if this charter of rights becomes entrenched, we will require a constitutional amendment. We know how difficult that will be to obtain. It will probably never come in our lifetime, and we will be entering a situation in which, under Section 15, which says the right of the woman is protected, there will be a conflict between the right of the mother and the right of the foetus.

I submit, and I believe a wide body of parliamentarians and the public would agree, that the day has come when the law must say that life begins in the womb, that the foetus is a potential human being, a human being in the process of formation, and should be afforded those rights.

I close by pointing out that if the government is sincere and does not want to upset the abortion question, it will accept an amendment that would specify, as the firm of Stephens, French, McKeown & Taylor has suggested, that everyone, including the unborn, has the right to life, that life begins at conception, and that right is assertable from conception. That is the amendment we seek.

I ask the parliamentary secretary to take this into very serious consideration. He will recognize that I have not given him any kind of a partisan argument tonight; I am giving him an argument which goes to the heart of the charter applied to the right to life.

What do the words "everyone has the right to life" actually mean? The government cannot get out from under by saying that it will not affect the abortion, because if we do not act to amend that charter, we will be entrenching abortion. I suggest that the members of the House do not recognize that this will happen. They do not wish it to happen, and certainly all those Canadians who are very concerned with the 65,000 abortions per year do not want that situation to occur.

Some hon. Members: Hear, hear!

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, I wish to commend the hon. member for Edmonton South (Mr. Roche) for his concern about this very important issue.

During the hearings of the special joint committee, the views on the issue were very divided. The right to life advocates argued that the Charter of Rights and Freedoms should make it very clear that the unborn child has the right to life. The pro-choice groups contended the right of a woman to have an abortion should not be put in jeopardy.

• (2200)

Mr. J. Robert Kellerman, legal counsel, Canadian Abortion Rights Action League—CARAL—speaking of the right of life applying to the embryo or the foetus, stated the following to the special joint committee:

We have already expressed the opinion, and I think it is a fact, that the majority of the Canadian people do not subscribe to that belief. It is a minority view and it is a view which should not be allowed to express itself as if it is an entrenched right in the Constitution of Canada.

On the other hand, Major John J. H. Connors, LL.B., a health services consultant with Alliance for Life, spoke to the special joint committee along the following lines:

Consider, if you will, the stages of life as links in a chain. Canada's pensioners, our infirmed and incapacitated, our labour force, our students, our children and, even younger, our babies, are linked together, because all are human whatever might otherwise be their status. So, too, are unborn children a link in the same chain, similarly human and even more deserving of protection because of their vulnerability. Their very weakness dictates their need of the special protection of being named under section 7 of the Canadian Charter of Human Rights and Freedoms, which we respectfully request include a provision that everyone, from conception to natural death, has the right to life.

Because this is a matter on which there exist fundamentally differing views in Canada, the charter does not seek to take a position on the rights of the unborn and abortion, believing this is a question better left for determination by Parliament in the exercise of its ordinary legislative jurisdiction which can be adjusted from time to time as social and moral values evolve.

As long as abortion remains an evolving social issue with a divided public opinion it is best dealt with through the flexibility of legislation rather than entrenchment of one view or the other.

The Canadian charter of rights and freedoms enjoys the support of the majority of Canadians because it protects our basic rights and liberties. With respect to the abortion issue, the charter will not in any way alter the right of Parliament to

legislate concerning abortions but provide only that such legislation shall be consistent with principles of fundamental justice. The will of the people of Canada, as expressed through Parliament, shall continue to be the arbiter of the abortion question. The charter does not at all affect the current provisions of the Criminal Code respecting abortion; rather it provides a framework within which the question can be addressed by all Canadians.

COMMUNICATIONS—AM RADIO TRANSMISSION—PROPOSED CHANGE IN DIAL POSITIONS

Mr. Laverne Lewycky (Dauphin): Mr. Speaker, I should like to address my remarks to a question I raised on January 28 in this House about the proposed change of the dial position of the AM band. At that time the response of the minister who was dealing with communications, the Secretary of State and Minister of Communications (Mr. Fox) said they were "favourable to maintaining the spacing of ten kilohertz" and that up till then there had been no change in their position.

I also addressed a question to the Secretary of State for External Affairs (Mr. MacGuigan), which he took as notice. In a subsequent letter to me he indicated that the position the government will take at the conference will be that which best meets the requirements of Canadian broadcasters and the interest of the public, while at the same time recognizing the need to co-ordinate and co-operate with other countries in the region. This reply is very non-commital and does not really satisfy my constituents who were making the inquiries.

Since that time I have received a number of resolutions opposing the change on the AM dial from various municipalities such as Dauphin, Grandview, the rural municipality of Gilbert Plains, the rural municipality of Glenella, the rural municipality of Shellmouth and the local government district of Alonsa. Many people have come to see me in the constituency, such as the manager of the local radio station, Hugh Dunlop, who strongly opposes any such changes. Some of my colleagues have passed on representations from radio stations in their ridings where the changes are also opposed. This is indicated in letters to the hon. member for Churchill (Mr. Murphy) and the hon. member for Kootenay East (Mr. Parker). It is because of these representations that I should like to deal with the subject this evening.

When I met with Peter Nykolaishen the engineer at CKDM radio station, he indicated what this means to a rural station such as Dauphin. In the case of CKDM they would have to purchase new crystals, change their number from 730 to 739, shift the antennae, bring in specialty people to make the changes, and there would be a great inconvenience to the public which has been listening to the station for 30 years. There would also be problems for other members of the staff, such as sales manager, Jack Henderson, who indicated that promotional literature and letterheads would have to be changed, listeners would have to become adjusted to the dial change and for a time would be confused. Small transistor radios may not be able to pick up all the changes that would occur.

Other constituents have written to tell me what the change means to them. The secretary treasurer of the rural municipality of Gilbert Plains, Mr. Drebnisky wrote:

> For example we have a few hundred people in this area alone that like to listen to the CJOB Winnipeg station broadcasts of the Montreal Expos baseball games, Winnipeg Blue Bombers football broadcasts and the Winnipeg Jets hockey games. Daytime listening is fine but as soon as dusk arrives there is such interference from an American station that it is impossible to listen to the broadcasts.

In the south end of my constituency which is close to Winnipeg, the resident administrator of the district of Alonsa, Mr. Hryciuk, writes:

> I would like to state that I know of one station in Manitoba that has problems now and that is CJOB. It happens to be one of my favourite stations and if this same should happen to the great number of our Manitoba and other stations, then I say, let's keep what we've got.

In addition I have letters and representations from organizations such as the Broadcasters' Association of Manitoba. The president, John Cochrane writes:

> Rural listeners will be inundated with an even greater number of foreign signals at night and some of our Manitoba stations' signals will have more interference from these stations.

He goes on to note that 95 per cent of the AM stations will have to change their dial position, that there will be a reduction in the sound quality of stations and that the usefulness of future technical improvements such as AM stereo will be limited.

I have received similar representations from the Arctic Radio Corporation Limited which indicates the prohibitive costs that small stations would face in rural Manitoba. I have also had representations from the Hall-Gray Broadcasting Company Ltd. in British Columbia. This is a problem right across Canada and is one that should be addressed by the department.

On behalf of our constituents we would like to have a clear statement, not merely a neutral statement. We urge the government to actively promote the retention of the ten kilohertz interval spacing on the AM dial at the coming convention.

● (2205)

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): The selection of a preferred spacing for frequency channels for AM radio transmissions is a complicated issue involving a comparative evaluation of the costs that would be borne by Canadian broadcasters if closer spacing were adopted and of the benefits from such a change in the form of opportunities to establish new or to upgrade existing AM broadcasting stations.

As the Minister of Communications (Mr. Fox) said in responding to a question on January 28, our traditional position has been to retain ten kHz spacing. Indeed, it was the Canadian delegation at a conference in Buenos Aires in March, 1980, that provided the crucial support to the Brazilian delegation to bring about an 18-month delay in the decision on whether to adopt nine or ten kHz channel spacing as the international standard. This decision will now be taken at a conference to be convened in Rio de Janeiro by the Interna-

tional Telecommunications Union in November. The sole purpose of this conference will be to establish a frequency assignment plan for the 9,000 AM broadcasting stations currently operating in North, Central and South America, and to adopt co-ordination procedures for the establishment of new stations during the next five years.

In preparation for this conference, Canadian officials, in close consultation with representatives from the Canadian broadcasting industry, are studying all technical and operational aspects of AM broadcasting in Canada, including the channel spacing issue. Indeed, a technical expert from the Canadian Association of Broadcasters was an important member of the Canadian delegation in Buenos Aires. He will continue in this role in Rio de Janeiro in November.

Some members of this House have had an opportunity to discuss this matter with officials of the Department of Communications. For those who have not, I should like to note two important factors.

First, the decision at the ITU conference will be arrived at by means of a vote in which each country, regardless of size and population, will have one vote. If the majority adopts a channel spacing different from that proposed by Canada, we should be forced to conform to the international standard because there would be extensive interference to Canadian broadcasting stations if they were spaced at different intervals from those stations in the rest of the Americas.

Second, we are in close contact with other administrations in the western hemisphere, including the United States. Canadian officials are participating in a series of working groups convened by the inter-American telecommunications conference. We are a member of an eight-country international panel of experts established to study the issue. As part of our participation in these meetings, the Department of Communications has established a Canadian government-industry working group for detailed working level discussions both before and after the international meetings.

I can assure the hon. member that the government intends to finalize the Canadian position in full consultation with Canadian groups which have expressed an interst or concern over this issue.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at eleven o'clock.

At 10.08 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Friday, March 6, 1981

The House met at 11 a.m.

• (1105)

ROUTINE PROCEEDINGS

[*English*]

PIPELINES

ALASKA GAS PIPELINE—UNITED STATES GUARANTEES—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I wish to introduce a motion under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas it would appear that the United States is now having second thoughts about the Alaska gas pipeline, I move the following motion, seconded by the hon. member for Yukon (Mr. Nielsen):

That this House require the Minister of Energy, Mines and Resources to make a statement on motions explaining his failure to obtain the so-called ironclad guarantees of pipeline construction from the new American administration.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADIAN SOVEREIGNTY

JURISDICTION OVER CANADIAN WATERS—MOTION UNDER S.O. 43

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the controversy which exists between France and Canada over the ownership of fishing and mineral rights on Canada's continental shelf between mainland France and the offshore islands of St. Pierre and Miquelon which are now classed as French provinces, I move, seconded by the hon. member for Malpeque (Mr. Gass):

That the Canadian government communicate with the French government, emphatically informing that government that the so-called disputed waters, which cover part of the Hibernia and Ben Nevis oil fields, are sovereign Canadian waters and resources.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CORPORATE AFFAIRS

OIL INDUSTRY CONTRIBUTIONS TO POLITICAL PARTIES—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that both the Liberal and Conservative parties buried the oil industry price fixing report for the past eight years, and that the protection money in the form of political contributions paid by the oil majors totalled close to half a million dollars between 1974 and 1977, over $190,000 to the Liberal Party and over $250,000 to the Tory party, rising to $192,504 to the Liberals in 1978 alone, with pay-offs increasing in recent years, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That this House can only draw one conclusion from the fact that the major oil companies have contributed over half a million dollars since 1974 to the Liberals and Conservatives; that the oil industry price fixing report was buried for eight years and was finally brought to light on Wednesday, March 4, 1981, and the conclusion is that while these political donations were initially sufficient to provide the necessary protection, clearly they did not keep up with inflation and the Liberal Party's rising business costs—in particular hyper inflation in the pork market—and expresses its regret at the embarrassment thus caused to the oil majors and their insurance agents, the Liberal and Conservative parties of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE MINISTRY

DISCLOSURE OF HOLDINGS—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of pressing necessity. In view of the tremendous discretionary powers available to ministers of the Crown, powers which could make multimillionaires of some Canadians and paupers of others, and given the recent startling allegations of profiteering and price fixing by major oil companies, in which certain ministers of the Crown, or their families, may hold

financial interests, I move, seconded by the hon. member for Peace River (Mr. Cooper):

● (1110)

That this House hereby directs all ministers of the Crown, including the Prime Minister, to make a full and complete public disclosure of all investments and financial holdings held by themselves or their immediate relatives, such disclosures to include all those holdings which have been placed in blind trust.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

PETRO-CANADA

REQUEST FOR LEADER OF OPPOSITION TO ADMIT ERROR OF PRIVATIZATION POLICY—MOTION UNDER S.O. 43

Mr. Henri Tousignant (Témiscamingue): Madam Speaker, I rise under Standing Order 43, and request the unanimous consent of the House to present a motion dealing with an urgent matter.

In view of the government inquiry which revealed unfair practices on the part of the big oil companies which are, by the way, 80 per cent foreign-owned, in an effort to gouge Canadians to the tune of some $12 billion between 1968 and 1973 which, in terms of current dollars, would represent about $90 billion, I move, seconded by the hon. member for Abitibi (Mr. Gingras):

That the half-leader of the official opposition make due apologies to this government and all Canadians here in the House through the information media by recognizing that he was once again terribly mistaken in wanting to disband Petro-Canada in order to clear the coast for his close friends, his financial backers, namely, the oil companies.

Madam Speaker: The House has heard the motion of the hon. member. Under Standing Order 43, it requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*English*]

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—REFERRAL OF REPORT TO RESTRICTIVE TRADE PRACTICES COMMISSION—MOTION UNDER S.O. 43

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, I rise under the provisions of Standing Order 43. A Section 47 investigation under the Combines Investigation Act is currently being conducted into the relationship between Bell Canada and Northern Telecom. The Restrictive Trade Practices Commission held almost four years of hearings, sat 224 days, travelled the entire country, heard 230 witnesses to date, generated 34,000 pages of evidence, and received some 2,000 exhibits. Despite the fact the hearings are vitally important to telephone subscribers and the Canadian electronics industry, there has been no visible public debate; indeed, very few Canadians are even aware of the inquiry.

In light of the statement of the director, Mr. Bertrand, that a Section 47 inquiry on price-fixing in the oil industry "will have a significant role in placing the importance of competition in the petroleum industry in the forefront of public debate", with which proposition the Minister of Consumer and Corporate Affairs (Mr. Ouellet) wholly concurs, I move, seconded by the hon. member for Saskatoon West (Mr. Hnatyshyn):

That this House directs the Minister of Consumer and Corporate Affairs to make a statement on motions on the reasons for referring the director's report on oil industry price-fixing to the Restrictive Trade Practices Commission, which presumably has the function to make representations to change Canada's competition law, thereby delaying action for a number of years by the commission which exercises powers of holding hearings in secret.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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AGRICULTURE

PASSAGE OF MEAT IMPORT ACT—MOTION UNDER S.O. 43

Mr. Bert Hargrave (Medicine Hat): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter relating to the Canadian beef cattle industry. In view of the optimistic statement of the Minister of Agriculture (Mr. Whelan) last night to the Canadian Cattlemen's Association that we have no agricultural problems in Canada which we cannot solve ourselves, and in view of the very serious uncertainties and lack of long-term confidence in our Canadian beef cattle industry, I move, seconded by the hon. member for Red Deer (Mr. Towers):

That the Minister of Agriculture use his well-known high profile influence in cabinet—and with his House leader—to bring the meat import Bill C-46, which is his pride and joy, before the House to receive a quick second reading debate and referral to committee.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

STATUS OF WOMEN

REDUCTION IN GOVERNMENT PROGRAMS—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for New Westminster-Coquitlam (Miss Jewett), I move:

That this House regrets that the government's contribution to International Women's Week has been, once again, to put in jeopardy women's outreach programs and to cut in half the number of person-years in the Equal Opportunities for Women Office of the public service, and that this House therefore calls on the government to recognize the rights and needs of 51 per cent of our population by indicating its readiness to protect and support both of these important programs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1115)

HOUSING

PROTECTION FOR TENANTS—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise under the provisions of Standing Order 43. Critical vacancy rates across Canada are making it very difficult for Canadians to find decent accommodation. By raising the issue of rent controls in speeches, the minister responsible for housing has made it evident that the Liberal Party favours the discontinuance of rent controls without providing a satisfactory alternative. Therefore, I move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That this House condemn the suggestion by the Liberal Party that rent controls be ended and endorse the stand of the Ontario Progressive Conservative minister for housing who refuses to leave Canadian tenants unprotected.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

PIPELINES

ALASKA GAS PIPELINE—REAFFIRMATION OF UNITED STATES COMMITMENT

Mr. Dave Nickerson (Western Arctic): Madam Speaker, not surprisingly I have a series of questions this morning for the Minister of Energy, Mines and Resources. In a CP wire story today it is reported that the new Reagan administration in the United States is having second thoughts about the Alaska gas pipeline. Apparently they want to study the whole question anew. They appear to want to make sure that public moneys will not be expended before they wholeheartedly support this project. Costs are now supposed to be in the region of about $25 billion. Can the minister confirm that he has been seeking reaffirmation of the American commitment, and tell us whether his ironclad guarantees of note still stand?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Yes, Madam Speaker.

[*English*]

Mr. Nickerson: I am pleased to see that the minister has been seeking reaffirmation. It shows that he is doing his job to a certain extent, since this does seem to be a very serious problem.

Some hon. Members: Hear, hear!

An hon. Member: But he does not get any answers.

EXPORT OF GAS THROUGH PRE-BUILD SECTION

Mr. Dave Nickerson (Western Arctic): Madam Speaker, the minister knows full well that the pre-build section of the pipeline going from James River Bridge south, designed mainly for the exportation of Canadian gas, was predicated on a firm commitment to build the entire line.

At the time of the debate on this issue, we on this side of the House—in this party—pointed out the dangers of allowing—

Some hon. Members: Question!

Mr. Nickerson: —the export of Canadian gas through the pre-build unless Canada was to benefit from the timely completion of the entire project.

Some hon. Members: Order!

Mr. Nickerson: Madam Speaker, here is my question. What position will the Canadian government take toward the export of gas through the already partially built pre-build section if, as now appears likely, the whole line is not to be completed?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, in order to help the hon. member understand the present situation, I remind him that

we have, indeed, communicated with the Secretary of Energy in the United States. On February 6 we received the kind of firm commitment to which the hon. member has referred. The letter, in part, reads as follows:

I would like to take this opportunity to state again that the United States government is firmly committed to the completion of ANGTS in conformity with agreements between our countries. We expect the United States sponsors and producers will soon reach an agreement on a tentative financing plan.

That is part of the letter sent by the Secretary of Energy, James B. Edwards.

Some hon. Members: Hear, hear!

Mr. Nickerson: Madam Speaker, if one examines carefully the wording of that communiqué you will see that there are loopholes in it. They have left themselves a way out.

I am concerned about what appears to be deteriorating relations between Canada and the U.S. As we have seen from the communiqué, the minister's ironclad guarantees—you remember this term, "the ironclad guarantees"—now appear to be no more than a passing fancy. There is certainly no contractual guarantee capable of proper enforcement and to which the Americans can be legally held.

● (1120)

As a final question, can we have the personal, ironclad guarantee of the minister—whatever that might be worth—that when the President of the United States visits Canada next week, energy issues, and particularly this one relating to the Alaska gas pipeline, will be accorded top priority in the discussions between the Prime Minister and President Reagan?

An hon. Member: Would you repeat the question?

Mr. Siddon: You wouldn't understand it if it was repeated. You're thick over there.

Mr. Lalonde: The energy issue will be on the agenda, and the question of the Alaska gas pipeline is going to be on the agenda, I am sure; but I would like to remind my hon. friend that the Secretary of Energy of the United States, on behalf of his government, has already given the firm commitment of that government in support of the construction of the Alaska gas pipeline. I am afraid that my hon. friend will have to eat crow before long if he continues along that line.

QUERY RESPECTING COMMITMENT TO COMPLETE PROJECT

Hon. Erik Nielsen (Yukon): Madam Speaker, there seems to be considerable doubt, in view of releases this morning, about the reassurances the minister is giving us. We were induced, when the debate was on last July—

Some hon. Members: Oh, oh!

Mr. Nielsen: Madam Speaker, I did not say "seduced", a term with which the NDP is quite familiar.

Some hon. Members: Hear, hear!

Mr. Nielsen: We were induced last July to vote in favour of the pre-build on the basis of assurances given by the hon. "Ironside". This is what he said as reported at page 3061 of *Hansard*:

What was important to obtain from the American government was that firm commitment that they would see to it that the pipeline would be built. Whether they do it by financial commitment, legislation, or other means, that is for the American government to decide. What is important is that we have that commitment.

Does the minister have that kind of commitment now from the United States government and, if he does not, will it be a top priority on the agenda of the talks between President Reagan and the Prime Minister so that that same degree of commitment will be obtained with respect to the completion of the whole of the line?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I must answer, yes, and it is too bad that Secretary Edwards did not write to us in French also, because I would read it in French; but I will read it again in English. The Secretary states that he would like to take this opportunity to state again that the United States government is firmly committed to the completion of the Alaska gas pipeline in conformity with agreements between our two countries.

An hon. Member: Give us a date.

Mr. Lalonde: We cannot have it clearer and firmer than that. This is a statement by the new Secretary of Energy of the United States, on behalf of his government.

I fail to understand what more my friend can ask for, when it would seem to be pretty clear to anyone who can read.

Mr. Nielsen: It seems to me that the minister's political life—speaking about eating crow—depends upon the degree of commitment he achieves after this meeting. The letter from which he quoted is a far cry from the letter which he read into the record of last July 17.

An hon. Member: No, it isn't.

Mr. Nielsen: Oh, yes, it is. I am quoting from a letter that was written by President Carter in his day:

In view of this progress, I can assure you that the U.S. government not only remains committed to the project; I—

That is the President speaking.

—am able to state with confidence that the U.S. government now is satisfied that the entire Alaska Natural Gas Transportation System will be completed. The United States' energy requirements—

And so on.

● (1125)

He assured the government of the day that it would be completed by the end of 1985. Will the minister get the kind of written statement from President Reagan that he got from President Carter?

Mr. Lalonde: Madam Speaker, these discussions will take place between the Prime Minister of Canada and the President of the United States.

Mr. Nielsen: Let's get it in writing.

Mr. Lalonde: This is the proper way for it to take place. I am sure the issue will be raised in discussions with the President.

Mr. Wilson: Don't you know?

Mr. Lalonde: We have a clear statement by the Secretary of Energy in the United States on behalf of the United States government. I do not see why we would have any reason to question the right or authority of the Secretary of Energy to speak on behalf of the United States government.

I suggest to my hon. friend that he should take the words of the Secretary of Energy, on behalf of the government, on their face. They represent that firm commitment to which my hon. friend is referring.

Mr. Nielsen: I would sooner have it from the President.

* * *

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—SIX CENTS INCREASE IN PRICE OF GASOLINE

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is for the Minister of Consumer and Corporate Affairs. The oil industry, having gouged Canadian consumers of some $12 billion from 1958 to 1973, plus additional billions from 1973 to the present, not content with that some days ago added some six cents per gallon on top of government's announced increase in the price of gasoline. On Wednesday the minister said that he would investigate this. Has he had that additional six cents investigated and, if so, has he found it was warranted? If not, can he assure us that the government will take compensatory action so that the gouging of the Canadian consumer will not continue?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, the officials of my department are looking into the matter. I have not yet obtained a detailed report about this.

[*English*]

COMPENSATION FOR CONSUMERS

Mr. Edward Broadbent (Oshawa): That is reasonable to this point. Will the minister do two things? First, will he give us a date by which we will have his report and, second, in connection with past rip-offs, whatever he finds merited or not merited about the six cents per gallon increase which came this week, will he assure the House and the people of Canada that they are going to be compensated in some way? Is he prepared now to outline the way in which that compensation will be implemented and, if not, will he at least say that he agrees in principle that compensation is due to the Canadian people?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, the basic difference between the NDP and the government in this respect is that we do not want to anticipate the findings of the Restrictive Trade Practices Commission. We note, like that party, that this is a very serious matter, but before jumping to conclusions, we would rather wait for the report of the Restrictive Trade Practices Commission.

[*English*]

ACTION ON INVESTIGATIVE REPORT RECOMMENDATIONS

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, let me tell the minister through you that the fundamental difference between the government and the Canadian people on this issue is that the Canadian people want their money back.

Let me put this to the minister as a final supplementary question. The minister need not wait. The report makes two specific recommendations. One is that the multinationals should divest themselves of their shares in pipelines, and the other is that Petro-Canada should become the sole importer of offshore oil. Is the minister prepared to give this House a commitment right now that he will act on those two recommendations?

[*Translation*)

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, those are two very important recommendations now being considered by the government.

* * *

[*English*]

CRIMINAL CODE

AMENDMENT RESPECTING DRIVING OFFENCES

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I have a question for the Minister of Justice. The Supreme Court of Canada, in the case of *John Boggs v. Regina*, decided last month that Section 283(3) of the Criminal Code was ultra vires. That section deals with driving while disqualified. The court indicated that because the Code prohibition included suspensions arising for reasons as diverse as failing to keep fuel oil records, it could not be upheld as a valid exercise of the criminal law power. We can take it that it is important to enforce vigorously licence suspensions resulting from serious breaches of the law, for example, impaired driving or criminal negligence. Is the government moving to introduce an amendment which would be sufficiently narrow as to withstand constitutional challenge, but at the same time would operate to

keep those drivers who have been proved dangerous off the road?

• (1130)

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I think the question put by the hon. member is a very valid one. We are studying the drafting necessary in order to come up with an amendment to the Criminal Code to make sure that these offences can be dealt with by the courts. I hope when the amendment is ready we will have the collaboration of the opposition to close that gap as quickly as possible.

Mr. Hnatyshyn: Madam Speaker, will the minister ask the government House leader to give this matter priority attention? The matter, I am sure, will receive unanimous consent to pass quickly. It is a matter of serious importance to protect people against those drivers who have been disqualified for driving but who are driving on the roads at the present time.

Mr. Chrétien: Madam Speaker, I thank the hon. member for his very good suggestion, and as soon as I am ready I will be in touch with the government House leader.

* * *

FOREIGN INVESTMENT REVIEW AGENCY

EXAMINATION OF RENAULT-AMERICAN MOTORS ARRANGEMENT

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is for the Minister of Industry, Trade and Commerce. I will try to get a straight answer from him.

An hon. Member: Some hope.

Mr. McDermid: I am going to try.

As the minister knows, Renault of France has bought into the American Motors Corporation and the deal is now before the Foreign Investment Review Agency. Will the minister assure us, and assure the workers at the Canadian plants of American Motors, that any decision he makes will not jeopardize workers jobs because of an overly restrictive government decision?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, the decision will be made not by myself but by the governor in council as is provided for by the act. Also provided under the act the decision will be taken in the light of the necessity of indicating significant benefit to Canada. This particularly involves the interests of workers. Considerations with respect to the interests of the workers will be very important in our efforts.

Mr. McDermid: I find it interesting that all your press releases say you approve of these deals. The assurance that you have given—

An hon. Member: Address the Chair.

Mr. Trudeau: Order, Madam Speaker.

Mr. McDermid: My apologies, Madam Speaker. With respect to the assurance which the minister has given to the workers, is it as ironclad as the assurance he gave to the McDonnell Douglas workers, another 250 of whom have been laid off recently?

Mr. Gray: Madam Speaker, with respect to the matter of American Motors and Renault, we have the leverage of the Foreign Investment Review Act passed by this Parliament. To the extent of the authority given to me by Parliament and the authority given to the governor in council by Parliament, we will operate in a way which serves, to the best of our ability, the best interest of the workers at Brampton and the entire Canadian economy.

* * *

FARM CREDIT CORPORATION

LOW INTEREST MORTGAGES ACQUIRED BY ENTREPRENEURS

Mr. W. C. Scott (Victoria-Haliburton): Madam Speaker, my question is for the Minister of Agriculture. Is the minister aware of the practices of the Farm Credit Corporation which are allowing entrepreneurs and individuals other than farmers to buy up farm credit loans at the low preferred interest rate, thus denying the bona fide farmer from having this opportunity?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, if I understood the hon. member's question, I am not aware of that at all. If he has evidence, I would like to see it so that I can bring it to the attention of the chairman of the Farm Credit Corporation.

Mr. Scott (Victoria-Haliburton): Madam Speaker, I have evidence which I will be glad to supply to the Minister of Agriculture. I think this is a very unfair practice where farmers are denied the privilege of buying agricultural land which is slipping into the hands of entrepreneurs and profiteers. These people want to take over the mortgages at low interest rates and they will then probably redevelop and sell the land. In other words, they will take over the farmer's contract at the low interest rate.

Mr. Whelan: Madam Speaker, I do know that there are farmers who have been able to take over mortgages at that rate of interest, which is an enviable one. Sometimes it is an old mortgage which they are liable to carry over. But I know of no non-farmer being able to take over a mortgage as was suggested. If that is being done, it is highly irregular.

[*Translation*]

DISASTERS

REQUEST FOR ADDITIONAL FUNDS TO COMBAT FLOODING ON MILLE-ÎLES RIVER IN QUEBEC

Mr. Marcel Roy (Laval): On February 24, Madam Speaker, I directed a question to the Minister of National Defence concerning the assistance program for flood victims. Since then, together with some of my colleagues, I have visited the stricken municipalities to meet with their mayors. On the basis of the information I have received, could the Minister of the Environment advise me, following the representations made by members from that area, whether the Canadian government intends to continue urging on the Quebec government the need and urgency to pursue the construction of embankments and dams along the Mille-Îles River and, if so, whether the Canadian government is ready to make additional funds available to carry out the work already started, in order to improve the flood conditions and compensate for the damage caused by the spring flooding?

[*English*]

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, following the severe flooding in the province of Quebec in 1974 and 1976, the federal government put about $15 million into flood disaster payments in the province of Quebec to individuals who had been flood victims. In 1976, we signed a flood damage agreement. When it expires next March we will have contributed $5.2 million to construct flood control works in the Montreal area and for a feasibility study of increased storage in the upper Ottawa basin.

I am pleased to indicate to the House that this week the federal government has approved an additional expenditure of $2.25 million to complete the flood control works and the study which I have just mentioned.

Some hon. Members: Hear, hear!

* * *

STATUS OF WOMEN

APPOINTMENT OF PRESIDENT OF ADVISORY COUNCIL— REQUEST FOR DISMISSAL OF MINISTER

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, my question is for the Prime Minister. Can he confirm that the new president of the Advisory Council on the Status of Women is to be Madam Lucie Pepin, the current vice-president, who believes the advisory council must "do things the way the government wants them done"?

Some hon. Members: Oh, oh!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I have not heard this quote before. If the hon. member would be more explicit, I might be able to study the question.

Mr. Wilson: Answer the question.

Miss Jewett: Madam Speaker, I asked the Prime Minister whether he could confirm that Lucie Pepin is to be the new president. Obviously he declines to do that. May I then ask the Prime Minister this question; in view of the statement of the minister responsible for the status of women that he could not care less about what 1,000 plus women think, and since the minister made no contribution whatever to the charter in so far as women are concerned, does the Prime Minister not now agree that the minister responsible for the status of women is irresponsible, insensitive, and must be sacked?

Some hon. Members: Hear, hear!

Mr. Broadbent: Lashed as well. Perhaps 40 lashes.

An hon. Member: He should be stripped.

Mr. Trudeau: Madam Speaker, I am surprised to hear the hon. member make that statement because, when we introduced the amendments to the charter presently before the House, particularly the parts relating to the equality of the sexes, it was done on representations from the minister responsible for the status of women. At the time, the chairman of the council, Mrs. Anderson, said that they had her approval, and that is what the council wanted.

* * *

[*Translation*]

TELEVISION

BROADCASTING OF CONSTITUTIONAL DEBATE— NON-RECEPTION IN CALGARY

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question is directed to the Secretary of State and Minister of Communications.

[*English*]

The minister will know that in January in the city of Calgary the televising of the House of Commons and the constitutional committee disappeared from the screens of cable subscribers to be replaced by a recipe program. Could the minister tell us whether the city of Calgary was singled out, whether other provinces are involved, and whether or not the recipes are being screened as to their Canadian content?

Some hon. Members: Oh, oh!

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, I thank the hon. member for his question. However, I would like to verify the matter with the CRTC so I can give the hon. member a comprehensive reply. We are interested, as is the hon. member, in ensuring that the constitutional debate is seen widely throughout the country because the more the constitutional debate is

seen, the better the opportunity for Canadians to understand this government's position properly.

Mr. Nielsen: Not any other position.

Mr. Hawkes: Madam Speaker, I would love to have the Canadian people understand the position of this government on the Constitution.

An hon. Member: They already know it.

An hon. Member: Give a recipe for it.

Mr. Hawkes: Could the minister indicate whether or not he is prepared to take immediate action to see that cable subscribers in the city of Calgary have the opportunity to watch the debate which is presently taking place, without facing the additional cost of a converter? Can we have the House of Commons back to replace the recipes, and will the minister use his good offices to achieve that result quickly?

• (1140)

Mr. Fox: Madam Speaker, the hon. member has completely changed the premise of his question from saying that the people of Calgary were denied coverage of the debate to saying that it is available on cable, but that you need a converter to receive it. Actually his premise is quite different. In any event, I will be pleased to ask the chairman of the CRTC to look into the matter and let me have a report so that I can inform the hon. member.

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CANADIAN SOVEREIGNTY

JURISDICTION OVER CANADIAN WATERS—QUERY RESPECTING OIL DRILLING RIGHTS

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I wish to direct my question to the Secretary of State for External Affairs. Within the near future it is anticipated that the federal government, through its agent Petro-Canada, will announce that the wheels have been set in motion for the drilling of oil in the Hibernia and Ben Nevis oil fields on the banks off the coast of Newfoundland. I wish to ask the minister, in light of the controversy which has existed for many years between Canada and France over fishing rights in the waters surrounding St. Pierre and Miquelon, whether a similar dispute exists over oil drilling rights and, if so, what steps are being taken to resolve this issue?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, negotiations between Canada and France are beginning with respect to the problems off St. Pierre and Miquelon. In due course I hope to have further information to report to the House.

POSSIBILITY OF OIL SPILLS—STEPS TO PROTECT EAST COAST FISHERIES

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I will direct my supplementary to the Minister of Energy, Mines and Resources. Since uncontrolled oil wells and spills are not an uncommon occurrence in the Gulf of Mexico and the North Sea, what steps will be taken when drilling begins to protect the fishing resource in this area and, if a spill occurs, what machinery has been or is the government contemplating will be put in place to provide financial support to the fishermen affected, especially in Newfoundland and in my native province of Nova Scotia?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I thank the hon. member for his expression of concern in this respect. It is of great concern to the government. There is now before the national resources committee Bill C-48, the Canada Lands Act, which has many provisions dealing with environmental issues and the protection of resources. I hope this bill will receive prompt consideration and support from opposition parties because it provides for some of the most strict requirements in terms of environment of any legislation in the world. We looked at legislation in other countries and tried to put in our legislation the most strict requirements compared to those in other countries. I hope those requirements will be effective in meeting the concerns expressed by the hon. member.

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AGRICULTURE

HERD MAINTENANCE PROGRAM—APPEAL PROCEDURES

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, my question is to the Minister of Regional Economic Expansion as one of the ministers in charge of the herd maintenance program. It has to do with appeal board procedures. It was understood that the appeal board would make the final decision on eligibility criteria for applicants under the herd maintenance program. We are finding that producers with little or no crop can be thrown out because of an override by a secret rainfall map, thus making the whole appeal board process useless. Are administrative changes being made now since there is only a short time left for the program? Is the minister now prepared to provide the appeal board with the necessary powers to deal with each individual case on its own merits?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): With all due respect, Madam Speaker, the hon. member has not represented the facts correctly. The appeal board has no right to set the criteria. They have been set by cabinet and Treasury Board, and their role is to implement them.

An hon. Member: Change them.

Mr. De Bané: No, I will not change them because they were drawn up very carefully after consulting a very wide spectrum of the farm organizations in the prairie provinces. There is no way I can transfer to the appeal board the powers that are invested under the administration act with the PFRA. They are there to advise the department and give their opinion, but there is no way I can renege on the responsibilities of PFRA to make the ultimate decision. I hope within the next month the whole situation will be cleared up, particularly in Saskatchewan where there is a problem.

Mr. Althouse: Of the approximately 14,000 appeals to the board, approximately 1,000 were dealt with. The deadline for the funding is March 31. In light of the 13,000 appeals to be dealt with in less than four weeks, is consideration being given to extending the funding of the program to apply after March 31?

Mr. De Bané: Madam Speaker, I discussed the whole matter with the director of PFRA yesterday. He assures me there is every possibility of completing the program by the end of this month. Second, the number of appeals the hon. member mentioned is substantially higher than my information. Finally, we must not forget that over 24,000 farmers have already received payment.

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MARINE TRANSPORT

WITHDRAWAL OF DART CONTAINERLINE SERVICE FROM HALIFAX—ROLE OF PRESIDENT OF CANADIAN NATIONAL RAILWAYS

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, my question is to the Minister of Transport. It arises out of a series of questions asked by the distinguished member for Halifax West and others in connection with the move by Dart containerlines in association with Canadian Pacific Steamships Limited from the port of Halifax to Montreal. Does the Minister of Transport consider it proper conduct by the president of Canadian National Railways not to have advised him some months ago when he became aware of this pending move? Does the minister consider that proper conduct with regard to Dr. Bandeen's responsibility to Parliament?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I am not sure if the president of Canadian National was aware of the move. I will find out when I see him on Monday. When I spoke to him the day the Dart move was announced, it was my impression that he had not been completely informed of what was happening. That would be normal. Because of the CN involvement with Cast, possibly the Dart people were not too keen to inform him.

Mr. Forrestall: We welcome the initiative taken by Premier Buchanan and ministers of the government of Nova Scotia to meet with the minister early next week, I believe Tuesday, to discuss all the implications of this. I am sure the minister will want all factual data before him at that meeting. Dr. Bandeen has repeatedly assured the minister that both Dart and CP insist it is not because of excessive freight rates that the move is being made from Halifax to Montreal. Have either the president of CN or Dart officials indicated what is the reason? It takes between eight and ten days to move a container from Halifax to Montreal for further distribution. Did the president of CN indicate that the root cause is the delay in moving containers from our region to the central region for redistribution?

Mr. Pepin: Madam Speaker, answering that question would be an essay on competitive advantage. The port of Montreal has some advantages, as does the port of Halifax. There is no doubt that the possibility of ships coming to Montreal by river, with cheaper transportation costs, would be an advantage. The purpose of the meeting on Tuesday is to elicit all these factors and to bring about an awareness so that the public will be in a better position to judge what is at stake in these matters.

● (1150)

So it is a matter of freight rates, it is a matter of location, it is a matter of port charges, it is a matter of icebreaking, and so forth. On Tuesday we should give the public a good indication of the complexity of that situation.

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CANADA DAY

QUERY RESPECTING INTRODUCTION OF LEGISLATION

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, my question is directed to the Secretary of State and Minister of Communications. I have in my possession a copy of a letter which was sent to the Secretary of State and Minister of Communications by Mr. Chris Korwin-Kuczynski, chairman of Semaine du Canada. In the letter the chairman of the Canada Week committee asks when the minister will bring in legislation designating July 1 as Canada Day. Since this is a question which is of great interest to at least 99 per cent of Canadians, would the minister please tell this House whether such legislation will be introduced before July 1, 1981? The other 1 per cent are in the official opposition.

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, I thank the hon. member for his question, which I am sure is of great interest to many Canadians across the land. I remind the hon. member that the government introduced a bill proposing that July 1 henceforth be known as Canada Day. I believe that bill was introduced in the House last June. With the help and consent of the opposition parties we at that point introduced a bill giving Canada a national anthem. I hope our House leader is successful once again in obtaining that type of consent from the opposition parties so that this year July 1 can finally be known as Canada Day.

Some hon. Members: Hear, hear!

Oral Questions

ROYAL CANADIAN MOUNTED POLICE

REPORTED REMOVAL OF "E" DIVISION FROM VICTORIA, B.C.

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my question is directed to the Minister of Justice in his role as the Acting Solicitor General. I am sorry to see that the Solicitor General is absent from the House. I have been informed that the government plans to move the headquarters of "E" Division of the Royal Canadian Mounted Police out of Victoria. This means the loss of 208 jobs. Would the minister tell us if the government really intends to go through with this ill-advised move and, if so, why?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I am not aware of such a decision. I will bring the problem to the attention of the Solicitor General, and he will reply to the hon. member early next week.

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PUBLIC WORKS

PLANS FOR USE OF FEDERAL BUILDINGS IN VICTORIA, B.C.

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my supplementary question is directed to the Minister of Public Works. It is only two years since the government purchased the building the RCMP is now going to vacate in Victoria. It will make a nice companion piece to the empty CBC building in Victoria the government built two years ago and which has never been occupied. Can the Minister of Public Works explain what the government has against Victoria? Has the government any plans to utilize these two expensive buildings, or are they to serve only as monuments to Liberal incompetence?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I am glad to receive the hon. gentleman's question as notice. I must admit that I am surprised because I have had the opportunity to meet with ministers in the government of the province of British Columbia. As a matter of fact I met with three ministers in concert, and I received no representations from them.

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AGRICULTURE

PROPOSED USE OF PRAIRIE FARM EMERGENCY FUND

Mr. Doug Neil (Moose Jaw): Madam Speaker, my question is for the Minister of Agriculture. A short time ago he took a swing around western Canada, and while in the province of Alberta he made some comments about his proposal to bring in a bill similar to my Bill C-245 which would make use of some $9 million in the old prairie farm emergency fund, for research and development. Just after his trip he was reported on a program called "Call of the Land", on CHRB High River, on February 9, to have said that this money, referring to the $9 million, "which has been sitting around gathering interest was collected years ago from the old farm emergency fund." I do not think the minister would like to leave any wrong impression in the minds of the people in the west. Would he confirm that this $9 million plus has been sitting in the prairie farm emergency fund since 1972 and has not drawn a cent of interest?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, all the hon. member has to do is check the record to see what I said when his private member's bill was before the House. I said it was a non-interest bearing fund and that it was not bearing interest. I have no knowledge of what was broadcast in High River. That station is generally fair and reports very well. However, I have checked my records, and I found nothing on the tapes I made when I was in that part of western Canada to the effect of what the hon. member says. It seems to me that the report referred to by the hon. member was prepared by someone and put on the air, but it was not in accordance with anything I have said or anything I have recorded.

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AIRPORTS

BOUNDARY BAY, B.C.—REQUEST TO REACTIVATE AIR BASE

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, my question is directed to the Minister of Transport. The minister will know that there has long been an urgent need to reactivate the former military Boundary Bay air base in Delta, British Columbia. That plan has long been advocated by the minister's own officials in order to relieve the congestion at the Vancouver International Airport and in particular to provide an alternative for general aviation aircraft. The minister also realizes that the former Conservative minister of transport and the former minister of the environment approved the reactivation of Boundary Bay airfield over a year ago.

I want today to ask the minister why he is dragging his feet. Why have no further steps or initiatives been taken to get on with reactivating this very important airport in order to improve safety and expand air space in the immediate Vancouver area?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I agree with everything the hon. member has said and acknowledge the quality of the project devised by my predecessor. The British Columbia Development Corporation was going to use the offer made to privatize the airport in that fashion. The corporation explored that offer for a period of time, but recently said it could not proceed. My department is looking for another potential acquirer now.

Mr. Siddon: Madam Speaker, in view of the importance of this long overdue project to aviation enthusiasts, but more particularly to the aviation industry in British Columbia, I cannot understand why the minister has not called for innova-

tive proposals such as the previous plan, and why he has not called for proposals from various entrepreneurial groups in order to get on with the undertaking of this important project. Instead, he has chosen to negotiate in secret with the British Columbia Development Corporation. Now those negotiations have collapsed and the BCDC has withdrawn from this project.

When will the minister get on with negotiating in public with all those interested parties who would like to undertake an innovative plan for the reactivation of the Boundary Bay airport?

Mr. Pepin: Madam Speaker, I was not aware that it was a secret affair. As a matter of fact I thought it was very much in the public domain. I remember going to British Columbia and referring to it with the press, so what the hon. member says is news, as far as I am concerned. As far as I am concerned it was a very public matter, and if nothing else has been done that is simply because there were high hopes that it would develop in the way it was intended, that is, through action by the British Columbia development group. This having failed, my department is now looking for other opportunities, in exactly the spirit indicated by the hon. member.

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CANADA DEPOSIT INSURANCE CORPORATION

RAISING OF LIMITATION ON AMOUNT INSURABLE

Hon. Bud Cullen (Sarnia-Lambton): Madam Speaker, my question is directed to the Minister of State for Finance. Representations have come from both sides of the House that the $20,000 limit under the Canada Deposit Insurance Corporation should be raised. The minister was kind enough to make known to all Members of Parliament the fact that this is being studied by the corporation, and he expected a report in the near future. Can the minister tell us whether that report will be made before June, or will we have to wait for the loan and trust companies legislation? Will we have that before the summer break?

Mr. Nielsen: Yes or no.

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, I will not be as laconic as the hon. member for Yukon wants me to be. Given the seriousness of the question put to me I would rather take this opportunity to clarify my thoughts and indicate to the hon. member that I did receive a report from the actuaries of the office of the Superintendent of Insurance and from the CDIC. I apologize but I cannot translate the acronym of the organization which makes recommendations, but I will submit them to my cabinet colleagues. As soon as I get their support I will be pleased to seek the co-operation of the President of the Privy Council and the House leaders with a view to introducing legislation. However, since the trust and loans companies bill remains for me a priority item I might be able, as I also intend to do, to introduce all those measures in one single package.

* * *

● (1200)

[*English*]

WESTERN ONTARIO CREDIT CORPORATION LTD.

EFFECT OF STOP TRADING ORDER

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, as the minister knows, yesterday a stop trading order was issued by the Ontario Securities Commission against a company called Western Ontario Credit Corporation Ltd. I have learned that this company owns 34 per cent of the shares of the federally chartered trust company, Income Trust Company, which operates in Toronto and southwestern Ontario.

Can the minister give us the assurance that the stop trading order will have no effect on the business and the reputation of Income Trust Company, and can he tell us whether, when he brings in legislation with respect to trust companies, he might not consider the problems that are created by the fact that we have interdependence and interlinking between mortgage brokerage firms, which are regulated on the provincial level, and trust companies, many of which are chartered at the federal level, and that tremendous problems are created as a result?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, first I will comment briefly on the last part of the hon. member's question. I should like to point out to him that indeed I share his reservations about the interlinking between federally chartered trust companies which also operate under a provincial permit. This question will have to be answered in that legislation.

In addition, concerning the issuance of a stop trading order by the Ontario Securities Commission against Western Ontario Credit Corporation Limited, I might remind the hon. member that, as he knows, the corporation is regulated on the provincial level. Never did the Ontario Securities Commission order involve the Income Trust Company which falls under federal jurisdiction. According to the report I got today from the Superintendent of Insurance, the Income Trust Company is in a sound financial situation and as far as he knows the investigation being carried out by the Ontario Securities Commission does not in any way reflect upon the financial status or the management of the Income Trust Company.

[*English*]

ASTRA TRUST

REASON FOR DENIAL OF PUBLIC INQUIRY

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, the reason this is of such concern is that we saw from the affairs involving the Astra Trust company that there was no communication and there was an interlinking which was very serious. With respect to the Astra Trust company situation, I should like to put a question to the minister directly. Yesterday, in the House of Commons, the Minister of Consumer and Corporate Affairs said:

—the focus of a criminal trial will be on several narrowly defined legal issues and would largely overlook, if not entirely ignore, the major structural problems—

Then he called for a public inquiry in the case of the oil companies. I should like to ask the minister how he can continue to argue that a criminal trial alone will tell the public and the government all we really need to know about the reason that Astra Trust was given a licence in the first place and the way in which Astra Trust was allowed to operate over a period of time when money was passing back and forth between Astra Trust and provincially incorporated mortgage companies, and why a public inquiry is not justified in this case.

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, the hon. member brings up the case of the oil companies and the public inquiry called by the Department of Consumer and Corporate Affairs to draw an analogy with the conclusions or the investigation procedure relating to the Re-Mor case. I like analogies. I could carry his analogy further, providing we compare objects of similar nature, for he knows very well that an analogy must be drawn between objects of similar nature. I still believe that common sense will dictate what has to be done to redress the situation in the case of Astra Trust and Re-Mor. In his previous question the hon. member himself gave an idea of the type of solution which is called for. He knows that legislation is forthcoming and that we will be able to take such corrective action. He also knows that what matters is that the people who were victims of fraud will be compensated; this will be done at the federal level by our corporation which will cover them for up to $20,000. Second, it is important that the criminals who made those people lose money be prosecuted. As he knows, criminal charges were laid earlier this week against eight individuals, therefore due process of law is under way.

[*English*]

AGRICULTURE

PASSAGE OF MEAT IMPORT ACT

Hon. Don Mazankowski (Vegreville): Madam Speaker, I should like to address a question to the Minister of Agriculture. I am sure the minister is aware of the serious economic difficulties in which Canadian cattle producers are finding themselves. May I ask the minister whether he is actively considering taking any initiatives which may have the effect of alleviating the difficult circumstances, such as the amendment and early enactment of the meat import law, the institution of income averaging trust provisions for farmers, and any program to alleviate the impact of high interest rates, such as the extension of the small business bond program to unincorporated farms? Can he also tell us whether any action is being considered to review and examine the current stabilization program, because action on any one or all of these issues would serve to alleviate some of the difficulties cattlemen are now experiencing?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I am sure the hon. member knows that I have great concern for all sectors of the agricultural community, no matter where they may be or what their production may be. We hope that the meat import act will be placed before Parliament, if not next week, then the following week. I have talked to some of the hon. member's colleagues, to his House leader and to our House leader, and it seems that this legislation will get speedy second reading and will be sent to the committee soon. We are looking at some of the other suggestions he has made. I met with the Canadian Cattlemen's Association and I spoke to them yesterday evening. I outlined some of the hon. member's concerns in my presentation to them. If the hon. member wants to read it, he will see some of the measures we are considering.

* * *

POINT OF ORDER

MR. ITTINUAR—STATUTORY REQUIREMENT OF MINISTER TO TABLE ANNUAL REPORT

Mr. Peter Ittinuar (Nunatsiaq): Madam Speaker, I rise on a point of order concerning the conduct of the Department of Indian Affairs and Northern Development. According to the provisions of the James Bay and Northern Quebec Native Claims Settlement Act of 1977, section 10:

The Minister of Indian Affairs and Northern Development shall, within 60 days after the first day of January of every year including and occurring between the years 1978 and 1998, submit to the House of Commons a report on the implementation of the provisions of this act for the relevant period.

No reports were tabled in 1978 and 1979 and no report has been tabled this year. My point of order—

Madam Speaker: Order, please. The hon. member is not really raising a point of order. I am sure he is pursuing a valid

concern, but until now I can see no point of order in what he is saying.

Mr. Ittinuar: Madam Speaker, my point of order is that the Minister of Indian Affairs and Northern Development (Mr. Munro) should be called upon to live up to the requirements of an act which was passed by Parliament.

Madam Speaker: That is not a point of order.

* * *

PRIVILEGE

MR. WADDELL—CANADA DAY—ALLEGED MISREPRESENTATION OF NEW DEMOCRATIC PARTY POSITION

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I rise on a question of privilege arising from the question period. The hon. member for Parkdale-High Park (Mr. Flis), in putting a question to the Secretary of State (Mr. Fox), said that 99 per cent of Canadians were in favour of Canada Day. Then he looked over at our side of the House and, indicating us, said that the official opposition represent the other 1 per cent.

My question of privilege is that we on this side of the House feel that, while symbols are all right, they are not the sole preserve of the Liberal Party; they belong to everyone in Canada. The hon. member has misrepresented deliberately the position of both opposition parties which, I understand, are in favour of Canada Day. I say to the hon. member, through you, Madam Speaker, that he should not be misrepresenting our position. If he really wants to put some substance behind his symbols, we could celebrate 100 Canada Days—

Madam Speaker: Order, please. It has just been drawn to my attention that the hon. member used the words "deliberately misrepresented"; I did not catch that. I think the hon. member must be more careful in his use of language. The expression "deliberately misrepresented" should not be used in Parliament, and I would ask him either to rephrase his question or withdraw the word "deliberately."

Mr. Waddell: I shall, Madam Speaker. I did not mean to use the word "deliberately." But I would ask the hon. member not to misrepresent our position on Canada Day.

• (1210)

Madam Speaker: I am not sure whether the hon. member has a question of privilege. He has made a point about interjections across the floor. This occurs daily. Some are pleasant, some are unpleasant. It is not for me to determine whether they are or not, and certainly it is not a breach of privilege.

Order Paper Questions

ROUTINE PROCEEDINGS

[*English*]

FINANCE, TRADE AND ECONOMIC AFFAIRS

Seventh report of Standing Committee on Finance, Trade and Economic Affairs—Mr. Cullen.

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

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ANTI-DUMPING TRIBUNAL

TABLING OF REPORT ON CANADIAN FOOTWEAR INDUSTRY

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, I have the honour to table today on behalf of myself and the Minister of State for Finance (Mr. Bussières) the report, in both official languages, of the Anti-dumping Tribunal respecting the Canadian footwear industry.

* * *

CRIMINAL CODE

AMENDMENT RESPECTING ABORTION

Mr. Jesse P. Flis (Parkdale-High Park) moved for leave to introduce Bill C-632, to amend the Criminal Code (abortion).

Some hon. Members: Explain.

Mr. Flis: Madam Speaker, I should like to take advantage of Standing Order 68(2) to give a succinct explanation of the provisions of this bill.

The purpose of this bill is to define the exception in the present law that allows an abortion where there is "danger to the health" of a pregnant woman should the pregnancy continue.

The bill is consistent with the intent of the present law as expressed by the Minister of Justice (Mr. Chrétien) when he introduced it in 1969. He left no doubt that the original intention of the legislation was that "therapeutic abortions" would be an exceptional procedure, invoked only after strict compliance with the law: the abortion was to be performed by a medical practitioner supported by a therapeutic abortion committee of medical practitioners in an approved hospital, and it was to be performed only where the health or life of the mother is in danger.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following

questions will be answered today: Nos. 1,849, 1,881, 1,903, 1,904 and 1,910.

[*Text*]

MINI-LAND BRIDGE RATES, VANCOUVER

Question No. 1,849—**Mr. Wenman:**

1. Has the Minister of Consumer and Corporate Affairs pursued the complaint under Section 7 of the Combines Investigation Act concerning the mini-land bridge rate in Vancouver and, if not, is it because of the difficulty in obtaining a conviction?

2. Is there a policy regarding licensing of transportation firms in Canada so as to ensure fair competition and to safeguard Canadian interests?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of Consumer and Corporate Affairs and Transport as follows: 1. Upon receipt of the six-resident application under Section 7 of the Combines Investigation Act for an inquiry into mini-land bridge rates, the Director of Investigation and Research immediately commenced an inquiry into the matter. The director has very recently concluded that the matter being inquired into does not justify further inquiry and, pursuant to Section 14 of the Combines Investigation Act, advised the minister and the applicant of such a fact.

2. The policy regarding licensing of transportation firms in Canada is contained in the various acts governing modes of transportation under federal jurisdiction: the Railway Act, the Aeronautics Act, the Transport Act (for marine) and the National Transportation Act (for solids pipelines). The general test that is employed to determine whether or not a licence should be issued is whether a proposed service is and will be required by the present and future public convenience and necessity. No specific directions "to ensure fair competition" or "to safeguard Canadian interests" are included in legislation. However, the general nature of the public convenience and necessity test allows the Canadian Transport Commission to consider a wide variety of factors which it, the applicant or any intervenor may wish to bring to bear in connection with an application for a licence. National transportation policy (as enunciated in Section 3 of the National Transportation Act) calls for "an economic, efficient and adequate transportation system making the best use of all available modes of transportation at the lowest total cost." This general policy applies to modes of transport under federal jurisdiction.

DND—HERITAGE SILVERSMITHS LTD. CONTRACT

Question No. 1,881—**Mr. McKinnon:**

Did the Department of National Defence place a $43,270 order for spoons with Heritage Silversmiths Ltd. and, if so (a) how many were ordered (b) are they to be used in an officers' mess and, if not, where will they be used?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Department of National Defence and Supply and Services as follows: two contracts have been awarded by the Department of Supply and Services on behalf of the Department of National Defence to Heritage Silversmiths Ltd. for spoons. The details are as follows:

(a)

Quantity	Description	Contract Value	Date of Award
16,000	Silverplated Tea Spoon	$25,120	October 31, 1980
60,000	Stainless Steel Dessert Spoon	$18,150	November 4, 1980
76,000		$43,270	

(b) The silverplated spoons were purchased for issue to officers' messes and to Canadian Forces Attachés' residences.

CANADA-U.S. SATELLITE COMPETITION

Question No. 1,903—**Mr. Beatty:**

1. Did the deputy minister of Communications give a speech to the Harvard University Program on Information Resources Policy on November 11, 1980, in which he stated "The opening of satellite competition to the telephone companies in the United States would affect these arrangements. Should that large proportion of Canadian industry that is U.S.-owned be permitted to communicate with their head offices exclusively by U.S. satellites, this would have an important effect on the viability of the Canadian Telecommunications System, and this would have to be taken into account in the formulation of Canadian policies" and, if so, what projections, if any, does the government have of potential effects upon the Canadian Telecommunications System of competition from satellite telephone transmissions across the Canada-U.S. border?

2. Has the issue been raised with the government of the United States and, if so, with what effect?

3. What are the options being considered by the government as indicated by the deputy minister of communications?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): In so far as the Department of Communications is concerned, the reply to the above question is as follows: 1. Yes. Should the use of domestic satellite facilities for transborder telephone, data and video traffic be approved, the government is concerned that an imbalance favouring the use of U.S. satellites might develop if firms headquartered in the U.S., which would use U.S. systems for their U.S. domestic requirements, were to make use of these systems to serve their Canadian offices as well. This could adversely affect existing arrangements between the domestic common carriers on both sides of the border which ensure the equitable sharing of terrestrial traffic and revenues, as well as the provision of some Canadian traffic carried on Canadian facilities. Until the kinds of systems and services which eventually might be established are known with greater certainty, it would not be possible to develop accurate projections of the likely impact on existing systems.

2. Yes. This question has been raised informally between senior Canadian and U.S. officials. Both sides recognize the need to meet our international obligations under the Intelsat Agreement and to proceed carefully in introducing any transborder satellite services; further discussions will take place at an appropriate time. At present an exchange of letters in 1972 permits such services to be established only under very limited circumstances.

3. The government is studying the means by which such services might be introduced in an orderly manner, consistent

with the need to ensure an equitable share of the revenues and industrial benefits for Canadian carriers and the minimum disruption of the terrestrial transborder facilities and intercarrier arrangements that are already in existence.

DCCA—CONSUMER SERVICES BRANCH

Question No. 1,904—**Mr. Scott (Hamilton-Wentworth):**

What issues, projects and subject-matter is the Consumer Services Branch of the Department of Consumer and Corporate Affairs currently considering either singly, or in co-operation with other departments and what is the status of each investigation under active consideration?

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): The Consumer Services Branch of the Department of Consumer and Corporate Affairs Canada is currently involved in the following areas: 1. Mail Order Sales: Resolution of individual consumer complaints against Canadian Consumer Co. Ltd., Lanover Inc., the Mail Store and Jay Norris Ltd.; ad hoc actions relating to selling campaigns of individual companies; general monitoring of the marketplace; development of broad industry as a prelude to the making of policy proposals.

Co-operation: Working liaison with Quebec Ministère des Consommateurs, Co-opératives et Institutions Financières; liaison with other provinces, the Post Office; the Daily Newspaper Publishers' Association; the office of the Inspector General of Banks; the Canadian Direct Mail Marketing Association; the Advertising Standards Council; the Better Business Bureau of Canada; and the Commercial Crime unit of the RCMP.

2. Motor Vehicle Corrosion: Seeking input from all provinces to determine whether the present level of compliance, by the motor vehicle industry, with the Federal-Provincial Anti-Corrosion Code for motor vehicles warrants further action.

Co-operation: With all provinces. There is also liaison with auto manufacturers and importers.

3. Support of consumer groups: A full review of policies and procedures relating to departmental support of consumer groups is under way. The branch is represented on a small interdepartmental committee examining proposals to encourage and support voluntary groups (including consumer groups) through the income tax system.

Co-operation: Environment, Secretary of State, Health and Welfare, Canadian International Development Agency.

4. Consumer Representation: The branch is exploring the subject of cost awards to intervenors in federal regulatory processes to determine whether a more general use of cost awards would enhance the representation of consumer interests. The Department of Justice is now preparing a preliminary assessment of the laws which are applicable, upon receipt of which the Consumer Services Branch and the Consumer Research and Evaluation Branch will develop proposals for further action.

Co-operation: Consumer Bureau project.

5. Vehicle Problems: The branch is monitoring the progress of action in the United States which seeks to determine whether there is a widespread defect in certain General Motors' automatic transmissions which causes these transmissions to fail (in the owner's assessment) prematurely.

Co-operation: Liaison with Ministry of Transport regarding automobile recall programs.

6. International Year of the Disabled: The branch is in the process of identifying programs and projects for implementation during 1981 through which tangible benefits would accrue to disabled consumers.

Co-operation: To be determined.

7. Tax Rebate Discounting: The branch is responsible for the administration of the federal Tax Rebate Discounting Act. In some provinces, enforcement of the act is shared with, or primarily the responsibility of, provincial offices.

Co-operation: provinces of British Columbia, Alberta, Saskatchewan, Manitoba.

8. Summer Programs: Based on past experience with the dissemination of consumer information using students hired under federal employment creation programs, Consumer Services is determining whether its objectives can again be met in 1981-82 using a similar approach.

Co-operation: Consumer Bureau project.

9. Gasoline: The branch is a member of an interdepartmental task force created to examine the matter of lead as a gasoline additive. Participation is on an as-required basis. This task force has met once.

Co-operation: Environment, Energy, Mines and Resources, Ministry of Transport.

10. Market Intelligence: The branch is implementing steps to improve its knowledge of understanding of trends and developments affecting consumers in the marketplace, as a basis for the development and implementation of appropriate responses which protect and advance consumer interests. This project is about to commence implementation.

Co-operation: Consumer Bureau project.

11. In addition to the above specific project areas, the Consumer Services subactivity (which includes both the Consumer Services Branch and staff in field offices across the country) is involved on an ongoing basis in the following areas: dealing with individual consumer complaints and inquiries (some 200,000 anticipated in 1980-81); developing and distributing consumer information on a wide range of subjects for dissemination through the media, presentations, displays and seminars; administration of on-going consumer information programs such as Food Basics, Food Talk, New Parents Kits (Product Safety); administration of the contributions and consumer help office programs; maintaining liaison with other groups in the consumer field such as provincial governments, consumer groups, industry groups and associations, and the media.

Order Paper Questions

THOUSAND ISLANDS BRIDGE

Question No. 1,910—**Mr. Cossitt:**

1. Is the Canadian section of the Thousand Islands Bridge under the control of the St. Lawrence Seaway Authority?

2. Is there a lease between the St. Lawrence Seaway Authority and the Thousand Islands Bridge Authority in the United States to operate the Canadian span on behalf of the government and, if so, what are the general terms of the lease including duration, renewability, financial arrangements, etc?

3. Who is responsible for hiring the maintenance staff working on the Canadian section of the bridge?

4. (a) What are the various categories of persons employed for maintenance duties on the Canadian section of the bridge and what is the wage in each case (b) to the knowledge of the government, how do such wages compare to those paid United States citizens working on the American part of the bridge (c) if the Americans are paid more money, who is responsible and for what reason (d) will Canadian wages be raised to a more comparable level and (i) if so, on what date (ii) if not, for what reason?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The St. Lawrence Seaway Authority advises as follows: 1. Yes.

2. Yes. The general terms of the lease are:

(a) The Thousand Islands Bridge Authority shall manage, operate and maintain the Canadian property for the St. Lawrence Seaway Authority.

(b) The bridge authority shall charge and collect tolls. No change in tolls shall be made except as mutually agreed between the U.S. and Canadian parties.

(c) The parties shall share equally all revenues from tolls and all bridge operation maintenance expenses.

(d) All expenses related to capital improvements to Canadian property shall be paid by the seaway authority.

(e) General revenue related to the use of Canadian property, other than bridge tolls, shall belong to the seaway authority. Proprietary expenses in connection with this property shall be borne by the seaway authority.

(f) The term of the agreement is for ten years beginning on March 1, 1977, and terminating on February 28, 1987, which term shall automatically be renewed from year to year thereafter unless or until terminated on the last day of such term or any renewal year term by at least one year's written notice from one party to the other party.

(g) The bridge authority shall be entitled to an annual management fee which shall be either (i) the sum of $60,000 U.S. or (ii) a sum equal to 30 per cent of the seaway authority's share of net toll revenues for the fiscal year, whichever is greater.

(h) The bridge authority shall make all its books and records available to audit by the seaway authority.

(i) The bridge authority shall enable persons acting on behalf of the seaway authority to inspect the condition of facilities of the Thousand Islands Bridge operation.

3. The management of the Thousand Islands Bridge Authority.

4. (a)

	Beginning Rate
General Maintenance	$168 per week
Custodial Maintenance	$168 per week

These rates are subject to increase based on seniority. Canadian citizens are paid in Canadian dollars while U.S. citizens are paid in U.S. dollars.

(b) See 4(a).

(c) Not applicable.

(d) Not applicable.

[*English*]

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

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

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

CANADA STUDENT LOANS ACT

MEASURE TO AMEND

Hon. Francis Fox (Secretary of State and Minister of Communications) moved that Bill C-55, an act to amend the Canada Student Loans Act, be read the second time and referred to the Standing Committee on Communications and Culture.

He said: First of all, Madam Speaker, I would like to begin my comments on this bill which is rather important for Canadian students by thanking the members of the opposition. I had discussions first of all with the hon. member for Yukon (Mr. Nielsen), then with the hon. member for Mission-Port Moody (Mr. Rose), after which my own House leader met with the other House leaders who agreed that this bill could go through all stages today, and those who will benefit most from this will be the students of this country.

[*English*]

Bill C-55 proposes amendments to the Canada Student Loans Act. This act, which is well-known to hon. members, enables full-time post-secondary students in financial need to obtain loans to assist them in meeting their educational costs, where they would be otherwise unable to pursue their personal educational goals.

The amount of loan assistance granted to any individual is determined by provincial authorities in accordance with minimum criteria agreed to by all participating provincial govern-

ments and, of course, the federal government. The loans are advanced by chartered banks or other designated lenders such as credit unions. The Canadian government pays the interest charges on the loans while the students are enrolled in universities or community colleges and for a six-month period thereafter and guarantees lenders against any loss under the program.

The act was introduced in 1964 and has been amended only once, in 1970, although changes in loan limits have been effected twice by means of appropriations items, the most recent in 1975.

[*Translation*]

I could perhaps add at this time, Madam Speaker, that this program of course applies throughout Canada, but that the province of Quebec has opted out, which means that while this legislation does not apply to individual students in Quebec, the amounts will be transferred to the Quebec government to finance student assistance programs. This year, nearly $21 million will be transferred to the Quebec government under this program, and since this program was implemented in 1964, over $126 million have been transferred to the Quebec government to be made available to Canadian students who are residents of Quebec.

[*English*]

I should like to emphasize how much I appreciate the co-operation of all parties in the House which has allowed this bill to be brought forward for second reading at this time. Even though we are all preoccupied with the overwhelmingly important issue of constitutional reform, this bill is an essential piece of business since it will afford many young Canadians, approximately 6,000 per year, across Canada access to student loans to continue their education. In many cases they would otherwise be unable to do so.

One of the most important amendments proposed in this bill arises from the need to accommodate the increase in the number of courses less than the traditional 26 weeks in length which are available to young people as a result of the rapid growth in the number of community colleges and technical and vocational institutes at the post-secondary level. The main effect of this bill is to make students in community colleges qualify for aid under the Canada Student Loans Act.

● (1220)

At the other end of the spectrum the bill also provides for increased loans to students enrolled in courses longer than the traditional university academic year of 32 weeks, thus making it more practical for such students to continue their education without undue financial hardship.

The current legislation provides for a maximum loan of $1,800 in an academic year of at least 26 weeks' duration, as hon. members know. The bill before us proposes instead that loans be available to persons in periods of study of at least 12 weeks' duration. This amendment takes into consideration changes which have occurred in Canadian educational patterns since the initial bill was introduced.

The bill also proposes that the loan limit of $1,800 be expressed on a weekly basis, thus relating the maximum amount of loan aid a student may receive to the length of his or her course and, therefore, to the costs. The proposed weekly loan limit of $56.25 amounts to $1,800 for a 32-week course, the traditional university course length in which the majority of students are enrolled. Since the current legislation entitles students in 26 to 31-week courses and in semesters of 13 to 15 weeks, which form part of a longer course, to $1,800 and $900 respectively, we are providing in the bill that such students remain eligible for loans up to these limits rather than the lesser amounts which would result if the $56.25 weekly limit were to be applied. This is particularly important in certain cases, notably that of students at Memorial University in Newfoundland.

These two proposals will go some way toward meeting the financial needs of both those enrolled in colleges of applied arts and technology and similar institutions in courses between 12 and 26 weeks in length and those enrolled in courses longer than 32 weeks.

I might mention here that some provinces have suggested that the maximum loan limits should be raised substantially to provide more aid to needy students. However, at the same time, student groups generally have indicated strong opposition to any substantial increase in loan limits, insisting that loans should be replaced by non-repayable grants.

Of course, members of the House will be aware that a federal-provincial task force on student assistance was set up early in 1980 to examine the whole question of student assistance in Canada. The report of that task force was received by the Council of Ministers of Education and by myself at a meeting in Fredericton, New Brunswick, on January 27, 1981. The report includes a review of past studies in the area of student assistance, both in Canada and elsewhere. It also includes an analysis of existing student aid programs in Canada, the potential future trends which might bear on student aid in the 1980s, the principles and objectives which should govern student aid, and five program alternatives compatible with those principles and objectives.

The task force does not make specific recommendations, since it is intended to prompt public reaction. The Council and I, when releasing the report, invited comments on it from student groups, other interested groups and the general public by June 1 of this year. This input is expected to be considered by the Council of Ministers of Education and by myself in the fall with a view to considering what changes, if any, may be required in provincial and federal student assistance programs in Canada.

This bill, therefore, while important, does not propose sweeping changes to the program at the moment, but changes that we believe are essential to update the act in light of changing course patterns. Thus, it will not pre-empt any decisions which may flow from the work of the task force.

In addition to the important modification I have mentioned already, the bill proposes several amendments of a housekeeping nature. First, it proposes dropping the current requirement

for a 12-month waiting period before applications may be accepted from those with permanent resident status. As members know, the Immigration Act of 1977 no longer permits a student to convert student visa status to permanent resident status while in Canada. Hence, the need for the waiting period is no longer relevant and it has been removed. I am sure this is a modification which will be welcomed by many students in this country who are here from other countries.

The bill also proposes inclusion of specific authority for the governor in council to make regulations respecting the denial of further assistance to those deliberately abusing the program. It also includes authorization for the governor in council to make regulations restricting payments to banks under the guarantee where a bank has failed, without cause, to submit claims for loss promptly, thus avoiding unnecessary accumulation of interest charges against the student borrower. The bill also provides for a change in the minister responsible, consequent upon the transfer of the program from the Department of Finance to the Department of the Secretary of State.

Finally, the bill includes the alteration of the loan year start date from July 1 to August 1 to coincide with the banking fiscal year, thereby facilitating interest payments to lenders.

In closing, I would like to emphasize that the amendments proposed are in some regards very important, particularly as they concern community college students and people in Canada who are here on a permanent resident basis. Many of the amendments are of a housekeeping nature, which are needed to update the legislation and are, of course, important in that respect to many students. I had occasion last spring to review with the National Union of Students the need for such changes as we are now proposing in this bill.

As I have also mentioned, the task force on student assistance has completed its report and interested groups are invited to comment upon it. When that process is complete, consideration will be given to the future direction of student assistance programs at both the provincial and federal levels of government. While some provincial authorities would prefer to see loan limits raised and while student groups oppose such a move, I believe both groups support the technical amendments proposed as a short-term measure.

Hon. members will appreciate that should this bill be acceded to it will be necessary to print and issue with dispatch new brochures to all concerned, together with the necessary modified application forms. The lead time for such printing will be some two months. And if the measures are to take effect for the 1981-82 school year, and I know all members are interested in seeing that it does come into effect as soon as possible, the necessary materials will have to be in the hands of students prior to the end of the current academic year in the spring of 1981. That is the main reason why I have asked members on all sides of the House for their co-operation in seeing that this bill be adopted as soon as possible.

Mr. John McDermid (Brampton-Georgetown): Mr. Speaker, I rise to participate in this debate on Bill C-55, to amend the Canada Student Loans Act. I can assure the Secretary of State (Mr. Fox) who so ably discussed the bill on second reading, that he does have our co-operation. But there are a few points that I would like to raise at this time. We understand the urgency to have this bill go through all readings today because of the 1981-1982 student year. No doubt these amendments are long overdue. In fact, some of them may not go far enough. However, we must deal with the bill as it is, and we propose to do so.

There are a few points I would like to make concerning student aid. When the program was set up in 1964, the principle of it was to help needy students obtain a post-secondary education. To a great extent I think this program has been successful and it has achieved that objective. As with most government programs, there are cases of abuse. I think that many of these cases could be eliminated if the income verification rate had to be, by law, higher than the present 5 per cent. I know that some provinces have a 100 per cent verification requirement applicable to parents' income and assets before consideration is given to loan applications. But that is not the case in all provinces. I think it is one area that we could possibly look at.

In view of the rumoured and much discussed possibility of the federal government's threatened cutbacks or elimination of federal funding to universities to the tune of approximately $1.5 billion, which has not as yet been denied by the Minister of Finance (Mr. MacEachen) or the minister responsible for social development, I am sure that this act is only temporary. In fact, if that aid does not go to the provinces for post-secondary education, the burden of financing those programs will drop back on to the students and their parents, the provincial governments, or a combination of both. I imagine that we may be taking a long, hard look at this bill next year if that funding is changed with respect to the provincial governments. The fiscal agreement expires in March of 1982, which does not leave the government too much time to come up with a policy which will aid students if those cutbacks are carried out. If the cutbacks are carried out, I am sure we will be looking at a maximum loan of $9,800 in a lifetime. That figure would have to be reviewed, and reviewed rather quickly.

● (1230)

I am happy to see that the amendments will provide authority to relate the maximum repayment period to the size of the debt within the statutory maximum repayment period of ten years. It has been a little unrealistic to allow a student who may have borrowed $500 or $1,000 ten years to repay that loan. I am glad that has been amended within the act, because it has been an unnecessary expense to the government. I am also pleased to see the provisions to exclude students who default without just cause from further benefits, and I think that is a very important amendment.

A couple of areas that I would like to discuss may cause some controversy, but I think I would be negating my responsibility if I did not touch on them. The assessment process should, in my opinion, be universal. All provinces should adhere to the same criteria. Income and assets should be taken

into consideration, and I alluded to that earlier. This would probably eliminate some of the abuse of the program, although I must say I am very pleased to note that abuse of the program is not high. However, as a Member of Parliament I have, as I am sure most hon. members in the House have, had constituents tell me that there are some students getting loans within a community whose parents could well afford to help them out with their education. The fact that students are left with a deficit between need and aid reflects the necessity of reviewing the loan limits.

Another concern I have is the loans for offshore education. In 1978 and 1979, the figure reached approximately $4.25 million, primarily going into the United States, with $500,000 for the United Kingdom; $343,000 for Europe and about $150,000 for the rest of the world.

My concern is not the amount of money which is being loaned, but the monitoring of the standards of education from these offshore institutions. It is safe to say, I think, that most of the institutions have standards which compare favourably to Canadian institutions. However, a small percentage do not meet Canadian standards. The provinces, which submit the list of approved institutions to the student loans program, may have difficulty in monitoring standards and ensuring that students educated at offshore institutions will meet and match the requirements of the particular faculty of study in Canada. I think specifically of the medical profession, where students may study medicine at a university or medical school offshore, having used a loan from the program, only to find that they cannot pass the medical boards when they come back to Canada. This type of occurrence should be carefully looked at, either by the provinces under whose jurisdiction this falls, or if necessary, to save frustration and expense, by the federal program, which may have better or more able resources available through their consulates.

The eligible course length change is a long overdue measure. However, even the provision to include 12 week-courses is not, in my opinion, enough. This allows many community college and technical courses to be included, but it does not include apprenticeship programs.

I would like to talk for just a moment about recognized apprenticeship programs where there is block institutional training. In other words, an apprentice will work for a period of ten months, on-the-job training, and then will go to an institution for block training program. For those eight weeks, the student must apply for unemployment insurance. The first lesson we teach a young apprentice is how to apply for unemployment insurance. I think that is very regrettable, and I would ask the minister, in the review of the program, now that loan capabilities have been reduced on a weekly basis, which I think is excellent, to take a look at the apprenticeship program. I would much rather teach an apprentice how to borrow student funding and pay it back to the government than how to apply for unemployment insurance while he is continuing his education. An apprenticeship program is post-secondary education. It is just as important to this country as a university education or a community college education. Apprenticeship programs are very important in this country today, particularly with the critical skills shortage we have here. Therefore, I would ask the minister to look carefully into this area when reviewing the report of the federal-provincial task force on student loans, because this particular act could pertain to apprenticeship programs which have been approved by the provinces, especially with the block institutional training.

Some of the apprenticeship institutional training is done four days on the job and one day in the school. That is a little easier. But in remote areas of northern Ontario, where you take the apprentice away from his job and put him into a college or a university some distance from his home for eight weeks, to put that person on unemployment insurance, to my way of thinking, is just completely unforgiveable in a country like ours. We should not be teaching our young people to claim unemployment insurance.

Having said all that, I would like to say that the Canada Student Loans program is actually one of the best student aid programs that you will find anywhere in the world. However, one of the problems which I have found with the program is that it is not sufficiently advertised. People at the secondary education level do not understand the loan program. Since the government is thinking of increasing its advertising budget by approximately $70 million, a few dollars might be taken from that to help educate those who may not be able to afford post-secondary education and therefore drop out of school. This information should be made available to students before they decide to enter the post-secondary education field.

The federal-provincial task force on student assistance has presented its preliminary report. This task force was put together by the Clark government, and I was pleased to read what is a very good report. My concern is that because this bill we are debating does not take into consideration any of the possible suggestions which may come from the task force, what may happen, as happened with its predecessor, the report and recommendations made by the federal-provincial task force on student aid in 1975-76, is that the recommendations will be shelved and nothing will be done to improve aid programs until a future task force makes the same recommendations, which would be a waste of time, effort and money. If changes are needed, we must make the changes now. I would encourage the minister to assure that, once various interest groups have commented on the report of the federal-provincial task force on student assistance, the necessary legislation and policy will be brought forward to the House as quickly as possible so we can update and make Canada's Student Loans program second to none in the world.

Mr. Mark Rose (Mission-Port Moody): Mr. Speaker, I am pleased to participate in this debate. My party agrees that it is very important that the bill before us receive rapid acceptance so we can move on, and so its provisions can be available for those students who are interested in applying for the Canada Student Loans program in the forthcoming academic year 1981-82. As the minister said in his remarks, the bill is far from comprehensive. It is a kind of a patchwork, a bit of a housekeeping measure. He also remarked that since its incep-

tion in 1964 there have only been one or two amendments. I regret this, because it is obvious from the number of studies that have taken place and from the concern expressed by students that a great deal more needs to be done. I look forward with great hope, if not great faith, to the changes that may result from the task force report after all the suggestions and comments had been delivered to the minister. I may not be particularly hopeful but I certainly look forward to something more than is before us today.

• (1240)

Student aid really means providing accessibility. Through it we are trying to provide young students and those not so young who want an opportunity for retraining and for greater access to our institutions with the means to do so. A hundred years ago we were fighting for the same kind of accessibility in the elementary and secondary schools. Through full public education we achieved that; it is not without some imperfections but there has been a great deal of success.

I look forward to the time when we can remove the financial obstacles that prevent eligible, capable, meritorious students from proceeding with their education. Then they can make the contribution to the country that many of them are presently prevented from making through lack of access to education. Anything that increases the access to university of capable young Canadians deserves the support of all parties in the House.

I have some mild disagreement with a couple of the remarks of the hon. member for Brampton-Georgetown (Mr. McDermid). I do not agree with a means test for parents. I feel it is quite an admirable thing to be an independent young person applying for a loan, and I hope that the hon. member did not mean to suggest that the parents of a young student should be subjected to a means test before a loan would be granted. Many young people are independent. I will use some of the terms that are commonly used by hon. members on that side: they are self-reliant, mature and want to get an education on their own. If I misrepresent what the hon. member said, I will be glad to withdraw it should he indicate that is the case. In any event, I do not agree with a means test for parents as a qualification for a student loan.

I also have difficulty with the suggestion that the payback period should be reduced for smaller loans. I was not at university when loans of this type were made. I can testify, however, that the period immediately following graduation, when I was a young man with a young family starting a career, was the most poverty-stricken time of my life.

An hon. Member: Not now?

Mr. Rose: No, this is not the most poverty-stricken time I have ever gone through. Perhaps it is for the hon. member. I know he is a very successful entrepreneur. It may be tough for him but it is not tough for me. The tough time was just after graduation when I was trying to build a career for myself and look after my family. It would have been very difficult then to pay back even an insignificant loan. I do not think we should make that provision.

On the other hand, I could agree with much of what the hon. member said about the apprenticeship program and the provision for student loans, rather than having an employer teach an apprentice about the great benefits and joys of unemployment insurance. I think he made an excellent point in this regard.

One of the reasons we can support the bill is the reduction in the course length required in order to qualify for loan assistance. This will be of benefit to people in vocational schools, community colleges and a number of technical schools. It is a positive move and deserves support.

The minister mentioned the National Union of Students and how influenced he was by that body. He should know that it has been pushing for a number of years to have provisions included in the Canada Student Loans Act for part-time students, those who may be parents or homemakers who want to take part-time courses, or those who are already working and want to take a night course. I am pleased that the students have finally penetrated the conscience of the government and won a reduction in the period of eligibility. I should like to emphasize, however, that the need of part-time students is very important and I regret that they have not been granted assistance.

All kinds of independent studies have examined this question and I shall list some of them. The Peitchinis report in 1971 entitled "Financing Post-Secondary Education in Canada" was issued by the Association of Universities and Colleges of Canada and called for assistance to part-time students. In 1975 the federal-provincial working group on student assistance took the same stand. In 1978 the Alberta task force to review students' contribution to the cost of post-secondary education made a similar finding. Over 60 per cent of part-timers attending universities or post-secondary educational institutions are women. If the government is really serious about the retraining of women and increasing opportunities for them in this society, one of the best ways to achieve this would be to include a provision in the legislation for student loans for part-time students.

In his capacity as Minister of Communications, the minister is well aware of the possibilities or probabilities that the technological revolution resulting from Telidon, chip technology, computers, satellites, fibre optics, word processors, and all such interactive technology, will displace something like one billion women in the western world in the next ten years. Even if this is only partly true, it reinforces the case for including part-timers in the bill. The people displaced by this technology will be women and therefore they will need to be retrained.

Mr. Baker (Nepean-Carleton): A very good point.

Mr. Rose: I agree with the House leader of the official opposition when he said that I made a very good point. I enthusiastically support that comment.

Mr. Pepin: For acknowledging the obvious.

Mr. Rose: There is also the Anisef report commissioned by the Ontario government which pointed out the necessity for more part-time assistance and also dealt with the background of the people attending universities. Over the years we have boasted that we have provided opportunities for higher education to most Canadians. This report, however, establishes that six out of ten children from families of the richest quartile in society, the most affluent 25 per cent, attend universities or receive some post-secondary education, while only two out of ten children from the poorest quarter are afforded the same opportunity. There is a financial barrier there.

● (1250)

An hon. Member: It is Liberal policy.

Mr. Rose: This is made even more difficult if the part-timers are excluded. If hon. members look at the demographics and see who go to universities and from what kinds of backgrounds, they will see that the situation is undemocratic. It is inequitable. We are saying this is the system and how it operates but let us not perpetuate that kind of inequitable operation. I bring that point forward as an extra one in an attempt to urge the minister to look at this matter of part-timers.

The gradual withdrawal by the federal government of student assistance programs somewhat concerns me and my party. The minister talked about $6,000 and changing from an annual maximum to a weekly maximum, and all the rest of it.

Mr. Fox: There are 20 million more.

Mr. Rose: Since 1965, in terms of sharing, total loans and grants to the provinces have decreased. Compared to the provinces this share has decreased from 33 per cent to last year's share of about 18 per cent. I agree the global amount has been increased but the share has been reduced.

Mr. Fox: What about post-secondary education? It is 57 per cent.

Mr. Rose: Since the government moved to the established programs financing act two years ago, not only has the health care of the nation been messed up, but the government has allowed the universities and the provinces to escape the commitment they would have had to have on a dollar-to-dollar sharing basis. Members opposite cannot defend that. What they are doing is denying access. The government is withdrawing funds, as it is from many things.

The minister sounds like Lester Pearson. In 1963, Mr. Pearson promised 10,000 scholarships. But what did we get in 1964? We had the Canada Student Loans program. The government is providing no bursaries at all; it is providing a guaranteed loan. We applaud the government for that in some of our more tranquil moments. But I say to hon. members opposite, do not try to kid us about this. The proportional share to the provinces has declined, and I do not think hon. members opposite can escape that fact. The federal assistance is confined—

Student Loans

Mr. Fox: Mr. Speaker, I rise on a point of order. I know the hon. member for Mission-Port Moody (Mr. Rose) knows his statistics very well and he knows what the government's contribution is for post-secondary education. But the greatest part of our contribution to post-secondary education is not through the Canada Student Loans Act, although that is a substantial one and one that has been increased by $19.5 million this year. Our major contribution is through the established programs financing act where we pour something like $3 billion a year into post-secondary education in Canada. Over the life of the agreement, our share has risen to 57 per cent of the cost of post-secondary education in Canada.

An hon. Member: Can you keep it there?

Mr. Rose: Mr. Speaker, the support of the federal government of student loans in comparison to the total granting of student assistance funds has shrunk over the years from 33 per cent to about 18 per cent. The point I made about the established programs financing act has nothing to do with what the federal government is spending. The federal government is spending the money and it is not getting the credit for that. But because the federal government has allowed that, has permitted and encouraged that kind of block funding by this act, the federal government has allowed the provinces to escape their responsibilities. I am not blaming this particular minister. I am blaming the act which permits the siphoning off of federal funds intended for education into some other provincial project or priority. I think the minister is over-reacting.

Mr. Fox: Unlike the hon. member.

Mr. Rose: This hon. member seldom over-reacts, even when provoked.

Some hon. Members: Oh, oh!

Mr. Fox: Question.

An hon. Member: Time is running out.

Mr. Rose: The minister's watch is fast. This is a good program. No one is suggesting it is not. But no one is suggesting that it is perfect either. We are just trying to increase the access to post-secondary education for members of low-income families, many of whom do not go to university because they do not want to get into debt for the next decade. Many can afford to go only part of the time. There are many other ways this legislation can be improved. It is good, but it is not perfect.

Let us consider next the task force. It is interesting that we heard about this task force on student aid, a wonderful move by the Clark government, but not one student was a member of the task force. I think it would have been nice to have had a student included. Maybe students were consulted, but students were very concerned there was no student represented on that task force. I think it is important that a student should have been included. Now that the minister has offered students access and suggestions, I hope that what comes out will be a result of their contributions and reflect much of their thinking.

There is a substantial amount now of student unemployment and youth unemployment, amounting to about 16 per cent across Canada. That is bound to have an effect on enrolment. Enrolment has probably peaked. We wonder why, when more students should be going to university, the proportion of the 18 to 24-year-olds attending university has declined. A number of things having to do with the economy has caused this decline. The cost of living, lack of student housing, lack of summer jobs and many other things contribute to a decline in the economy and bring about lack of opportunities for well-trained people. There are many people with university education who are performing jobs well below their skills because job opportunities have not opened up, mainly because of economic conditions.

Before I call it one o'clock, I might say to the minister that we are pleased we can participate and help him pass this bill so that this assistance will be available. We urge the minister to consider some of the remarks made by the various critics of the bill. When a full and comprehensive review of this legislation comes about, I hope the minister will seek advice from all political parties, all other sources, including employers, but above all from the beneficiaries of this legislation, who are the students themselves.

Mr. Baker (Nepean-Carleton): Question.

Motion, as amended, agreed to, bill read the second time, considered in committee, reported, read the third time and passed.

The Acting Speaker (Mr. Blaker): It being one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

The Acting Speaker (Mr. Blaker): At one o'clock the House had disposed of Bill C-55. As I understand it, hon. members may now be prepared to consider and put through final reading Bill C-34.

* * *

[*Translation*]

JUDGES ACT

MEASURE TO INCREASE SALARIES OF JUDGES

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development) moved that Bill C-34, to amend the Judges Act and certain other acts in consequence thereof, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs, be concurred in.

Motion agreed to.

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

He said: Mr. Speaker, there is no need for me to speak at length this afternoon because, by its very nature, this piece of legislation should not be the subject of a protracted debate since, in that respect, it is our constitutional obligation here in the House—it is the only group of individuals, excepting hon. members of course, whose salaries are set by the House of Commons under the Constitution.

We already had a debate on second reading. We also had debates in committee and the bill is now back before the House with a few amendments because, in light of discussions in committee, the controversial aspect of the contributions of judges to their pension plan had to be reviewed. On behalf of the government, I committed myself before the members of the committee to appoint a review committee to re-examine the entire question of the pension of judges and the contribution they should make.

[*English*]

The judges have not had a salary increase for some time. The last one, in 1975, totalled 7.5 per cent. Therefore, this measure is long overdue. The members of the committee agreed that it is very important, if we are to attract good judges, that they should be able to do their job without any financial preoccupation. The committee recognized that the level of compensation for judges, compared to what used to be the level in relation to public servants and professionals, indicates they have lost a lot of ground since 1976. Therefore, this bill is long overdue.

The history of this bill is that the Dorfman committee studied this problem as well as a committee of the Canadian Bar Association, presided over by a member of the Quebec bar. A year ago last December my predecessor, Senator Flynn, made a commitment to proceed quickly, but it took some time before we could proceed. In any event, I think we now have a bill which is acceptable, and I recommend its adoption in this House.

• (1410)

I do not intend to elaborate; the bill speaks for itself. It is very important that we pass it and that the judges be accorded what they deserve for the good job all of them do for Canada. We are all proud of our judiciary. It is efficient, competent and completely independent from the executive and legislative bodies. I hope this bill will tell them that the Canadian people appreciate the work they are doing to maintain justice in our society.

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, I appreciate this opportunity to join in this debate at third reading on a day on which it appears that some items of legislation are moving through with some expedition. I do not propose to delay this process.

Mr. Knowles: Let's call the Constitution!

Mr. Hnatyshyn: My distinguished and learned friend, the hon. member for Winnipeg North Centre (Mr. Knowles), says we should bring the constitutional proposal forward today. If the Minister of Justice (Mr. Chrétien) were able to show the same flexibility and understanding and accept the suggestions of the opposition with respect to the Constitution that he has with respect to the judges bill, we might in fact attain the very objective to which the hon. member refers.

Mr. Chrétien: I accepted many of your propositions in the committee.

Mr. Hnatyshyn: I accept the admonition of the minister that he has accepted many suggestions made in committee, but the fundamental changes we put forward have not been accepted. I suppose that is the reason we are engaged in a very important debate in that regard.

Of course, members of the NDP will applaud the fact that those fundamental changes have not been accepted because they are together with the Liberals on the Constitution. However, with respect to the Judges Act I suspect they will beat their chests and say they opposed the government, and that this is an example of a Tory-Liberal alliance. On more important issues the NDP supports the Liberals right down the line with no exceptions. I wanted to make that preliminary point of a non-controversial nature before I got on with this important bill relating to the salaries of judges.

The minister was prepared to make some amendments to this legislation and to allow other amendments. He instructed government supporters on the committee to accept amendments to the pension provisions of the bill. Very simply put, the bill presented by the minister and read the second time provided certain pension provisions. Pension contributions by judges were to be abolished, with the exception of nominal contributions for indexing purposes. At second reading I and other members of my party spoke in opposition to that proposal. We felt it was possibly inappropriate in terms of the precedent it might set and in view of demands and requests being made by other groups in society.

Second, it seemed to me that the salary increases proposed by the Minister of Justice in themselves sufficiently reflected a reasonable increase in the benefits to be paid to judges. The amounts proposed by the government were double those proposed by the minister's predecessor, Senator Flynn. Because of this we felt a pension contribution was appropriate.

The status quo will remain with respect to pension contributions, and the net position, quite frankly, will not be to the disadvantage of judges when we consider tax implications and the deductibility of contributions. The original proposal made by Senator Flynn when he was minister of justice was an increase of $6,500 over a period of two years. This bill provides for an increase of some $13,000 over a period of two years for, if I may use the term, the average judge. The increase will be somewhat more from chief justices and associate chief judges. However, essentially that is the increase under this legislation.

In his remarks at third reading the minister said that judges' salaries are a unique responsibility of Parliament. He made reference to the fact that under Section 100 of the British North America Act the salaries, allowances and pensions of judges of the superior, district and county courts are fixed and provided by the Parliament of Canada.

That leads me to make one observation made in the committee which I again bring to the attention of the minister. That is not absolutely true. A number of other public servants are affected. Their salaries are tied to judges' salaries. Some mention was made in the committee hearings that the Chief Electoral Officer, the Auditor General and other important senior officials who serve Parliament and the people of Canada have their salaries tied directly to judges' salaries. By virtue of the device of tying more and more public servants' salaries to judges' salaries, we may be getting away from the strict meaning of the BNA Act. I think each of these responsibilities should be judged on its own merits.

Perhaps it is now time for us to look at the concept put forward by my distinguished colleague, the hon. member for Edmonton West (Mr. Lambert), in terms of an executive remuneration tribunal. Such a tribunal could be established by the government. It could have the responsibility of looking at the adequacy of compensation paid to senior public officials of the type I have mentioned. Perhaps this could be done rather than continuing the present haphazard and casual way of dealing with these matters in terms of trying to find appropriate salary levels for various public officials.

I commend the minister for taking the step of providing for a review of judges' salaries by what I hope will be an effective and independent commission. One of the things we in Parliament can do is look at these matters and make assessments, but it is helpful to have people expert in the field who can spend the time to examine the requirements and adequacy of compensation, particularly for judges, to report to us and be subject to the scrutiny and cross-examination of members of Parliament through our committee system.

The minister has indicated that he would be receptive on two accounts to have the Standing Committee on Justice and Legal Affairs look at the report of these people who will be advising him regarding compensation. I remind the minister that during the course of the committee hearings he undertook to establish a committee to examine the whole question of the pension contributions of judges and to report to him. I am sure he will do that before too long. He also undertook to have that committee appear before the Standing Committee on Justice and Legal Affairs so that Members of Parliament will have the opportunity to examine that committee's conclusions and the bases upon which it arrives at those conclusions.

I am not sure I heard the minister's remarks at third reading correctly, but I think he said judges received their last increase in 1975. If he checks the record, he will see that they received their last increase in 1977. His predecessor, the Hon. Ron Basford, brought forward legislation respecting salary increases. There has been one increase since 1975, and that was in 1977.

• (1420)

The position our party has taken with respect to this bill is that we question the salary increase. We were particularly concerned about the non-contributory pension aspect of it. As I pointed out—the minister also referred to this in his remarks—studies and recommendations have been made with respect to judicial compensation. The Casgrain report was completed and referred by the minister to the Canadian Bar Association, and the Dorfman report was prepared as an advisory report for the Minister of Justice and his department. In addition, there was a third report which was prepared for the judicial compensation committee of the Canadian judges' conference.

In each of these committees suggestions and recommendations were made with respect to increases in judges' salaries. The Casgrain report suggested increases of some $5,000 for each of the years 1979 and 1980. The Dorfman report suggested salary increases of $3,500 on April 1, 1979 and the same on April 1, 1980; and it seems to me that the judicial compensation committee of the Canadian judges' conference concurred in 1980 with the Casgrain recommendation.

What we have proposed in this bill is that an increase in excess of the amount recommended by any one of those committees be made in judges' salaries, so we are not short-changing the judges by any means if this bill is passed. They are receiving substantially more than was recommended by any of these three committees. The second point, however, the non-contributory part of the pension, causes serious concern to members of our party and members of the NDP. Also, I am satisfied that this matter was of considerable concern to a substantial number of members on the government side. There was receptivity in the committee from all sides of the House to the conclusion to which the minister finally arrived. The minister said he would allow the provisions with respect to a non-contributory pension to be voted down and deleted from the bill, but he would have these provisions examined independently and brought back to Parliament once he had received the committee report and had a chance to analyse what might be the most appropriate course to follow.

I have made reference to the fact that my colleague, the hon. member for Edmonton West, has spoken from time to time about the whole process of determining compensation for judges. Unfortunately, he is not in the House today—he has important business in his constituency—but he has spoken to me about this matter and indicated that he continues to be interested in it. He wishes me to remind the minister that for many years now he has advocated the establishment of a remuneration review tribunal. He understands the restrictions and restraints imposed upon us by Section 100 of the British North America Act which give Parliament the mandate to set the salaries, benefits, pensions and allowances of judges, and so he understands that there are some difficulties with respect to having an independent review tribunal. On the other hand, he is still of the opinion that some method of investigation of an independent nature should be found. He will continue to put this view forward whenever the opportunity to do so arises again.

On second reading of the bill, I pointed out the importance which, I think, all of us understand must be placed on the role which an independent judiciary plays under the two systems of common law which exist in our country. As we continue debate on the Constitution and talk about a charter of rights, which will come sooner or later—one is not sure of the exact time when it will arrive in Canada—one realizes the important role which the judiciary will play.

The role of the judiciary will be very important in terms of the future of our country. It is important to have a judiciary which is representative of the people of our country and which will have the competence to deal, in an intelligent manner, with the interpretation of an entrenched bill of rights. Because it seems to me that when one looks at the experience of other jurisdictions where there is an entrenched bill of rights, one finds that the quality of the judges and their political outlook is very important in the interpretation of the rights of the people of those countries, just as it will be in the interpretation of the rights of Canadians in years to come. Again I say to the minister that the suggestions he has received with respect to the appointment of judges and to the whole process by which judges are appointed must be a consideration in terms of the policy and the practice which have taken place and will take place in our country.

Under our parliamentary system, the Minister of Justice and the government have responsibility for the appointment of judges, as periodically they have to face the voter and justify the kinds of appointments they make to the judiciary, along with other aspects of their policies, during their mandate. But in this instance, when we are moving now toward a system with an entrenched charter of rights, it becomes important for parliamentarians in particular and for the people in the country to know what the attitudes, opinions, and, quite frankly, the philosophy of the judges to be appointed will be, because the courts will be required to adjudicate upon the rights of the citizens of our country.

If we look south of the 49th parallel to see what has transpired in terms of the experience of the U.S. Supreme Court, which is the final court of appeal in that country, as we will have to look at our own Supreme Court, we see that there has been a transformation in the course of the last ten years from what was described as a Liberal Warren court to what is now described as a more Conservative, constructionist court of Chief Justice Berger. I am not commenting at all about the quality of judgments, which remains always high; but if one were to examine the decisions made with respect to the U.S. Bill of Rights and the rights available to U.S. citizens and examine what subtle transformations have taken place of certain of those fundamental rights, it would be important to understand that the composition of the Supreme Court of Canada will be a matter of interest and importance to us because of the fact that the court will have a substantial say in what the rights of the individual citizens are. What I say to the minister is that the quality and independence of the judiciary

is important, particularly now when we are moving forward toward an entrenched bill of rights.

Another aspect of this matter to which he may want to give serious consideration is finding a broader basis of consultation with respect to the appointment of judges. With regard to competence, I made some suggestions about the fact that the advice of the provincial law societies is not sufficiently taken into account. The minister has agreed to consider my suggestions, and I compliment him for this on behalf of members on this side.

Law societies are involved in the day-to-day administration of their membership in each province. It would be an important improvement in the consultative process of the minister and his officials with respect to judicial appointments if they relied more frequently on the recommendations of provincial bar associations and law societies. I am not in any way diminishing the importance of the role of the Canadian Bar Association. I am not suggesting for a moment that those people do not have great ability or are not of assistance to the minister.

● (1430)

The minister has often pointed out that he is a lawyer from Shawinigan, so he will understand that the Canadian Bar Association tends to represent the larger metropolitan areas of the country. Often rural lawyers are overlooked because they are not known to the lawyers in the bigger cities. I am not suggesting that there is any sort of conspiracy. The people who are involved in the day-to-day administration of the law societies know the competent lawyers within their provinces. They know better the abilities of rural practitioners or the people who are not involved in larger firms. I simply say to the minister, by way of constructive suggestion, that he should try to create a structure within his office and his consultative process whereby provincial bar associations will be consulted more frequently.

We have reservations with respect to the amount recommended in the bill in terms of total salary increases. We think they are quite adequate, if not more than adequate.

Mr. Knowles: They are too high.

Mr. Hnatyshyn: I tried to figure out the rationale. I made some calculations on the back of an envelope in an attempt to arrive at these figures. According to my calculations, if we take a 7 per cent increase and index it to the time of the last increase, we could arrive at the figures which are being presented. There is provision for indexing on the basis of the industrial composite which will keep the salaries of judges moving with inflationary pressures at the maximum rate of 7 per cent. But the government has taken the step, in view of the suggestion of the opposition, to remove the contributory pension part of it.

Notwithstanding our reservations as far as the amounts are concerned, it is appropriate for the bill to receive third reading at this point in time. I appreciate the minister's responding to my request and the requests of other members of the opposition in terms of the deletion of those provisions. Therefore, we will allow this bill to pass. I hope improvements will be possible and that more professionalism will be used respecting the calculation of the salaries of judges in the years ahead.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I am pleased to take part in third reading debate on this important bill, one which comes before Parliament very rarely. As the hon. member for Saskatoon West (Mr. Hnatyshyn) indicated, I believe it was in 1977 that the Judges Act last came before Parliament.

As other members have indicated, there are three major elements to the bill in its present form. There is an increase in the number of judges to be appointed; there is a substantial salary increase; and in the original bill there was provision for the elimination of contributory pensions by judges. I should like to deal briefly with each of those elements of the bill.

We support the first element, which is not controversial, that is, to respond to the concerns of provincial attorneys general and increase the number of judges in several Canadian provinces as well as in the two territories.

I spoke of my concerns in my second reading speech on December 1 and also in committee with respect to the appointment process of the federal judiciary, to which the hon. member for Saskatoon West alluded. It is particularly important to examine carefully how the federal judiciary is being appointed. There is no question that there have been substantial improvements in the appointments process in recent years. The blatantly political appointments have largely, but certainly not completely, come to an end.

For example, one need only look at recent appointments in the province of Saskatchewan to see that that day is not yet completely over. I am not suggesting for a moment that politicians should be excluded from access to the judiciary, but I am suggesting that there is a remarkable coincidence between the political stripe of lawyers and appointments to the bench. It is not as bad as it used to be, but the practice certainly still goes on.

One need only look at the recent appointments to the citizenship court of this country. The three most recent appointments were the wife of a former Liberal cabinet minister, the secretary of a former Liberal cabinet minister and a former Liberal cabinet minister. Unfortunately there are still practices of that nature in the federal bench; we want them to come to an end quickly.

We do not believe the present consultative process with the Canadian Bar Association, which in many ways is a big city, old boys' network, is adequate or satisfactory. I emphasize "old boys' network" because members of the House should know that there are no women on the Canadian Bar Association committee. The hon. member for Saskatoon West suggested that our judiciary should represent the people of the country. At the present time the committee of the Canadian Bar Association is comprised of men. There are 17 judges who are to be appointed. There are many qualified women who are lawyers in the country. There are many more qualified women

in recent years because the number of women graduates is far greater than it was a few years ago. I suggest to the Minister of Justice (Mr. Chrétien) that the next 17 appointments he makes pursuant to these provisions should be women. There are qualified women from coast to coast who should be taking these positions. I urge the minister to appoint women to all 17 positions. Also I urge the minister, as I have urged him before, to make his next appointment to the Supreme Court of Canada the first woman Supreme Court justice.

The hon. member for Saskatoon West talked of his concerns about the appointment process. We believe that this process should be opened up, not just to the law societies, as was suggested by the hon. member for Saskatoon West, but perhaps to an independent commission in each province with representatives from the community at large. I am referring to those people who are affected by the day-to-day decisions of the judiciary: representatives of the labour movement and representatives of the community at large, not just representatives of the legal profession. It could be similar to what is known as the Missouri plan in the United States. We must substantially improve the appointments process in this country.

As I said, we want to ensure that far more women are appointed. Historically a Conservative government has never in the history of this country appointed a woman to the federal court bench. We know that must change. We have concerns about the appointments process. I hope the minister will examine carefully these concerns in the months ahead.

The second provision in the original bill was one with respect to pensions. The Minister of Justice was president of the treasury board when the bill which required judges to contribute to their own pension plans was brought in. We know the former Conservative minister of justice wanted to eliminate this contributory pension plan provision. We are pleased to see the Minister of Justice accede to the very strong urgings of this party, of the hon. member for Winnipeg North Centre (Mr. Knowles) and others, who have urged the minister to reinstate the fundamental principle that the judiciary should contribute to their pensions just as all other Canadians do. We are pleased to see the minister drop those provisions of the bill in response to, as I say, our urgings and also the urgings of the Conservative Party, as well as a number of members of the Liberal caucus. The minister was responsive in that area and we appreciate that very much. We welcome the fact that the minister resisted a very powerful and yet invisible lobby of the judiciary in this country in doing that. As I say, we welcome the fact that those provisions have been dropped.

• (1440)

I say very frankly to the minister, through you, Mr. Speaker, that the suggestion that there should be yet another committee set up to study this question is simply a waste of the taxpayers' money. The Dorfman commission, the Canadian Bar Association and the Ministry of Justice have examined this question. We have all the evidence we need. I suggest that to appoint a high-priced lawyer to examine this question once again is a waste of the taxpayers' money. I say without any equivocation whatsoever, Mr. Speaker, that there is no doubt that if this provision is brought back to this Parliament, we intend very vigorously to oppose it, as we do now.

The next major provision in the bill is a provision with respect to salary increases. This matter was touched upon by the hon. member for Saskatoon West. I believe that Canadians who are paying their taxes and who are paying these salaries should know just how rich these increases are. For example, a county court judge in Canada will have an increase in his or her salary from the present level of $47,000 a year to $65,000 a year, which is an increase of 38 per cent. A Court of Appeal judge or a Supreme Court judge at the federal level will have an increase in salary from $54,000 to $70,000—a very substantial increase. A Supreme Court of Canada justice will receive an increase in salary from the present level of $64,000 to $81,000. That increase will be effective to almost a year ago, to April 1, 1980. In just a few weeks there will be a further increase under the provisions of this bill. I will give only one example. The salaries of Supreme Court justices at the provincial level will go from $54,000 a year to $74,900 a year.

We believe that this package, in so far as it affects salaries, is excessively rich. We recognize that the judiciary must be adequately compensated. We recognize their important role in Canadian society. But we also say this: frankly, one of the arguments that is made, and perhaps the most persuasive argument, for these very substantial and excessive salary increases is that lawyers are paid very high salaries. We are told that lawyers are paid $80,000 or $90,000 a year, or $100,000 or $200,000 at the senior levels. We are told that we cannot get judges to accept a substantial cut in their pay. Very frankly, what I say the problem is, Mr. Speaker, is that lawyers in this country are overpaid. That is the problem.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): I say that being a lawyer myself, Mr. Speaker. We have a problem here in that the judiciary wants to keep in step with the legal profession. Naturally, they do not want a cut in pay. But in a time when old age pensioners, for example, particularly in the case of elderly women, are living below the poverty line, single parents are struggling to survive, families on welfare are living below the poverty line and 20 per cent of the children of Canada live in conditions of poverty, I suggest that it is intolerable that we have such great disparities in wealth. I suggest that it is intolerable that in this day and age there is such affluence in the midst of such poverty.

While recognizing that our judiciary must be adequately compensated, these provisions are simply too rich. We recognize a salary increase should be provided, but we say that this particular increase is not only too rich but goes beyond the recommendations of the independent Dorfman inquiry. Mr. Dorfman is a very learned former president of the Canadian Bar Association.

Mr. Baker (Nepean-Carleton): How long ago?

Mr. Robinson (Burnaby): I hear the House leader of the Conservative Party defending these salary increases.

Mr. Baker (Nepean-Carleton): How long ago?

Mr. Robinson (Burnaby): He will have his opportunity to speak in this debate in due course and to defend these increases. We will listen with interest to his position.

The Dorfman commission recommended these increases, extending into the future, at a time when the commission was well aware of the economic conditions facing this country.

As I said, Mr. Speaker, we are pleased with the provisions with respect to pensions.

We have serious concerns about the appointments process in this country. As the hon. member for Saskatoon West pointed out, the role of our judiciary will be substantially enhanced as a result of an entrenched charter of rights. I must confess to some puzzlement at the position of the member for Saskatoon West, who indicated that people from all across Canada would be affected by this charter of rights. I assume that he has now adopted the position of the hon. member for Provencher (Mr. Epp), who has apparently seen the light and has recognized that it is ludicrous to suggest that a charter of rights should only apply in some provinces and that these rights do not belong to all Canadians. We suggest that a charter of rights must apply from coast to coast. There should be no opting out of a charter of rights. We welcome the apparent conversion of the hon. member for Provencher on that question. I hope that the hon. member for Saskatoon West is joining us in that point of view.

A charter of rights does significantly enhance the powers of our judiciary. We recognize that it is one of the reasons we must look very carefully at the appointments process. We must look very carefully, perhaps, at a role for Parliament in the appointments process to ensure that at least at the top levels of our judiciary, the Supreme Court level, there is some input at the parliamentary level.

We find the provisions for salary increases excessive. We are concerned with the fact that these salaries will be increased by 7 per cent each year. When you are at that high a salary level, that 7 per cent increase means $5,000 or $6,000 a year. This will simply increase the spread between the rich and the poor in this country. Again, we find that unacceptable.

I conclude by saying that we certainly recognize the fundamental role of the judiciary, one which must uphold the principle of the rule of law in this country. We recognize the role of a judiciary which must make decisions on such vital matters as the liberty of the subject, on how to sentence in very complex criminal matters, deciding such important questions in civil matters as who is to have custody of children and what is in the best interests of a child. We recognize the importance of our federal court looking at immigration, taxation and many other matters which directly affect the lives of the Canadian citizen. We recognize the role of the judiciary in determining guilt or innocence. We recognize its role with regard to charging a jury. We have been fortunate in Canada to have a very fine judiciary, one that all Canadians can be proud of.

But, Mr. Speaker, we still have concerns with respect to sentencing policy, for example. I touched on that in my speech at second reading. We still have concerns with respect to the great disparities which exist in sentencing policies. We have concerns with respect to the failure of our prison system, in the hope that the judiciary might become more aware of that failure and be more innovative in their sentencing practices.

While there has been a significant improvement in this bill with respect to the restoration of the contributory element of the pension and the provisions with respect to salary increases, which are simply too rich, and while we recognize the importance of the judiciary, we will be opposing this bill at third reading.

Hon. Walter Baker (Nepean-Carleton): Mr. Speaker, I would like to make some very brief remarks with respect to this legislation, since there was some distortion left on the record by the hon. member who just spoke. The first distortion had to do with the range of the application of this particular piece of legislation. It applies to federally-appointed judges, superior court judges, but it does not apply to citizenship court judges, which though they are honourable and estimable appointments within the community, are not within the classification of judges being dealt with by this bill. That is the first point.

• (1450)

The hon. member was correct; the bill deals with increases in the numbers of judges in various places. I am happy to note that he was not arguing that this is not necessary in certain areas. Because of changes in the organization of Canadian society and the fact that it is becoming more complex as government intervenes to a greater degree in the lives of individuals, the work of judicial tribunals is necessary and there is bound to be an increase. I make no comment on the workload of judges, except to say that it is increasing in certain areas and in some areas it is not. The federal government has no alternative but to look at the necessity of increasing the size of the bench from time to time.

I am glad to see the Minister of Justice (Mr. Chrétien) agrees that we should remove the problem of pensions from the bill and have that dealt with in another manner. I think that is in keeping with the atmosphere that ought to prevail in the House when we are dealing with judges, who do not have the right to speak for themselves but depend upon Parliament and this system to speak for them. Therefore, it behooves Parliament and all parliamentarians on every side of the House to judge the issue on its merits and not on the basis of prejudice and possible preconceptions, which might be deemed to be right in the mind of the speaker but are woefully wrong in terms of the work of the legal profession.

That brings me to the question of salaries for judges. The hon. member for Burnaby (Mr. Robinson), who has just spoken, said that the package is excessively rich. I do not know

whether it is excessively rich or not, but from my experience in government I do know that there is some difficulty in attracting the best to the bench. The difference between our lives and the life of a judge is that we in Parliament can take part in the community, can involve ourselves in many organizations, and indeed we seek to do so. We do not have to exercise the same care that a judge must when choosing his associates. We do not have to withdraw from many associations, and we do not lose the right, which other citizens have, to speak out on public matters. A judge loses all those rights. I hear my hon. friend from South Shore (Mr. Crouse) saying a judge even loses the right to vote, the most fundamental right enjoyed by any citizen.

When a person considers whether he will go to the bench, he considers many factors: whether he enjoys the study of law; whether he is prepared to endure the tedium of the law—there are tediums in all professions, but particularly with the bench. He also has to decide whether he is prepared to give up some rights that my friend and I take for granted. I think those are tremendous considerations for any person. He must also consider his family.

We must consider our duty to ensure that the judge, or whatever court we are dealing with, is adequately compensated so that with respect to the vicissitudes of life he will never put himself in a compromising position.

An hon. Member: What about the poor?

Mr. Baker (Nepean-Carleton): Of course, that is important with respect to others as well. I am not arguing the case against the poor; but I am arguing the case in favour of judges. I think that is important.

I spoke briefly about this matter in second reading debate. I think we must remember the bottom line is that the bench must be independent, that it must be seen to be independent, and that there is nothing that should deter a judge from being anything else, regardless of what befalls him. That is why we deal rather generously in terms of pensions. Even if there were no pension plans in place we would deal with it in that manner, because no person appointed to the bench can assure himself that he will always have his health and his ability to work, that he will always be able to stay there for ten or 12 years, or whatever it is.

There are great opportunities, but he loses the right to participate in business and in ordinary daily life. If he goes to the bench and is dissatisfied, as some judges are dissatisfied—

Mr. Knowles: Not the ones I know.

Mr. Baker (Nepean-Carleton): —his recourse is to stay there and be a very bad judge because he is not happy with the life, or to leave. When he leaves, his practice is then restricted compared to what he formerly could do. That is why Parliament has the responsibility to deal with this matter honourably.

With respect to patronage, I do not fault the government for appointing known supporters of its own political party to the bench. I would default the government if that were the only reason for appointments, and if the soundness of the lawyer appointed was overlooked. I would fault it if the appointments were poor. But I cannot fault a government for appointing those who happen to stumble along a political path that I do not follow if they are good, sound and impartial. I cannot fault that any more than I can fault the government which was in office before my government for appointing Mr. Gilbert of the New Democratic Party—

An hon. Member: It was a sound appointment.

Mr. Baker (Nepean-Carleton): —a county court judge. It was a very sound appointment of a very good judge—

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): —not necessarily because he was a New Democrat, but because he was a good man.

An hon. Member: Lots of talent.

Mr. Baker (Nepean-Carleton): I am pleased that the Minister of Justice saw the talent in the Hon. Paul Martineau when the government appointed him to the Quebec Superior Court. As hon. members know, he was a minister in the Diefenbaker administration, a good lawyer and a sound man. He had a good sense of justice and judgment, as does Mr. Gilbert, a former member of the New Democratic Party.

I do not fault the Minister of Justice for having arranged the appointment of five women judges. I hope that with respect to appointments to the bench, people will not be appointed simply on the basis of sex, but rather because they are sound choices. Then we will be doing justice to women, because we will be appointing the best.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): In the last little while, women have suddenly found the legal profession. They are entering it in increasing numbers, as they are moving into medicine, pharmacy, dentistry and other professions that were thought to be male-dominated.

That is what this bill is all about: it is to provide a basis to ensure that judges are relatively happy in their profession and their future and that they are able to perform their duties with a certain peace of mind. That is not to say that those same rights ought not to be available to other Canadians. My hon. friends in the New Democratic Party and in my own party strive to argue here with the government to improve the lot of other Canadians. That does not end because we have decided today to deal with judges.

Having regard to appointments to the bench, I will not quibble over $1,000 or so one way or another. The government must be always vigilant to see that the best are called to the bench, and that no occupation, no political leaning, would deprive the best from being appointed. If that is done, our bench will be strengthened.

It has been the constant practice of governments generally, as the hon. member for Burnaby wants, to consult broadly others in the community, in the professions, and among organizations. There should be the broadest possible consultation, not just consultation with the Canadian Bar Association which is just one group. There should be consultation beyond the legal profession so that the best people may be appointed.

● (1500)

I did not intend to speak in this debate but I think it is important. I feel very strongly about our responsibility to a part of the public which cannot speak for itself and that is why I rose today.

Some hon. Members: Hear, hear!

Mr. Ian Waddell (Vancouver-Kingsway): Mr. Speaker, I, too, would like to make some brief comments on this bill. The hon. member was not saying otherwise but I should like to tell him that this party also believes the bench must be independent and must be composed of the best people available. That was the intent of the hon. member for Burnaby (Mr. Robinson). We are pleased that this bill is being debated today and we expect it will go through, but it is about time. We are happy that it has been changed in the pension provisions. Members of Parliament have to contribute toward their pensions and judges should as well.

The hon. member for Nepean-Carleton (Mr. Baker) was right when he said it is difficult to criticize judges because they cannot reply. They can reply through lawyers who are prominent members of the bar, however. If I say anything that judges object to, I am sure they can take that route as I think they will be listening to and reading this debate today.

In British Columbia, where I am a member of the bar, there have been some problems recently with judges getting into trouble with the law. I do not want to go into details but I think I should note that people who do not have the privileged position in society that lawyers and judges have, expect judges to be above running into problems with the law. I think judges in my province especially have noted that in the last year.

In the last Parliament I raised the question of the difficulties that arose following the resignation of the former chief justice of the court of appeal in British Columbia and I want to clarify that question. I did not raise the question to deal with that specific matter as, frankly, I think the judge in that case suffered enough. What I wanted to deal with was the discipline procedure for judges. I think the Minister of Justice (Mr. Chrétien) should look into that matter. The judge in question in British Columbia resigned, so no inquiry could be carried out in that case. That may or may not be proper but the public was never really satisfied that no wrongdoing went on. I do not think there was any wrongdoing but I do not know. I would suggest that a prominent lawyer could be appointed to look into the situation—not to deal with the activities of that particular man but to then be in a position to tell the public there was no wrongdoing. I think the public would have felt better, and I know I would, if such a report had been brought forward. I leave that suggestion with the Minister of Justice.

Now I come to the matter of appointments and here I depart slightly from the position taken by the hon. member for Nepean-Carleton. We know that when the Liberals are in, a lot of Liberals are appointed to the bench, and when the Conservatives are in government, Conservatives are appointed to the bench. So far this party has not been in a position to make appointments! The hon. member for Nepean-Carleton put his finger on the problem, as did the hon. member for Burnaby, that political people should not be excluded from judicial life but politics should not be the first criteria for appointment. I would suggest to the Minister of Justice that future appointments be vetted by a special committee of the House of Commons so that qualifications could be examined and gross political appointments eliminated.

I think there is a need for reform in the manner of making appointments. As the hon. member for Nepean-Carleton said, women are ready to be appointed to the bench and the government should appoint them. There are other types of lawyers as well, who could be appointed. In the last 10 or 15 years lawyers who have gone into community law, administrative law, and the teaching profession would make fine judges and I think the minister should expand the base of appointment. It is important that we have judges from all walks of legal life.

I wanted to bring up something now that is not in the bill. I refer to conditions in the courts. At the present time we have a strange court system in Canada. A difference is made between county court judges and supreme court judges in the bill. I could never understand the rationale behind that distinction. I do not even understand why there is a federal court. I think a lot of money is wasted by having different courts. We should have one superior court and one supreme court in each province.

The hon. member for Burnaby alluded to reforms that need to be made in the legal system and to different kinds of law. Judges are only part of the system. I practised family and domestic law and know there needs to be reform in the courts in that area. I was pleased that with the co-operation of the federal government we were able to set up a model family court in British Columbia.

I was disappointed that the Minister of Justice did not include the right of counsel as a real right of counsel in the charter of human rights. That is not only the right to have a lawyer if you can pay but the right to have a lawyer if you cannot afford to pay; in other words, legal aid for people who cannot afford a lawyer and the right to that legal aid. I fought and lost a case on that very point in the court of appeal in British Columbia. I hope in the near future in this country we will have the real right to counsel; that means being provided with a lawyer if you cannot afford one. I think any judge would say that it is helpful when both parties are well represented by counsel.

I have made some criticisms of judges, Mr. Speaker, but we have had some great ones. I think of Mr. Justice Hall of

Saskatchewan; I think of Chief Justice Duff of British Columbia; I think of Justice Rand from the maritimes; of Justice Laskin from Ontario and I know there have been some excellent judges from Quebec.

I am a member of the bar of the Northwest Territories, Mr. Speaker. There we had perhaps one of the greatest judges of all, an authentic Canadian hero, Mr. Justice Sissons, the first judge of the north, whose area of jurisdiction reached the North Pole. He was succeeded by another great man, Mr. Justice Morrow who unfortunately died last year. I wish to pay tribute to him in the House today.

One of the things that Mr. Justice Sissons said, and this was taken up by Justice Morrow, was that justice should go to every man's house. When he said that, it meant taking justice to everyone in the north. It was a very difficult area to administer but he did it. I think if we carry that tradition on, this country will be well served.

Finally, Mr. Speaker, all hon. members who have spoken have pointed to the fact that judges will have to deal with the charter of human rights.

• (1510)

I want to conclude by quoting words, not from a Canadian judge, but from an American judge, William O. Douglas who used the words "a judge should have courage and humanity in his or her decisions." I say to judges in Canada who will be interpreting the charter of human rights that I hope, as I am sure other members of this House do, they will interpret that charter and deal with the fundamental problems of human rights in this country with courage and with humanity.

Mr. McGrath: Thanks to you there will be no property rights.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, this is a subject which has concerned me for many years. I could speak at length on it, but I shall be very brief. I want to say at the outset that the hon. member for Nepean-Carleton (Mr. Baker) said one thing with which I fully agree, namely, that we should approach this subject on its merits. The difficulty between my friend and me is that we are on different wave lengths.

Mr. Baker (Nepean-Carleton): But on the same street.

Mr. Knowles: We live on the same street here in Ottawa, but on opposite sides of that street.

I suppose the thing which has bothered me all my life about our society is that those who have get more and those who do not have lose even what they have got. I just do not like it. Time and time again we find the money for massive increases to those in the upper economic reaches. But those who are down lower lose what they have through inflation, through taxes and through the increased prices they have to pay. I hope some day to see this situation turned around.

We have made some improvements over the years. I could make a speech in which I could almost boast of the improvements we have made in social legislation during the decades I have been in this Parliament, but we are still ready first to give more to those who have, and offer only sympathy and concern for those who have not. As my friend, the hon. member for Burnaby (Mr. Robinson) pointed out, this bill is going to push some judges who are now in the lower brackets into the $60,000 bracket. It will push some into the $70,000 bracket and it will push others into the $80,000 bracket. On top of that, there is an automatic 7 per cent annual increase. When you are talking about a salary of $70,000, a 7 per cent increase amounts to $4,900. If you are in the $80,000 bracket, a 7 per cent increase amounts to $5,600.

These figures are more, just by way of an increase, than the total amount which is available to a pensioner who draws both old age security and the full amount of the guaranteed income supplement. Most of our senior citizens, and this means most of the 2 million people over the age of 65, are struggling at or just below the poverty line. We have many others, particularly women, in the 55 to 65 age bracket, those unattached who would be well off if they could get up to the poverty line who are having a difficult time. Then there are the working poor and the unemployed. These are problems which face our society. If we want to call ourselves democratic, advanced and progressive, if we want to have a Canadian identity to be proud of, these are the areas in which we should be working.

I cannot bring myself to believe that it is the right thing in the face of these problems to keep on giving massive increases to those who are at the top. If some hon. members suspect that because I feel that way about the increases in this bill I may have even more to say about certain other increases if they are brought before this House—I need not mention them as every member knows what I am talking about, I can tell them they will hear from me when that time comes.

I agree with everything that has been said today about the importance of our judiciary. I agree with the things that have been said about the place they hold in society. I still think that is worth something. I still think, if I may go back that far, that there was something to the idea in Edward Bellamy's "Looking Backward", who said that those who had to do the dirtiest and the meanest jobs should get paid more than those who had the privilege of doing the delightful and the enjoyable jobs. That is why I say to the hon. member from Nepean-Carleton we are on different wavelengths and, although we live on the same street, we are on opposite sides of the street. I think this is important. While I do not want to spin out this debate, I do feel I should state again that I am opposed to the way we approach these things. I think the suggestion that we will do the other afterward is not enough because it never happens. I am more concerned for the others, and, with all of the respect I have for the judiciary, I am opposed to this bill. I shall be voting no.

Mr. Deputy Speaker: This being third reading, is there unanimous consent for the Minister of Justice to be recognized at this point?

Some hon. Members: Agreed.

Mr. Chrétien: Mr. Speaker, I would like to thank the hon. members for giving me the opportunity to speak. I want to congratulate the House leader of the opposition for the remark he made which set the right tone for the debate. There were remarks made by some members which were not accurate. I do not want to make a long speech, but as the hon. member for Nepean-Carleton (Mr. Baker) has said, we have tried to broaden the base for consultation. I would like to refer the hon. member for Burnaby (Mr. Robinson) to an article which appeared in the *Vancouver Sun* last week in which that subject was dealt with. A reporter from that paper interviewed Mr. Paul MacInnis who was appointed by Senator Flynn to define qualities of judges. I was pleased to keep him on my staff even though he was selected by my predecessor.

As the hon. member for Nepean-Carleton said, belonging to a political party should be neither an advantage nor a disadvantage. I just want to mention that the previous administration appointed Mr. Justice Jerome who was a previous speaker of this House and of a different political affiliation. I appointed Mr. Martineau, a former member for Broadview.

Last week I was very pleased to name a prominent lawyer, Mr. Lorne Clark, from Truro, Nova Scotia, who is not known to be a partisan of my party. He was a close friend of the former leader of the Conservative Party, Mr. Stanfield. I accepted the recommendation of the attorney general in Toronto to appoint a most capable lawyer, Madam Justice Weilder. She was a public servant in the Ontario administration. In Saskatchewan, which has a New Democratic administration, I was pleased to name Mr. Justice Grotsky who worked for the attorney general's department in that province.

One of the first appointments, I had the pleasure to make in the province of Quebec was that of Justice René Hurtubise to the Superior Court of Quebec. He was the president of the Human Rights Society in Quebec and is not known to be political at all. Mr. Justice Laroche in Rouyn-Noranda has been well known for being more blue than red. I did name others and it so happened that they had supported my party, but I hope that is not a deterrent to becoming a judge. As the hon. member for Nepean-Carleton said, we have consultations. I am consulting as much as I can with the attorneys general of the different provinces. I gave them the list of people I am considering. They made their comments. In the final analysis, it was my responsibility and judgment that prevailed. I was glad to hear the attorney general of British Columbia say last week that he was happy with the system I followed. I do not want to boast about what I am doing. I was glad the hon. member for Nepean-Carleton made an intervention. It was a good intervention, illustrating that we are all concerned about ensuring that we have an excellent judiciary in Canada.

● (1520)

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure to adopt the said motion?

CN Express

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

Mr. Knowles: On division.

Mr. Deputy Speaker: I declare the motion carried on division.

Motion agreed to, bill read the third time and passed.

[*Translation*]

Mr. Pinard: On a point of order, Mr. Speaker. After consultation all parties have agreed to seek unanimous consent to revert to motions with a view to debating the motion concerning the fourth report of the Standing Committee on Transport. The agreement is that we will hear one spokesman from each party before we dispose of the motion.

ROUTINE PROCEEDINGS

[*English*]

TRANSPORT

CONCURRENCE IN FOURTH REPORT OF STANDING COMMITTEE

Mr. Maurice A. Dionne (Northumberland-Miramichi) moved:

That the fourth report of the Standing Committee on Transport, presented to the House on Tuesday, January 27, 1981, be concurred in.

[*Translation*]

Hon. Jean-Luc Pepin (Minister of Transport): Mr. Speaker, the transport committee has tabled its fourth report and the chairman, the hon. member for Northumberland-Miramichi (Mr. Dionne), is now asking for concurrence.

I must commend the committee for doing an excellent job and I wish I had more time to elaborate on that but unfortunately I don't.

Among other subjects the committee studied the activities of the CN and two full days were devoted to questioning the president of this Crown corporation, Mr. Robert Bandeen. Most of the questions had to do with the decision of CN Express to close about half of its 70 offices located here and there throughout the country and, particularly, to close 10—

we will see in a moment that this has been reduced to 8—out of a total of 15 in the maritime provinces.

Unhappy about that decision, the committee has recommended, and I quote:

That the government consider the advisability of requiring Canadian National Railways to continue the CN Express Service at the minimum of the 1979 level.

Consequently, Mr. Speaker, I reviewed the whole question with Mr. Bandeen and his officials. We examined the suggestion made in the recommendation and, as you are probably aware, Mr. Speaker, adjustments were made to the previous decisions, particularly as regards Charlottetown and Sydney.

That is what I now want to go over rapidly in seven or eight minutes in the hope that the House will agree that at least the spirit of the recommendation of the transport committee has been respected.

[*English*]

Let us look at the facts. First, why the reduction of terminals at CN Express? Notwithstanding CN's numerous efforts over the years at reorganizing, controlling costs and introducing new services, such as Rapidex, volume declined from 24 million shipments in the 1950s to seven million in 1980, a period of 30 years. Second, CN's share of this market decreased to 5 per cent of less than truckload shipments and 2 per cent of small parcels. That is not the massive service that some people talk about when referring to CN Express. Third, financial losses have grown accordingly; $53 million in 1980 and a total of $205 million over the last five years.

What were the options for CN Express? The first was to continue unchanged with the decreasing market share and increasing losses. That would have affected the viability of other operations of CN. However, with the prevailing philosophy with regard to commercial Crown corporations, CN might or would have been expected to turn to the government and ask for a compensating subsidy, as has done with CN Marine.

Having such a subsidy might have been justified in the "national" interest, in the interest of all of us as users of these services. I am not opposed philosophically to subsidies. There are instances when they can be justified.

CN did not think so in this case, and I agreed with them. I ask why? Simply because many of these services that CN is rendering are now performed by other carriers in a commercially viable fashion at reasonable rates. That is the basis of the decision I made.

In recent years we have had almost a cultural change in this sector of transportation. Because of the revolutionary development of highways and of the trucking industry, CN has suffered from fierce competition. In most of Canada, aggressive private trucking firms have taken over the market from CN Express to a substantial extent, and hence the decline to 5 per cent and 2 per cent referred to already.

There are, for example, ten such trucking firms in Amherst, 28 in Sydney and they specialize in certain types of operations. They do a good job. There is no hope that CN Express will ever come back to its past predominant position.

The other option, the one CN took, was to redefine its role in the express business; leave to private truckers what they can do better, that is handle small parcels, concentrate on what CN Express does best, the so-called less than truckload type of shipment, integrate CN operations with local trucking firms to ensure adequacy of service, and cut down the number of outlets or terminals. That is what I as Minister of Transport accepted.

My acceptance was not unconditional. It depended on three conditions being realized. The first was the protection to be given to employees. That has been done to a substantial extent. Acceptable terms have been negotiated with the union and an agreement was signed last November.

As we know, the workers have three choices: retraining, relocation and retirement. Between 80 per cent and 90 per cent of the affected employees will enjoy these options. Most of the others are eligible for severance pay. In the present situation, there are about 5,000 employees of CN Express. About 1,000 will be affected by the policy of redefinition. The numbers change slightly every day as employees avail themselves of the choices offered. At this time 400 have made their intentions known. About 200, half the number, have found jobs elsewhere in CN, 100 have opted for early retirement and 100 have resigned, having found jobs elsewhere. In many cases they will benefit from the severance pay I referred to. Those who joined CN Express recently are not entitled to the same advantages as those who have been employed there five, 10, 15 or 25 years.

The second condition was that the communities would continue to receive express service. This is being done. As we see in their very interesting ads in the newspapers, CN Express takes the responsibility for a system. CN Express takes this responsibility by interlining and contracting with local truck companies. It does so by staying in a certain community when no one else can ensure service, for example in Churchill, Manitoba. In recent advertisements CN has stated: "CN will still be serving all its existing points." But it will be doing so in a way which makes more sense in today's market. CN takes the responsibility for providing service. It then signs contracts with trucking companies to ensure that that responsibility is carried out.

• (1530)

Following the review recommended by the committee two special cases were identified. I referred to them in the House on February 4. The first one is Charlottetown, where we decided to keep the terminal open because closing it would have left the province without any direct CN Express presence. The second exception was the Sydney office which was kept open simply because of the exceptionally poor employment situation in that area at this time. The promise CN Express has made—and for which I presume I am the guarantor—is to keep those two offices open until mid-1983 when the situation will be reviewed again. Instead of ten, only—and I know "only" is not the right expression—eight offices in the Atlantic provinces are closing.

The third condition which I imposed was that the rate structure which would result from the redefinition would be reasonable. Of course, in the future there will be increases, but already a first round of changes have taken place. By way of comment I can only refer to the point that the general picture will not be affected with respect to the express system as a whole. I can only comment on the analysis made by the Atlantic Provinces Transportation commission, a group charged with the protection of the interests of shippers, in which comparisons of 530 rates established that as a consequence of the new program 50 per cent of the rates stayed the same, 30 per cent increased and 20 per cent decreased. If I had more time, I would quote from this analysis at length because it includes some very important aspects.

So there it is. I have almost exhausted my ten minutes. I have tried to explain the circumstances as best I could in such a short period of time, especially as a former academic. I certainly understand the reservations of the committee, and I understand the importance of the recommendations it made to me. I hope I have come out of this in an honourable fashion. I hope also that the public at large and particularly the employees of CN Express will find that they are duly protected either as users of the services or as employees of CN Express. I hope my colleagues in the House will acknowledge that I have paid attention to the recommendations of the committee.

Mr. Cyril Keeper (Winnipeg-St. James): Mr. Speaker, I am glad the minister was here in the House to put forward the position of the government.

This debate is taking place in this House because of a motion put by my colleague, the hon. member for Regina West (Mr. Benjamin), at the committee level. It is because of his concern about cutbacks in CN Express service that we have the opportunity to debate this today.

This is a very important matter. There is a fundamental policy question here. To listen to the minister, one might think that these cutbacks in express service are rational and a move in the right direction. The problem is that the cutbacks result from a fundamentally flawed policy of the government. I refer to a letter which a former minister of transport, Otto Lang, wrote on January 13, 1977, which laid out the government's attitude and policy with respect to the CNR. It quite simply says that the CNR is a commercial enterprise and must be run as a commercial enterprise, and that the real criteria for the operation of this service must be a balanced book and a profit margin. I fundamentally reject that approach. It is the belief of members of my party that the government has a responsibility for transportation services across the country. One of the reasons we have a public corporation such as the CNR is to serve the public and not simply to make a profit.

We should remember that the CNR was first formed from a collection of private companies which at that time were bankrupt. The public brought them together and made a viable enterprise of them in order to serve the people. Now that this corporation is operating efficiently and effectively, the government wants to separate the profit-making parts of it from those parts which require revenues and subsidies, so the government can either turn over the profit-making parts to the private sector or simply justify cutbacks in services. Behind this cutback in service, behind this loss of jobs and behind this loss of services to communities is a fundamentally flawed government policy. First and foremost the policy should emphasize service to the community and to the country rather than treating the CNR simply as a profit-making venture.

As he was speaking, the minister spoke about the losses faced by the CNR. We believe those losses are exaggerated and that the amount of money which is said to be lost by CN Express is far out of proportion. For example, the figure I have here indicates that the loss for 1980 was $51 million. I understand this includes $24.4 million charged to CN Express by other CN departments. It is my understanding that if there were no CN Express, CN would not save this full amount of $24 million. The amount charged to CN Express by the other departments is exaggerated because it includes overhead and other items which would have to be in place in any event.

Not only is the amount of money which supposedly would be saved, if we did not have this express service, exaggerated, but we suspect as well that prices can be raised deliberately and service levels withdrawn in order to discourage customers. For example, let us look at past experience in Saskatchewan. Before the removal of service, rates from Regina to Fort Qu'Appelle went up by some 94 per cent; rates from Regina to Kamsack went up by some 87 per cent; and rates from Regina to Prince Albert went up by some 52 per cent. Before these massive increases CN Express was charging the same as other companies. With these massive increases CN has overcharged and thereby reduced its own share of the market. CN did not take advantage of the full revenue potential for its service that existed. We feel the losses stated by CN for CN Express are exaggerated and out of line.

Another aspect of this matter which concerns us greatly is that of lay-offs. The minister referred to that. He is right when he says he has done something in this respect, and he deserves credit. He is keeping open the two terminals at Sydney and Charlottetown. He has done something to alleviate the situation regarding loss of jobs, but there still is a large employment loss. My understanding is that another 1,100 jobs will be lost. One quarter of those jobs will be lost in Atlantic Canada. That is a considerable loss of employment, particularly at a time when the economy is not creating new jobs rapidly, and that is to understate the matter. These lost jobs will hurt the communities where these jobs have existed until now. They will hurt the heads of households who have to support their families, pay for heating, food, children's clothing and other essentials. There is a human side to this which must not be overlooked.

● (1540)

In light of the fact that this cutback is not justified, it is hard to understand why the government is proceeding in this direction, other than that it chose to treat the CNR as if it

were a private profit-making corporation rather than the public utility which it really is.

Another important aspect of this cutback in the CN Express service is that the railways made commitments with regard to the provision of their services. In other words, when they moved from a rail service to a trucking service they made certain commitments about maintaining service. I heard the minister echoing this once again when he spoke just now. He is saying that when we move from the CN Express trucking service to the private sector trucking service, somehow there will be no loss of service. I take these assurances with a grain of salt, particularly in light of the previous commitments by the railways. For example, on December 7, 1971, CP Rail undertook the following:

CP Rail undertakes through the CSC to provide a service equal or superior to the service presently being provided under the station agent system.

The commitment of CNR was as follows:

Right from the day a servocentre goes on stream the service provided to customers from it will be at least equal to that which is available through conventional facilities, and in many cases immediately superior to that now available.

These are commitments made by railways that their service would remain at the same level, and yet now we hear about further cutbacks. When they moved from rail to road, they assured the people that the service would stay at the same level. Now they are pulling back on express services and we are being assured that these will be provided by the private sector. It is difficult to take those assurances seriously.

Finally, I want to come back to the fact that the most important point about this cutback in the CNR Express service is that the government is following a fundamentally misguided policy of treating CNR as if it were a private commercial venture when, in fact, it is a public utility. These cutbacks in express services provided by a public utility are unjustified. They remind us of cutbacks in passenger services and in branch lines.

Mr. Lloyd R. Crouse (South Shore): Mr. Speaker, I rise to speak briefly on the matter before the House simply to re-emphasize the comments I made when this matter came before the committee. We in Nova Scotia look upon the day of November 5, 1980, when all of us as representatives of that area received the notice from the Canadian Transport Commission, as black Wednesday because it was truly a shocker to all of us, especially to me as Member for Parliament for South Shore. We were informed at that time that the agency positions located at Rockingham, Windsor Junction, Upper Musquodoboit, Chester, Mahone Bay, Lunenburg, Liverpool, Lockeport, Shelburne, Barrington Passage and Yarmouth were to be closed. We were told as well that the station buildings located at Upper Musquodoboit, Chester, Mahone Bay, Lunenburg, Liverpool, Lockeport, Shelburne and Barrington Passage will be put up for sale. I would remind the minister that of that list which I just placed on the record, seven out of the eight places are in my constituency, and of the previous list, seven out of 11 are in my riding. The minister states that this was due to a decline in business. He states that the business was picked up by private companies and that there was nothing he could do about it.

Surely, Mr. Speaker, this points out the obvious fact that somewhere along the line in CN we have faulty management. The management of those operations in that area have to be at fault because in recent years there has been a gradual improvement in economic conditions along the south shore of Nova Scotia. We have had, for example, in Chester, one of the areas where operations have been curtailed and closed down, a gradual improvement of business in the Hawboldt Industries Ltd., a gradual improvement in shipbuilding, and specifically in yacht building for American interests. If the CN express had been on their toes, surely they could have received some of that business.

The same situation applies to Mahone Bay where industrial shipping is building fibreglass pipe which is shipped all over the nation and to the United States. They must bring in much of the material required. Here again, when the original service was established in the area, there was less business available than there is today. In my own home town of Lunenburg, where we have the largest fish processing plant in North America, a plant which only recently added $3 million or more to its operations by expanding its fish processing facility, obviously new business opportunities exist.

Twelve miles farther on into the town of Bridgewater, you will find the Michelin Tire Company which located there some eight or ten years ago. It is a town which has grown from about 4,000 people to over 8,000 people, double the population. Yet here we find a closing down of CN Express. If we go on to Queens County, the towns of Liverpool as well as Brooklyn, we will find located Bowaters Mersey Paper Company Limited, a very progressive company which has been expanding its operations in recent years, adding to its payroll and adding to the volume of business it conducts. Here again you find the sale of the station and a cut down in CN Express.

You could go the whole length of the south shore and see a gradual improvement, such as the location of McCloud Fisheries at Port Houton, and a new company, Polar Bear Fisheries, at Port Hebert, along with the expansion of the marine ship repair industry in Shelburne.

Some day I hope the minister will find time to come to Nova Scotia. Although he is of one political persuasion and I of another, I would gladly make myself available, if he could find the time. I would take him, not on a Cook's tour, but on a Crouse tour of the south shore which, I think, he would find informative and helpful to understanding what is happening there and what he is doing to that area. It is all very well for him to say that some employees have taken early retirement and that CN has been a good employer of these people. No one questions that, Mr. Speaker, but what we are questioning are the actions being taken by this government. The closures to which the minister is agreeing in effect are a betrayal of the terms under which Nova Scotia entered Confederation. The only argument the minister has been able to present to the House this afternoon is that this action must be taken because CN is losing a few dollars in that area. This same government

can find millions of dollars to bail out automobile companies, it can find millions of dollars for firms which really have no binding commitment on the government, as has CN and the people in our area, and they expect the government to fulfil its obligations and commitment under the terms of Confederation. At the rate we are going, it seems to me that CN is entirely forgetting Nova Scotia.

• (1550)

Let us consider for a minute what is happening down there. In Halifax there is the pending sale of the Hotel Nova Scotian. There is the closing of express terminals in Amherst, Port Hawkesbury, Yarmouth and Bridgewater. There is a reduction by 50 per cent of the staff of the express terminal in Sydney, a move which is nothing but a minor reprieve from the previous planned closure of that outlet. There are drastic reductions in express service in Pictou County where it appears more than 30 jobs will be lost.

The current cutbacks are not the beginning of this regressive railway tale. During recent years railway lines have been abandoned and stations have been closed. This is causing tremendous concern throughout the entire length and breadth of our province, not just along the south shore. For example, recent warnings have come to my ears from the towns of Oxford and Falmouth. Perhaps I should call them the most recent victims of the policy being approved and accepted by the present minister. This applies to the management of the greenhouses located in Oxford and in the Annapolis Valley near Falmouth, both of which have used CN Express to ship their products to out-of-province markets. With the curtailment of CN Express, it would appear that there is no alternative method for these people to get their products to markets in Quebec, and I believe they ship as far away as Montreal. So, these people join the large number of fresh fish plant operators in my constituency who are concerned about the manner in which they will get their fresh fish to upper Canadian markets. They have used CN Express in the past.

Mr. Pepin: Give me cases.

Mr. Crouse: I repeat my offer to the minister to come down to my constituency and meet these people. If he does not have at his fingertips the cases to which I referred, that is a frightening admission that there is a lack of communication between the massive bureaucracy in his department and the minister at the top of that department. It really frightens me, especially when he says, "Give me cases."

I am also concerned when the minister says that the jobs are moving, that they are not being lost. He told us his department would look after the people who are being laid off, but in no way will that policy follow through to the vast number of citizens whose employment is being affected by this cut-off. In closing, I must say that if this massive, regressive, backward step being taken by CN is not stopped soon, then Canadian National Railways may just as well forget the maritime region altogether.

Some hon. Members: Hear, hear!

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

BUSINESS OF THE HOUSE

Mr. Pinard: Mr. Speaker, after consultations with the hon. member for Nepean-Carleton and the hon. member for Winnipeg North Centre, we have agreed to deal with all stages of Bill C-60 this afternoon, with the hope that one representative from each party will not use more than 15 to 20 minutes and that private members' hour will start around 4.15 or 4.20 o'clock and will last 60 minutes.

Mr. Baker (Nepean-Carleton): Mr. Speaker, that is agreeable. In our desire to permit the government to get its program through, we are prepared to agree and to preserve private members' hour. I appreciate the intervention of the government House leader; that is the agreement.

Mr. Knowles: Mr. Speaker, yes, that is the agreement. We are prepared to confirm it. I have the following qualification to make. The hon. member for The Battlefords-Meadow Lake is the member who has the resolution this afternoon. He will not be offended if we have something less than the full hour. In other words, when we start private members' hour, we might then renegotiate the matter. We do not need to stay here until six o'clock; we might get out at 5.15 or something like that.

GOVERNMENT ORDERS

[*English*]

NATIONAL ENERGY BOARD ACT

MEASURE TO AMEND

Hon. Marc Lalonde (Minister of Energy, Mines and Resources) moved that Bill C-60, to amend the National Energy Board Act, be read the second time and referred to Committee of the Whole.

He said: Mr. Speaker, first I should like to thank the House for its co-operation in accepting the proposal to consider this bill in such an expeditious manner. I will try not to abuse the indulgence of the House, but I have a few comments concerning the nature of the bill. It has great significance, and it would be only fair to Canadians if I took this opportunity to put a summary on the record concerning the nature of this bill so that everyone will know exactly what it tries to do.

Therefore, it gives me great pleasure to move second reading of Bill C-60, to amend the National Energy Board Act, which received first reading by the House on February 10, 1981. The

purpose of this bill is to modernize the statutory procedures used by pipeline companies under federal jurisdiction to acquire lands for their pipelines.

The provisions of the bill will greatly expand the recognition of the rights of the affected land owners, not only in so far as the amount of compensation they receive is concerned, but also by providing them the right at a public hearing to inquire into the appropriateness of the route selected by the company. It is my belief that the bill I am presenting substantially incorporates all the major recommendations of the Law Reform Commission of Canada expressed in its 1975 working paper on the subject of the various expropriation powers conferred under federal statutes.

Before going any further, I wish to express my indebtedness to the Senate of Canada and to my colleague, the Hon. Senator Olson, for their invaluable work in the preparation of this bill.

● (1600)

Currently, the acquisition of land by pipeline companies is governed by the provisions of the Railway Act. This statute, which has not been significantly amended since 1919, has served its purpose, but no longer reflects the views of our society as to the balance that should be drawn between the public interest and the rights of the owners of private property. The Law Reform Commission has criticized the existing procedure, primarily on the ground that no opportunity is given to land owners to question the detailed route chosen by the pipeline company. It has also been criticized on the basis of a lack of codification of the types of damage which should be compensated for, a feature which is common to modern expropriation statutes, including the Expropriation Act of Canada. The present bill addresses those concerns to a degree which, I suggest, makes it one of the most fair and even-handed expropriation statutes in Canada.

I would now like to briefly describe the features of the bill. They can be divided into three main areas: first, the approval of the detailed route of the pipeline; second, the determination of the compensation payable to land owners; and third, the provision governing acquisition by the pipeline company of the right to proceed with construction where agreement has not been reached with the land owner.

Hon. members should note that all of the procedures contained in the bill will be available, not only to land owners whose property will actually be taken for the pipeline, but also to those owners of neighbouring land who will be adversely affected by the proximity of the pipeline. These owners will be notified of the intention of the company to apply to the National Energy Board for approval of its detailed route, and they will be entitled to file objections with the board. If an objection is received regarding any part of the route, the board is required to hold a hearing in that locality, at which time the land owners will have a right to be heard. The board can either alter the route of the pipeline or it can minimize the damage caused by imposing terms and conditions on the approval which will regulate, among other things, the method and timing of acquiring the land and of constructing the pipeline.

To ensure that land owners receive fair compensation, the bill includes a list of types of damage which must be compensated for. Owners whose land will be taken will be given option as to whether they prefer to receive periodic payments, in the nature of a land rental, with the right to have the amount of these payments reviewed at five-year intervals. This option will eliminate the need which now exists to anticipate, in advance, all types of damage which may be caused to an owner by the construction of a pipeline.

As further protection, the bill ensures that every land owner will be advised of his rights under the statute before he enters into any binding contract with the company. As soon as the company identifies the land that it may need for its pipeline, it will be required to serve a notice on every owner advising not only the amount of compensation the company is offering but also explaining, in detail, the various procedures available under the act for his protection, including the right to dispute the route selected.

The procedure for determining disputes as to the amount of compensation will now be removed from the courts. Once the detailed route of the pipeline has been approved and the company is unable to reach agreement with the land owner, either party may apply to me to appoint a negotiator to assist in the bargaining. If the negotiation is unsuccessful, either party may apply to me to have the matter submitted to an arbitration committee for binding determination. Except in a case where the compensation demands of the land owner are unreasonable, the pipeline company will pay the costs of all of these proceedings, including the hearing before the National Energy Board for approval of the detailed route.

Finally, where the company is unable to conclude an agreement with the land owner, it may nevertheless acquire access to his land for construction purposes by applying to the National Energy Board. At least 30 days before this application, the company must advise the land owner of its intention to apply, and the land owner will be entitled to send written objections to the Board. In granting the company access to the land the Board can impose terms and conditions to minimize the damage caused.

Wherever a company receives such a right of entry the land owner becomes entitled to an advance payment on the compensation which will be payable to him. Any disagreement with respect to the amount or the payment of that advance can be submitted for arbitration.

[*Translation*]

Mr. Speaker, once enacted, this bill will apply to all oil and gas pipelines under federal jurisdiction whose detailed route has not been approved by the National Energy Board when the Act is implemented. Moreover, the procedure concerning the determination of the compensation will apply to land owners who have not entered into an agreement with a company and who have not yet been expropriated under the present provi-

sions. Thus, the bill will apply to the northern Foothills pipeline and the Quebec-Maritime gas pipeline extension.

[*English*]

The Foothills Pipe Line company has indicated that if the bill should be passed into law at some point prior to the completion of the Alaska Highway Gas Project, it would be prepared to make adjustments which further reflect the new approach provided for under Bill C-60.

[*Translation*]

Consequently, quick passage of this bill will enable land owners affected by the construction of the northern pipeline to benefit from these new provisions. Finally, passage of Bill C-60 will certainly be an improvement and an undeniable advantage for land owners in Quebec, New Brunswick and Nova Scotia who will have to part with some of their lands for the construction of a gas pipeline that we have committed ourselves to complete as quickly as possible.

[*English*]

I trust that the House will agree with me that the bill represents a great step forward in the fair treatment of private parties affected by some of the major public interest projects on the horizon.

The implementation of these new procedures can be expected to produce certain effects on the construction of pipeline projects. First, it will produce some delay in the construction of these projects. Primarily, this will result from the requirement that hearings be held in order to approve the detailed route of a pipeline. The bill contains provisions which will ensure that these delays are no longer than is absolutely required. I would suggest that whatever delays are unavoidable constitute a very small price to pay for a significant improvement in the fairness of these procedures.

The bill will also produce some increase in the cost of pipeline projects. In almost all cases the companies will bear the cost of implementing these procedures. It is expected that there will be some increase in the average amount of compensation paid to each land owner. This will result from the measures taken to ensure that land owners are advised of their rights, and also from the provision for compensation for all sorts of damage, including damage suffered by land owners adjacent to the pipeline right-of-way. I know of many people in the prairies, in particular, who will be very interested in this improvement in our legislation.

[*Translation*]

I believe that we have to expect an increase in the number of arbitration cases to determine compensation in view of the relaxing of the arbitration procedure and the various provisions under which the company building a pipeline will pay the costs considered reasonable of all the proceedings started by an owner who disagrees with the amount of compensation offered.

The statistical data which I have received from the National Energy Board show that in previous cases of pipeline construction by major companies, very few compensation settlements were subjected to arbitration as they represent as little as 0.6 per cent of the owners involved. This figure might point to the generosity of the companies, but it also probably indicates the lack of understanding of owners concerning their rights or a reluctancy on their part to undertake costly appeal procedures about the amount of compensation granted. It seems to me that the provisions we are proposing here will help to restore the balance between the rights of the pipeline companies and those of the land owners, since the costs incurred in obtaining equitable compensation are no less of a burden for the owner than the damages he sustains.

This bill will also result in an increase in the operating cost of the pipeline once it has been built. That increase will stem from the fact that the companies will have to compensate the land owners for damages caused in the maintenance and operation of the pipeline. That aspect of the matter was somewhat overlooked in the old act, in the sense that negotiations were left entirely to the discretion of the companies and the land owners. No procedure was provided for settling claims by arbitration. I think I can say that the principles of justice and fairness demand that this type of damage not be treated any differently from those that are suffered when the pipeline is built.

Mr. Speaker, I therefore move second reading of the bill and thank all parties for their co-operation in passing this important bill in good time, for I feel sure it will benefit a large number of Canadians in the years to come.

• (1610)

[*English*]

Mr. Gordon Towers (Red Deer): Mr. Speaker, it is not my intention this afternoon to take up too much time of the House or delay the proceedings. We are very anxious and have been for a long time to ensure that this legislation passes. Farmers in western Canada who will be affected by it really want it.

There are two points I would like to bring to the attention of the minister and I assume he will agree with them. They concern the interpretation of the bill, and have been brought to our attention by the Canadian Confederation of Agriculture which represents the Unifarm in the province of Alberta which, in turn, represents the same constituency as I do. While I recognize there are other members involved, I do think that perhaps the constituents I represent will be more affected by this piece of legislation, because the substation where the division takes place is in my constituency and that is a fairly heavily populated part of the country. Further, it is a beef producing area, so there might be complications.

Nevertheless, I would like to bring to the attention of the minister, and I trust I am correct in assuming this on behalf of Unifarm and Canadian Confederation of Agriculture and the farmers in that area, that when we look at Clause 73(1) (a) (iii) we find that "the inspection, maintenance or repair of the pipeline" shall be considered for reimbursement. There is one word that has been left out. When we go back to the previous clause, it says:

National Energy Board Act

73(1) The provisions of this part that provide negotiation and arbitration procedures to determine compensation matters apply in respect of all damage caused by the pipeline of a company or anything carried by the pipeline but do not apply to

(a) claims against a company arising out of activities of the company unless those activities are directly related to

(i) the acquisition of lands for a pipeline,

(ii) the construction of the pipeline, or

(iii) the inspection, maintenance or repair of the pipeline;—

I think the word which has been omitted by oversight is the word "operations", because there could be something happening during operations which could cause problems—for instance, a leak or some other type of problem. I am sure I am correct in the assumption that the word "operations" should be incuded, because if we read Clause 74(1)(d) it says:

(d) indemnification from all liabilities, damages, claims, suits and actions arising out of the operations of the company other than liabilities, damages, claims, suits and actions resulting from negligence or wilful misconduct of the owner of the lands;

"Operations" is included there, so I trust I am correct in the assumption that "operations" should have been included in Clause 73(1)(iii).

The other point I wanted to bring to the attention of the minister was with regard to the statement by the minister wherein he said that their payments will be reviewed every five years. The concern of the farmers and farm organizations relates to Clause 75.19(2) wherein it says:

(2) For the purpose of paragraph (1)(a), "market value" is the amount that would have been paid for the lands if, at the time of their taking, they had been sold in the open market by a willing seller to a willing buyer.

The point is that the farmers do not want to be tied to that point, "market value", "at the time of their taking", because I trust we are correct in assuming that the market value will be considered every five years, as is provided in Clause 74(1)(b) wherein it says:

(b) review of the amount of compensation payable for acquisition of lands every five years where annual or other periodic payments have been selected;

The point we make to the minister is that when the adjustment is made every five years, the value of the land also should be taken into consideration, because as everyone knows, in these times of inflation, land values have been escalating tremendously.

So with those two points included, and if the minister can give his approval today that my assumptions are correct, I am sure that we will satisfy the farmers and the farm organizations which represent them. I recognize that sometimes these issues have to be resolved in court, and the reason I want to bring them to the attention of the House today is so that during arbitration or a court hearing the debate which has taken place today will be taken into consideration; that there is an understanding that this is how this bill will be interpreted.

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, I am proud to stand as my party spokesman for Bill C-60, an act to amend the National Energy Board Act. This bill is like closing the door after the cattle have gotten out. In this party, we are basically satisfied with the content of the legislation, but we are concerned that the government has waited so long to bring it in.

Last July the government forced us to accept the new pre-build of the pipeline which is going to carry natural gas to the United States. It seemed it could spare no time to get on with the job of giving our gas reserves to the Americans. At that time, Senator Olson was fully aware of the problems that could occur through the expropriation procedures. Senator Olson championed the committee through the Senate to try to bring about changes in the expropriation procedures. He introduced expropriation legislation to the Senate in the spring of 1979, after chairing the Senate pipeline committee.

In his often quoted speech introducing the legislation, the senator described the current provisions of the Railway Act as archaic, and wondered out loud about the untenable position of land owners facing expropriation under that act.

I myself am at a loss to understand how this government, knowing full well the implications of what it was doing, could go ahead with construction of the pipeline without first ensuring that the rights of small land owners in remote sections of this nation were protected. What was the urgency, Madam Speaker? Why could it not have said to us then that it needed one or two hours of House business to put through this simple protective measure? We are responsible people on this side of the House. We would have agreed. We would have agreed to take up two hours of our time to put through that important piece of legislation. The reality is that these Liberals were in such a rush to give away our gas they did not have even the slightest second thoughts about trampling on the civil liberties of a few land owners in southeastern British Columbia. What about the Tories? These Tories are really an incredible bunch. Just recently they have run ads in newspapers in my riding telling my constituents that I am against property rights and that they should all support the Conservatives if they want to keep their homes.

● (1620)

Let the record show who was fighting for the property rights of my constituents last fall when the Liberals sent in the riot squad police to take away the small property in my part of the riding. It certainly was not the Tories. I got up in the House and practically begged some of them to take part in the discussions but they were mysteriously quiet. I warned them that if the government got away with this on the B.C. section of the pipeline, it would not be long before it was expropriating land in Alberta. What was the response of the freedom fighters to my right? It was total, absolute silence. It seems they were more concerned with the property rights of Bob Blair and the Foothills Pipe Lines company than with the property rights of a couple of small land owners in British Columbia. Let them put that in their newspaper advertisements.

In any event, the deed was done. The government, which has absolutely no shame, allowed the police to occupy the lands of my constituents and then told them they had absolutely no legal remedies. This was taking place in November, at the

same time as the Liberals, in the constitutional committee, were trying to persuade us that they were the champions of civil liberties.

In the House I was forced to direct my questions to the Minister of Energy, Mines and Resources (Mr. Lalonde) since there was no way I could question the real culprit, Senator Olson. With no disrespect intended to the minister, he clearly did not know anything about the situation and consistently provided me with contradictory, ill-informed answers. As for Senator Olson, he generally refused to answer my phone calls, preferring to have me deal with his assistants. I will never forget being told by one of the senator's assistants that there was no problem in my riding because even though the police had occupied the constituents' property, none of the local people had responded by shooting back! He was clearly proud that the government had managed to avoid getting itself into a military situation with my constituents.

By now the situation in Yahk has calmed down somewhat. The people are relieved that they are finally getting this bill, but are very frustrated and hurt since it is difficult for them to bargain effectively when their land has already been occupied and the pipeline is already in place.

There is, however, one specific concern we still have and I should like to relate it quickly. I believe there should be a provision in the bill which sets down very clearly the width of the right-of-way. It should be defined very clearly in the bill and not fought out through negotiation, mediation or arbitration. But there is nothing in the bill on this matter, and I am sorry about that.

In conclusion, Mr. Speaker, I should like to urge the House to give speedy passage to this bill. My only regret is that the government did not find the time to do this last July. That would have meant a great deal of needless suffering would not have taken place in Kootenay East-Revelstoke.

Finally, I should like to congratulate the four Yahk residents who fought the bulk of this battle. Against the forces of armed riot police, heartless bureaucrats and fancy corporate lawyers, these four men fought until they got what they deserved, Bill C-60. We should take off our hats to these residents of Yahk, British Columbia.

Before I close my remarks, on behalf of these four residents of Yahk, British Columbia, I should like to present the minister with a shirt from Yahk, British Columbia, so that he will longer remember the residents of Yahk.

Some hon. Members: Hear, hear!

Hon. Ron Huntington (Capilano): Mr. Speaker, I do not want to take the time of the House to reply to some of the remarks of the last speaker because I think they are too contemptible. I should like to take this opportunity to ask the minister a couple of questions. When he swung from English into French I was not sure if I understood one aspect of the bill.

The minister said this bill would apply to routes that had not yet been approved. With the number of rights-of-way involved, the amount of negotiation that has been going on in the country, as well as the advance work on the drawing boards of the engineers which has been going on for some years now, I am a little confused. I wonder if I lost something in the interpretation from the French.

Mr. Lalonde: Mr. Speaker, I should like to thank hon. members for their co-operation. I have noted the specific points that have been raised. With regard to the definition and whether or not this covers operations, I think it is always dangerous for a minister to give a legal interpretation while on his feet. I should like an opportunity to consider this in more detail and then I will be very happy to provide the hon. member with his answer. In order to have it on the record, I will make sure that when the bill is considered in the Senate, the spokesman for the government will clarify the points raised by my colleagues. In that way there will be no misunderstanding and no mistake about the correct interpretation given to the bill.

With reference to the last point raised, I think if the hon. member reads the text I put on the record he will find that it will apply to all pipelines proceeded with in the future for which land has not been expropriated. Even in the case of the prebuild we have a commitment from Foothills that it would be ready to apply some of the provisions of this bill to what has already been built. Even if engineers are working on this type of thing, if the expropriation has not taken place as yet under the old Railway Act, then the new bill will apply.

Motion agreed to, bill read the second time, considered in committee, reported, read the third time and passed.

• (1630)

Mr. Knowles: Mr. Speaker, I rise on a point of order. Earlier the House was willing for the private members' hour to last for 60 minutes from the time it started, but I did indicate we might settle for a little less time than that.

On hehalf of my colleagues, especially the hon. member for The Battlefords-Meadow Lake (Mr. Anguish), may I say that since it is now 4.30 p.m. we will be willing to have private members' hour end at 5.10 p.m.

Mr. Evans: Mr. Speaker, that is agreeable to the government as well.

Mr. Deputy Speaker: It being 4.30 the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, notices of motion, public bills, private bills.

PRIVATE MEMBERS' MOTIONS

[*English*]

Items Nos. 31, 32, 33 and 34 allowed to stand by unanimous consent.

* * *

INCOME TAX ACT

AMENDMENT ALLOWING MORTGAGE REDUCTION THROUGH USE OF RRSP

Mr. Doug Anguish (The Battlefords-Meadow Lake) moved:

That, in the opinion of this House, the government should consider the advisability of amending the Income Tax Act to provide that a taxpayer may, as an acceptable investment under the provisions relating to Registered Retirement Savings Plans, reduce the mortgage on the taxpayer's principal residence by paying a lump sum from a self-administered Registered Retirement Savings Plan.

He said: Mr. Speaker, I recognize that only a small percentage of Canadians take advantage of Registered Retirement Savings Plans, but if the government is going to continue with RRSPs, I would like the government to consider the resolution about which I will speak today. I ask hon. members not to talk it out but instead to allow the resolution to go through so that the government can consider the advisability of allowing homeowners to make a large payment annually toward their mortgages and have the payment credited toward a self-administered retirement savings plan.

I will not talk at length; I think the resolution is self-explanatory. However, I want to mention the main advantages of the resolution in the event the government is willing to accept it.

First, there is immediate tax relief in the taxation year to families who are fortunate enough to own their own homes, just as has applied to RRSPs in the past. Second, people who have homes with mortgages held by banks or credit unions would own their homes and have clear title to those homes in a much shorter period of time. For example, if people took full advantage of such a program, they would be able to own their homes outright within about ten years as opposed to the usual 25-year amortization period. The third benefit applicable to this resolution, if it were to go through, is that people would be paying substantially less interest to mortgage companies, which in turn would allow a fourth benefit. This fourth benefit would allow people a larger discretionary income much sooner in their lives than otherwise. It would give them an increased discretionary income and, instead of paying toward a home, which is usually the largest investment the average Canadian makes, that money could be invested in the Canadian economy. That would be a step forward in helping Canadians gain more solid control of their own economy because home owners would be able to invest in Canada's economy after their largest single investment of a home is paid off.

I ask members not to talk out this resolution. I hope the government will seriously consider including individual's own mortgages as part of the self-administered retirement savings plans.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): On the surface, this proposal might appear both uncomplicated and quite attractive. As the hon. member for The Battlefords-Meadow Lake (Mr. Anguish) has indicated, it would allow a taxpayer to reduce the mortgage on his or her home by means of a lump sum payment out of self-administered registered retirement savings plan. In a period of high interest rates, such as we are experiencing now, this has a particular plausible and appealing look to it.

If we examine the idea more closely, however, it becomes apparent that the result would be to confer a very considerable financial benefit on a particular group of taxpayers, and, as I will show at the end of my comments, it would provide for a very substantial potential loophole in the tax system. In fact, to use the registered retirement savings plan in a fashion described by the hon. member for The Battlefords-Meadow Lake would tend to override the basic rationale of the RRSP system.

The purpose of a registered retirement savings plan system is to provide a tax deferral to allow people to save money to provide for their retirement years. Within quite generous ceilings, taxpayers can avoid current income taxation on these savings, in effect the RRSP permits a deferral of taxation until the time the savings are withdrawn from that plan at the time of retirement or at some earlier date. If this occurs during the taxpayer's retirement years, it is likely that his or her tax rate is lower than it was during the working years, and this benefit is added to the considerable advantage of the long-term tax deferral conferred by the RRSP.

This proposal would change the tax deferral notion of the registered retirement savings plan to a tax exemption. I will explain that briefly. For example, if an individual were to have a self-administered registered retirement savings plan of some considerable sum, he would be allowed, under this particular proposal, to purchase a house, put a mortgage on it and then withdraw the funds from the registered retirement savings plan, pay off the house and then subsequently sell it. Since there is no capital gains tax on a principal residence he would be able to avoid tax completely by that particular method. As a result, it would provide a rather substantial tax loophole, primarily to those people who have houses and who have during their life time made enough income to be able to accumulate a substantial registered retirement savings plan.

Mr. Anguish: Try putting safeguards in to prevent that.

Mr. Evans: These are not the people about whom the hon. member for The Battlefords-Meadow Lake is really concerned. He would be opening up a tax loophole, and, as a member of the New Democratic Party, he would soon be wishing he could find some way to close it.

Registered retirement savings plans are of particular usefulness to self-employed Canadians who do not have the

benefit of an employer sponsored pension plan. They are also valuable to others who want to supplement an employer pension plan.

The financial attractiveness of RRSPs is obvious to anyone who has noticed the recent high-powered advertising campaigns of financial firms intended to attract RRSP investments before the March 2 deadline for 1980 contributions. Their value is also obvious in looking at recent Department of Finance studies of the value of federal tax expenditures. Tax expenditures are the various special incentives and benefits which our tax system provides. It is estimated that by 1980, the cumulative total, the total of all tax expenditures or savings which have been conferred through these plans since their inception to the current date in 1980, would be $22 billion in tax deferrals and reductions provided through the deductibility of payments into RRSPs and into registered pension plans. Most of this is accounted for by registered pension plans which would not be affected by the proposal put forward by the hon. member this afternoon, because these registered retirement savings plans are more widespread and have been in place for a longer period of time.

• (1640)

But it is estimated that $4.6 billion of the $22 billion total is attributable to tax deferrals under registered retirement savings plans. With such a valuable tax concession provided by RRSPs, it is only good sense to make sure that this benefit is not abused. One of the most essential safeguards is to ensure that these tax exempt or tax deferred savings do remain in the form of investments rather than being used for current consumption prior to retirement.

For example, consider what would happen under existing rules if a lump sum payment were made from a self-administered RRSP to reduce the taxpayer's home mortgage. If the RRSP did not acquire an interest in the mortgage or the property, the RRSP would be deregistered and the full amount of funds in the plan would be included in the taxpayer's income at that time. If the RRSP did, by some means, acquire an interest in the mortgage or property, the value of that interest would be included in the taxpayer's income at that time. Under both conditions with the existing rules, that would place the entire amount removed from the RRSP into current income. It would be fully taxable at that time at the marginal tax rate of the individual concerned.

These are strict rules, but they reflect the importance of protecting the treasury against abuse of the valuable tax advantage conferred by RRSPs.

Consider what the proposal in this motion would do. It would permit a taxpayer, in effect, to pay for part of the cost of his home and to deduct the amount from his income subject to tax. He could eventually pay off his mortgage and use tax exempt earnings to do it. I suggest this would be giving him a really inordinate advantage, and at the expense of the rest of Canadian taxpayers.

This motion would therefore confer a very preferred tax advantage on a particular group of taxpayers—those having a home with a mortgage on it, and running a self-administered registered retirement savings plan.

We should remind ourselves that not every Canadian taxpayer has a large enough income that he has a surplus available for investment in an RRSP. Among those who do invest in RRSPs, not everyone has the financial ability—or can afford the expert advice—to administer his own RRSP. We have to remember that this proposal applies only to self-administered RRSPs and not those administered by a trust company or some other financial institution. Certainly not every Canadian owns his own home or indeed wishes to.

There does exist one tax measure by which a person can use tax exempt savings to purchase a home. This is the registered home ownership savings plan. It is designed to assist the home buying plans of people who do not now own their home and never have in the past. There is an annual limit of $1,000 in the amount of tax exempt savings that can be put into a RHOSP. The proposal before us today has no such limitation.

If we are asked to provide this proposed tax advantage for home owners we should look at the existing major tax advantages for home owners. Let me refer again to the finance department study of the value of tax expenditure provisions in the present tax laws. Tax deductibility of payments into registered home ownership savings plans was worth an estimated $95 million last year. When capital gains taxation was introduced with tax reform, an exception was made for capital gains on a taxpayer's principal residence. This would lead to the anomaly or tax loophole that I mentioned earlier in my remarks.

I do not dispute this decision, but we should be aware of the value of the exemption from tax on this sort of capital gain: the tax expenditure study estimates it at $3.5 billion for 1980 alone. The same study finds that the non-taxation of the imputed income from the equity of home owners in their own residences was worth an estimated $5 billion last year. It can be argued that this amounts to non-taxation of a hypothetical value.

It is a fact, however, that people who invest in their own home do so in the general recognition that there is a very real benefit in the fact that this particular investment is not subject to taxation. They know that, in contrast, they would have to pay for renting their home with after tax dollars. So it is beyond dispute that our existing tax system provides very strong support toward home ownership, much stronger support than is often realized.

It may be argued that people who owe on mortgages are having a difficult time during this period of high interest rates. But that is a problem which faces many others besides homeowners. Among home owners, it is a problem mainly for those who have to renew their mortgages at increased interest rates that currently prevail. I do not think we should seek a solution to the problem of high interest rates in a measure which benefits only home owners, including home owners who do not have to renew their mortgages under current conditions, but which does nothing for other Canadians in financial difficulties as the result of these interest rates.

The proposal in this motion would discriminate on another count as well. An RRSP is primarily intended to provide retirement income for those who are not covered by industrial pension plans or inadequately covered by such plans. Members of these other pension plans cannot use their plans to pay off their home mortgages, and it would be quite unfair to these people if we allowed RRSPs to be used to reduce mortgage debt and further restricted it to RRSPs that have to be self-administered.

The official opposition, when they formed the government attempted to legislate a tax credit plan to offset mortgage and property tax payments. This party opposed that measure as a highly discriminatory plan, and an economically unwise one as well. The December 1979 budget of the former minister of finance estimated its cost would have been over $1.2 billion for the coming 1981-82 fiscal year, rising to more than $2.8 billion in 1983-84.

The New Democratic Party at that time opposed the mortgage and property tax credit plan of the former Conservative government, primarily because of its discriminatory nature. I suggest to the hon. member for The Battlefords-Meadow Lake that his proposal embodies the same kind of discrimination.

Finally, I have not attempted to estimate its cost in forgone revenues to the federal treasury, but I have no doubt it would be substantial. At a time when we are trying to work toward a steady reduction of the federal deficit, the proposal today can only be considered to be a serious mistake.

Mr. René Cousineau (Gatineau): Mr. Speaker, it is difficult to see how one can support this motion, either on grounds of equity or economics. On the face of it, the proposal has a nice ring to it—we let home owners retire their mortgages by using their RRSP savings. But if we look closely at how it is done, the approach discriminates, favouring only one segment of the population that would be in a position to take advantage of it. Besides that, we would be creating another new tax expenditure, one which could add substantially to the budgetary deficit without really accomplishing any economic purpose.

● (1650)

There is a certain atmosphere of déjà vu in this discussion. The hon. member for The Battlefords-Meadow Lake (Mr. Anguish) is proposing a tax advantage to home owners, though not as generous as the tax credit for mortgage interest and property taxes presented in 1979 by the former Conservative government. But it still discriminates, through its total exclusion of taxpayers who rent their homes. I am reminded of the declaration by the hon. member for Broadview-Greenwood (Mr. Rae) in that 1979 debate:

> We are not prepared to support a policy which gives to one group at the expense of another.

That is recorded in *Hansard* at page 1504 of November 20, 1979. Although today's proposal would not give quite as open-handedly, the principle is the same. I do not think my hon. colleague had the honour of being in this House at that time three weeks before "D-night", or defeat night, but this gave him a chance to be elected on February 18 and to express his views. I congratulate him on that.

On the face of it, it might appear that permitting a taxpayer to make lump sum payments against his mortgage from a self-administered RRSP is simply allowing him to use his own savings in the way he wants. However, those savings have accumulated in the RRSP exempt from taxation when they were earned, and the investment income of the RRSP was equally tax exempt.

Huge amounts of income tax revenue which would otherwise have been paid to the treasury have in many cases been deferred for many years, until the taxpayer retires. This has been done to assist taxpayers to save for their retirement years. There would be no justification for the government's forgoing income tax on earnings which are then spent on current consumption, yet that is what is proposed by this motion.

The motion discriminates. As I have noted, in that it excludes Canadians who rent their homes. If a person owned his home clear of any mortgage, he could not benefit from this proposal. To take advantage of the motion he must first of all be able to save enough to buy a home, mortgage it and then he must be able to save enough additional money to make lump sum reductions in the capital amount owing on his mortgage. Unfortunately, not all Canadians are in that position. Finally, he must have the financial skills to set up a self-administered RRSP or, more likely, pay for the advice of a professional consultant to do it. I think we must conclude that this measure would not have a very wide application among Canadian taxpayers.

There is another way in which this measure would discriminate among Canadians. It would allow holders of self-administered RRSPs to use these retirement savings for mortgage reduction. But what of all the other Canadians who have chosen to save for retirement in other ways, through insurance company contracts, for example, or, more likely, through industrial pension plans where they work? These savings, like RRSPs, have benefited from deferral of income tax on earnings put into these retirement plans. They would not be allowed, under this motion, to withdraw their savings for the purpose of reducing mortgage debt.

We must admit that the Income Tax Act does contain provisions which give special, favourable tax treatment to particular groups or favour certain types of activities. That is one of the things which makes the tax law so complex. These special provisions are justified on the ground that they promote certain economic activities which are generally beneficial to society.

Are there similar economic justifications for the proposal before us? Does it, for example, encourage home ownership? I suggest not really, since in order to benefit the taxpayer would have to be a home owner already. We already have the registered home ownership savings plan which encourages taxpayers to buy their own homes. It cannot be said that this proposal promotes savings, since it would not apply until after the savings had already been accumulated under the incentive of the RRSP tax deferral.

To some extent this proposal would be helpful in this period of high interest rates for home owners who are refinancing their mortgages, but it would also benefit those who do not have to refinance mortgages and have the benefit of mortgage contracts at lower interest rates. It would amount to a subsidy for certain Canadians, and that is the important part of my argument, against the pressures of high interest rates, but it would do nothing for the majority of citizens and, of course, it would be treating only the symptom and not the cause of high interest rates. I do not think there is an economic justification for the discrimination this motion would create.

I honestly think it would be a serious mistake to adopt a measure such as this, which would undermine the basic purpose of RRSP savings for retirement and create a huge loophole in that tax incentive system while achieving no lasting economic advantage for society.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I should like to say just a few words. After all, there still are 15 minutes before this 40-minute hour comes to an end.

I have listened with interest to the criticisms put forward by the Parliamentary Secretary to the Minister of Finance (Mr. Evans) and by the hon. member for Gatineau (Mr. Cousineau) with respect to the resolution before us as moved by my colleague, the hon. member for The Battlefords-Meadow Lake (Mr. Anguish). I would be less than honest if I did not admit that some of their criticisms are valid and certainly have to be considered. I would have felt happier about their speeches, however, if they had found it possible to see that there might be something good in this resolution and if, instead of damning it completely, they had made suggestions as to how it might have been limited so as to achieve the purpose I believe my colleague has in mind. I have not discussed it with him and, if I speak for him and say what I should not, I trust he will correct me.

However, I think what he has in mind is that there are older people approaching retirement who have some money in RRSPs and feel it would improve their retirement situation if they could get rid of the mortgages on their family homes, even at the expense of having a little less pension income than that which they could have had from their RRSPs. I would like to see that part of it studied.

My hon. friend, the Parliamentary Secretary to the Minister of Finance, admits there is a parallel between RRSPs and RHOSPs. He points out that RHOSPs are mostly for young families seeking to purchase their first homes. They are of no help to people of 60 or 63 years of age or more who are approaching retirement but are still carrying mortgages. Even if it was narrowed to that area and even if restrictions were placed so that it could not be used for speculative purposes or for getting cheap money to invest somewhere else, I think my friend, the hon. member for The Battlefords-Meadow Lake, has a point, and I would like to see it looked at more favourably. I would like to see it looked at as something to study rather than something just to reject out of hand.

Mr. Maurice A. Dionne (Northumberland-Miramichi): Mr. Speaker, I hope I will make the hon. member for Winnipeg North Centre (Mr. Knowles) a little bit happy when I congratulate the hon. member who proposed this bill, Bill C-55.

Mr. Knowles: Resolution.

Mr. Dionne (Northumberland-Miramichi): This resolution this afternoon. I think any member who looks for ways to reduce the interest burden on mortgages at this time when interest rates are indeed very high should be commended for the effort.

Mr. Knowles: Hear, hear!

Mr. Dionne (Northumberland-Miramichi): I have done a lot of head scratching and tried to think of some method by which we might be able to reduce that burden and yet be fair to all the taxpayers of Canada. I happen to be one of those who is saddled with a mortgage. I suppose I should not use the term "saddled" because no one forced me to take a mortgage either on my home in Ottawa or on my home in New Brunswick. I did so of my own free will. I mortgaged my future. I suppose that is what life is all about, so I am not complaining about it. But it does make it binding sometimes to have a large mortgage, particularly if you are paying high rates of interest.

• (1700)

In considering this motion today, one is reminded of another occasion on which a proposal was put to the House to provide a tax advantage to home owners. That was in 1979 when the former Conservative government attempted to legislate a personal income tax credit to help reduce the burden of mortgage payments and of local property taxes.

I had a number of problems with the proposal. The first was that it provided the greatest advantage to people who could afford the largest mortgages. Second, I found it difficult to understand why the federal government should be called upon to subsidize the burden of property taxes. It seems to me if there is to be an alleviation of property taxes, many of the provincial governments in this country would want to take a look at what was done in New Brunswick in the mid-1960s with the program of equal opportunity when the property tax assessment was equalized across the province and the rate of property taxation was equalized as well. The rate was based upon the so-called actual market value of your property.

One rate was established for individual residences and another rate was established for business residences, income properties, and those rates were the same all across the province. The individual municipalities could add an additional levy to pay for municipal services, but that levy was paid also on the provincial assessment level applied to all residences and all business properties across the province. As a result, instead of residential property taxation increasing in New Brunswick in the last 15 years, in many cases it has actually decreased. That is particularly true for the provincial portion of residential property taxation. Out of that levy, the basic costs of

education, health care and justice is paid by the province so that there is a uniform system of these services.

One of the reasons property taxes are so high in some municipalities compared to others in other provinces of Canada is that the provincial governments in many cases have not taken the initiative to impose a fair system of assessment on properties and have not taken over the responsibility for basic educational, medical, and hospitalization costs and costs of the administration of justice across the province.

The hon. member for The Battlefords-Meadow Lake (Mr. Anguish) was not a Member of Parliament when the Tories brought in their ill-fated mortgage deductibility scheme, but he should be aware that members of his own party at that time supported the Liberal party in opposing that bill because of the inequities in it. Both parties saw the bill as unfairly giving special treatment to home owners while ignoring tenants, and giving the largest tax breaks to those who needed them least.

It is a little surprising that the hon. member proposes this resolution which, at first glance at least, looks to be much the same. It suggests that somebody who has a self-administered Registered Retirement Savings Plan can take a lump sum out of it, apply it to his mortgage and still escape income tax on that money. The hon. member for Winnipeg North Centre suggested that people approaching their retirement age who had a substantial amount of money in a Registered Retirement Savings Plan might find it to their advantage to put that money on their mortgage rather than to leave it in the Registered Retirement Savings Plan. This is not the reason Registered Retirement Savings Plans were established.

● (1705)

The number of self-administered registered savings plans is small, proportional to all Registered Retirement Savings Plans in the nation. Therefore, if this motion were adopted, we would be creating a piece of tax legislation which would be very, very discriminatory in its application. If we followed the logic of the hon. member for Winnipeg North Centre, we would have the anomaly where the elderly person who took money out of his plan to apply against his mortgage would find out a few years later when he retired that he must sell his house in order to have a retirement income. So, I cannot really see the benefit.

The registered retirement savings plan system is essentially a plan of tax deferral for people who now have sufficient earnings to put aside some money, without paying tax on the principal, in order to build up a retirement fund. It is not possible for everyone to do that. For many people, all their earnings must go to providing shelter, education for their families, clothing, medical care and the various things which are necessary to rear a family. Many people in family situations who pay taxes cannot afford retirement savings plans. Therefore, they would have to pay income tax to subsidize the people who have been granted tax exemptions on the money they have put into their registered retirement savings plans. If we agreed to this motion, they could take out their money, apply it to their mortgage and still receive the tax exemption. Then those who cannot afford retirement savings plans and perhaps are just making ends meet by paying their own mortgages are required to subsidize the people who are making lump sum payments on their mortgages. That is not a very equitable proposition.

It is clear that valuable tax advantages are provided through the RRSP system. In fact, it is estimated that in the relatively brief period this plan has been in existence, over $4.5 billion in tax deferrals have accumulated up to 1980. That is why the tax law is careful to ensure that if any withdrawals are made from these funds for purposes other than retirement the tax deferral is terminated immediately. I believe that is as it should be. If we give a tax deferral for a specific reason, then it should apply only to that reason. If we start making exemptions to the rule, where will it end? Next week there will be another motion so that it can apply, for example, to an educational fund or to the tuition fees of one's son or daughter. It would go on and on, until there was a pot-pourri over which there would be no control.

In my opinion, the motion goes against the very principle of RRSPs when it proposes that a taxpayer be allowed to reduce the mortgage on his home by these lump sum payments.

Mr. Deputy Speaker: The hour provided for the consideration of private members' business has now expired.

It being past five o'clock, the House stands adjourned until Monday at two o'clock, pursuant to Standing Order 2(1).

At 5.10 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, March 9, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

THE COMMONWEALTH

FIFTIETH ANNIVERSARY—SUPPORT FOR AIMS AND OBJECTIVES—MOTION UNDER S.O. 43

Mr. Douglas Roche (Edmonton South): Madam Speaker, today marks the fiftieth anniversary of the Commonwealth, a unique association of 44 countries of different racial, cultural, and economic backgrounds. At a time when the international community is engulfed in a crisis of mistrust and inaction, the Commonwealth has the facility to bring diverse nations together in harmony and good will. Therefore I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That Canada renew its support of the aims and objectives of the Commonwealth, particularly the dedication of the Commonwealth to upholding human rights, opposing racial discrimination, and resolving the world economic crisis through measures to close the rich-poor gap in the world.

Madam Speaker: Does the House want to manifest its appreciation for Commonwealth Day?

Some hon. Members: Hear, hear!

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FISHERIES

EAST COAST TREATY—WITHDRAWAL FROM CONSIDERATION BY UNITED STATES SENATE—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in view of the fact that the lack of a Canada-United States fishing treaty will lead to overfishing and disorder, I move, under the provisions of Standing Order 43 and seconded by the hon. member for Central Nova (Mr. MacKay):

That this House views with regret and grave concern the decision of the President of the United States to withdraw from the United States Senate that part of the east coast fisheries and boundaries treaty dealing with fisheries management and quotas, a decision which poses a serious threat to the scallop and groundfish resources off Georges Bank.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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STATUS OF WOMEN

SUGGESTION MINISTER BE RELIEVED OF RESPONSIBILITIES—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, news reports today confirm that the minister responsible for the status of women has been unable to influence cabinet to initiate an independent review of the Advisory Council on the Status of Women. He is reportedly getting pretty tired of dealing with women lobbying for changes in the Constitution and for changes to restore integrity to the advisory council. In dismissing these representations, the minister has also cynically observed that the women's movement, for which he is supposed to be responsible, is easily manipulated. Therefore I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House calls upon the Prime Minister to relieve the present minister responsible for the status of women from his tiresome duties and replace him with a person who will have the confidence and respect of women and of cabinet.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

CANADA-UNITED STATES RELATIONS—MOTION UNDER S.O. 43

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I rise on a matter of urgent and pressing necessity pursuant to Standing Order 43. Since, on the eve of his visit to Canada, United States President Ronald Reagan has unilaterally scuttled the east coast fisheries treaty, on top of his approval of $4 million in new financing for the Garrison diversion project, his backing off on commitments given regarding the Alaska natural gas pipeline and his total indifference to the problems of acid rain, I move, seconded by the hon. member for Burnaby (Mr. Robinson):

That this House condemn these hostile and negative actions by the United States government and, furthermore, that this House send a telegram to President Reagan telling him that if this is an indication of his goal of a "close

and co-operative relationship with Canada", he might as well turn his plane around and stay in Washington.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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BILINGUALISM

PUBLIC SERVICE HIRING PRACTICES—MOTION UNDER S.O. 43

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, I rise under the provisions of Standing Order 43. During the constitutional debate the need for labour mobility between provinces was a goal of the government. Nonetheless, the federal Department of Transport, as reported in the March issue of COPA newsletter, is refusing to allow French-speaking bilingual persons from either New Brunswick or Ontario even to apply for work in air traffic control in the province of Quebec. Therefore I move, seconded by the hon. member for Central Nova (Mr. MacKay):

That all departments of the federal government be instructed to refrain from using geography as a basis of hiring practices.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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TRANSPORT

APPOINTMENT OF GRAIN TRANSPORTATION CO-ORDINATOR—MOTION UNDER S.O. 43

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, the grain transportation authority was created by the hon. member for Vegreville (Mr. Mazankowski) when he was minister of transport, and served as a catalyst to help Canada achieve record grain exports in the previous crop year. The grain transportation authority has been without a co-ordinator since Dr. Hugh Horner resigned in October, 1980. Under the provisions of Standing Order 43, I move, seconded by the hon. member for Lisgar (Mr. Murta):

● (1410)

That the Minister of Transport show support for the Grain Transportation Authority by immediately announcing an immediate replacement for Dr. Horner.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

AUTOMOTIVE INDUSTRY

CALL FOR REDUCTION IN IMPORTS—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, this country is in a mess. We have a series of problems confronting the people of Canada.

Some hon. Members: Oh, oh!

Mr. Deans: We have an oil company rip-off, an interest rate rip-off, unemployment is at an all-time high, house prices are beyond the reach of the majority of people, and we have a government afraid or unwilling to take any action in one area in particular.

Some hon. Members: Order!

Mr. Deans: Under the provisions of Standing Order 43 I move, seconded by the hon. member for Beaches (Mr. Young):

That the government take action immediately to ensure that the pending agreement which will limit the importation of cars and trucks from Japan into the United States does not result in an increase of exports of automobiles from Japan into Canada and, further, that agreements be sought to reduce the number of exports of automobiles to this country for a period of time necessary to allow our domestic auto industry to complete its restructuring programs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

CANADA-UNITED STATES RELATIONS—MOTION UNDER S.O. 43

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I rise under the provisions of Standing Order 43. Recognizing that U.S. President Reagan will visit this capital tomorrow, and noting that the people of Afghanistan, Czechoslovakia, Hungary, Bulgaria, Poland, East Germany, Roumania, Latvia, Lithuania, Estonia and the Ukraine, among others, are currently denied by Moscow the right to choose their own governmental and socioeconomic systems through force of Russian arms, I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That this House requests the Prime Minister to discuss this matter with President Reagan this week, including ways in which Canada and the U.S.A. can work effectively toward achieving self-determination for all people now behind the iron curtain.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

CALL FOR CONVENING OF STANDING COMMITTEE—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the Standing Committee on Indian Affairs and Northern Development has not met since December 3, 1980, and whereas there are many serious problems of extreme urgency affecting native people across Canada, I move, seconded by the hon. member for Prince George-Peace River (Mr. Oberle):

That the Minister of Indian Affairs and Northern Development, or the Prime Minister, immediately instruct the chairman of this committee to seek a reference from the House to convene regular meetings forthwith.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MIGRATORY BIRDS CONVENTION ACT

REQUEST FOR AMENDING LEGISLATION—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, because it has been over two years since Canada and the United States signed a protocol to amend the Canada-United States Migratory Birds Convention in a way which would recognize native hunting rights, and since this protocol has not yet been ratified by the U.S. Senate, and since the Canadian government has shown little initiative in this area over the last two years, either by pressuring the U.S. Senate to follow up on this promise or in introducing amendments to the Migratory Birds Convention Act in Canada so that Indians may hunt without being prosecuted, I move, seconded by the hon. member for Beaches (Mr. Young):

That the Minister of the Environment immediately propose amendments to the Migratory Birds Convention Act which would recognize native hunting rights, and that the Secretary of State for External Affairs strongly remind the United States of its 1979 commitment to change that convention, and also that the Solicitor General announce immediately a moratorium on the arrest of native people under this act.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ROYAL CANADIAN MOUNTED POLICE

INCREASE IN COSTS TO PROVINCES AND MUNICIPALITIES—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the federal government originally encouraged and enticed provincial governments and municipalities to sign contracts for RCMP policing, and now that the suggested increases are way out of proportion, some being near the 100 per cent mark, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That the House requests the government to review the scale of increases in order to keep faith with the original bargaining made with the provinces and municipalities, and also to help combat inflation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

FISHERIES

EAST COAST TREATY—NOTIFICATION OF WITHDRAWAL FROM CONSIDERATION BY UNITED STATES SENATE

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question will be directed to the Secretary of State for External Affairs when he has the opportunity to return to his seat.

Some hon. Members: Oh, oh!

Miss MacDonald: I am just welcoming him to his seat.

I should like to ask the minister when was the government first informed of President Reagan's decision to abandon unilaterally the east coast fisheries treaty and, further, what immediate steps the government took, either publicly or privately, to convey to the Americans Canada's profound opposition to this move.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I was telephoned by Secretary Haig—I believe it was on Tuesday evening of last week—to inform me that he would be recommending to the President that the administration not proceed with the east coast fisheries treaty but that it do proceed with the east coast boundaries agreement. I think we did not receive notification of the President's decision in advance or, if we did, it was so close to the time of his decision that in effect the two came at the same time. I believe that was on Friday. We did not receive any effective advance notice of the President's decision, as I under-

stand it, but we did receive advance warning from Secretary Haig that that would be his recommendation.

At the time Secretary Haig called me I expressed our profound regret and disappointment at this move, and said that it was not what we had hoped and expected. He informed me that that was true with his side as well, that he had been very optimistic when we had met that he would be able to get it through the Senate, and that it was with great regret that his special negotiator had informed him, after twice discussing it with all the relevant senators, that it was simply impossible to get it through the U.S. Senate. It was on that ground that the American government decided not proceed.

We did not accept the American action. We told the Americans specifically that we were not accepting it in the sense that we did not agree with it, that we protested against it, and that we were profoundly saddened by it.

POSITION TAKEN BY GOVERNMENT OF CANADA

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I find it appalling that the minister did not make some public outcry, the moment he was informed of this news, as to how the Canadian public felt and would react to this very distressing move on the part of the American government. However, given the fact that his comments to Secretary Haig were not successful earlier on, can the minister say what steps the government is now proposing to take in the next two days at the very highest levels to persuade President Reagan not to proceed with the announced course he has stated with respect to the east coast fisheries agreement, or will the government simply resign itself to accepting the way in which the American government is proceeding unilaterally?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, this was a unilateral decision by the United States without consultation with us. It has been formally announced by the President, and I am not sure there is now any margin for the United States to change that position, especially given the fact that they are only reflecting their belief that they cannot get this through the U.S. Senate and that they cannot get the implementing legislation through either the Senate or the House. We certainly intend to discuss this very fully with the President and to stress especially the importance of conservation of the fish stock, because likely the greatest possible loss in this whole matter is the loss to conservation interests.

It seems that American fisheries officials have not shown themselves capable of adequately protecting fish stocks. This is what troubles us more than any other single thing about the American decision.

We also have their assurance that they will not proceed to enforce U.S. law in the disputed zone against Canadian fishing ships. They will have what is called flag state enforcement, which means we will enforce the law against our ships, they will enforce it against their ships, and either of us can enforce it against ships from third countries. This will avoid the possibility of a so-called fish war in which each side would be arresting the ships of the other country.

POSSIBILITY OF CHANGE WITH RESPECT TO TREATY

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, given the situation the minister has now described, what concerns me is whether enough has been done by the government in the past number of weeks to convince the new administration in Washington of the unanimous and intense feeling in Canada against the course it has taken. I cite as an example the fact that on January 17 of this year the Canadian press reported that U.S. foreign relations committee chairman Percy said, after discussions with the Canadian Ambassador, Peter Towe, that he, Senator Percy, felt that treaty changes "can be accepted with reluctance" by Ottawa. He was given to understand that treaty changes can be accepted with reluctance by Ottawa.

● (1420)

I should like to ask the minister what it was in his discussions with Ambassador Towe that led Senator Percy to believe that any changes to the fisheries treaty would be accepted by Ottawa, reluctantly or otherwise, and under what orders was Ambassador Towe acting at the time Senator Percy reached that conclusion?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I do not know the state of Senator Percy's mind at the time he made that statement. In fact our position to the United States all along has been that while we would consider a reduction in the duration of the treaty from one of perpetual duration to one of a limited period of years, say 12, which would probably be long enough to return the capital investment of the fishermen, we would not accept any other changes. In his conversations with me Secretary Haig said that he well understood that the Canadian government would not accept any modifications to the treaty and that that was one of the factors the United States was taking into account in deciding to proceed this way.

The hon. member knows better than most that this treaty was negotiated and signed by the previous U.S. administration, the one with which she was dealing as secretary of state for external affairs. She also had a singular lack of success in convincing the U.S. government to put this treaty through the U.S. Senate.

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EXTERNAL AFFAIRS

SETTLEMENT OF MARITIME BOUNDARY BETWEEN CANADA AND UNITED STATES

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I wish to direct my questions to the Secretary of State for External Affairs as well. He states that what has happened is a unilateral decision, but in effect that unilateral decision was

based on a joint decision taken by representatives of the two countries. In fact the East Coast Fishery Resource Agreement signed on March 29, 1979, following negotiations that began in the fall of 1976, which is a long period of time, was designed to establish a Canada-U.S. fisheries commission to provide for co-operative management, and for access and entitlements to specific stocks of mutual concern. At the same time the treaty to submit the delimitation of the maritime boundary in the Gulf of Maine area to binding dispute settlement, provides for the submission of the case to a five-judge chamber of the International Court of Justice for a final decision on the placement of the boundary.

With that background I should like to ask the minister if, in his estimation, the United States is taking the boundary issue to the International Court in order to settle definitively that aspect of negotiations between our two countries before endeavouring to establish the fisheries quotas for conservation methods, or what is his interpretation of these actions?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, the United States government is prepared to proceed with the boundaries treaty, I understand, which in effect underlies the fisheries treaty. When international arbitration is completed, to a large extent that will effectively settle the fisheries question because it will determine the boundary on either side of which enforcement by the relevant country may take place. The U.S. government believes that there will be no difficulty getting that through the Senate, with its reference to international arbitration.

In the meantime, the U.S. administration is undertaking to try some conservation measures through the New England Fisheries Council. We are told that will not be on the basis of percentages of the catch, as we would prefer, but the U.S. Secretary of State says that it will indicate some interest on the part of the United States government in the preservation of the fisheries. That aspect concerns us a great deal. We would like to see extremely effective conservative measures taken so that the result of this flag state enforcement will not be that fishermen from both sides will be allowed to plunder the stock.

Of course, if the United States is not going to be concerned about conservation, we can hardly say to our fishermen that we are going to restrain them. Then it is the fishing resource that will suffer.

REVIEW OF BILATERAL AGREEMENTS

Mr. Lloyd R. Crouse (South Shore): I wish to direct a supplementary question to the Minister of Fisheries and Oceans. In January, 1977, Canada extended its jurisdiction to 200 miles seaward, and in March of the same year the United States established similar limits. When doing this the United States stated that the principal purpose behind its action was to phase foreign fishermen out of U.S. waters so that the U.S. fishing industry could expand.

• (1425)

My question to the Minister of Fisheries and Oceans is this: since the United States claims that the March 29, 1979, agreement is inconsistent with its 200-mile legislation, as it guarantees Canadian scallop, herring and groundfish fishermen permanent access to large parts of the United States zone, which is not in a disputed area, is the minister now planning to review all of the bilateral agreements covering fishing operations of foreigners within Canada's 200-mile zone in keeping with the promise made on February 25, 1975, by the then minister of state for external affairs, who is now the Minister of Finance, that the federal government would have the right to reserve for Canadian fishermen that portion of the total resource which they have the capacity to catch in any given year?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I completely fail to see how the hon. member's last question affects the previous statement made. In fact, we took the approach that where the line was drawn in fisheries terms was not overly important as long as there was a management of stocks which responded to biology and movement of fish. As long as that possibility existed, obviously our preference was for the treaty as it was negotiated, with great difficulty, because there had to be concessions on both sides. We felt, from the fisheries point of view, that the treaty went a long way to protect the traditional fishing patterns of both Canadian and American fishermen, that it disrupted them as little as possible, and it would produce a management of stocks which would ensure good conservation. I must say the decision which has been announced by the United States worries us from a fisheries point of view in terms of conservation. Certainly I agree with my colleague, the Secretary of State for External Affairs, that if American fishermen are going to have unbridled access to Georges Bank, then we cannot ask our fishermen to restrain themselves.

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FISHERIES

INCREASE IN SCALLOP ALLOCATION TO U.S. FISHERMEN—REQUEST FOR IMPOSITION OF MANAGEMENT PLAN

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, my question is for the Right Hon. Prime Minister. It also concerns the east coast fisheries treaty. On several occasions in this House, through motions under the provisions of Standing Order 43, we have announced our disapproval of the attitude of the United States toward not ratifying this treaty. I might remind the Prime Minister that the scallop allocation to United States fishermen has increased from about 10 per cent in 1974 to over 40 per cent right now, which is taking away much of the income of the Nova Scotia fishermen.

In view of the visit of the President of the United States tomorrow and on Wednesday, would the Prime Minister give assurances to this House and to the fishermen in Nova Scotia that he will ask the President of the United States to impose a

management plan on the American fishermen fishing scallops and other stocks on the east coast in the area under dispute? Will the Prime Minister ask the President to impose on those American fishermen a quota which will conserve stocks for which Canadian fishermen, in an attempt to do the same thing, are willing to accept regulations imposed by this government and the Minister of Fisheries and Oceans?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, it would seem that the Minister of Fisheries and Oceans and the Secretary of State for External Affairs have dealt with this matter in their previous answers when they indicated that conservation was one of the main preoccupations of this government, and when they indicated the United States administration had undertaken to negotiate, I believe it is with the New England regional council, to ensure that that council would adopt conservation measures compatible with the maintenance of the fish stocks.

Mr. Miller: With all due respect, Mr. Prime Minister, I will address this question to you.

It has been quite obvious that the Minister of Fisheries and Oceans and the Secretary of State for External Affairs in this government, in the previous Tory government and in the Liberal government before that, were unable to get those kinds of assurances from the United States. We were not getting any co-operation on that treaty through normal channels, namely, through the Department of Fisheries and Oceans and the Department of External Affairs. I think it is incumbent upon you now, recognizing the failure—

An hon. Member: Order.

Mr. Miller: —of normal channels, that you ask the President of the United States to impose a management plan which will protect those stocks on the east coast. That is not being done now. Will you ask the President of the United States to do something.

• (1430)

Mr. Trudeau: Are you asking the Speaker a question?

Mr. Miller: Will the Prime Minister give an assurance that he, as the Prime Minister of Canada, will request that a management plan be implemented to protect the stocks and income of Canadian fishermen?

Mr. Trudeau: Madam Speaker, I must say the hon. member is misstating the facts when he says that this government and indeed the United States administration had not endeavoured to ensure that the negotiated treaty would be implemented. On the contrary, we had the assurance from the Carter administration that it would do its best, repeatedly, over a period of two years, to make sure that the treaty was ratified. Therefore, there was on the part of the preceding U.S. administration, our government, and the government of the Leader of the Opposition, an endeavour to obtain ratification of the treaty. What happened in fact is that the U.S. Senate has not ratified the treaty. This government is putting forward the importance of maintaining friendship with the United States as the basis of the meeting which will take place tomorrow and the next day.

We are presuming that the United States President adopted this course, not because he wants to see an end to the profitable fishing for fishermen of both countries but because he is seeking in some other way to achieve results that are profitable for both countries. In that sense the House must recognize that it is not the U.S. administration that failed to ratify the treaty for the past two years, but the United States Congress. In that sense this government is once again putting the best possible light on the United States action and we are seeking, in a spirit of friendship, with the visit of the United States President to find a solution to this problem.

Mr. Miller: I would once again request that the Prime Minister raise this with the President.

WEST COAST SALMON TREATY NEGOTIATIONS

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, I wish to address my supplementary question on a related matter to the Minister of Fisheries and Oceans. It is with regard to the west coast salmon treaty which is now in the process of being negotiated. It will require a great deal of co-operation, trust and good will on the part of both governments in order to become an equitable and fair treaty for both sides. In recognition of the difficulty in getting equitable treatment with regard to the treaty on the east coast, will the minister reconsider the position of the government which guarantees in perpetuity something like 4.5 million Fraser River sockeye and pink salmon to the United States? Will he reconsider the Canadian position on the west coast salmon treaty, which is based on good will?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, in order to help the hon. member understand the previous question, under American legislation the United States Secretary of Commerce can intervene to limit the powers of the regional councils. That is the very question I expect to discuss with Secretary of Commerce Baldridge tomorrow afternoon. If this can be done and if the scallop stocks can be protected through this approach, we might avoid very serious overfishing, which is a threat that now hangs over us.

I hesitate to link the future of the west coast treaty to the problem on the east coast. We have always resisted playing one against the other. This we will continue to resist. I suspect that on the west coast the negotiations are taking place with ongoing and frequent consultation with the regional councils and interested groups on both sides of the negotiations, Canadian and American. In that sense, there may be more hope. The hon. member knows that one of the aims of Canada in the west coast salmon treaty negotiations is to restore the Fraser River to full Canadian control. That remains our aim.

DISCUSSIONS WITH UNITED STATES SECRETARY OF COMMERCE

Hon. James A. McGrath (St. John's East): Madam Speaker, my question is also to the Minister of Fisheries and Oceans. Since the treaty has been before the U.S. Senate for ratification over the past two years, American fishing activity has stepped up considerably on Georges Bank. Indications are that this is continuing to happen. Given that stepped up fisheries activity by the Americans, and the fact that there seems to be an agreement with the Americans not to interfere with each other in the disputed area, apart from the New England regional council being asked by the President to manage the fishery, which is like asking a chicken hawk to manage egg production, does the minister intend to hold bilateral discussions with the U.S. Secretary of Commerce who does have the authority to enforce fisheries management? We have much more to lose if there is not some management of that resource. It is our fishermen who stand to suffer the most.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I will be meeting the Secretary of Commerce at 4.45 tomorrow afternoon. I will make one slight adjustment to what the hon. member stated. We all stand to lose if we do not have a decent fisheries management regime on Georges Bank.

QUERY RESPECTING NOTE FROM UNITED STATES STATE DEPARTMENT

Hon. James A. McGrath (St. John's East): Madam Speaker, I will direct my supplementary question to the Secretary of State for External Affairs. According to a Canadian Press dispatch, a note was sent to the Canadian government by the U.S. State Department last Friday. The note outlined U.S. government objections to the treaty. It is interesting to note it came from the State Department. We thought we had successfully negotiated a treaty with the U.S. government. Will the minister tell this House and the country what was contained in that note which he received on Friday?

Hon. Mark MacGuigan (Secretary of State for External Affairs): I am not aware of any such note, Madam Speaker. I will check and advise the hon. member. There were rumours of another note on Friday, but not that I am aware of in that area.

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AGRICULTURE

STABILIZATION PAYMENTS TO EASTERN POTATO PRODUCERS

Mr. Maurice Harquail (Restigouche): Madam Speaker, I agree with the importance of the subject matter of the questions asked. However, I would direct my question to the Minister of Agriculture. It has to do with the plight of potato farmers, particularly those in eastern Canada. Can the minister inform the House as to his recommendations and the government's decision with regard to the recommendations of the stabilization board on the amount that will be made available to help in the 1979-80 crop year?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the Agricultural Stabilization Board announced a payment that would amount to about 70 cents per hundredweight. The maximum a single producer can claim will be 10,000 hundredweight. A family organization of two or three members could claim a maximum of 30,000 hundredweight. Payments will be made when the farmers apply for them. That covers the eastern region of Canada, the three Atlantic provinces, Quebec and Ontario. Applications must be submitted before the payment can be made to them.

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FISHERIES

REQUEST THAT EAST AND WEST COAST ISSUES BE DISCUSSED WITH VISITING UNITED STATES REPRESENTATIVES

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, my question is for the Minister of Fisheries and Oceans. In reply to a question a few moments ago, the minister indicated that he hesitates to link the question of the east coast fisheries treaty with the circumstance on the west coast. In view of the devastating state of the scallop stocks on Georges Bank, and the tremendously precarious stituation with respect to Fraser River salmon, in particularly the chinook salmon runs which have been subjected to heavy overfishing, especially by U.S. fishermen and U.S. native fishermen, is the minister prepared at this point to couple these two situations and realize that we can no longer continue to put the west coast on the back burner until the question of the east coast treaty is resolved? Is the minister prepared to deal with both of these issues and address them, square on, with his counterparts who will be visiting here over the next few days?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): As a former parliamentary secretary to the minister of fisheries, the hon. member knows better than his question indicates. He knows that negotiations regarding the salmon interception problem preceded by many years the situation which has arisen on the east coast as a result of the extension of jurisdiction. He knows the problems are very different. He also knows that, much as it might be tempting, it would not be accurate to put all the blame for the overfishing of chinook salmon on U.S. seiners of Point Roberts.

Mr. Siddon: The minister recognizes the problem. He has admitted in this House that negotiations with respect to the west coast salmon stocks have been going on for a very long time, without any serious intent, I might add. Would the Secretary of State for External Affairs assure this House that the subject of the west coast treaty will be discussed during the upcoming discussions with his counterpart, Secretary Haig and, in particular, will he reveal to this House the extent to which he has been briefed on this very important question and the extent to which he is prepared to put positive options on

management before the Secretary, regarding both the west coast and east coast treaty, in order that we can prevent overfishing and ensure that we do not destroy both of these valuable resources?

● (1440)

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, that is certainly one of the issues we will discuss with officials of the U.S. government if we have time. Those who are involved in negotiations with the United States on west coast problems feel that these negotiations are going fairly well at the present time.

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HOUSING

INTRODUCTION OF SHELTER ALLOWANCE PROGRAM

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, my question is for the minister responsible for the Canada Mortgage and Housing Corporation and it concerns shelter allowances and rental controls.

The minister announced outside the housing conference held this past weekend that he intends to introduce a shelter allowance program which will cost close to $400 million. We know the minister advocates the abolition of rent controls, and I should like to ask him whether he intends to plan to use shelter allowances as a means of doing away with rent controls and, in addition, who will benefit from these shelter allowances? How does he intend to prevent rent gouging by landlords if there are no rent controls?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, part of the question by the hon. member dealing with rent controls was directed to the wrong minister. It should be directed, so far as my province is concerned, for example, to the minister for housing for the province of Ontario. I realize there is some controversy. This was an item on the agenda of the all-sector conference and there are a variety of opinions on the matter of rent controls. I appreciate from a *Globe and Mail* report of Friday last that there is some question about what is the position of the Conservative Party in this regard, but I would submit that the hon. lady should address her question to the minister with jurisdiction.

Mrs. Mitchell: Madam Speaker, my supplementary question is directed to the same minister who was very vocal, according to my copy of the *Toronto Star* of March 2, about ending rent controls.

We know that in some instances shelter allowances are certainly needed by low-income people provided rents are controlled. However, shelter allowances will not build affordable housing and we need many more housing units. Therefore, will the minister tell us where the $400 million will come from in his budget? I hope this will be additional money. Will he assure the many concerned housing groups represented at this conference and across Canada that this money will not be taken from the budget, particularly that portion which is so desperately needed to build non-profit housing and also for community service grants?

Mr. Cosgrove: Madam Speaker, I thank the hon. member for the opportunity of making reference to the all-sector conference on housing held here over the weekend. She gives me the opportunity of pointing out in response to a specific question that there were approximately 20 items on the agenda of what was an all-sector conference. Many people had the opportunity of commenting on many of the suggestions made, including one of the suggestions in my remarks to the effect that shelter allowances could be an additional and useful instrument in the response of governments generally to housing problems in Canada. The idea or proposal was introduced in my remarks in that framework, that is, to elicit response from the provinces and from all the sectors involved, including the non-profit sector to which she has referred.

* * *

BILINGUALISM

PUBLIC SERVICE HIRING PRACTICES—RESTRICTION OF CANDIDATES TO PROVINCE OF QUEBEC

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, I direct my question to the Minister of Transport.

The principle of mobility has been a long held goal of the government. However, the Department of Transport has now restricted applicants for the position of air traffic controller in Montreal to the "geographical boundaries of the province of Quebec". Will the minister tell the House how he can possibly rule out candidates from New Brunswick, Nova Scotia or Ontario who are bilingual, and particularly those whose first language is French? Is this not the worst form of discrimination and contrary to all federal guidelines?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I was also quite shocked when I was made aware of that situation and I want to agree with my hon. friend on that matter. I am told, however, that this is not uncommon. I have asked my officials to look into it further and to suggest ways in which it could be changed. I will report to my hon. friend as soon as I have a decision on that.

* * *

ROYAL CANADIAN MOUNTED POLICE

REPORTED REMOVAL OF "E" DIVISION FROM VICTORIA, B.C.

Hon. Allan B. McKinnon (Victoria): Madam Speaker, I direct my question to the Solicitor General. Last Friday I asked the Acting Solicitor General about the government's plans to move the headquarters of "E" Division of the Royal Canadian Mounted Police out of the city of Victoria. I understand the Solicitor General has informed the media that this projected move is by no means certain. However, RCMP

senior officers have said the move is on. Would the Solicitor General clarify this matter, please?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, if the hon. member would tell me which members of the RCMP were saying that, I will get in touch with them and tell them the move is not on, not finally settled, and will not be until I have had an opportunity to discuss this with the provincial attorney general.

Mr. McKinnon: Certainly, Madam Speaker, the minister's request is about the last one I would answer. Will he get in touch with the mayors of the various municipalities affected? He will find a letter on his desk today or tomorrow from the mayor of Victoria requesting that the decision be deferred until there has been discussion with municipal officials. It also points out that "we have not had the benefit of any consultation with your local officials aside from a simple announcement that such a move is to take place". Will the minister assure the House that there will be impact studies done on this move before it takes place or is rejected completely?

Mr. Kaplan: Madam Speaker, I will not undertake that there will be specific impact studies undertaken, but I will tell the hon. member that a policing analysis was done of the situation, and from the point of view of cost and efficiency the RCMP is satisfied it would be preferable to operate its B.C. headquarters in Vancouver. That is not a decision which will be made until I have consulted on the matter with the attorney general of British Columbia.

* * *

HOUSE OF COMMONS

RIGHT OF PUBLIC'S ACCESS TO PARLIAMENTARIANS DURING STATE VISIT OF U.S. PRESIDENT REAGAN

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, I am more aware than some of the very real security problems that will be encountered round Parliament Hill tomorrow and Wednesday with the impending visit of President Reagan. I would direct my question to the Prime Minister. I apologize for directing it to him but, as the House will appreciate, the Chair cannot be questioned in this House.

In view of the instructions issued that no one, but no one, is to be allowed access, not only to these buildings, but to the grounds, tomorrow and Wednesday, unless they have a parliamentary identification card, who is to preserve the right of the Canadian citizen and taxpayer to have easy access to members of Parliament and their offices over the next two days?

An hon. Member: How about members without identification cards?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I will take notice of the question.

ROLE OF ROYAL CANADIAN MOUNTED POLICE

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, I wonder if the Solicitor General will tell us if he or the RCMP has issued any instructions actually to keep people out of the parliamentary grounds tomorrow and Wednesday?

Hon. Bob Kaplan (Solicitor General): I am not aware of any such instruction, Madam Speaker. I can assure the House that the RCMP does have a mandate to be responsible for the security of visiting heads of state and their suites. They are aware of that responsibility and they will be exercising it.

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PUBLIC SERVICE

STATEMENT ON NATIVE PEOPLES MADE BY CORRECTIONAL SERVICE SPOKESMAN—REQUEST FOR REPORT

Mr. Jack Shields (Athabasca): Madam Speaker, my question is directed to the Right Hon. Prime Minister or the Solicitor General. On February 23 the Prime Minister agreed to look into and report to the House regarding statements made by Mr. Paul Croft, who was a spokesman for the correctional service, and who, when asked how many natives worked for his service, said he would not be able to give that information as it would be violating human rights, but when asked how many natives were serving time in prisons said 840 were inmates, or almost 9 per cent of the federal prison population were natives. Is the Prime Minister now ready to report on that very hypocritical and blatant statement?

• (1450)

Hon. Bob Kaplan (Solicitor General): Madam Speaker, we do not know how many natives are working for the correctional services of Canada because under our human rights policy we are not allowed to ask applicants for employment with the correctional services of Canada their ethnic or racial background. So, we have no way of knowing from our records exactly what number are working for the correctional services. Obviously there are a number, but we have no statistical data which would show the precise number.

As far as inmates are concerned, human rights employment legislation is irrelevant. We have programs directed toward native people who are inmates in correctional centres, and to their needs. We have very full statistics on that. When we are asked about statistics on inmate populations we can produce it, but we do not have statistics about the racial background of employees of the correctional services of Canada.

Mr. Shields: Madam Speaker, I have never been in prison, so I did not know information as to racial origin had to be put on an application to get into prison.

Oral Questions

INDIAN AFFAIRS

TERMINATION OF SPORT AND RECREATION PROGRAM

Mr. Jack Shields (Athabasca): Madam Speaker, my supplementary question is directed to the minister responsible for fitness and amateur sport. He will know that over 100 people will lose their jobs and that many native communities will be deprived of much-needed sports programs as a result of the government decision to cut off funding for the native sport and recreation program. Could the minister advise the House as to which department the money allocated for this program has now been directed, for what other programs will this money be spent, or will it now be spent to beef up the import compensation program of the Department of Energy, Mines and Resources?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, as the House has previously been informed, the program to which the hon. member referred was an experimental program rather than a permanent one. The difficulty encountered in relation to my department was due to the small nature of the department and the fact that we do not have people in most centres across the country. It was impossible to have the program monitored and constantly followed. Consequently, there was a decision that the money could be better spent to the advantage of our native people through some other program. The determination of that program and what department would undertake it would be one which would not fall under my department.

* * *

THE ENVIRONMENT

SUGGESTED DISCUSSION OF ACID RAIN PRECIPITATION IN CANADA—UNITED STATES TALKS

Mr. Derek Blackburn (Brant): Madam Speaker, my question is directed to the Prime Minister. In view of the fact that acid rain emissions in Canada have been considerably reduced—in the Sudbury region they have actually declined by over 80 per cent since 1970—but in the United States emissions have climbed alarmingly, and all forecasts strongly indicate there will be much higher SO_2 emissions this year and in subsequent years, will the Prime Minister assure the House he will tell, not ask, President Reagan of the United States to reduce drastically acid precipitation now?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the subject matter will certainly be discussed with the President of the United States.

Mr. Blackburn: Madam Speaker, I strongly suspect that we may lose out in that discussion. What sanctions does the Prime Minister have in mind to use against the United States in the event that the United States under President Reagan refuses to go along with the clean air memorandum of intent of August 5, 1980? For example, would he threaten to reduce or cut off hydroelectric power to the United States?

Mr. Trudeau: Madam Speaker, contrary to the hon. member's party, we are going into these meetings with the President of the United States with the presumption that many of these problems can be settled, as they should be, between neighbours; not by threat.

Some hon. Members: Hear, hear!

* * *

FISHERIES

EFFECT ON MARKETING OF CANADA-UNITED STATES IMPASSE

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I have a brief question for the Minister of Fisheries and Oceans, returning to the important matter of the fisheries treaty between our two countries. I should like to ask him about the effect on marketing if this impasse continues. Unless there is some solution, is it his view that present conditions could lead to overproduction and a consequent weakening in Canadian markets as far as our fishermen are concerned? Is this a likely consequence?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I wish the situation were such that scallop stocks would continue to be as healthy as they once were. The reality is that there has already been overfishing by the American industry, and we have responsibly held back our fishermen.

As I said, if we have to unbridle our fishermen, I am afraid that scallop prices on the contrary will keep going up as stocks become scarcer. In the long run no one will really benefit from this situation.

Mr. MacKay: Madam Speaker, I should like to ask the minister another brief question. In his opinion, where does he feel the leverage is in this respect? Since the Americans take so much of the production of our fishing industry, particularly on the east coast, is the leverage with us or with them if the conditions as far as the treaty is concerned cannot be resolved?

Mr. LeBlanc: Madam Speaker, I am afraid the answer would be too long for question period. The reality is that there is almost a philosophical difference between the Canadian fishing industry—fishermen, the processors and government—and the American ones. We believe in rather tight regulation of stocks and tight conservation measures. This does not appear to be the philosophy on the other side. Hopefully it will become that, otherwise the stocks will be ruined.

* * *

NATIONAL DEFENCE

NORAD—DISCUSSIONS BETWEEN PRIME MINISTER AND UNITED STATES PRESIDENT

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, my question is directed to the Minister of National

Defence. On December 19, 1980, the chairman of the Standing Committee on External Affairs and National Defence tabled the committee report on NORAD. Does the minister concur with its recommendations? Has he briefed the Prime Minister prior to his discussions with President Reagan?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I can assure the hon. member that we will have discussions with the President or the U.S. Secretary of State. We agree entirely with the SCEAND recommendations and they will be brought forward for signature when the President is here.

Mr. Wenman: Madam Speaker, my supplementary question is directed to the Prime Minister. The last three recommendations in the report indicate the change in nature of the NORAD relationship as technology moves from land-based radar to space-based radar. Recommendation No. 11 suggests that Canada should participate in this new technology. Is it the intention of the Prime Minister to discuss the changing nature of NORAD and, in particular, to place a new emphasis upon Canada's participation in the development of space based surveillance systems?

Mr. Lamontagne: Madam Speaker, as the hon. member just mentioned, it is true that research and development are part of this agreement and that the name has been changed to that effect, changing the wording to "aerospace".

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TRANSPORT

APPOINTMENT OF GRAIN TRANSPORTATION CO-ORDINATOR

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, my question is directed to the Minister of Transport. It concerns the grain transportation authority which was set up by his predecessor. The minister will know that the Grain Transportation Authority has been without a director since the previous one resigned on October 15. Has he had a chance to consider a replacement? Is he in a position either to announce who will be replacing Dr. Horner, or to give us some kind of a timetable as to when we might look for a replacement?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, the institution is continuing; Treasury Board has approved the necessary money to continue it. Mr. Radke is acting co-ordinator on an interim basis, and I am looking for the pearl who should be placed in that job.

Mr. Mayer: Madam Speaker, if the minister's predecessor could not only negotiate guidelines for the transportation authority but name a director in five months, it would seem reasonable that the minister could find a replacement for him in five months.

I thank the minister for his reassurance that he is supporting the Grain Transportation Authority. Is he in a position to announce what type of goals the entire transportation system can be looking at in terms of increased exports? Very early on in his ministry, the previous minister announced that he would be looking at a 20 per cent increase, and I have not heard any announcement of any increases by this minister. Could he give us an idea as to what kind of increases we should be anticipating?

• (1500)

Mr. Pepin: Madam Speaker, I look at the figures every day. Unloading in Thunder Bay and Vancouver on the west coast is up 4 per cent or 5 per cent over the previous year. This gives an indication of the success of the grain industry at this time.

I am not aware that the Minister of State responsible for the Wheat Board has indicated any percentage, but I will discuss it with him and I will bring that to the attention of the House.

* * *

PRIVILEGE

MR. WADDELL—ALLEGED DIPLOMATIC NOTE RESPECTING ENERGY POLICY

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, in answer to a question from one of the Conservative members, the Secretary of State for External Affairs (Mr. MacGuigan) made reference to diplomatic notes. This was in the context of fisheries notes. What was omitted from his answer was that there may have been another diplomatic note.

While there are rumours about there being a diplomatic note from the government of the United States protesting the national energy policy, I wonder if the minister, in answer to my question of privilege, could clear up for members of the House whether he was referring to that other diplomatic note?

Madam Speaker: Order, please. I am afraid this is not a question of privilege which can be raised at this time. If the hon. member has queries with respect to answers which have been given in the House, he can ask questions during subsequent question periods.

ROUTINE PROCEEDINGS

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,844 and 1,981.

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

Order Paper Questions

[*Text*]

POSTAL FACILITIES AND DIAND OFFICE, YUKON

Question No. 1,844—**Mr. Nielsen:**

1. Will a post office be constructed at Haines Junction, Yukon and, if so, on what date will the project commence?

2. Are there plans to construct a mail processing plant at the city of Whitehorse, Yukon and, if so, what is the status of such plans?

3. Has the project to instal an energy retrofit system to the federal building at Whitehorse, Yukon been completed and, if not, on what date will the project be completed?

4. (a) What is the rent paid for the office of the Minister of Indian Affairs and Northern Development situated at 307 Jarvis Street in the city of Whitehorse, Yukon (b) who is the landlord of the building (c) what is the salary being paid to the so-called ministerial assistant (d) what other staff is being hired and at what salary (e) what is the purpose in establishing such an office?

5. Are other similar offices being set up in other constituencies where there is no Liberal Member of Parliament?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): In so far as Public Works Canada is concerned: 1. No planning action is under way at this time for a post office to be constructed at Haines Junction, Yukon.

2. No planning action is under way at this time for a mail processing plant at the city of Whitehorse, Yukon.

3. Energy retrofit of the federal building in Whitehorse is an ongoing retrofit item which consists of a number of projects. Several of these projects were initiated and completed in 1979-80 and 1980-81 fiscal years under Public Works Canada minor works program and have resulted in a reduction in total energy consumption of approximately 9 per cent since 1977/78 and further reductions are anticipated in the present fiscal year.

4. (a) $7,560 per year.

(b) Davos Holdings Limited.

In so far as the Department of Indian and Northern Affairs is concerned:

(c) Salary range $17,549—$20,321.

(d) None.

(e) The purpose of the office in Yukon is to provide a direct communication link to the minister's office in Ottawa, to allow Yukoners the same access to the Minister of IAND as is provided to other Canadians, to facilitate more consultation with Yukoners on matters that affect them and to expedite the early resolution of concerns that may develop in respect of DIAND responsibilities in the north.

5. Yes, Yellowknife, N.W.T. and Calgary, Alberta.

CNR PENSIONS

Question No. 1,981—**Mr. Knowles:**

1. How many retired employees of the Canadian National Railways are in receipt of pensions of less than $25 per month?

2. How many are in receipt of a pension of $25 per month?

3. How many are in receipt of pensions of (a) $25.01 to $29.99 per month (b) $30.00 to $39.99 per month (c) $40.00 to $49.99 per month (d) $50.00 to $59.99 per month (e) $60.00 to $69.99 per month (f) $70.00 to $79.99 per month (g) $80.00 to $89.99 per month (h) $90.00 to $99.99 per month (i) $100.00 to $124.99 per month (j) $125.00 to $149.99 per month (k) $150.00 to $199.99 per month (l) $200.00 to $299.99 per month (m) $300.00 to $399.99 per month (n) $400.00 to $499.99 per month (o) $500.00 to $599.99 per month (p) $600.00 to $699.99 per month (q) $700.00 to $799.99 per month (r) $800.00 to $899.99 per month (s) $900.00 to $999.99 per month (t) $1,000.00 to $1,499.99 per month (u) $1,500.00 per month and over?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The management of Canadian National Railways advises as follows:

1. 250.

2. 747.

3. (a)	166	(k)	2,782
(b)	123	(l)	4,733
(c)	256	(m)	633
(d)	353	(n)	3,064
(e)	280	(o)	2,429
(f)	329	(p)	1,907
(g)	233	(q)	1,453
(h)	281	(r)	1,141
(i)	1,239	(s)	817
(j)	866	(t) and (u)	1,828

In a number of cases, the amount of pensions paid by Canadian National Railways do not represent the total pensions payable to employees for railway service. Pensions payable by CN to international employees (service in both Canada and the United States) relate to their service in Canada only. Such employees also receive annuities respecting eligibility for which CN has made contributions payable under the U.S. Railroad Retirement Act or the Social Security Act for service performed in the United States. For example, in the group receiving pensions under $25 a month, in 1980 there are 28 former international employees who receive U.S. railroad retirement or social security annuities in respect of CN service rendered in the United States. In addition, there are various pension agreements between CN and other companies, such as Canadian Pacific Limited and the Ontario Northland Railway, where each company issued separate cheques for its portion of the total pension. Only the pension payable by CN is in this statement. Also, since the passing of the Pension Benefits Standards Act by the federal government on October 1, 1967, there are 120 employees who have terminated service with CN and are receiving rather small compulsory deferred pensions for service performed only from October 1, 1967. The balance of those receiving small pensions are employees who elected for early retirement—before age 65—with reduced basic pensions—$25—and employees who had very short service and very small contributions.

[*Translation*]

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

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S.O. 58—AMERICAN MILITARY INTERVENTION IN EL SALVADOR

Mr. Edward Broadbent (Oshawa) moved:

That this House condemns the government for its failure to protest publicly the American military intervention in support of the junta in El Salvador, and calls on the Prime Minister in his talks with the President of the United States to urge an end to this military involvement on the side of a regressive regime which denies civil rights and is fighting those who wish to establish a democratic government.

He said: Madam Speaker, today, just ahead of the visit of the President of the United States, we are involved in what could become one of the most significant political events of the new administration in the United States. The El Salvadorean situation has all the elements of intensifying not only the crisis within that country but, indeed, could go well beyond that and raise very serious difficulties in the modern world, not only in this hemisphere but everywhere on the planet.

In opening my comments, I want to say that I intend to spend a good part of my time talking about the actual situation in El Salvador, its recent history and its modern reality. For quite plausible reasons I think the people of Canada are not well informed about what is actually taking place in that unfortunate land to the south of us. In so doing, I would like to make it clear that my sources of information on what I am about to say are not, in the main, from Canadian sources, but rather are from American sources. They are from publications like *Harpers* magazine and *The New York Times,* from American church leaders as well as from Canadian and El Salvadorean church leaders, from Canadian trade unionists, and finally from a report prepared by the president of the Inter-American Commission on Human Rights.

What is a common characteristic of these groups or individuals? First, all of them have been known historically to oppose authoritarian regimes, whether they are regimes on the left or on the right. They are the people who, in the past, have not hesitated to condemn the Soviet Union's invasion of Afghanistan and, in the present circumstance, they are united in condemning American involvement in El Salvador. Just as they were right in the former case, they are certainly right, as I will argue, in the case of the Americans. What I want to stress is that all of these groups, whether church leaders or editors of important American publications, have on their side a distinguished commitment not only to liberty but to the pursuit of truth. Both characteristics are very important, as we will see in this debate on this important situation.

First, I want to say something about the nation of El Salvador. It is important for us to know that it is not only a small country geographically but that it is small in population, somewhere in the neighbourhood of five million people. It is also important for us to know that in that land some 2 per cent of the people own 60 per cent of the arable land. The peasants who make up the vast majority of the population own almost none of the arable land. In terms of income distribution, 8 per cent of the population receives more than 50 per cent of the national income. In terms of employment opportunities, work, which gives dignity to the daily existence of most men and women, is almost unavailable on a continuing basis for most of the population. In fact, only some 16 per cent of the economically active population is employed throughout the year. For 1979 unemployment averaged 25 per cent. These are some of the crude statistics which describe the present reality of El Salvador.

The history of El Salvador which has led to the present political circumstance which we are debating today is that for nearly 100 years El Salvador has been economically and politically controlled by a handful of families which compose the oligarchy. These families are the owners of the best quality land, which in its production is dedicated not to meeting the needs of the people, in the main, but to serving export markets for coffee, cotton and sugar. This handful of land owners employs a peasant class which is subjected to what can only be described as highly exploitative conditions in terms of modern industrial, northern European and North American experience. Anyone who describes their circumstances in any other terms is misleading.

The traditional oligarchy held direct political power up until the early 1930s. In 1932, as a result of a peasant rebellion which resulted in some 30,000 deaths, the military dictatorship which has oppressed the people up until today was installed in power. Over the past 50 years military government has been followed by military government, serving the interests of the oligarchy, keeping the majority of people out of the political process and systematically blocking all moves in a democratic direction. I will have something more to say about that in light of the observations made by the present American ambassador to the United Nations.

After the Sandinista victory in Nicaragua just a few years ago it was clear that this experience would have far-reaching implications in the region, particularly for those struggling for democracy against tyrannical regimes. Nowhere was this more immediate or apparent than in El Salvador where, on October 15, 1979, a group of young military officers ousted the military dictator, General Carlos Romero. The formation of a civilian military government was announced, and hopes were immediately raised everywhere that the attainment of genuine democracy would not encounter the bitter and bloody resistance which had occurred in Nicaragua. This was particularly the case when a leading social democrat, Manuel Ungo, was nominated by 14 popular organizations to join the five-man ruling junta. Another social democrat, Hector Oqeli, was appointed deputy minister of foreign affairs.

• (1510)

Hopes that the promised, much needed reforms could be implemented were soon dashed. The security forces began new acts of terrorism. The stated objective of the new government had been the democratization of the country, including serious political and economic reforms. However, it soon became

evident to the people and the democratic civilian sectors of the government that powerful forces long established in El Salvador would remain opposed to these democratic goals. The rightist sectors of the army grew stronger and eventually displaced the democratically-oriented elements of the army which were in the junta. Once again, repression against the people and violation of human rights became commonplace in El Salvador. At the same time the oligarchy and its allies within and outside the government opposed and blocked, as I have said, all attempts at democratic reform. This included assassination of leaders of other political parties.

Then in January, 1980, almost all the civilian members of the government resigned. The hopes that the regime which came into existence just a year and a half earlier had awakened in the land were completely crushed. During the past year the junta, now consisting of only the most reactionary civilians and the military, has continued to exist only by means of military force. The junta has pretended that serious economic reform has taken place. In fact, the so-called reforms have been no more than cosmetic. Instead of genuine human reform, since its beginning in January of last year the current government has provided what has been characterized as "reform by death". That is to say, the fundamental objective of the regime has been the extermination of all opposition through indiscriminate repression and violence on an almost incredible scale.

Robert White, the former United States ambassador, said in an article which I read yesterday in *The New York Times* the following: "They have killed at a minimum 5,000 or 6,000 kids just on mere suspicion". This inhuman objective of eliminating in a vicious way all opposition was covered up by the so-called reformist agrarian proposals which have been, according to OXFAM and many other groups, a sham. This totally insubstantial land reform policy was matched by another alleged reform of the banking system which, in reality, has left the credit structure of the nation completely unchanged.

What have been the results of such action? They are pretty obvious. They are what one can expect at this point in the twentieth century with a regime of this character. With all peaceful means of change blocked by the military, the opposition parties and other organizations, including church groups, reached the conclusion that popular insurrection was the only means of obtaining freedom, genuine human rights and democracy for the people of El Salvador.

The United States once had a distinguished president by the name of Thomas Jefferson, and of all people in the world the people in the United States should understand that if an oligarchy controls a nation and tyrannical forces are in charge, the only alternative to such violence and tyranny organized by the state is violence in the hands of the people themselves. That is a regrettable truth, but a truth nonetheless.

The systematic and indiscriminate violence of the junta has continued, but to face this the Democratic Revolutionary Front was created. I want to say something about the front. The front was organized to co-ordinate the efforts of more than 40 organizations ranging from moderate priests and professionals to social democrats, dissident Christian democrats and, yes, some Marxists. The leader of this movement is Manuel Ungo, now in exile in Mexico. Its program is not to set up an extremist, leftist state of an authoritarian kind; quite the contrary, its stated objective, reflecting its heterogeneous composition, is the creation of a political democracy with a mixed economy internationally non-aligned with any of the great powers. That surely is a commendable objective for an oppressed people.

At last count in El Salvador, at least 15,000 people have been killed, the majority victims of the armed forces and their semi-official death squads. There have been humane killings, although, of course, that is totally objectionable; but there have been indiscriminate killings on the part of the other side as well. That happens in a civil war. But there is no doubt at all as to what is the principal source and the principal agent of this conflict: it is the junta on the right. Mutilated corpses of the victims of the military regime remain in the streets of the capital. The most peaceful of people in the nation have been murdered. Monsignor Oscar Romero, archbishop of San Salvador, was gunned down right at the altar of his church last March because of his support for the legitimate aspirations of El Salvador's poor.

More recently, on October 4 the mutilated body of the spokeswoman for human rights, Maria Magdalena Henrigues, was found on the outskirts of San Salvador. One of the most gruesome incidents was the murder last May of more than 600 peasants by Salvadorean national guardsmen as the peasants attempted to flee across the border into Honduras.

The reality is that El Salvador is in a state of bloody civil war produced by a right-wing regime. This fact is obscured by the present United States government, which keeps portraying the present junta as representing moderation between the violent extremes of the left and right. The reality is quite different. The junta is part of the extreme right and is bereft of any popular support in the country. It lacks any shred of moral legitimacy and is thus inherently unstable. As William LeGrande and Carla Anne Robbins remarked in a recent issue of *Foreign Affairs:*

> What Washington appears to be incapable of grasping is that in El Salvador, as in Nicaragua before it, the centrist forces which the United States perceives as its allies have joined with the very forces which the United States regards as its natural enemy—the radical left. The centrists are no longer in the centre . . . The recently unified left and centre left opposition includes everyone but the government and the far right.

That is the reality in El Salvador, whatever the current American state department would like everyone to believe. I regret to say that the people most zealously deploying the carefully contrived "moderate and reformist" image of the junta are supporters and advisers of the newly elected President of the United States, who announced in the presidential transition period that the Carter administration had been sponsoring social reform in El Salvador instead of "sticking to basics". As Alexander Cockburn in the current issue of *Harpers* magazine says, under these circumstances "—the basics are familiar enough: first find your dictator"—which is defined as firm leadership—"and then stick to him"—define

that as constancy to our allies—"however many people he kills."

● (1520)

Since President Reagan's election, military aid to the Salvadorean junta has been increasing on a regular basis. On March 3 it was reported that a total of 54 American military advisers had been sent to El Salvador and that $50 million in military aid has been pledged to the junta by the U.S. government. As a result of this military aid, including lethal weapons, the junta has been able to increase its capacity to kill peasants, dynamite organs of the Catholic church, and murder trade unionists. The military operations that the junta launches against the population, especially the rural population, have resulted in thousands of Salvadoreans abandoning their homes and becoming refugees. The churches have established seven refugee camps in the principal cities which house more than 3,000 displaced persons. In neighbouring countries, the number of refugees grows every day. In Honduras alone it is estimated there are more than 10,000 refugees. In Costa Rica there are 3,000. It has not been possible to calculate how many refugees are in Guatemala.

Instead of supporting such a regime, all democrats and certainly all democratic governments, including the Government of Canada, should join in their condemnation and mount pressure in the international community to bring peace and democracy to this troubled land.

Regrettably, and I mean that, because there has been a shift in U.S. policy, President Reagan's new policies extend well beyond El Salvador. The new American ambassador to the United Nations, Jean Kirkpatrick, recently explored a line of reasoning that has to disturb all of us. In the article entitled "Dictatorships and Double Standards", she presents arguments of the following kind in support of right-wing authoritarianism. First, she wrote:

> Traditional autocrats . . . do not disturb the habitual rhythms of work and leisure, habitual patterns of family and personal relations. Because the miseries of traditional life are familiar, they are bearable to ordinary people—

She also writes, justifying a preference for right-wing authoritarianism over left-wing authoritarianism, that:

> Although there is no instance of a revolutionary 'socialist' or communist society being democratized, right-wing autocracies do sometimes evolve into democracies—given time—

Regrettably, history does not accord with the ambassador's academic simplifications. In reality, the opposite has been the history of right-wing regimes throughout Latin America, as she should well know. Somoza firmly ruled for more than 45 years. El Salvador has had more than 50 years of military rule, as I have just sketched in.

What characterized these regimes and similar ones throughout Latin America is not a movement, as she suggests, toward democracy, but the systematic repression of all the ordinary people and civil libertarian forces in those countries that wanted to create democracy. That has been the real history, whatever the ambassador might say. The only equivalent to the new American apologetics for right-wing regimes in Latin America is the kind of double-think attacks one finds now in *Pravda* on the solidarity movement in Poland. They are fully equivalent.

Those of us who believe in democracy must not get into the shallow game of "preferring" left-wing or right-wing repression. Repression is repression is repression, and I am disturbed that the new administration in the United States is about to wage a propagandistic battle in support of foreign policy steps designed to prop up, in a material way, right-wing regimes. The United States moves in support of the junta in El Salvador seem to me to be illustrations of a new, over-all foreign policy which completely abandons President Carter's commendable, if at times flawed, commitment to human rights.

A report in yesterday's *New York Times* is illustrative of this new direction in American foreign policy. The lead paragraph, not of an editorial but of a news item on about page 6, reads as follows:

> The Reagan administration is moving rapidly to improve relations with South America's right-wing military regimes through invitations to military leaders from Chile, Brazil, and, in a few days, Argentina, for talks here.

What has Robert E. White, former U.S. ambassador to El Salvador, said about military support for such right-wing regimes? He said this:

> To the extent that you emphasize a military solution in El Salvador, you are going to be buttressing one of the most out-of-control, violent, bloodthirsty groups of men in the world.

He warns that this kind of action is precisely the kind which will foster left-wing authoritarianism. He describes this new direction of the Reagan administration as a "disaster". Mr. White, the former U.S. ambassador in El Salvador, is right. We must do everything we can and so must the free world, to help the people of El Salvador; not prop up those who tyrannize them.

I want to turn immediately to the position of the Government of Canada, Mr. Speaker, and I will be brief. I could quote at considerable length the vacillating positions taken by the Government of Canada on this very important moral and practical issue of foreign policy. All I will say, however, is that the government has moved from acquiescence, on the one hand, to mild disapproval, on the other.

I should like to say on behalf of my colleagues that surely it is time for the Government of Canada to send a clear public message to the new administration in the United States which would consist of the following points. First, there should be no outside military intervention on the part of anyone in the terrible civil war that is going on in El Salvador. It should be left to the people in that troubled land to settle their own fate. Second, particularly the United States, as the world's first mass democracy, must not militarily prop up vicious regimes like that which operates in El Salvador. Finally, in a constructive mood, instead of acquiescing or being mildly critical, Canada should offer its services to join with other non-major powers like Mexico to play a mediating role in helping to bring both peace and democracy to El Salvador.

It is time to get off the fence. It is time to take some initiative to bring peace to this troubled land.

El Salvador

Some hon. Members: Hear, hear!

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, for weeks now, indeed for months, our nightly newscasts and our newspapers have been filled with reports of the fighting, the brutality and the fear that characterizes El Salvador. A year ago, outsiders paid but little heed to this tiny Central American country. There were few who discussed it but many do so today, for today the world knows that El Salvador is a country in distress. It is a country whose people are locked into a class war, the great majority of whom are struggling for that kind of life which will offer them the opportunity for dignity and for hope. It is a country where fewer than 2 per cent of the population own more than half of the arable land, a country where the great bulk of the population live in abject poverty, their annual income a mere $600. It is a country which, as we know from history, has time and again expressed its desire for a democratic government, only to have those desires frustrated when elections were either disregarded or aborted.

● (1530)

These factors ought to remind us that El Salvador is not simply a pawn in the context of the United States and the Soviet Union. It reflects the problems of Third World countries, where people are seeking the twin objectives of economic development and political stability. As such, El Salvador should remind us that we are looking not just at a small country, but at an entire region of potential instability which could encompass not only Central America but the whole of the Caribbean.

All this makes more extraordinary the comments of the Secretary of State for External Affairs (Mr. MacGuigan). In response to a question I posed to him last Tuesday, as recorded at page 7767 of *Hansard*, he said:

—I am not aware that we have any serious obligations in that part of the world, in Central America, which is not an area of traditional Canadian interest.

I would say to you, sir, that of course we have in that part of the world interests which are historic, geographic, economic and indeed moral. It is typical of this government to take such a narrow view of foreign policy. It leads to a failure to distinguish and analyse the consequences for Canada of situations like that in El Salvador. We ought to know by now that there are direct consequences for us. We need only recollect the human tragedy and the great difficulty caused by the flow of refugees from southeast Asia and the need for collective action to provide humanitarian relief to them.

Was southeast Asia also an area in which Canada had no interest? We have all the elements in El Salvador of a situation which could well produce a stream of refugees. It is estimated that already 60,000 people have fled that country to seek refuge in neighbouring states. I will be interested to see how the Secretary of State for External Affairs responds in the eventuality that an increasing number of El Salvadoreans become political refugees looking to countries such as Canada for assistance.

Then there is a broader sense in which Canada cannot remain indifferent to conflict in the western hemisphere. It has the potential to widen the rift between the United States and our European allies. It is clear, for example, that in the present situation West Germany is strongly opposed to the United States policy of injecting more arms into the conflict. I ask the minister, does the Canadian government have no interest in the potential that exists, as Vietnam did, to divide the alliance? It is obvious that we have both an interest and an obligation to explore any and all ways in which we can exercise a restraining influence, contrary to what the minister says.

I am already well on record as being opposed to military intervention by the United States in El Salvador or by any other power. The people of El Salvador are looking for a political solution to their problems, not a military one. Even members of the government of that country have said that there is already enough military equipment at the disposal of the junta. It is wrong for the United States to treat the problem as if it were solely in the context of East-West relations or to overdramatize the Soviet threat in El Salvador. There can be no doubt that some of its citizens are terrorists and insurgents and communist sympathizers, but their numbers are relatively few and their military might weak. We have only to look at the results of their recent military campaigns to see their very weakness.

We should also remember that there are extremists on the right who bear the responsibility for hundreds, perhaps thousands, of deaths and for human rights abuses. The present government, which lacks a popular basis of support and is becoming increasingly the captive of the right, had initially put into effect some social and economic reforms, but tragically all of these are now being held in abeyance. What is important for us to realize is that the great majority of the people in El Salvador lie between the extremes of right and left. Motivated to improve their conditions, they have found a response to their efforts in the support and encouragement they have received from church groups of all denominations, particularly Catholic bishops, and from non-governmental organizations from many countries.

The majority of the population in El Salvador is not looking for arms but for aid to reach its objectives. The great fear I have is that if additional military equipment and force of arms are used against them by a government which lacks credibility, they could be pushed further and further to extremes. The civil war could escalate rapidly if the right and the left factions were further armed one against the other. In that case, the strength of the large majority of people would be lost and that, above all, is what we must seek to avoid.

The government should make it plain that it believes the United States should do nothing to aggravate the situation, and neither should any other country. Until a short time ago, I would have thought the Liberal government more or less shared these views, even though the Secretary of State for External Affairs had indicated his unwillingness, as he put it, "to lead a public crusade" against United States military involvement in El Salvador.

Earlier statements and actions had indicated, so I thought, Canada's strong backing for non-interference. For example, a joint communique of the Secretary of State for External Affairs and the Brazilian foreign minister on October 1, 1980, stated:

The two ministers exchanged views about the current situation in Latin America and the Caribbean . . . They expressed the hope that the countries concerned would be able to overcome their difficulties without foreign interference and in accordance with the wishes of their peoples.

Again, the Secretary of State for External Affairs will recall meeting with the Mexican foreign minister. They issued a communique on January 9, 1981 which stated:

The two foreign ministers . . . expressed the hope that the existing conflicts in Central America will be resolved by means of the free expression of the will of the respective peoples and without foreign interference.

I would draw the minister's attention once more to the vote taken on the resolution at the United Nations on December 15, 1980, a resolution for which Canada voted. That resolution reads:

Considering that the supply of arms and other military assistance will serve to aggravate the situation in that country, the General Assembly calls upon governments to refrain from the supply of arms and other military assistance in the current circumstances.

What we voted for at the United Nations was "to refrain from the supply of arms and other military assistance in the current circumstances". What, then, are we to make of the comment by the minister, after consultation with officials of the Reagan administration—a comment he has refused to deny—that:

● (1540)

I would certainly not condemn any decision the United States takes to send offensive arms . . . the United States can count on our quiet acquiescence—

Or quiescence, as he later corrected. His previous so-called commitment to non-intervention makes all the more appalling the minister's declaration on February 4. I find it very difficult to understand, in light of the previous statements by the minister when he met with foreign ministers from Brazil, Venezuela and Mexico and when he instructed the delegation at the United Nations to vote for non-interference, that he would make the statement he did on February 4, that he would not condemn any decision the United States takes to send weapons to El Salvador. I believe that is wrong, as I believe it is wrong for any nation to send arms to El Salvador.

Not only does it repudiate Canada's approach at the United Nations, not only does it repudiate the expressed views of the Canadian government taken jointly with the governments of Mexico, Brazil and Venezuela, but the Secretary of State for External Affairs' attitude of quiet acquiescence demonstrates that he is incapable of making independent judgments, based on Canada's interest, when faced by American foreign policy-makers.

A foreign minister must be able to distinguish between requests for solidarity that are inevitable and those that are unnecessary. As Secretary of State for External Affairs at the time, I sought to lend full support to the Carter administration in response to the Soviet invasion of Afghanistan. I was convinced that we ought to condemn that invasion. In fact, although the government of which I was a part was much criticized by the official opposition in Ottawa at that time, we sought positive ways in which to communicate to the Soviets our determined opposition to their behaviour. That behaviour threatened detente and made a general conflict more likely, and I would say that in the case of Poland we have a similar need to impress on the Soviets our unshakeable opposition to any military intervention. I wish the minister would be stronger in his statements to this effect.

But a foreign minister must be able to distinguish between Afghanistan and El Salvador. Nothing that has been said here this afternoon removes the minister's statement of February 4 from the record, or explains his failure to address the underlying issues.

What can Canada do? I ask that because I think it is important that we not merely raise criticisms but that we try to offer constructive suggestions to help resolve the increasing conflict in El Salvador. In the short term, it may be possible for this country to contribute to the improvement of the situation by engaging in extensive consultation with El Salvador's neighbouring states to obtain their views on the present situation, and to determine whether there is the possibility of an international role to insulate El Salvador from external interference.

Second, the Canadian government should explore the possibility of international action through the United Nations or another appropriate international body. The purpose would be to establish the degree of outside intervention in El Salvador and to monitor the situation while the conflict continues. Such an international body could have a stabilizing effect and be the start of a process leading to a political settlement not only in that troubled country, but in that very troubled part of the world. In exploring this possibility, we might be able to associate ourselves with such countries as Brazil, Venezuela, Mexico and West Germany, all of which have been willing to provide good offices to help stabilize the situation.

These are the short-run possibilities. In the long run what we must realize is that these conflicts will never be resolved as long as the underlying causes are ignored. It is senseless for the government, through the minister, to say that we have no interest in El Salvador while, on the other hand, it prides itself on promoting the North-South dialogue. Until we are willing to treat the basic issues of health, nutrition, housing, education and employment, we will continue to be faced with the tensions that today beset El Salvador and elsewhere in Central America.

There is a strong case for increasing Canadian aid both to Central America and to the Caribbean since these are areas which will most affect us if they are to become more and more a region of conflict and instability. One of my major interests as minister was to focus the attention of my department on the Caribbean and Central America, an interest the present minister does not appear to share.

For these reasons, I would like to see the Prime Minister (Mr. Trudeau) convey to President Reagan our disappoint-

ment that the United States does not intend to place a high priority on foreign aid and the North-South dialogue. He should assure the President that Canada is willing to play its part and more, but that we look for greater commitment and leadership on this critical issue from the United States, which is, after all, the wealthiest and most powerful state.

In all of this we should remember that the people of El Salvador have an absolute right to determine their own future without foreign intervention. Our task is to help create the circumstances in which the parties in El Salvador can continue their own negotiations. What we can hope for in that process is for a government that will represent the will of the people of El Salvador.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Mr. Speaker, the fundamental problem with the motion before the House today is that its drafters are people with an obsession with black and white, and a permanent feature of their obsession is obviously that black is always to be presumptively deemed the colour of the American side and white that of the fighting left.

Some hon. Members: Oh, oh!

Mr. Broadbent: You didn't listen to my speech.

Mr. MacGuigan: I am speaking about the motion. The hon. gentleman may have tried in his speech to disguise the heart of his motion, but his motion is in exactly the terms I am describing. In my view, a debate conducted on the premises of today's motion would be more suitable for a high school auditorium than for this distinguished chamber.

The motion identifies the government of El Salvador as a repressive regime "fighting those who wish to establish a democratic government". Opinions may perhaps differ as to the character of the regime but not as to the character and motivations of those fighting against it. As Robert E. White, the former U.S. ambassador to El Salvador, quoted fulsomely by the hon. member for Oshawa (Mr. Broadbent), said in a colloquy, sponsored by members of the Congress for Peace Through Law on February 26, which was printed by the *New York Times* yesterday:

> The ultimate enemy of western civilization and of the U.S. in El Salvador is a Marxist-Leninist group dedicated to the overthrow of the government by force, and the elimination of all U.S. influence from that region.

Another participant in the colloquium put it this way:

> Even though the political leaders of the left, like Guillermo Ungo, have impeccable democratic credentials, the men with the guns—according to Mr. White—are committed Marxist-Leninists.

According to the simplistic pieties of this motion, however, the men with the guns are "those who wish to establish a democratic government".

It would appear that the Leader of the New Democratic Party does not wish to condemn the use of these guns or the supply of such guns to the revolutionary forces in El Salvador which were being supplied months before the United States began to supply arms there. On the contrary, he seems to condone it or perhaps even commend it because he argued in the House on March 2 that the left-wing forces are somehow morally justified in military action against the government of El Salvador.

• (1550)

Mr. Broadbent: Mr. Speaker, I rise on a point of order. It is bad enough to listen to the banalities of the minister, but I wish he would stick to the truth. I said categorically in my statements—and I want the minister to reply to this and abandon the text written for him and respond to the debate—

Mr. Deputy Speaker: Order, please. If the hon. member has a point of order he should state it.

Mr. Broadbent: Mr. Speaker, the minister just said, as I was coming back to the chamber after checking one of his other inaccuracies, that I was giving support to one side in terms of military intervention. The minister nods indicating that is what I said. If he had listened to my speech he would know I said categorically that all people outside should stay out on both sides.

Mr. MacGuigan: Mr. Speaker, I am pleased the hon. gentleman takes that position today but he implied something else in the House on March 2, and that is what I was quoting.

We have our differences with the United States on El Salvador and we are prepared to express them, but our differences are not over rejecting the violence, whether from the Marxist-Leninist left or from the extreme right, or over halting the importation of huge quantities of arms from Cuba and other communist countries through Nicaragua into El Salvador. Our differences are principally with respect to the provision of American military assistance to the government of El Salvador, which we believe is neither desirable nor necessary.

Some hon. Members: Oh, oh!

Mr. MacGuigan: I am obviously getting to those hon. members, Mr. Speaker. They obviously do not like hearing the truth.

We have expressed our disagreement with the American government on this point both privately and publicly, but we believe in doing so in terms which are appropriate to the cause and not wildly inflated because of some paranoia of the left. President Reagan has insisted that sending American troops to El Salvador is "not in our reckoning at all". Secretary of State Haig has warned right-wing extremists in El Salvador that a rightist coup would have serious consequences to the continuation of U.S. aid.

In light of the full circumstances, therefore, as we see them, we are prepared to contest the U.S. policy of military aid but not to protest it; we are prepared to pronounce on it but not to denounce it; we are prepared to criticize it but not to condemn it. As the hon. member for Kingston and the Islands (Miss MacDonald) has said, one must distinguish between El Salvador and Afghanistan. It is unfortunate she was unable to make that distinction and would denounce this action of the U.S. in terms of the kind which she and others used to describe Soviet

action in Afghanistan. In other words, we believe in seeing the situation in El Salvador as it is and also in describing it as it is, not as *idées fixes* might describe it.

In turning to a fuller exposition of the position of the Canadian government, it might be useful if I were first to provide the government's perspective of the nature of change affecting Central America as a whole and the extent of Canada's ties, capabilities, and interests with this part of the world before dealing with El Salvador in detail.

The countries of Central America are undergoing a difficult process of change from traditional regimes to new species of political, social and economic organizations. In certain states change is being accompanied by increasing violence and instability.

It is interesting that those over there on the left suggest I should not lecture them. We have just been subjected to another lecture from that side, so why should we not have our say over here?

Economically, the impact of external influences, in particular oil price rises, increased costs for other imports, fluctuating prices for principal export commodities and the reduction in economic activity in industrialized countries have slowed economic growth throughout Central America in recent years. Internal political and security problems are now affecting economic performance. In Costa Rica, the only state in the region with a long-standing tradition of democracy, the rising costs of social services have led to severe fiscal constraints. The governments of other Central American states, dominated by right-wing military dictators throughout most of their history, neglected the social sector until recently and have not had to face the same economic problem.

These states are now paying dearly for this neglect. Unresolved social problems are at the heart of pressures for political change and constitute the single most important cause of regional instability. It is no coincidence that the highest levels of instability in Latin America are to be found in Central America where general standards of health care, nutrition and literacy are among the lowest in the hemisphere. It is likewise no coincidence that hemispheric instability is centred in the region which has the highest rate of population growth in Latin America, with a population expected to grow from its present level of 20 million to 40 million by the year 2000.

While conditions differ among states, unequal income distribution, high rates of population growth, unemployment and unresolved agrarian problems are the most serious socioeconomic problems throughout Central America. The income distribution problem is probably the most important. Gulfs between "haves" and "have nots" have widened in recent years as the increase in wealth derived from growing national economies has not been passed on to the populations who have suffered losses in real income through inflation. The problem in Central America is one of growing expectations as populations seek to obtain a larger share of the benefits of economic growth.

El Salvador

This lack of government attention to basic human needs has in large part generated the internal pressures for change in El Salvador and Guatemala and was the major stimulus behind the overthrow of the Somoza government. Attention to the social needs of populations in Honduras and in Panama has led to greater stability in these states.

Politically, as recently as two years ago, all states of the area except Costa Rica were governed by military dictatorships allied to conservative oligarchies. Since that time dramatic changes have occurred in those states which formerly opposed even moderate change. In Nicaragua, popular discontent developed into a struggle led by the Sandinistas supported from abroad and resulted in the downfall of Somoza.

Turning to human rights, with some exceptions a tradition of respect for human rights, whether political, social or economic, has never existed in Central America. On the contrary, political violence, both in support of the traditional power structure and perpetuated against its representatives, has been a constant of regional political life for decades.

New leaders are emerging in both the military and economic establishments of all countries who recognize the need to modernize societies, to steer their states through a period of complex transition and to effect social and political justice. They are opposed by representatives of the traditional power structure and are often victims of right and left-wing extremists—from the former, the right-wing extremists, for betraying their origins, and from the latter, the left-wing extremists, for threatening to remove the basis for revolutionary change. In both El Salvador and Guatemala, the actions of both left and right have eliminated many leading moderates. In Nicaragua, gross violations of human rights did not occur following the overthrow of Somoza but limitations have been placed on press freedoms and elections have been postponed until 1985.

What is the nature of Canada's involvement in the region in these circumstances? Central America, unlike the neighbouring Commonwealth Caribbean, has not been the focus of traditional Canadian interest and bilateral political contacts have been infrequent. Canadians have had little in common with the ruling oligarchies and have regarded with repugnance the violence and widespread violations of human rights which have characterized the Central American political scene.

Commercial and economic development ties have been and will remain of some importance. Economically, Canadian investment in Central America is of significance, totalling about $300 million for the region. However, over $250 million of this investment is concentrated in one industry, nickel extraction, and in one country, Guatemala. Investors are now being discouraged by political uncertainty. Central America also constitutes an important market for Canadian businessmen, with annual exports totalling over $100 million, much of which is labour-intensive manufactured goods.

● (1600)

In development assistance terms, despite the absence of close political ties, Canada has recognized the pressing needs of the region and has been a leading aid donor in Central

America, providing more than $60 million in bilateral aid since 1972. In terms of concentration, Honduras and El Salvador, as the poorest of the area, have received the largest portion of the funding.

El Salvador and Honduras are program countries. Guatemala is a project country, and Costa Rica and Nicaragua are eligible for mission administered funds only. Cabinet has agreed that Nicaragua will become a project country effective April of this year. At the present time, the assistance to Guatemala which started in the wake of the 1976 earthquake is being allowed to run out, given the growing levels of violence in that country, and planning for new projects has been suspended in El Salvador as a consequence of the civil war.

What does this mean in terms of Canadian policy toward the area? In contrast to the neighbouring Commonwealth Caribbean, where Canada has long been regarded as a major outside power, Canada has no special expertise or capability in Central American affairs and is not as well placed as regional states, such as Venezuela or Mexico, to exert a positive influence on the evolution of the area. Canada's interests, while important and growing, are likewise not of the same order of importance as our interests elsewhere in Latin America, such as in Mexico, Venezuela and Brazil. While naturally sharing the concern of the international community, we therefore have no more obligation than other states in taking a leading role in resolving the conflict.

Turning now to deal specifically with El Salvador, Canada has never had major bilateral ties with that country; and has no resident ambassador there. However, in recent years we have been involved in providing development assistance in recognition of the pressing economic needs of its population.

The basic problems of El Salvador, which has the highest population density and the lowest per capita income of any country in Central America, relate to the critical need of the people of that country for opportunities of economic development and social justice which have been denied them for many decades by a series of authoritarian governments.

Canada, like many other countries, welcomed the overthrow of the dictatorial regime of general Carlos Romero in 1979 and its replacement by the government of progressive civilian and military leaders. This government adopted a number of social and economic measures which it believed would bring about needed social reforms. For example, it nationalized the banks and foreign trade. It also took initial steps to introduce a much needed land reform and adopted other measures in an attempt to provide a government which would be more attentive to the political, social and economic needs and aspirations of the population.

The new civilian-military junta was not very successful in accomplishing its worth-while objectives. It encountered increasing opposition from extremist right-wing elements both within the government security forces and outside the government, often financed by expatriate supporters of the previous regime who objected to the reform program, and also from left-wing forces who felt either that the reform movement was not moving forward fast enough or who saw it as diminishing their own political influence. During the course of 1980 both these right-wing and left-wing opponents of the civilian-military junta government resorted to increasing intimidation and attacks on the government. They perpetrated an escalating number of murders, assassinations, tortures and other atrocities which have shocked the conscience of the world.

In December, 1980 the civilian-military junta underwent an internal reorganization designed to enable it to proceed more successfully with its political and social objectives and Mr. Jose Napoleon Duarte, a respected Christian democrat, was made president. In 1972, in one of the few honest elections in El Salvador, Mr. Duarte emerged as victor but was prevented from taking power by a military coup. He is widely believed to be the best person to lead a reformist government at the present time. President Duarte has pledged to turn over 40 per cent of the land to small land owners, to proceed with other social reforms, to hold free elections in 1982—three years earlier, I might add, than the leftist regime in Nicaragua—and to grant an amnesty to left-wing guerrillas. President Duarte's government has dismissed a number of military officers accused of human rights abuses and has very recently ordered the arrest of a notorious right-wing retired major who has alledgedly been advocating a right-wing military coup. Unfortunately President Duarte's government has experienced the same attacks from the left and the right, with the result that the human tragedy and loss of lives in El Salvador continues unabated.

When considering the current situation in El Salvador, it is important to put developments into the historical context which I previously outlined and to remember that, despite its failings and weaknesses, it is still the legal government of El Salvador and is recognized as such in the United Nations by Canada and by all other governments. While there are conflicting views held about the ability of the Duarte government to achieve its objectives of political, social and economic reform, we consider, as do many other governments in western Europe and in Latin America, that in the present circumstances it may nevertheless still be the most feasible channel through which the people of El Salvador can achieve democratic solutions to their political, economic and social problems if its extremist opponents on the left and the right can be brought under control.

The consistent position of the Government of Canada has been to deplore the senseless violence in El Salvador and to urge that the people of El Salvador be allowed to settle their political and economic difficulties peacefully and democratically without outside interference. These sentiments were shared by other governments and were endorsed in the communiques I mentioned in the House on March 2, which the hon. member for Kingston and the Islands has paid me the courtesy of reading this afternoon. That is exactly our policy.

In late 1980 and early 1981, the level of violence in El Salvador continued to escalate and the revolutionary forces mounted increasingly concentrated armed attacks on the government with the apparent intention of overthrowing it by

armed force. Prior to this time the government of the United States had supplied the government of El Salvador with a modest amount of non-lethal military equipment, such as communications equipment, uniforms, etc. However, when it became apparent that the revolutionary forces had obtained substantial quantities of arms, many of them of a sophisticated nature, and were bent on the overthrow of the legitimate government, the outgoing Carter administration authorized the supply of lethal military equipment to enable the government of El Salvador to deal with the threat to overthrow it.

On January 26, 1981, I met in Ottawa with two representatives of the revolutionary side who told me that their arms were acquired by purchase on the international arms black market with funds which had been acquired by bank robberies and kidnapping of businessmen and foreign diplomats, including the ambassador of South Africa who was subsequently murdered by his captors. In this context it is worth noting that these revolutionary forces have been responsible for 28 assaults on foreign embassies in the last two years, as well as armed attacks on the Salvadorian foreign ministry and other government buildings. The Swiss chargé d'affaires was killed in 1979; the French ambassador was kidnapped within hours of his arrival in San Salvador and was held for 30 days; the Costa Rican embassy has been occupied three times in the past year and a half. The record and conduct of extremist right-wing elements, both within and without the government security forces, is equally bad. They are believed to be responsible for the assassination of Archbishop Romero, just a year ago this month, and the brutal murders of priests, Salvadorian politicians and American churchwomen.

Subsequently the United States government published a white paper on February 23, 1981 indicating that the United States had obtained incontrovertible evidence that massive amounts of weapons and military equipment of western origin, presumably to disguise their source—some of which have been specifically identified as being U.S. weapons left behind in Vietnam—had been provided to the revolutionary forces in El Salvador by a number of socialist bloc countries and funnelled through Nicaragua, with the apparent co-operation of some officials of the Nicaraguan government. We have no reason to doubt this evidence, which is also accepted as valid by many other governments.

● (1610)

Miss Jewett: And no reason to accept it, either.

Mr. MacGuigan: The current political and military situation in El Salvador is obviously highly fluid and we are not in a position to make assessments on the basis of first-hand information. However, our policy is not confused. On the contrary, it has been clear, concise and consistent. Throughout this period it has been the Canadian government's policy not to supply arms to either side in El Salvador or to any other country in Central America. I might say that there was a grievous error recently in the Toronto *Globe and Mail* in which it stated to the contrary. The information was obtained as a result of a reporter reading the wrong column in a series of statistics, but the newspaper has never bothered to correct the record. The policy has thus been consistently implemented, and press reports to the contrary are quite inaccurate.

We do not believe that the problems of El Salvador can be resolved by military measures. We urge all other governments to follow the same policy and refrain from supplying offensive weapons, the use of which only causes increased violence and suffering for the people of El Salvador. We strongly support the traditional principle of international law, which is one of opposition to any interference from the outside in another country's domestic affairs.

We also believe that the problems of El Salvador can be solved only through political discussion and negotiation by the Salvadorian parties directly concerned. I explained this to the representatives of the revolutionary forces when I met with them in January. I also explained it to Secretary Haig in Washington. I have explained it to the House, and I have explained it many times to the Canadian news media. It will serve no useful purpose to engage in public denunciations. I can assure the House that we will continue to make our views in this regard known in bilateral contacts with the United States and in the appropriate multilateral fora, as we have done in the past, as and when appropriate.

We fully share the sentiments of hon. members with respect to the killings, atrocities and abuses of human rights in El Salvador and, like all Canadians, we deplore them. Bilaterally, we have made frequent representations to the government of El Salvador. Multilaterally, we have been among the most active of all states in fora such as the OAS and the United Nations in seeking to mobilize international opinion in favour of a greater respect for human rights in the Salvadorian conflict. During the current session of the UN Human Rights Commission we are actively working for a constructive resolution which will call for a restoration of respect for human rights and an end to all arms supplies to all parties in El Salvador.

As for the future, we believe that there is an urgent need for a political settlement which will enable the moderate democratic elements in the government of El Salvador and in the revolutionary forces to coalesce. Canada welcomes the first signs of a willingness to negotiate on the part of the government. The president of El Salvador, Mr. Duarte, has recently indicated that his government is prepared to have a dialogue with the revolutionary forces, and it is now up to those forces to respond. We have no illusions that the process will be easy, since the more extreme elements on both sides will resist making the concessions necessary for a lasting solution. In the interim, the revolutionary forces should cease undermining the efforts of the government to introduce its reform package, and both sides should take immediate steps to stamp out mindless violence.

Having made those points, it should be remembered that historically Canada has not had strong or important links with El Salvador. It is a country near our part of the world but hardly a neighbour. However, the human tragedy of El Salvador has engaged the attention of all countries.

In this situation, what are our responsibilities? The first is to try to inform ourselves so that when we discuss these issues we at least do so knowledgeably. Even this is not easy. Much of our information is indirect and partial. It is refracted through the prisms of particular points of view before it reaches us. Views conflict and there is even conflict about matters of fact.

In the circumstances, the views of countries near El Salvador or with more important interests in El Salvador than Canada are more important to us. We note that some of these countries, whose views we respect, have taken a stand close to our own. There has yet been no initiative to refer the situation in El Salvador to the United Nations, nor is it being dealt with in the OAS. A number of countries have said, as we have, that the flow of arms from whatever source should cease, and that political and economic solutions to El Salvador's problems should be sought. But no government—not Mexico, Venezuela or the Federal Republic of Germany—contrary to the words of the hon. member for Kingston and the Islands, has yet gone beyond this to launch a political initiative in order to bring an end to the internal strife with the aid of some outside mediator. Therefore, it hardly seems prudent for Canada to put itself in such a role, if that is what the opposition is advocating.

Some hon. Members: Why not?

Mr. MacGuigan: Indeed, the hon. member for Kingston and the Islands, in her capacity as secretary of state for external affairs, came to the same conclusion concerning Nicaragua as I have with respect to El Salvador.

Miss MacDonald: No, indeed I did not. We sent aid.

Mr. MacGuigan: I recall her words on the radio program "As It Happens" on July 6, 1979:

—we are not in a position to carry out any special relations with Nicaragua . . . I am not advocating that Canada jump in with any kind of a force or with any kind of a heavy hand to try to straighten out an internal, very difficult problem in Nicaragua, nor would I either in Nicaragua or in other countries.

Miss MacDonald: I certainly was not advocating force.

Mr. MacGuigan: In short, we have no more responsibility in the matter than any other sovereign state and, in practice, a good deal less knowledge and standing in relation to the problems of El Salvador than a number of other countries. Any sensible Canadian policy has to take these limitations into account. Sheer outpourings of moral indignation are not much help. They may ease the conscience but they do not advance the solution.

I think it is clear that there is no substantial ground whatsoever for this House to support this motion. I urge members to see the motion for what it is, namely, a calculated attempt to create tension between the Government of Canada and the government of the United States which will not add one iota of practical assistance to the real sufferers in this issue, namely, the people of El Salvador.

Some hon. Members: Hear, hear!

Mr. Douglas Roche (Edmonton South): Mr. Speaker, I enter this debate as a friend of the United States and, more important, as a friend of the millions upon millions of people throughout the world today whose economic and social rights are being grossly violated. I hope that the Secretary of State for External Affairs (Mr. MacGuigan) will not accuse me of moral outpourings of rage when I add to the words already spoken on the floor this afternoon about the real human tragedy that is at the heart of this motion.

I said I was a friend of the United States. I lived in the United States, Mr. Speaker, for ten years; indeed, three of my children were born in that country. I have travelled extensively through it and I feel that I have had the opportunity of understanding a great people. It is precisely because of that understanding and that friendship that I have for the United States that I am so opposed to continued American military involvement in El Salvador.

Some hon. Members: Hear, hear!

Mr. Roche: But I say to the movers of the motion that it is a defective motion since it merely addresses itself to the question of the United States abstaining from or getting out of military involvement in El Salvador. It does not go on to make positive statements or recommendations, or even express a positive idea of what should be done in El Salvador in order to speak to the reasons why the Americans feel that they must prop up a regime for which the real contempt of this House should be expressed. I hope that in the few moments I have I will indicate a much more positive role for the United States to play in El Salvador and in that larger community of interest, the developing countries today, where 800 million people are grievously suffering from a lack of basic human needs.

● (1620)

El Salvador has suddenly been catapulted into international prominence. Do hon. members think the picture I have in my hand, which illustrates an article in the *New York Times* Sunday magazine entitled "The Agony of El Salvador", in which the corpses of two women are shown with their hands tied behind their backs, is the work of people who care about the suffering inside El Salvador? The residue of the famous 14 families of El Salvador has become its wealthy landowners. Listen to the *New York Times* description of this country:

And some 60 per cent of El Salvador's population is rural—

We already know there are five million people in that country, which is smaller in size than Vancouver Island.

—living in isolated valleys or mountain hamlets. Wooden-yoked oxen draw carts that ride on solid wooden wheels. Hundreds of thousands of peasants live in hovels made of packed mud; naked children with swollen bellies and open sores wander among the grunting pigs, garbage and flies. Their mothers and sisters trudge for an hour or more to the nearest well for water, carried in gourd-shaped plastic containers balanced on their heads.

A distinguished Canadian journalist, Hugh McCullum, the editor of the *United Church Observer*, went to El Salvador. After recounting the statistics of low caloric intake, high infant mortality and high percentages of malnutrition and illiteracy, Mr. McCullum says this:

The pattern is brutal exploitation, in which wealthy landowners have branched into industry and banking, even though they have now left the country with their profits, while the soldiers and police are used to ensure a steady supply of land, and a cheap and docile labour force.

That is at the heart of the situation in El Salvador and has led to a radicalization of the poor. When they became radicalized and aggressive, it was too much for the regime known as the juntas. It claims to have some validity since Duarte himself was elected in 1972. Irrespective of the legitimacy of the regime, it has had to react against this gradual coming together of the poor, who are helped by some of their own leaders. They rebel against 2 per cent of the people of the country owning 60 per cent of the land and against the conditions of misery into which their children are born.

The internal reforms which have been brought to El Salvador by the Duarte regime have clearly not lasted because they were not undertaken with conviction. The attempt to nationalize the banks and the sugar cane industry has fizzled out. Some people in El Salvador have been helped to improve themselves, but the reform never became a sign of hope to the people in El Salvador because it was immediately met by a wave of repression, goon squads employed by the wealthy and a paramilitary organization of the government.

Do hon. members think that it was the landless people who live in misery who shot Archbishop Romero while he was saying mass in his own cathedral in San Salvador, or who murdered nine priests, or who brutally slayed four American missionaries? Those killings can be laid at the door of the extreme right, the fanatics who want to stop any social reform which would benefit the wide masses of the people in El Salvador.

The Canadian Catholic Conference of Bishops has undertaken an in-depth survey and study of El Salvador, and I quote two major findings:

The vast majority of the victims of repression come from the poorer sectors, and proof can be established that they were murdered either by extreme right commandos or by the military;—

That is the first of the major findings. The second is this:

The junta systematically persecutes all progressive organizations claiming to do so in order to protect its centrist position against the extreme left. Yet, it does nothing to stop the actions of the paramilitary extreme right, let alone uncovering the real leaders behind them.

Along comes Ambassador White, relieved of his ambassadorial post representing the United States in El Salvador by the new Reagan administration, who says the policy of the American government to use military intervention to shore up this regime which is largely responsible for a wave of killings—which now total 13,194 over the past couple of years—is a policy of madness. Moreover, he says that these so-called leftist forces are only about 2,000, that there is not the slightest possibility that they could upset the ruling government and, in fact, that the ruling government had this situation well in hand.

Why, then, do we see the new American government pouring funds into, and augmenting its military advisers—now up to about 50—in a country in which there is no real threat that the government will be overthrown? Of course, we know that the reason is to stop communist advance in Central America. I applaud a stopping of the communist advance anywhere in the world, but to try to stop the communist advance by loading the problem on to the backs and shoulders of the poor in El Salvador is not the answer.

Some hon. Members: Hear, hear!

Mr. Roche: Ambassador White said during his debate with Ambassador Kirkpatrick, the United States ambassador to the United Nations, which took place last week:

The important thing to realize is that this present government stopped the leftists cold, without receiving one rifle from the United States. Now is not the time to emphasize military assistance. Now is the time—when the leftists have been defeated—to emphasize a political solution.

● (1630)

To the extent that you emphasize a military solution in El Salvador, you are going to be buttressing one of the most out-of-control, violent, bloodthirsty groups of men in the world. They have killed—at a minimum—5,000 or 6,000 kids, just on the mere suspicion that they were involved with the leftists.

Archbishop Hickey, testifying before a House subcommittee last week and speaking for the American Catholic bishops as well as from his own experience in El Salvador, said that the situation there "is not principally a matter of guns, but of justice." He said that American bishops oppose military aid to El Salvador and find it "particularly ominous" that military advisers are being sent. He also said:

It is risky to the point of being reckless. It confirms the worst suspicions of Latin Americans that we are preparing for an invasion of El Salvador.

Again, referring to Pope John Paul's comments in the Philippines about human rights for workers in the course of his most recent journey, Archbishop Hickey said:

I can assure you that if some of those things that were said by the Holy Father were said in El Salvador by the simple catechists, by the local parish priests, that person would be in danger of his life.

In the issue of March 2, The *Christian Science Monitor* carried an article by Geoffrey Godsell who put his finger on the core of the situation. The lead paragraph reads as follows:

The Reagan administration has clearly chosen El Salvador as the best of the options available to send a signal to—and even test—the Soviet Union.

Today we find ourselves debating this issue. I believe that it is absolutely essential for the United States to hear from its friends around the world. As the closest neighbour, and I venture to say the closest friend, I believe that Canada ought to be able to speak frankly to the Reagan administration and I hope that the Canadian government will do so when President Reagan is here. I believe that we must be much more forthright than we have been in the past and that we ought to accompany our criticism of the present involvement in El Salvador with a plea to the United States that it is absolutely essential that it play a leading role in acting to redress the great conditions of misery that are producing the El Salvadors of the world. El Salvador will not be alone because 800 million people live in the same kind of conditions as are found there.

I think we must encourage the United States to resume the role it has played over the years. If we look back at the Marshall Plan we remember that, following the end of the

hostilities of World War II, the United States was very concerned that western Europe should not fall into the hands of the communists. In order to help western Europe, it sent over massive amounts of economic and social development aid. Those are the signals that the American government ought to be sending today.

In the North-South dialogue the United States has already given early signals that it is very cool to the issue and shows a lack of any element of concern. An illustration of that was the cutback in its foreign aid budget. The United States must be encouraged by Canada and others to play a leading role in the North-South Summit. If it indicates that it is not interested in attending the North-South Summit, I say to the Secretary of State for External Affairs and to others who play a leading role that the United States should be encouraged to attend; indeed, I say that pressure should be mounted to hold the summit in Mexico irrespective of the position or the United States.

Finally I come to the position of Canada. I listened carefully today to the Secretary of State for External Affairs as he recounted our involvement through our international development program in Central America. Our financial involvement in El Salvador and Nicaragua is minimal relative to the total CIDA budget. As host to the economic summit which will deal with the North-South question, I find it strange, when speaking to the problem of poverty in the world, that we should do so little about El Salvador. Even today I believe that the Secretary of State for External Affairs has not spoken as forthrightly as increasing numbers of Canadians would like our government to speak. They want it to say clearly that it opposes intervention by any government in El Salvador, that it opposes the sale of arms, the transfer of arms or gun-running by anybody. We believe that a political solution can and should be worked out through the United Nations.

The minister said that we would not take an initiative beyond that which our major partners in the west would take. Why not? Why cannot Canada raise its voice at the United Nations? Why cannot we propose an international commission for El Salvador? Why cannot we emphasize human rights, indivisible? Why cannot we emphasize development throughout the developing world? Why cannot we emphasize that this country will pay special attention to those who are most oppressed, those who live in regimes that are beneath contempt in their treatment of human life?

May I close by saying that if we are truly serious about fighting communism—and the United States is using this as its excuse—then I think we have to emphasize that the only way to make our world a safe, secure and stable place is to emphasize social reform and justice for the downtrodden people of the world.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Grey-Simcoe (Mr. Mitges)—Public Service—Dispute involving veterinarians in Ontario and Quebec—Efforts to reach settlement; the hon. member for North Vancouver-Burnaby (Mr. Cook)—Housing—Shortage of dwelling units in Vancouver—Government action; the hon. member for Burnaby (Mr. Robinson) Parliament—Collective bargaining rights of employees.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S.O. 58—AMERICAN MILITARY INTERVENTION IN EL SALVADOR

The House resumed consideration of the motion of Mr. Broadbent:

That this House condemns the government for its failure to protest publicly the American military intervention in support of the junta in El Salvador, and calls on the Prime Minister in his talks with the President of the United States to urge an end to this military involvement on the side of a regressive regime which denies civil rights and is fighting those who wish to establish a democratic government.

Mr. Chas. L. Caccia (Davenport): Mr. Speaker, it is clear from the way the motion before us is worded that it requires us to think about two aspects of the role that Canada should play in relation to what has been happening in El Salvador, and at the same time, to make an attempt to understand what is going on in that part of the world.

It seems to me that it is important for those of us in this House and elsewhere who are interested in what is happening in Central America these days to understand the nature and the dynamics of the forces operating in that part of the world. We must also endeavour to make the people in Washington understand what is involved here, in their own best interests. That may sound presumptuous, put in those terms, but I am convinced that it is essential to make an extra effort at understanding.

Before I develop that thought, Mr. Speaker, I should like to address myself to that part of the motion that deals with civil and human rights and put on the record, very briefly, Canada's role so far in relation to El Salvador.

● (1640)

First, it can be said that our concern about the situation in El Salvador predates the present controversy. We have been pursuing all the avenues available to us in the human rights field. We supported the resolution of concern at the Copenhagen international conference last summer. We have brought the full measure of our concern at the violence and human rights abuses in El Salvador to the attention of its government. At the present time, Canada is working with other delegations in Geneva to ensure that the Human Rights Commission will adopt a resolution calling for an end to the violence and violations of human rights by all elements in El Salvador and for an end to the supply of armaments to all parties in that country. The resolution calls for a peaceful political solution to the problems in El Salvador and for the appointment of a special rapporteur to inquire into the situation.

Next, Canada is responding to the plight of the people in El Salvador who have fled their country. The United Nations refugee commission is assisting those in asylum in the general region, and Canada has recently increased its contribution to the regular budget from $2.5 million to $4 million for such purposes. Canada has also responded with a $250,000 contribution, which represents roughly 10 per cent of the Red Cross current appeal for assistance to El Salvadorians.

No matter what steps we take to help the plight of people affected, and no matter what short-term recommendations we may be able to put forward this afternoon in this House, one fact remains clear. What is developing in El Salvador cannot be looked upon in isolation from a trend in other parts of the world where there is a concentration of power in the hands of governments which grasp power for themselves through non-democratic means, and where governments have failed over the decades, maybe over the centuries, to achieve the level of social justice that we have in our western democracies.

The situation under debate here this afternoon in the long run could be another Cuba, if the extreme government in power now in El Salvador were to be replaced in the future by another extremist government of a different stripe. Already in Nicaragua we talk about a second Cuba. It could well be that other countries in Central and Latin America are destined to follow the fate of Cuba. It was only two or three decades ago when the United States witnessed, I suppose to its own dismay, the replacement in Cuba of a government headed by Batista with that of Castro. It would be desirable that we make an effort to understand why and how it happened. I can understand the fears and the concerns of the hon. member for Edmonton South (Mr. Roche), but nevertheless I urge him as I would urge anyone to attempt to understand why countries develop and accept totalitarian regimes.

We cannot look at El Salvador in the context of what has happened just in the last few months. We have to ask ourselves why El Salvador is going through its present troubles. Is El Salvador facing a situation whereby the neglect of basic reforms, such as social reform, redistribution of wealth, land reform and other forms of basic human justice, get overlooked for such a long period of time that sooner or later people do catch up with their governments?

It is becoming fairly evident in a number of countries that the populations are beginning to disagree with established oligarchies of one stripe or the other which came to power through some exercise, of violence, probably with the support of some power abroad. It could well be that the entire Central American region, not just El Salvador, is in danger. If that were the case, then the consequences could be serious. This troubled situation may even occur as far north as the location of Mexico's oil reserves. Will we then be able to justify our concern only within the confines of the El Salvadorian situation? Obviously we cannot do that.

It seems to me that we have a gigantic task before us. We have to explain to our American friends how the situation in El Salvador evolved. We must explain that beyond considerations of power there are considerations of a social nature which have to be taken into account. The propping up of one government, as the experience of Cuba teaches, is not sufficient in the long run to ensure that a government will remain in power. The lesson which the West must have learned from the Cuban experience is one which is as valid today as it was 25 years ago. We cannot look at these events in isolation. They cannot be separated from the inadequacies of social reforms, the redistribution of wealth, the absence of the democratic means of change and the absence of democratic parties as we know them. So long as these countries are looked upon as areas for security not as an area where the security of one nation is at stake—because there are also basic fundamental social shortcomings, to put it mildly—we will not be dealing with the roots of the problem. We may be running the risk of dealing only with the symptoms, which is something we may be doing in this debate today.

The new President of the United States is facing a situation where he must demonstrate that the United States is in control of the situation and is in a position to counter certain influences from Cuba and from other parts of the world. In the long run this exercise will not be effective if it ignores the necessity of dismantling the unjust division of wealth and the menace created by unjust governments which take power and manage to remain in power. For the Americans to retain our support, it will be necessary for them to demonstrate to us and to other parts of the world that the United States is prepared to approach the situation in Central America with this kind of sensitivity to the social forces at play.

There is a certain dynamic in the El Salvadorian situation which is dangerously reminiscent of what has happened in other nations which have fallen prey to extremist governments. Therefore, it is useful that we have this debate today in the House. It gives us an opportunity to look at the situation against a much broader background. The background I would attempt to describe is a framework within which we can place a number of nations that are coming of age. They now have access to international means of communication such as radio and television. They are becoming aware of how different life can be under different circumstances. They are also the object

of propaganda competitions by various systems of government throughout the world. They are fertile ground for all forms of political activism which may not be so much local as imported. They are quick in taking root and developing momentum.

● (1650)

In that category you can place a number of nations, particularly if you look south toward Central and Latin America. We may be witnessing another step along the road of changes in power distribution whereby certain nations upon which the West has been able to count for a long time can no longer be taken for granted. The move toward establishment of certain basic principles, such as redistribution of wealth in very poor countries, may be such that it cannot be stopped by intervention from abroad.

Having listened to descriptions by other members, how can we accept the inequality of social conditions in a country like El Salvador? How can we accept the steps taken by the government there to maintain its power? Conditions such as those are repugnant to Canadians, yet we look at the situation with a sense of helplessness.

Because of the distance from Canada and the differences in culture, language and the like, we know that in the long run the solution must come from within that country. If the super powers are directly or indirectly involved, they can, if they wish, tilt the balance in their favour, but in the end, it will not bring about solutions of a lasting nature.

I am not saying that the situation in El Salvador and similar situations throughout the world can be resolved by outside forces. However, it will help if democratic countries such as Canada assist those countries to evolve and to adopt political parties such as we have. It would help if we supported the moderates in those countries, even though they are supposedly difficult to find. We should try to replace the conflict between ideological systems and goals of a social and economic nature. Otherwise, even though our intentions may be good, we will only be dealing with the symptoms and not with the root of the problems that have evolved over decades and indeed centuries.

The motion before us asks us at the same time to condemn and to urge. I doubt whether one could be effective by first condemning and then urging. One's intervention is considerably eroded if one indulges in condemnation and at the same time tries to convince one's neighbour of the correctness of their assessment. I would support the approach of placing full emphasis on and 100 per cent effort behind the act of urging.

While I disagree with the mover of the motion in this regard, the Leader of the New Democratic Party has done a service to this House by putting this motion forward on the eve of the arrival of President Reagan. It allows us to air our views on this issue. We can put forward the thought, which I believe reflects the majority in this House, namely that we should try to convince the Americans that what is at stake here is not just a power play, that the proper approach is improved social development.

I cannot state strongly enough the argument I have been trying to define this afternoon, namely that what we are witnessing in El Salvador is not just a beginning, as it was not in the case of Cuba. We are witnessing a development which may have repercussions and a similar pattern of evolution in neighbouring nations in that part of the world.

We will regret it years from now if we do not register the importance of understanding the plight of the people in these countries. In essence it permits violence and conflict within their midst because of social and economic conditions that are unacceptable to any civilization. We feel very deeply about this.

Mr. J. M. Forrestall (Dartmouth-Halifax East): Mr. Speaker, I wish to comment briefly on the remarks this afternoon by the Secretary of State for External Affairs (Mr. MacGuigan). It struck me as rather strange that, during a debate on a very sensitive, pressing and serious subject, the minister would use the occasion to indicate to Canada and the world that we have no business intervening in the affairs of Latin America or, indeed, South America. It is strange he would take that posture considering the very positive position taken when this party was the government with respect to the situation in Namibia. The minister said that because of our lack of expertise in Latin America, we are the last ones who should intervene. On other occasions we have intervened with a force and compassion that at times was scarcely human. Did we know more about that other situation than the current situation in Latin America? Certainly the answer is clear: we did not know any more, yet we took a positive role, produced positive results and made a significant contribution.

● (1700)

It surprised me, indeed shocked me, that the minister would so underestimate the capacity of professional Canadian diplomats and non-governmental people, as well as concerned members of this chamber and of others, in their attempt to lend stability to another part of the world.

I want to move to a perhaps slightly different vein, a slightly different route from that which has been followed by my colleagues in this debate to this point in time. Let me address myself to the question whether or not Canada and Canadians have a legitimate interest in that part of the world.

Surely we have a legitimate interest wherever in the world the rights and liberties of people are being trampled and cast to one side. Surely there is no doubt that the absence of morality, and the broader question of human privation and human suffering, demand the intervention of not only Canadians but every human being in order to alleviate, ease and correct the situation. Surely Canada falls into that category.

We have another interest as well. There is conflicting data before us provided by the debate taking place about whether the United States should continue to intervene militarily through the provision of arms, lethal weapons systems and whatnot. That is not an aspect of the debate I particularly want to get into, except to say that I share the concerns of the distinguished former secretary of state for external affairs, the hon. member for Kingston and the Islands (Miss MacDonald),

who has said, as have others, that the motion before us is somewhat deficient in that it criticizes and condemns only one side. The Leader of the New Democratic Party was quick to correct that by saying he had without equivocation included both sides. After following the debate in recent weeks and days in this Parliament, I find myself closer to the interpretation placed upon that by the Secretary of State for External Affairs, although I accept his clarification of what he intended.

The question is resolved depending on where you sit. It is too easy and shallow to make a decision based upon information you want to accept and interpret in support of your own particular point of view. The need for critical information grows. As this conflict grows, not only in El Salvador but as it grew in Nicaragua and as it is growing throughout the world, so grows our requirement to know and understand more about what is going on there and what is going on in the Caribbean basin, among the Commonwealth countries, those small, beautiful island nation states in that part of the world. It is important that we know and understand more about what is going on there, just as it is throughout South America. As the need for accurate and informed information grows—and it grows with urgency each passing day—so do Canada's responsibility and moral obligations grow to establish or achieve a method of collecting, analysing and acting upon accurate information. In that proportion our responsibility grows. We must do this because the luxury of failing to do so is no longer in our interest.

Perhaps to go beyond that, not only is this luxury as portrayed by the Secretary of State for External Affairs staying out of that part of the world one that we can afford no longer in our own self-interest in terms of trade, but it is a luxury we can no longer afford in terms of human privation and morality.

For the minister to argue, as he has in recent days and again here earlier this afternoon, that El Salvador is not a country of historic interest to Canadians is to admit a colossal and profound ignorance of historic events and a total misunderstanding of the interrelationships between Latin America, the island nations of the Caribbean and North America.

What happens in Latin America happens swiftly, as it does in the Caribbean and in South America. Let there be no misunderstanding about that. What happens there affects the entire intra-American basin.

Without debating the allegations flowing from both sides and the centre of that torn nation, or drawing a parallel with other revolutionary regimes throughout the Caribbean basin, Latin and South America and elsewhere, let me make three brief points.

First, there remains little doubt that we cannot of our own volition assess accurately what is going on and base actions of persuasion as a people, or as a mediator in the form of an informed and enlightened nation, unless and until the government takes the type of positive action suggested not only by the hon. member for Kingston and the Islands but as well by the hon. member for Saskatoon East (Mr. Ogle), the hon. member for Waterloo (Mr. McLean) and, perhaps along another path, by my colleague, the hon. member for Edmonton South (Mr. Roche). That suggestion must be followed.

Secondly, we must be careful in whatever approach we take to the problems in Latin and South America so as not to equate diplomatic measures with moral approval of all of the activities of either side, or with any of the sides or points of view, in these struggles for changing internal order. I think that is fundamental. We must not abandon people because we object to the activities in whole or in part of their governments. It is the people of the Caribbean, of South America and of Latin America with whom we have long, honourable and historic ties.

Finally, we must always remember that if we lose this identity and association with people, if we confuse it with diplomatic niceties or with our objections to the activities of certain regimes which can be described as horrendous, then in fact what we will have lost is security in a friendly part of the world.

• (1710)

We may not, without fear of question, any longer turn a deaf ear or blind eye to events in this part of the world. To those countries in the turmoil of change, to those countries with economies torn by the difficulties of change, to those countries with the internal capacity to earn dollars ravaged by security concerns and rising costs of energy, to those countries that find it difficult to fit into trade patterns and so on, we must always demonstrate in every way possible that their trust and confidence in a democratic way of life can be relied upon.

Today more than ever it is important to expand and nurture our relations with all neighbours to the south. I should like to elaborate further on the minister's denial of Canadian interests in that part of the world; I am sorry he is not present in the chamber at the moment. For example, does the minister believe for a minute that because El Salvador is on the Pacific coast, there is no direct linkage with its neighbours, good or bad, to the east? Is he suggesting that there is no relationship with Cuba? We have heard enough in recent weeks with respect to Cuba and the movement of arms through Costa Rica.

In that connection, and at the risk of embarrassing a very dear friend, I speak with first-hand knowledge of the movement of arms from Cuba, through Panama, into Costa Rica and on into El Salvador. Is the minister suggesting that there is no relationship with Cuba, given Cuba's relationship with Grenada? I find that hard to understand. Of course, Grenada is still closely linked, although it has suspended the option of consulting with the people as democracies are wont to do. Nevertheless, Grenada still enjoys Commonwealth ties. Do we not have an interest? Of course we have an interest.

Is the minister suggesting that we have no interest in Panama or the canal? Does he not know where El Salvador is in relationship to the approaches to the canal? Of course he does. Is the minister suggesting that we have no interest in Costa Rica or Guatemala, with their democratically-elected

governments? Is he suggesting that we have no interest in these nations? What about Honduras or Nicaragua? Surely the minister was not telling the House that we have no special interest in the OAS, of which El Salvador is still a member, though I do not know for how much longer. Is he suggesting that Canada is not the most active observer with respect to the OAS? Of course we are.

Surprise must be registered in the area of trade. Surely it is not necessary to tell the minister and the government that Latin and South American countries are increasing their trade with Canada, and Canada with them, at a far greater rate than with the United States. They are buying more and doing more business with us on a percentage basis than the United States.

For example, exports of metals, electrical equipment, telecommunications, prefabs, road building equipment, etc., from Canada to El Salvador increased from $13.5 million to some $15.6 million. One might say that is not very much, but let me put it in another context. Imports to Canada from El Salvador have virtually doubled. I should like to keep this in the context of Latin American countries in which the good professor has indicated that we have no historic interest. Of course we have an historical interest. Between 1968 and 1972 we have done $520.8 million worth of business with Latin American countries, a growth rate of 10.9 per cent. During the same period, our growth rate with respect to exports from Canada to the United States rose by only 9.5 per cent. The growth rate is there, the business interest is there. The growth rate has not come about by disinterested Canadian businessmen sitting in Canada and waiting for things to happen. We have a very serious interest in this matter. In fact, in the next two to two and a half years, foreign investment in these countries will rise from $1.6 billion to something in excess of $2 billion. We have large interests, we have small interests; we have humanitarian interests, we have economic interests.

We did not hesitate to donate $57,000 for medical clinics and ambulance services in El Salvador by way of aid through the International Red Cross when it was apparent that it was needed. We had no hesitation in giving somewhat similar aid to Nicaragua, some $67 million to protect prisoners of war and their families, not to mention that we respond whenever there is an earthquake, a hurricane or flooding; whenever there is need, we respond. We have a long, honourable history of response. It does not augur well for the minister to indicate that we must stay out of Latin America because we have no interest or historical ties in that area. We must remember the assistance of countless non-governmental organizations and their diversified programs, the financial contributions to multinational institutions and so on. These efforts speak not only loudly for the humanitarian concerns of Canadians, but they also reflect clearly our interest in this area of the world. This interest goes back well over 100 years in a very active sense and in excess of 270 years in particular instances.

At least the government should follow its own lead. The minister knows my strong support for whatever efforts he can make in the Caribbean, Latin America and South America. I commend him for his efforts in recent months. Through his own initiative he has committed the government to closer ties with that part of the world, to expanding and increasing all forms of aid.

Let me conclude by indicating that no matter how far the Secretary of State for External Affairs may go, he will not have gone far enough until he has reached 25 per cent to 35 per cent of our total aid package.

• (1720)

Miss Pauline Jewett (New Westminster-Coquitlam): Mr. Speaker, I was very glad indeed to hear the hon. member for Davenport (Mr. Caccia) say that the New Democratic Party had done a service by bringing this resolution before the House today. I found that his whole speech and approach on behalf of the government was a good deal more illuminating and thoughtful than was that of the Secretary of State for External Affairs (Mr. MacGuigan). However, I would like to say to the hon. member for Davenport that he did to a certain extent misread the motion which we are introducing today when he suggested that the motion was both condemning the United States for something and urging it to do something. If you look at the motion carefully, Mr. Speaker, you will see that what we are condemning is the hon. member's government. The motion reads quite clearly:

> That this House condemns the government for its failure to protest publicly the American military intervention in support of the junta in El Salvador—

The motion then goes on to urge the government and the Prime Minister (Mr. Trudeau), in his talks with the President:

> —to urge an end to this military involvement on the side of a regressive regime which denies civil rights and is fighting those who wish to establish a democratic government.

For the Secretary of State for External Affairs to say that the motion is "a calculated attempt to create tension between the Government of Canada and the government of the United States" would be laughable were it not so sad. The minister does not seem to realize that there are people, not only in Canada but all over the United States, in Latin America—Mexico and Venezuela particularly—and throughout other countries who are horrified by what is happening in El Salvador and by the escalation of American military aid to that junta. Perhaps this is what the minister meant when he said that he and his government had no expertise in this area.

Over the last weeks we have seen this concern raised in every city in Canada. It will be raised again in Ottawa tomorrow. Canadians cannot support this repressive regime any longer or the military aid which has been given to it. As I said a moment ago, it is not only Canadians who are concerned, but Americans in every city in that country as well. Some 52 congressmen are concerned. Indeed, within his own party President Reagan is now being challenged by the Republican minority leader of the House subcommittee on appropriations, Representative Conti, who has challenged the El Salvador military aid policy.

I wonder if the minister knows that three pieces of legislation will soon be brought before the American Congress in

attempts to change American military policy. The first of these is House of Representatives resolution number 1509, which is an amendment to the foreign assistance act of 1961. The amendment attempts to limit military aid, sales and credits.

Second, there is concurrent resolution No. 67 condemning all foreign involvement, including U.S. involvement, in El Salvador. It calls for a negotiated settlement and an end to U.S. military aid pending a review of that aid by the House committee on foreign affairs.

Third, there is the Ottinger resolution, which attempts to limit the President's powers to commit U.S. military personnel to foreign adventures. Senators Kennedy and Thongas said Friday that they will propose legislation this week in an effort to end U.S. military involvement in El Salvador.

The opposition to the U.S. government's policy in El Salvador is far stronger in the United States, in journals and magazines, as well as in the Congress of the United States, than it is on the part of the Government of Canada. The minister says that the motion is a calculated attempt to raise tension between Canada and the United States. Are all these criticisms of American policy which emanate from the U.S. Congress and the press not also of concern to him? With the minister's expertise in mind, does he not have any idea of the constituent elements in the democratic revolutionary front? Does he not know that it is an extraordinarily broad-based group with about 40 groups within it? Of course there are some communists in it; but there are also social democrats, socialists, conservatives, small businessmen, many Catholic priests, as he knows, and a large section of the church in El Salvador, the peasants organizations and labour unions. You cannot find any organization, in the labour movement, except one CIA-backed one, which is not supporting the democratic revolutionary front.

When Secretary Haig came to Canada and told our minister about the way he saw the situation in El Salvador, the minister accepted totally what he was told, without asking for any proof or evidence of the enormous volume of arms being sent in by Cuba, Nicaragua or the Soviet bloc. Indeed, the State Department has not yet published the evidence. It keeps telling us that it has evidence, but it seems very reluctant to publish it. Apparently, even the leader of the junta in El Salvador has not seen the evidence, since he has said nothing about it, not even to say that it exists. We need to know what it is.

A great many of us, including the minister I am sure, were led to believe a lot of "evidence" during the course of the Vietnam war, evidence also collected by the Central Intelligence Agency—evidence that turned out to be shoddy and untrue. Why do we not all say, "Let us have an investigation. Let us see what this outside intervention amounts to. Let there be a fair and impartial look. Let us not automatically accept something when we have not even seen the grounds on which it is based."

None of the documents has been made available. The leaders of Mexico, Venezuela and, indeed, every western European country that the State Department sent representatives to visit, were very skeptical. Surely, as one of the best friends the United States has, it is our duty to raise our voices when we feel and think that the United States is pursuing a policy which could lead to another Vietnam. Surely it is not something from which we should hide. It is not something that we hope someone else will do. The point made by the minister that it is not Canada's concern, that we somehow can have no positive influence—as we can in Mexico, Brazil and Venezuela—is absolute nonsense. El Salvador is part of our hemisphere. El Salvador is closer to Ottawa, I believe, than Vancouver and has always been part of our hemisphere. The United States ambassador to the UN, Jeanne Kirkpatrick, says that what is happening with the American involvement is different from Vietnam because it is in this hemisphere. On television the other night she said that the difference is that it is taking place in this hemisphere. That is all the more reason for the Secretary of State for External Affairs and the Prime Minister (Mr. Trudeau) to speak urgently, frankly and strongly of the opposition which we share with many elements in American society and government, with west-European countries and with many in Latin America itself. It is also our duty to look once again at the savagery of the right wing forces in El Salvador which have been encouraged directly or indirectly by the junta which governs the country.

• (1730)

We cannot simply dismiss 12,000 violent deaths. Even the former U.S. ambassador to El Salvador, Mr. White, said that 80 per cent of the deaths were the responsibility of government troops or troops under government protection. As compassionate human beings, we cannot turn a blind eye to that, as the minister seems to be doing. More military aid from the United States will mean more violence. As others have said this afternoon, the solution must be a political solution, even though Secretary Haig, according to his remarks the other day, seems to have turned his back on that possibility.

The government has fallen into the trap of wanting badly to get along with the President of the United States, hoping that the fisheries treaty can be restored, hoping that money will be provided for the northern part of the pipeline, and hoping that the Americans will not mind too much about the government's national energy policy, and it has almost succumbed not just to the temptation but to how it sees reality, namely, that what the government of the United States says and does will automatically be approved by the Government of Canada. This is not only doing a disservice to Canadians, but it is also doing a grave disservice to our friends in the United States who are themselves critical of American government policy. But then they turn around and find we are supporting, with a pull of our forelock, what the American administration wants every time. All of us have friends in the United States, and we know they are distressed by our actions and attitudes these days.

The Minister of National Defence (Mr. Lamontagne) mentioned today in the House that the NORAD agreement will be signed while President Reagan is here. That is an agreement about which there has been absolutely no discussion in the House of Commons. The minister's answers this afternoon

clearly did not address many of the serious questions raised by the standing committee, particularly about the role Canada might play in aerospace—rather than just air space—a matter which NORAD does not even cover in the present agreement. In fact, the present agreement does not cover any of the urgent matters relating to American military strategy.

In the course of making known our strong feelings about the military intervention in El Salvador, I suggest to the government that we also make known our strong feelings about certain developments in American military strategy generally, particularly the doctrine the Reagan administration has announced respecting nuclear superiority. We should pause before we sign that agreement. It does not have to be signed until May. I suggest there be a much more careful examination of all military developments emanating from the U.S. administration. Many, if not all, of them are basically outside the NORAD agreement, and we have absolutely no say about them at all. This was even admitted by the commander-in-chief of NORAD, General Hartinger at Colorado Springs when he agreed that effectively we did not or could not have any say. When asked why our presence is valued, he said it is to show the rest of the world that we share American military strategies. Well, we do not share the American strategy nor, as I have pointed out, do great numbers of Americans share American strategy in relation to El Salvador. That is why we brought this motion forward today and why every speaker so far, including speakers from the government side, with the exception of the Secretary of State for External Affairs, have urged that a military solution in El Salvador is no solution.

Mr. MacGuigan: I urged that too.

Miss Jewett: Every speaker has urged that and has urged the minister to protest loudly and take back his statement he had no objection to Americans using offensive weapons in El Salvador and to withdraw it completely.

Mr. MacGuigan: I made no such statement.

Miss Jewett: We should all impress upon the Prime Minister—in case the Secretary of State for External Affairs has not done so—the importance of emphasizing in his meeting with the new President of the United States, that we do not necessarily share American strategic values or American military values. Above all, we do not share their escalating intervention in a country racked by the very terrorism which, when he first became secretary of state, General Haig said would become the top priority in American foreign policy. Yet that terrorism in El Salvador is, in effect, today supported by the American administration.

I hope all of us speaking in this debate will try to show not only concern but also passion about this situation in El Salvador in the hope that the democratic revolutionary front, which does represent the wishes of the people, may become the government of that country.

Some hon. Members: Hear, hear!

• (1740)

[*Translation*]

Mr. Robert Gourd (Argenteuil-Papineau): Mr. Speaker, members opposite have repeated today the same criticisms about Canada's policy concerning El Salvador as were voiced in recent days during Oral Question Period and on March 2 during the adjournment debate. They are complaining that we do not have any policy or that our policy is inconsistent or contradictory. The Secretary of State for External Affairs (Mr. MacGuigan) explained very clearly during the adjournment debate that this government has been following a clear and consistent policy since its election. In his comments today, he gave a more detailed explanation of this policy, and I hope that the opposition members will now understand to what extent their criticisms are unfounded. It has been clearly stated by the Secretary of State for External Affairs that the government is opposed to any foreign intervention in El Salvador and that the population of that country should be allowed to solve its social and political conflicts on its own, by peaceful and democratic means.

Mr. Speaker, I believe that all the members of this House can support this policy and I see no need to dwell any further on this subject. In Canada as in other countries, there are people who are inclined to consider the conflict in El Salvador as a classical example of the political rivalry that exists between East and West. However, in his statement today, the Secretary of State for External Affairs has stated that such were not the views held by the Canadian government. In its opinion, the basic problem in El Salvador stems out of the need for social and economic justice within a population which has for too long been refused any hope for a better life.

Because it has an industrious, progressive and homogeneous population, El Salvador has managed to achieve a certain amount of progress in facing the challenges of the twentieth century, but this country is also a quite eloquent example of one of the most difficult problems of this century, that is, overpopulation. El Salvador is now the most densely populated country and the one with the lowest per capita income in Central America, and its economic and social development has been severely hindered by this situation. Where the political development of El Salvador is concerned, nothing much more impressive is to be noted. In his book entitled "A History of Latin America From the Beginnings to the Present", historian Hubert Herring reports the following:

[*English*]

In El Salvador presidents come and go, civil wars rage briefly, and moderate dictatorships are the general pattern . . . But the social pattern of El Salvador remains undisturbed. No nation in Latin America presented a greater contrast than between the few Salvadoran families who lived in luxury, sent their sons to schools abroad, and drove fine sports cars—and the masses who are ragged and illfed. The chief families—the 'fourteen families' they were popularly called, although there were more than fourteen—hold the most land and the best land: it was estimated in 1961 that less than 0.1 per cent of the landholders owned

some 16 per cent of the farmland, in haciendas of 2,471 acres or more; while at the other extreme about 85 per cent of the farmers, holding less than 15 per cent of the farmland, were hard put to make a living from the meagre plots of 12.4 acres or less, working without machinery or scientific handling of seeds and fertilizers. The great plantations were officially run, but the humble workers on those plantations were lucky to get the equivalent of 50-60 cents a day, plus meagre rations of tortillas and beans. And the military leaders were not ready to break their long alliance with the country's elite, which had been effective in throttling social legislation. They had agreed to keep the poor in their place; and although the poor were beginning to awake—some turning to communism which flourished in a few labour unions—government administration still found it unwise to push social security, public health measures, and agrarian reform.

[*Translation*]

The early thirties were marked with violence as the economic impact of the world depression led the peasants to revolt and consequently to the brutal repression which made thousands of victims. If I may open a brief parenthesis, Mr. Speaker, I would add that Canada was marginally involved in the events which occurred in El Salvador at the time as two Canadian destroyers, *HMCS Vancouver* and *HMCS Skeena,* under Commander Victor G. Brodeur, were dispatched to the coastal town of Acajutla "to protect, if required, foreign interests", as reported in the media at that time. It is also interesting to note that, in his subsequent report to Ottawa, Commander Brodeur stated the following:

[*English*]

The revolution was entirely due to lack of consideration for the Indians. There are only two classes in El Salvador, i.e. the very rich and the Indians. The very rich are very few and it is noticeable that these few left the country the minute the trouble started.

[*Translation*]

Obviously, Mr. Speaker, the situation in El Salvador had not changed much over the years. Therefore it is not surprising that political and social agitation has become endemic in that small country and that the workers in farms and cities rose against the long domination by prominent families and the military. On October 26, 1960, the world witnessed the first serious attempt to correct past wrongs, something which indeed turned out to be a harbinger of what is happening now. The government at the time was overturned by a group of leftist officers and civilians, but the six-man junta in power proved to be overly radical for most of the El Salvador officers and was in turn overthrown in another coup in January, 1961. Again may I quote professor Herring:

[*English*]

The new junta, headed by Colonel Julio Adelberto Rivera . . . promised early elections and a speedy return to constitutional government . . . During the first 270 days of the junta's reign, 325 decree laws were promulgated, and they attacked many of the obvious inequities in El Salvador's ill-balanced society. These measures . . . included an income tax decree establishing the top levy of 76.5 per cent on incomes above $70,000. This law also tackled the knotty problem of the flight of capital, by providing tax exemption for money used for private investment in El Salvador, while taxing uninvested capital at a higher rate. The income tax law was a sensational move, evoking throaty charges of 'communism' against the highly respected military junta . . . There was a furious exchange of manifestos between defenders and opponents of the measure. The ruling junta defended its course by saying that its policy was inspired by the obvious ills of the citizenry—'malnutrition, illiteracy, high index of infant mortality, bare feet, semi-naked bodies, filthy tenements, long and exhausting working hours, and wages of hunger.'

[*Translation*]

The promised elections were held in April 1962. Colonel Rivera was elected for a five-year term until 1967. Professor Herring continues as follows:

● (1750)

[*English*]

Forthwith the reforms launched by the junta began to take shape. High priority was given to agrarian reform; although densely populated, El Salvador has little available land for colonization; some state-owned land plus some privately held farms would furnish about 135,000 acres to be distributed to some 3,500 families in plots ranging from 5.25 acres to 14 acres; it was not a very bold program but at least it was a beginning. There were various measures for easing the burden on the poor: Sunday rest with pay; minimum wage laws; reduction of rent on tenements; provision for more generous food allowances for workers on the large farms. The new income taxes were enforced with considerable success. Banking laws were reformed making credit more easily available to small farmers. And government operations were honest.

[*Translation*]

In the 1967 presidential elections Fidel Sanchez Hernandez was victorious with 54.4 per cent of the votes and his administration continued Colonel Rivera's reform program. His policies included an agricultural reform project which greatly upset the conservative businessmen and the rich land owners. Then a great controversy surrounded the 1972 elections when a member of the Christian Democrat Party, El Salvador's current president Jose Napoleon Duarte, apparently rallied the majority of the votes. However, a subsequent official recount gave the majority to Colonel Arturo Molina. He was president until 1977 when the military resorted to similar tactics during the presidential elections and brought General Carlos Romero to power. Riots broke out as a result of that disloyal manoeuvre and the government imposed martial law; before order was restored about one hundred protesters had been killed.

President Romero was an inveterate conservative who associated social reform with communism; supported by the military, the conservative aristocracy resisted the peasants' claims for social and agrarian reform. Violence became commonplace; groups of vigilantes and rightist paramilitary tortured and executed the leaders of peasant groups and other partisans of economic and social reform. Naturally, that violence provoked leftist reactions. The intensity of the struggle between the two factions increased, and President Romero led a fierce campaign against the left and its followers.

On October 15, 1979, 19 years almost to the day after the reformist junta which I have already mentioned seized power, a group of Liberal army officers deposed Romero after a *coup d'État* whose victims were few and put in its stead a progressive junta composed of two Liberal officers, two members of the Christian Democrat Party and one Independent. As mentioned by the Secretary of State for External Affairs in his statement, the new government promised to implement radical reforms in the field of social and economic affairs, the most important of which was an agrarian reform in two steps comparable to that implemented in Mexico. The first stage, started in March of 1980, involved all agricultural operations

of over 1,234 acres; some 400 properties representing 600,000 acres, that is, about 25 per cent of all farmlands in the country, were redistributed amongst the peasants.

The second phase, which is to be implemented in 1981, is aimed at all farms of 370 to 1,235 acres. Unfortunately, left-wing groups immediately took advantage of the situation to try and foster a revolution. They launched a terrorist campaign which included the kidnapping and murder of several Salvadorian and foreign businessmen and bankers and, as the Secretary of State for External Affairs mentioned in his remarks, attacks on embassies and the kidnapping and murder of embassy staff. This resulted in the closing of a large number of Salvadorian and foreign plants, a 50 to 60 per cent decrease in industrial production as well as a corresponding chop in employment and a worsening of the situation for Salvadorian workers. In the last two years, 28 embassies were attacked by terrorists so that all west European countries, except Italy, were forced to close their embassies there.

It seems clear that as long as the extreme left in El Salvador had taken Romero, the military dictator, as its target, its chances of success were quite good. However, the reformist junta, with its land, business and banking reforms and its promise to hold an election within two years, sabotaged the strategy of the extreme left and destroyed its hopes of coming to power. It is interesting to note that the extreme left rejected the junta's platform without even giving it a chance to implement it. However, leftist attacks were not the only problems faced by the junta. It also faced the opposition of conservative elements within the military and the security forces as well as the opposition of those whose direct interests were threatened by reformist action and who tried to undermine the junta's ability to govern. Then, there was the terrible war of attrition between the armed sectors of left-wing and right-wing factions. The government was caught in the crossfire and became increasingly unable to control its destiny.

Mr. Speaker, I have given the background to the events which have occurred in El Salvador because I think it is important that we keep them in mind when considering the present situation. As the Secretary of State for External Affairs so correctly noted today, we must consider the crisis in the context of the past problems experienced by El Salvador. The tragedy lies in the fact that conflicts between the extreme right and the extreme left have taken unimaginable proportions; violent acts and murders are committed by armed gangsters, soldiers, revolutionaries and criminals on both sides, the government and its supporters being the targets more often than not. We are constantly informed by the media of these terrible crimes and atrocities which fill us all with the greatest repulsion. The Secretary of State for External Affairs has indicated that the Canadian government has brought pressure to bear on several occasions on the Salvadorian government to keep its army, police and security forces as well as paramilitary extremists under greater control, to put an end to these human rights violations and bring the guilty before the courts.

Apparently, President Duarte is trying to exert such control. Unfortunately, his efforts are too few and too late. Maybe the Salvadorian government could not, however, do any more than it did. We must keep on urging it to act more efficiently, and I was happy to hear the Secretary of State for External Affairs state his intention to keep the pressure on.

The Acting Speaker (Mr. Corbin): Order, please. It being six o'clock, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

[*English*]

The House resumed at 8 p.m.

Mr. Walter McLean (Waterloo): Mr. Speaker, it is a privilege for me to follow my colleagues in the House in addressing the tragic situation in El Salvador and in seeking to encourage the government toward a positive approach which we as a nation might play in seeking an end to the bloodbath which currently is a day by day experience there. We heard from the hon. member for Kingston and the Islands (Miss MacDonald) some proposals which we might adopt in terms of being a peacemaker or mediator in that situation. My colleague for Edmonton South (Mr. Roche) reminded us of the quality of human suffering that is part of that tragedy and of our common humanity. The hon. member for Dartmouth-Halifax East (Mr. Forrestall) reminded us of our national interest and the interdependence which we have with the people of the Americas and the people of El Salvador.

This evening I would like, in the few moments that are mine in this debate, to turn my thoughts to the fact that we in Canada have a special interest. I want to take issue with the minister and his comments to us last Monday evening in the House that we do not have the right to comment, that we are not in a position to pass judgment on the political situation there and, therefore, we ought not as a nation take part in a moral discussion about the future of the human family and of our hemisphere.

I am reminded of our Canadian tradition of welcoming refugees, and the political judgment which goes with it, from the actions of governments which have, in many cases, expelled or forced out their nationals. I am reminded of the position of the government on disarmament, and the appointment of an ambassador for disarmament; of the matter of giving priority to disarming, and the moral positions that have been taken.

I wish to remind the House of our Canadian history in relation to the founding and developing of the United Nations and, through it, the setting up of peacekeeping mechanisms. Therefore, it is with a great deal of distress that I find the

government is suggesting through the minister that we do not have the right to comment. He is suggesting in this case of real concern to Canadians that, "given our lack of close involvement with El Salvador for generations, we are in no position to pass judgment on the political situation in that country."

I wish to suggest to this House and the government that all across Canada we have a very real constituency of concern. It expects this government to echo our concern for human rights and reflect the deep distress of Canadians at the ongoing, day by day account of the 25 or more people found assassinated each night in the streets.

Let me share with the House a letter which was addressed on March 5 to the Prime Minister (Mr. Trudeau) with a copy to the Secretary of State for External Affairs (Mr. MacGuigan) from the Canadian Council of Churches. The letter reads in part:

We, the representatives of the members of the Canadian Council of Churches, wish to convey our serious concern about human rights. We decided to write to you on the eve of the impending visit of President Reagan, whose statements on foreign policy clearly indicate a change in policy and practice on human rights by the United States administration—

As you are aware, the churches in Canada often have intimate and personal knowledge of the situation at the grass-roots level in many countries through their partnership with the churches in those parts of the world. We wish to continue to share this knowledge with our government in order that Canada can play a significant role in creating a more humane world. Precisely because we are not a super power, we are in an excellent position to align ourselves with other nations to work together for the protection of the rights of people who are used, oppressed and sometimes murdered . . . We note with pleasure Mr. MacGuigan's remarks made before church representatives on January 28, 1981 to the effect that human rights are the highest concern for the Canadian government; that it is a personal priority for him as minister; and that Canada will continue to act in defence of human rights on moral grounds, alone if necessary . . . We expect our government to stand firm on the position it took at the time Canada voted in the United Nations for the Resolution 53/192 in December, 1980 calling on governments to refrain from the supply of arms and other military assistance to El Salvador. We know for a fact that the present regime in the country is responsible for deaths of thousands of people—

We sincerely hope, sir, that Canada will continue to play a leading role in the struggle for the world where fundamental human rights take precedence over national security and balances of power.

● (2010)

This is signed not only by officers of the Canadian Council of Churches, but also by senior officers of the Anglican Church, the Baptist Convention, the Christian Church (Disciples), the Coptic Orthodox Church, the Lutheran Church, the Reformed Church in America, the Religious Society of Friends, the United Church of Canada and the Presbyterian Church in Canada.

I want to suggest there is a constituency there which is aware of, and in contact with, the people of El Salvador and is sharing in the situation and looking for the moral support which Canada has traditionally given, ought to be giving at this time and ought to be communicating to her close friends, especially our very close and good friends in the United States.

In October, the United Church of Canada through its publication, the *Observer,* had an entire issue on "The Heroic Church in Central America". They began that presentation with a letter from the Salvadorian Episcopal Conference dated March 5, 1977. These were the words of the conference at that time:

Even at the risk of being persecuted or misunderstood, the Church cannot avoid raising her voice when injustice has taken hold of society. She cannot remain silent when human rights are trampled upon, whether in institutionalized form or in concrete cases—

The author of that article, Mr. Hugh McCullum, went on in an opening comment to say:

What you do not understand in North America is that people here are prepared to die for the simple freedoms you take for granted—like freedom to live.

The story goes on to refer to the body of information which has been brought into question by the minister as to whether there are facts upon which Canadians build their concern. At one point, editor McCullum lists:

Fact-finding missions of British Members of Parliament, the Organization of American States (OAS), Amnesty International, an American ecumenical delegation, and ICCHRLA—organized visit by Canadian churches, as well as the Salvadorian Human Rights Commission—

It goes on to chronicle the number of groups which have concurred in their evidence of what is the situation there.

Lest we in Canada, at some distance away from Central America as some may feel, think that we are not in communication, let the House be reminded of the communication, dated January 1, 1981, which came ecumenically from Christian groups across El Salvador as an open letter to the Christian community and, indeed, to Canadians as a whole, speaking about their part in this struggle. Since there has been so much discussion about the radical left and the radical right, let us remember that the important element in the community is the vast majority of people who find themselves very often represented by Christian groups concerned with the wholeness of life, whether it be health care, agriculture or medical care. That group writes in its letter:

For years we have been close to the suffering people, to the poor and oppressed; we have experienced their misery but also their hope and their decision for an authentic liberation.

The church there says: "we want to be with the poor", and it makes three points. The first point is:

For 50 years the Salvadorean people has lived under oppression of gravely unjust economic, social and political structures, which in no wise have promoted the common good of the poor majorities—

It goes on to state:

Human rights have been systematically violated under military regimes of national security.

The letter goes on to state:

The Church has also been persecuted—

Later it states:

This government, consequently, is not legitimate. It does not seek nor secure the common good—

Secondly, the letter says to us in Canada:

The Salvadorean people has not chosen armed conflict; but rather conflict has been imposed on it. Over the years it has sought peaceful solutions in elections and used social and political pressure to achieve its aspirations. Everything has proved futile.

The letter goes on to state:

—the United States is not supported by any right to interfere in the destiny of El Salvador in order to determine its future and still less to support militarily the current government.

This is the third point in the letter, Mr. Speaker:

An insurrection for the liberation of a people is not only a legitimate historical reality, but, for Christians, it is also a sign of the times through which God speaks to and calls us. The first thing that a just uprising tells us is that God's patience has run out. The experience of Israel and Egypt is being repeated—

This pastoral letter, which came at the turn of the year to Canada, ends with these words:

With faith in God and in the blood shed by so many Salvadorian martyrs, we would like to end with the prophetic words of Monsenor Romero that we may not falter: "The cry of liberation of this people is a cry that reaches up to God and one that nothing and no one can stop." Over these ruins the glory of the Lord will shine.

I could go on and quote from a letter to the Secretary of State for External Affairs (Mr. MacGuigan) of February 19 from the Canadian Conference of Catholic Bishops which again confirms the evidence sent to us by the Christian community there, and coincides with other evidence we have before us.

I could go on and read into the record evidence from the Inter-Church Committee on Human Rights in Latin America which, on December 3, 1980, presented a brief, documenting sources, to the Secretary of State for External Affairs on Canadian relations with the Republic of El Salvador. In that brief, they gave substantive evidence of the broad spectrum of persecution and denial of human rights, and they went on to speak about the effect on Canadians of the assassination of Bishop Romero. They refer to the fact-finding visits and frequent communications which have been a part of our experience and the shared concern of Canadians from Victoria to St. John's.

Already during this debate we have been reminded of our Canadian position which was authorized by this government, that is, to vote in favour of the words that Canada "calls upon governments to refrain from the supply of arms and other military assistance in the current circumstances;".

It is interesting to note that Canada was among 70 which voted for that; there were only 12 who voted against it, including the present government of El Salvador, and 55 which abstained, including the United States.

Ambassador White has already been quoted several times during this debate, but in case one thinks it is only the church community which is concerned, we also have the record of diplomatic reports, and we have already rehearsed in this House the concern of other Central and Latin American nations and the concern of West Germany and France. We have signed declarations with Venezuela and Mexico as a nation about concern for this supply of arms to that area.

We are reminded again in *The New York Times* of Ambassador White's comments as follows:

To the extent that you emphasize a military solution in El Salvador, you are going to be buttressing one of the most out-of-control, violent, bloodthirsty groups of men in the world. They have killed—at a minimum—5,000 or 6,000 kids, just on the mere suspicion that they were involved with the leftists.

One could also read into the record the testimony of Oxfam, a voluntary agency from the United States, and its comment on the agrarian reform. The minister, in his intervention, laid great emphasis on the slow but steady effectiveness of agrarian reform. Oxfam, U.S.A., reports:

Over 60 per cent of El Salvador's rural population are not potential beneficiaries for the current land reform program.

The current land reform program excludes the poorest and largest section of the rural population—landless rural labourers.

The peasantry, Church, academics, and agrarian experts of El Salvador have been excluded from the design, planning and implementation of the current agrarian reform.

The land reform program has been implemented in the context of increasing and unrelenting levels of violence against the rural population.

● (2020)

They go on to suggest that this program should not be given the credibility which, in debate, some seek to give it.

One week ago tonight, Mr. Speaker, in raising questions on El Salvador following question period, I proposed that the Standing Committee on External Affairs and National Defence be called and that expert witnesses from the news media, international and Canadian, voluntary agencies, from the business and church communities be called in order that the division of opinion which has been raised by the minister, and the suspicion that there are divisions between the Vatican and the bishops, be tested in order that we can continue a positive and affirmative approach as Canadians for human rights.

I wish, Mr. Speaker, to be with those who think it is important that Canada light a candle rather than curse the darkness of our world. We have an enviable record as a peacekeeper and peacemaker. The hon. member for Kingston and the Islands has suggested that Canada take the initiative by contacting neighbouring states, and that we take the initiative to see that an international body, either through the United Nations or through other groups, be invited and encouraged to seek a political solution.

I believe it is important for Canadians to respond, in the wake of the visit of the President of the United States, with their concerns. I believe that telegrams, telephone calls and letters ought to be sent to the Prime Minister and Secretary of State for External Affairs saying that Canada ought to continue its stand on disarmament and political solutions, and continue to stand for human rights in our world.

I want to suggest that if we are not prepared to initiate some international mechanisms which can bring forth that information, then let us ourselves, as Canadians, invite from all parties in this House those who will go along with representatives of the voluntary agencies, churches and the news media, and let us send a task force which will return and report to this House and to the Canadian people as to whether it is just a simple issue of left versus right, or whether this is a legitimate rising of expectations by people who want their freedom and their rights. Let the task force examine the great body of evidence from the voluntary agencies, the international news media and the churches, or whether we are being tempted to think that,

because there are communist elements and right-wing elements, somehow these are dominant and the great interests of others are lost.

In conclusion, Mr. Speaker, let me suggest to you that we as Canadians have a proud tradition of seeking peaceful solutions and we would wish to be seen, in our conversations with our closest ally and friend, pressing them to pursue that direction in the world of human affairs.

Miss Aideen Nicholson (Trinity): Mr. Speaker, the Leader of the New Democratic Party (Mr. Broadbent) has put before the House an important matter, and I think the thoughtful tone of the speeches today has indicated how seriously it is taken on all sides of the House. We see in our time the most appalling violations of human rights and incredible savagery by governments against their own nationals. Unfortunately we see this in dictatorships of the left and the right; no ideology has a particular claim to morality.

In the case of El Salvador, on March 2 the Secretary of State for External Affairs (Mr. MacGuigan) listed a number of steps that have been taken by Canada in pursuit of our general commitment to work constructively with other nations for human rights. On many occasions, through the Organization of American States, the United Nations and its agencies, and in bilateral talks with the government of El Salvador in mid-February, the Government of Canada made representations on behalf of human rights in that country.

We have consistently proclaimed our support for peace in the world and our opposition to the supply of offensive arms to El Salvador by outside sources, whether from communist or non-communist countries.

We have consistently insisted on the importance and necessity of a political, not military, solution in El Salvador. We have made it clear that we do not see ourselves or any other country imposing that political solution on that country, or favouring one side or the other, that this is a matter for the nationals of that country to resolve themselves.

This same position has been taken by countries very close to El Salvador, such as Mexico and Venezuela. On pages 7817 and 7818 of *Hansard*, there are listed accounts of a number of initiatives, which I will not repeat now, of joint Canada-Mexico, Canada-Venezuela and Canada-Brazil communications, all expressing the hope that El Salvador could achieve peace, democracy and social justice, and also expressing opposition to any kind of foreign intervention. So, Canada's position is clear and consistent.

The NDP motion before us offers no proposals or recommendations to bring about an end to the violence in El Salvador, except to protest a decision of the United States government to supply military equipment. The motion is one-sided because concern has not been expressed about the receipt of arms by left-wing guerrillas and their use in contributing to the violence and tragic loss of life.

The motion also calls on the Prime Minister (Mr. Trudeau), in his talks with the President of the United States, to urge an end to American military intervention. The Prime Minister and Secretary of State for External Affairs have already explained many times publicly that our government's policy is one of opposition to military intervention by any country, whether it be the United States or a communist-bloc or any other country. This has been the government's policy for many months, stated many times and was repeated today by the Secretary of State for External Affairs.

If the New Democratic Party wishes to have a resolution passed which might play a constructive role in bringing about a settlement of the tragedy of El Salvador, why does the motion not call on the Prime Minister or Secretary of State for External Affairs, in addition to discussing the matter with the President of the United States, to appeal to the leaders of the revolutionary groups in El Salvador? The Secretary of State for External Affairs has explained that he made Canada's position clear to representatives of the revolutionary force whom he met in Ottawa a few weeks ago. I understand that some hon. members opposite also met with those representatives at that time, and I hope that they conveyed to them the need to follow the road of peace and negotiation.

● (2030)

In the House on March 2 the hon. Leader of the New Democratic Party (Mr. Broadbent) said:

—the only resort of the people of that country to deal with a vicious military regime is to take counter military action.

This remark puzzles me greatly. I find it difficult to understand a politician apparently recommending that people should continue to exercise violence, whatever the provocation. Surely as politicians we should try to negotiate and to find solutions by words, not by military action.

Canada does not have an embassy in El Salvador. Sometimes it is difficult for us to be clear about the exact situation inside that country, but we can look at the chronology of some of the events which have taken place in El Salvador since the Romero government was overthrown on October 15, 1979. These events have been reported rather extensively. At that time the new government promised social reforms. On October 25, 1979, the composition of the cabinet was announced. Two days later, left wing violence, rioting and looting began, with two government ministries occupied by leftist forces. The question that comes to mind is: Why, after only two days, did leftist guerrillas decide that these promised reforms would not be forthcoming and that it was necessary to begin to respond by violence?

Throughout November, bombings and violence continued. On November 28 left wing revolutionary groups kidnapped the South African ambassador. Throughout December and into January, 1980, violence increased to the point that the British embassy felt it had no alternative but to close. In February 1980, revolutionary groups occupied the Spanish embassy. During that month, the German government announced its intention of closing its embassy. The violence continued throughout February and March and a state of siege was declared on March 6. On March 24, Archbishop Romero was murdered while saying mass, and even his funeral on March

30 was disrupted by fire bombs and shootings. The leftists blamed the military and the rightists, while the government blamed the leftists, and the state of siege was extended for another 30 days.

Nevertheless, some reforms were pursued; at the end of April, sharecroppers and tenant farmers were given title to the land they worked.

The violence continued throughout the summer and autumn of 1980. On October 9, the South African ambassador, still a hostage of the left wing forces, died. Ten other assassination attempts were made; some successful, some not. On November 27, six leading members of the opposition were murdered. On December 4, the bodies of four American churchwomen were found in a shallow grave near the airport. On December 13, the junta was reorganized and Napoleon Duarte was named president. On January 10, the "final offensive" of the left wing began with widespread fighting and the calling of national strikes.

Nobody in the House denies that much of the violence, the murdering and the torturing, as far as we can see, was caused by right wing forces. The Secretary of State for External Affairs and other members have spoken plainly about this; but the resolution would seem to imply that the killings were caused only by the El Salvador government. While it is not easy to be clear about what exactly is happening, it is certainly clear that violence begets violence. Clearly no one is blameless in this terrible situation. The House should not be asked to approve a resolution which fails to take into account that there are, as always, two sides to a story, both of which in this case make very unpleasant reading.

The resolution before us also indicates that the left wing forces are the only ones wishing to establish a democratic government. The record would lead one to question this. The government of El Salvador has taken some steps to institute reform. In so doing, it has antagonized forces on the right and forces on the left. We all agree that the progress made has not been as swift or as significant as we would like to see, and I am sure that the people of El Salvador would like to see. But, despite the necessity of dealing with a continuing series of armed attacks, occupations, murders, assassinations and strikes, the government of El Salvador has been able to implement, albeit haltingly, some of its promised reforms.

There is no evidence to suggest that given a period of peace and tranquility, the government of El Salvador might not proceed to implement its reforms. If left wing sources are as determined to establish a democratic government, as the resolution would have us believe, why have they been so active in seeking to achieve power by brutal force against a regime which has publicly declared its intention to establish reforms?

No one on this side of the House has any illusions that the present government of El Salvador is perfect; far from it. Its imperfections are clear for all to see, but its imperfections are admitted by its leaders. They admit that greater efforts must be made to eliminate those imperfections. We have not heard that the leadership of the revolutionary forces admits any imperfections, but, as far as we can see, they urge their followers to greater violence. The revolutionary forces have shown no great desire to work for a ceasefire and no willingness to negotiate toward a democratic settlement.

The president of El Salvador publicly expressed his willingness to negotiate with responsible leaders of the revolutionary forces. I hope those leaders with take up that challenge and seek to settle the differences in El Salvador with ballots rather than bullets. When the Secretary of State for External Affairs met the revolutionary leaders and sought their views, I understand they said that they were interested only in a discussion with the United States and that the discussions were only to persuade the United States to stop all military and economic assistance to El Salvador, so that revolutionary forces could overthrow the government.

It is hard to reconcile that view with the statement contained in the resolution of the New Democratic Party that the revolutionary leaders wish to establish a democratic government.

The Canadian government's policy has been clear and consistent throughout. We all care very deeply that there should be peace in that unfortunate country and that this senseless killing should stop. I certainly support the government's policy of objecting to the supply of military equipment by any and all countries to any and all parties in El Salvador. I support the government's position in using every opportunity to urge the government of El Salvador to put an end to abuses of human rights and to work toward a peaceful, negotiated settlement of the difficulties.

I support the Canadian government's activity in making its view known to other countries by discussions through diplomatic channels, but it is hard to see that the course suggested in this resolution would do anything to help matters.

• (2040)

This resolution contains two rather contradictory elements, one in which the Government of Canada is condemned for failing to protest publicly the American policy while, at the same time, we are asked to urge an end to military involvement on the part of the United States. It is difficult to see how, in the course of a state visit from an ally, our neighbour and friend, we can both urge and persuade, if that is what the NDP would have us do, while also prejudging and pre-empting the discussions by making public statements beforehand.

The resolution before the House is a flawed resolution, but it has served a useful purpose today by making us all think more deeply about the tragic state of affairs in El Salvador. It has made us think about the tragic denial of human rights in many other countries and the need for us to be vigilant and to use the international forums to express our convictions on every possible occasion.

Mr. Bob Ogle (Saskatoon East): Mr. Speaker, I believe that tonight I am part of an historical moment in our country's history. I am proud to be able to speak for my party on this resolution. I have been in the House of Commons for almost two years now and up until tonight there has not been a debate

on external affairs. This is true of the party which sits opposite and true of the party to my right. The people of Canada have not had an opportunity, through their members, until tonight, to speak about any subject whatsoever as it relates to the external direction of our country.

Mr. Whelan: You could have taken your day.

Mr. Ogle: I am happy tonight to have an opportunity to speak not only for Canadians, who I believe have not had their right fulfilled to hear about where our country is going externally, but at the same time to speak for millions of people who are not able to speak of conditions which they themselves no longer control—the oppressed people, millions of them all over the world who would like to have the opportunity to stand up in a free assembly like this and speak to the subjects which are keeping them, their families and, for all they know, their future families, in a state of slavery.

As a member of this House, I am happy to have the opportunity tonight to be able to speak freely. At the same time I believe I also speak for many friends of mine who are Americans, who no longer have this same ability to get up and, in a very clear way, criticize what is happening to part of our continent, as the member for Edmonton South (Mr. Roche) put it. In a particular way I would like to speak for the poor, the oppressed, the people who are living in slums, the people who are living in hide-outs in jungles, and the people who can no longer speak for themselves because of the frustrating oppression which has kept them in those places.

I would like to begin my remarks by reading into the record a message which was prepared by a wide sector of church groups in El Salvador. I feel that it is interesting for us tonight to give pause for a moment to say what the words "El Salvador" mean. "El Salvador" means The Saviour. The people there have a Christian tradition of almost 400 years. The capital of their country was called Holy Saviour and their country is called The Saviour. In this letter they are asking for salvation in a very special way. The letter reads as follows:

> The people of El Salvador is living a critical and decisive hour of its history. It is deciding its future and destiny as a people. It is deciding to liberate itself from oppression, to regain its dignity, and to organize a society that will be fraternal and just for the poor majorities. In these moments the Salvadorian people is preparing itself for an insurrection as a last resort to obtain that justice and peace for which it has so yearned and which have so many times been denied it.
>
> We as Christian, men and women religious, clergy, who work in the diverse areas of pastoral ministry, education, social development, and humanitarian aid, want also to accompany the people in these moments, acknowledge the justice of its cause and its struggle, and recognize the legitimate right which moves it to insurrection.
>
> For years we have been close to the suffering people, to the poor and oppressed; we have experienced their misery but also their hope and their decision for an authentic liberation. We have attempted to serve them according to the Gospel, but they also have showed us the ultimate truth of the Gospel—the love of God as the good news of the kingdom for the poor. In this hour of insurrection, full of suffering and hope, we want to be with the poor, we want to explain our option, and we want to see in the insurrection of the people the very signs of the times, the word that God addresses us as Christians.

I will not read the whole letter. It was prepared on January 1 of this year by the Archdiocesan CARITAS of El Salvador, the Conference of Men and Women Religious of El Salvador, the Federation of Centers of Catholic Education, the Archdiocesan Pastoral Council, the Baptist Assembly and the Christian Student Movement and others on an ecumenical base in El Salvador.

Tomorrow our country is welcoming the President of the United States. President Reagan is beginning a term of office. He, like many others, is beginning without a great deal of experience with respect to the responsibilities he must carry out in that role. I believe I state what many others believe—he does not have a great deal of experience in dealing with international matters. He has come out, or seems to have come out, of a life in which things were, to put it very simply, black or white.

If I can refer to his past history, it is not unlike a few poor cowboy movies on which one side there are white hats and on the other side there are black hats. You know from the beginning that the side with the white hats is all right and the side with the black is all wrong. It can be likened to cowboys and Indians, or G.I.s and Japs. It was so easy then, when the situation was clearly right or clearly wrong.

But places like El Salvador, Central America, Latin America and other countries in the developing world are not blacks or whites. They encompass a complex reality of all kinds of things—economic, social, religious and cultural. There, things do not come out black and white; they come out very grey. It requires a great deal of prudence and sensitivity to be able to make good judgments there. However, if one is moved by love and if one has a sense of justice, then those decisions will come with time, with listening and feeling. But it just cannot be said that they are right wing, left wing, communist or capitalist. Those names do not work. They are talking about the majority of people who no longer have the power to do anything except let the power of history flow over them or who finally say "No, I would rather die than let that happen."

I think the debate on El Salvador we are having tonight pinpoints another important reality of what our country and other countries are becoming more deeply involved with. It is the North-South reality. They are two little code words which do not seem to mean much to many people, simply because they are still new code words. The North refers basically to those countries which are more or less economically developed. The South refers basically to those countries which are in the process of development. In general, the North is above the equator, and the South below.

● (2050)

El Salvador is part of the South. It is one of the countries struggling to develop. It is not unlike other Latin American countries in which there has been institutionalized oppression of the poor. Its mode of developing will be different than that in other countries, but it must be respected. It cannot be opposed from an outside power, whether from the left, right, or anywhere else. The people there will have to make the decisions which will finally free them from the oppression of poverty which has put them in this situation.

El Salvador

Our Prime Minister (Mr. Trudeau) has indicated by his words and actions that he is very interested in this question of North-South. I trust that he is telling us the truth because it is the most important question now facing our planet. However, I would like to advise the Prime Minister that in the question of North-South, it is not only important to be able to talk about the situation but it is also important that we appear credible in the situation. We must be authentic, credible and serious.

The Prime Minister has made several tours to various developing countries preparing for the North-South encounters of this coming summer. I do not believe those trips were well prepared. I believe the trip to Brazil, for instance, was not well prepared. If we are not credible, there could be a problem.

One of the witnesses who appeared before the North-South committee task force was Maria Helena Moreira Alves, a Brazilian social worker who is now studying in the United States. She explained to us in committee that during his trip to Brazil the Prime Minister did not see the right people. It is true that he saw government officials, but he did not see leaders of the church who are much closer to the reality. He did not see people in the labour movement or those in the very vital Brazilian press who write about how they see real development.

The Brazilian problem, although much larger than the El Salvadorian problem, has many of the same aspects. From my own personal experience, I now know that the situation of 30 million to 40 million Brazilians is worse than it was 15 years ago. The "economic miracle", as they call Brazil, did not finally help the poor. The poor are now no longer eating the minimum of rice and beans; they are now down to eating rice and are no longer eating meat. They do not think in terms of great concepts of economic growth; they think only in terms of how much they can purchase by the end of the week at the market.

Therefore, I ask the Prime Minister in his visits and in whatever he does, not only to be present but also to be credible, and not to tie on a quick North-South visit through Africa and Brazil at the tail-end of a ski trip. He should make his efforts appear to be serious from the beginning so that the people who have never had the benefits he has can see that he is interested in them.

On the question of whether El Salvador is part of our responsibility—and we have spoken about that in the House this week—I would say it is part of our responsibility because it is our neighbour. If we do not have the ability to handle our responsibilities now, then I would seriously say that we must find a way to obtain it.

On December 4 of 1980, I wrote to the Secretary of State for External Affairs (Mr. MacGuigan) a private letter which reads as follows:

> I hope that you will be able to find a way in which Canada can protest against the whole situation and bring to bear some pressure that will amount to having the rights of the people protected. I know from some former correspondence and conversation with you that you feel that Central America is not really within the zone of Canadian influence. I hope that the position will change and that Canada will make a much greater effort in creating a policy which will show our support to the democratic forces which are being suppressed in these countries. Present groups of delegates from these countries indicate how important they believe Canada is in their struggle.
>
> I would suggest that you make a tour of that particular part of the world, with a strong emphasis on future contacts in Central America. I would like to see the question of human rights violations tackled in a more practical way.

I think we are at a stage in our history at which Canada can now begin to set up new relationships with our neighbours. We can now determine what kinds of relationsips they will be, whether they will just trail along behind a super-power which decides the future of those countries or whether we can go in as a neighbour and say that we want to be their neighbour and friend and that we would like to help. That would not be interpreted or understood as a power play to control the future of those countries but rather as our desire to see them develop in the way they want to develop.

Some hon. Members: Hear, hear!

Mr. Ogle: I would like to say much more, but I must close my remarks. Two years ago in February I attended the Latin American bishops' conference at Puebla, Mexico, when the Holy Father Pope John Paul II made his first visit to speak to the bishops of Latin America. While there, I was with the press corps and was standing beside Archbishop Oscar Romero when he gave a short press conference before he left to go back to San Salvador to bury one of his priests, who had been killed the previous day in an ambush by government troops. I can only remember it as being a highly emotional moment for myself and many who were standing there because we knew we would never see him again. He was going to stand tall for his people. In the following year, he came to terms with stress. A week before he was finally shot down by a long-range pistol bullet as he celebrated mass he said: "They can kill me, but the clamour for justice among the people they cannot silence".

I would like that to be my final thought and suggestion to my friend, the Secretary of State for External Affairs, and to the government: let us stand tall as people in Canada. I know Canadians will support that. Stand tall, because the clamour for justice among the people will not be silenced.

Some hon. Members: Hear, hear!

Mr. Ray Skelly (Comox-Powell River): Mr. Speaker, I would like to join in the remarks tonight for just a few minutes to comment on how proud I am of the speeches which were made by individuals within my party, particularly the hon. member for Oshawa (Mr. Broadbent), the hon. member for New Westminster-Coquitlam (Miss Jewett) and the hon. member for Saskatoon East (Mr. Ogle).

● (2100)

I was also pleased to hear some of the things said by members of the Conservative Party who spoke today, particularly the hon. member for Waterloo (Mr. McLean) and the hon. member for Kingston and the Islands (Miss MacDonald). I am pleased to associate myself with their remarks because they have expressed a feeling that I have about this country and about Canadians. That feeling arises from actions taken in the short history of this country in support of the rights of

others. Throughout our history, many selfless acts of support for others have been recorded. Indeed, in former times members of that party opposite, as the government, took positions that have made Canadians proud of their country.

I was shocked, however, at the speech of the Secretary of State for External Affairs (Mr. MacGuigan) this afternoon who set out the role chosen by the government. I think it has lost an opportunity. Some hon. members opposite pointed out that they could not support the resolution. That is valid and I can accept their opposition to a motion which condemns the government's failure to act. But I felt that they failed to address head-on the question of the suffering, the termination of human rights and the murders going on in a very small country in central America. There was an implication that this country does not have an interest or expertise in that area of the world. There is a great deal of compassion in this country, however, a great deal of courage and a willingness to assist the people. There is also expertise and knowledge but there seems to be an argument regarding distance which is felt to justify this position.

I think there is an important and profound role that we could play in such cases. Two countries seem to be in jeopardy at the moment, and we should speak out about them and the oppression they suffer. The first is El Salvador. Some hon. members said today that 5,000 to 6,000 children have been killed because they were suspected of being opposed to the regime. That kind of thing cannot be tolerated.

It is my understanding that El Salvador was run by an oligarchy of 14 families. They controlled the country for their own purposes. Some hon. members used an unfortunate description in their remarks today; perhaps the department wrote some of the speeches, they were so factual. They tended to point out what a great place El Salvador is and to make much of the improvements that have been made. I do not know who coined some of the phrases those hon. members used, such as "highly respected military junta". There might be a line of thought that says, "yes, Hitler did put everybody to work" or, "yes, Mussolini made the trains run on time." I do not think that it is a wise choice of terms, however. I do not think I can identify, nor should the government identify, with some of the things that are taking place in El Salvador at the present time, and I am a little confused by the position the government has taken in the last few weeks.

I have in mind a scenario that goes something like this: that at some point last month the Secretary of State for External Affairs was invited to Washington to have talks with General Haig. General Haig said, "Look, I would like Canada to make a strong statement in support of the United States supplying arms and of the U.S. role generally in Central America." Then the minister came home and made a statement about acquiescing to the United States sending in arms and advisers. To my way of thinking, that was wrong. There was an immediate vociferous reaction in this House.

Next day, the Prime Minister (Mr. Trudeau) said, a little more clearly, that he felt the Americans were making a mistake. As an observer of Canadian-American relations over the years I have seen, as we all have, what has happened when Canada has tried to stand up to the United States. I wonder whether there was some instant reaction to the Prime Minister's statement that he felt the United States had made a mistake because, shortly afterwards, the fishing treaty was shelved, money was released in the United States for the Garrison diversion, the Alaska Gas pipeline was called into question. Today, again, we heard the acquiescent speech of the Secretary of State for External Affairs, and tonight we have heard a range of presentations from the government side that point out all the positive things that have happened in El Salvador.

As far as I am concerned, Mr. Speaker, it is one of the most destructive governments ever. As Canadians we should stand up and this government should stand up and condemn its activities. We should call for arbitration or mediation of the dispute and call for a halt to the supply of arms and military advisers.

The other country in Central America which I feel is in some jeopardy, and which has come through what El Salvador is going through today, is Nicaragua. I am particularly concerned about this after what occurred in Chile due to American influence. In that country, whether the Allende government was right or wrong, 30,000 people were murdered by a military dictatorship. I think we can lay the responsibility for that dictatorship in the hands of the United States.

In Nicaragua today, there appears to be a government which displaced one of the most reprehensible dictators in Central America, namely Somosa. It took a long time to get him out. The litany of death, torture and violation of human rights equals that of El Salvador. Today, however, the United States speaks of boycotts, accuses Nicaragua of shipping arms to El Salvador and speaks of a whole host of reprisals against that country. I feel, however, that the country is going through a process that will lead to improvements and to democracy. Forty per cent of the productive capacity of the country was stolen or destroyed by Somosa in reprisal; thousands of people were killed; the country was destroyed by Somosa, but today a five-man junta is rebuilding the country. It is going through the process of reconstruction and is committed to holding elections in 1985. Today I heard the Secretary of State for External Affairs condemning that process, saying El Salvador had committed itself to an earlier period for the election.

I submit that if we were to assist in that reconstruction process, if we were to support a government that is going through an evolutionary period and has overcome the violent revolution and wants to get on with rebuilding, probably the elections may come sooner.

It is my understanding that illiteracy stands around 70 per cent. Fifteen days after the junta came to power, it began a crusade against illiteracy and four months later thousands of young people went into the countryside to teach the people of Nicaragua to read and write. In some Indian areas, they invented scripts for languages that did not have written form. The next crusade was to improve health. In Nicaragua, people do not die of cancer, a luxury disease, they die of diarrhea.

They do not have a knowledge of standards of health and sanitation, and the next crusade is to improve standards of health and sanitation.

In the meantime, the United States started talking about boycotts, about intervention, about serious reprisals against the country—200 million people stomping on two million in a country just decimated by a vicious civil war and before that by a vicious dictator. This is one of the most outstanding examples of bullying and blindness in a long time.

When our friend, Mr. Reagan, visits us this week, we must convince him that what is needed in Central America is assistance in this evolutionary process of democratization. The greatest role we can play is to assist Nicaragua to restore its productive forces. We must assist with crusades for literacy, education, technical advancement and health. We must help to improve the lot of the people. Not only will Canadians—and Americans if they participate—win tremendous respect and support, but it would prevent a very tragic mistake from occurring which would draw more and more extremist forces into the Americas. It is interesting to think of the possibilities of an example such as Nicaragua. Certainly El Salvador is a different case.

• (2110)

I saw the Minister of Fisheries and Oceans (Mr. LeBlanc) sitting in this chamber tonight. He is going through a buy-back procedure to take fishing boats off the Canadian west coast. I understand Somoza stole and destroyed every fishing boat in Nicaragua along with many of the factories. I wonder if the Secretary of State for External Affairs and the Minister of Fisheries might be prepared to offer to the government of Nicaragua those vessels we want to remove from the Canadian fishing industry so we can assist that country. I wonder whether the government of Saskatchewan and other sincere people in the country might want to supply food to the Nicaraguans to help them.

When Mr. Reagan comes to Canada, we should try to help him understand our point of view. We should not fear standing up with courage and conviction as Canadians to explain to him how seriously we view these matters and how much we would like to participate with the Americans in the evolution toward democratization and improving the lot of people in Central America at this time.

I have heard people explain their contacts with the United States during this debate. I would like to explain mine. I have American friends and part of my family is American. My mother was born in the United States, and most of my cousins and my uncles and aunts live in that country. When I see the President of the United States, I reflect back to my grandfathers who fought in an active theatre of war in Europe. My father and uncles all fought in an active theatre of war in Europe. In my generation, I and my two brothers are the only members of the family since the turn of the century who have escaped serving in an active theatre of war. My cousins in the United States and my mother's family were not so lucky; they wound up in Vietnam fighting in an active theatre of war with very tragic consequences. It tested their concern as Americans. They did not believe in what they were doing. They saw their country torn apart by a tragic mistake.

The acquiescent speeches given by the Secretary of State for External Affairs over the last few weeks remind me very clearly of the Vietnam experience and how timid and reluctant we were until the end to come out and say it was a mistake. By that time, most of the people in the United States had figured out it was a terrible mistake.

I do not see it as a thing of that magnitude. All I see is two million people who are very depressed and in poverty-stricken circumstances being turned back to the 1930s and the old military dictatorship and the banana plantations, with the support of the U.S. marines. We should not support that turning back of the clock even though it is at a different level. We should invite Mr. Reagan to join with us to stop the flow of arms into Central America to begin the process, which our leader, the hon. member for Oshawa (Mr. Broadbent), has suggested, of trying to reach a political solution to the problem of El Salvador and then becoming involved in Central America, in the development and enhancement of the lives of those people.

I do not mind the criticism of the resolution we have put forward, that is a point of view, but I would like to hear a different approach from that of government members in the kinds of speeches they are making, things which might track along the remarks made by my colleagues from the Conservative Party and my own party. I think Canadians want to hear something concrete. I have received a great deal of mail from members of churches in my community, members of trade union groups and people from all walks of life who want to see the government move in that direction. I know other members are receiving letters. This is a serious enough issue to which the government should respond in a way to meet the desire of Canadians and the way I think is traditional in Canada.

Mr. Jim Schroder (Guelph): Mr. Speaker, this is a motion which cannot be dismissed lightly. It focuses on a problem which concerns people and their basic needs. It falls short because it does nothing in a positive way to get at the root cause of the problem. How much better it would be if we were discussing Canada's role in world development and the North-South dialogue and encouraging the President to follow Canada's leadership in this respect.

I would like to put my credentials before the House when talking about our American friends. My wife is in the gallery tonight and she is an American.

Some hon. Members: Hear, hear!

Mr. Schroder: The Secretary of State for External Affairs (Mr. MacGuigan) has provided the House with a very extensive and detailed explanation of the current situation in El Salvador. As on previous occasions, he has made it very clear that the government has had a consistent policy throughout, which is shared by many of Canada's friends and allies. That policy can be expressed very simply. First, Canada does not

supply military equipment to El Salvador. Second, Canada thinks that it is wrong for other countries, be it the United States or a communist country, to supply military equipment to El Salvador because the use of weapons and military activities will not bring any real solution to the problems of El Salvador. It will only increase the human suffering which has already reached unimaginable proportions. Third, we think there should be a political settlement in El Salvador which would permit the democratic elements among all parties to coalesce and form a government which will provide the people of El Salvador the opportunity to develop their future in peace and social justice.

I would like to draw to the attention of the House a resolution which was put forward at a meeting of the Latin America and Caribbean Committee of the Socialist International in Panama City on March 1. According to my information, that resolution noted that the reasons for the conflict in Latin America, which lie in unjust socioeconomic structures and the long denial of the democratic life for this people, were not being assessed accurately. The Secretary of State for External Affairs, in his remarks today, has shown that the government is fully aware of the underlying socioeconomic causes of the conflict in El Salvador, and this government and many other governments are aware of their importance.

The Socialist International resolution also expressed the opinion that the people of El Salvador alone must determine their own fate and have the right to self-determination free of intervention from another outside country. The Secretary of State for External Affairs has made it abundantly clear that the Canadian government's position is identical and that Canada's position has been expressed publicly over many months since this government took power.

The resolution of the Socialist International declared that one must work actively to find a political solution to the current crisis which the people of El Salvador are experiencing, and to render possible the establishment of a democratic and pluralistic regime. Here again, the resolution of the Socialist International reflects our government's policy.

The resolution also appealed to the parties of the conflict to work actively with freedom and justice to promote the freedom of the people of El Salvador and stability in Central America and the Caribbean. The Secretary of State for External Affairs, in his speech today, expressed the same sentiments when he said that we therefore hope that the democratic elements on both sides will be able to cease hostilities and negotiate an acceptable solution.

In this context, I think it is particularly interesting to note that the Socialist International resolution, which I have mentioned, made absolutely no reference to the supply of arms by the United States or by any other country. It is also interesting to note that in his address to the twenty-sixth congress of the Soviet Union, Mr. Brezhnev did not even mention El Salvador.

● (2120)

The resolution before the House calls on the Prime Minister (Mr. Trudeau) to urge the President of the United States to end what is described as military intervention on the side of "a regressive regime which denies civil rights and is fighting those who wish to establish a democratic government." This government's policy is clear. It is against the supply of arms by either side. The Secretary of State for External Affairs made that clear to those concerned in his discussions with them. Therefore, not only is there no need for public denunciation, but, what is more, there is no need for public denunciation on only one side, as the resolution requests. This could be quite unacceptable and without any utility whatsoever. I suggest instead that our approach should not be that of casting the first stone; but rather to invite the U.S. to join with us in the real task, the most difficult one, one that will cost us, but the only one that will work, that is, to talk about world development and how it affects these countries.

The World Bank in its world development report said that the worst aspects of absolute poverty include not only low income but also such things as malnutrition, frequent child death, disease and ignorance. That can be helped by human development programs, but less obviously, there is a very complex interdependence between the different facets of human development, just as there is between human development and increases in income. Health, nutrition, education and fertility all affect each other. What is most striking, partly because they are least expected, are the powerful effects that education, especially female education, has on fertility, child health and nutrition.

As this suggests, human development is a circular process, one which can be vicious or virtuous, according to circumstances and policies. It has its own momentum. What is done or not done today influences powerfully what can be done a decade or more ahead.

Nothing can make widespread misery and poverty disappear overnight. Human development, while necessary, is not the entire answer. There must be effective policies, active and enlightened support from the rest of the world, and even then progress will be excruciatingly slow.

My friends on the North-South task force, the hon. member for Edmonton South (Mr. Roche) and the hon. member for Saskatoon East (Mr. Ogle), will agree that people are a country's most valuable resource. As Franklin Roosevelt once said, "we can't always build the future for our youth, but we can build our youth for the future".

Brandt offers the world a choice, to create a future of peace and prosperity or have chaos thrust upon us. Underneath the daily headlines of confrontation, a new world of co-operation is possible and a third wave is struggling to be born.

There is a great well of compassion and love for all humans in the American people. When visiting in Washington last year, I had the chance to wonder about the great American dream on a global basis. I found the answer I expected. The dream encompasses one of freedom and economic advancement for individuals, even in the least developed countries. Nurtured by having water, basic needs and health care, who knows what heights they may scale and what kind of development they may be able to achieve?

Another interesting thing my friends opposite would agree with is that America has always been a very generous country. In the old days, people received postcards from their friends in the United States showing the Statue of Liberty. It read:

Give me your tired, your poor
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest tossed to me
I lift my lamp beside the golden door.

When the President is here, we should appeal to him to follow our leadership in encouraging world development. He should be encouraged to attend the mini-summit in Mexico City, and be encouraged to be prepared to talk North-South when he comes to Canada in July.

As a newcomer to the House of Commons, I was very pleased to have had the opportunity to travel with the task force to one of the poorest countries in the world. I look at El Salvador in comparison with a country like Bangladesh. I was impressed by one area I visited where we saw an integrated rural development program which encouraged women to be active. It lent the women money so they could start their own business of husking rice and making handicrafts which they could sell. After listening to what was like an an old-fashioned religious testimonial from these ladies, they told us, in answer to questions, what they thought of the program.

I was reminded of a fact this afternoon when one of my colleagues mentioned that world population is a problem in such countries as El Salvador, Bangladesh and almost all countries in the Third World. One of the women being helped to become more self-sufficient said that for the first time in her life she did not have to beg, she was no longer poor. She told us she had two children, her husband had had a vasectomy and they were not going to have any more children. In that country, the government is trying by law to sterilize 100,000 people a month with the hope that later on this number will be quadrupled. There is no chance of solving the population problem by decree. What I am saying is that if we approached this as a world development process by providing education and allowing these people some freedom, they will make the choice voluntarily, and make it gladly.

I agree with the comments that the government of El Salvador has shown an unfortunate inability to cope with the excesses of the extreme right wing. I also share the view of my hon. friend that our government should continue to urge the government of El Salvador to put its house in order. I am glad that President Duarte appears to share that same objective and seems to be making some progress. I wish him well and hope his objectives can be achieved as quickly as possible. At the same time, I call upon the opposing forces of the left to lay down their arms, put an end to their share in the killing and bloodshed, and enter into a dialogue with the objective of bringing peace to the people of El Salvador.

● (2130)

It is a plain and unavoidable fact that to Canadians our dealings with the United States are by far the most important of our international ties. The United States is our closest neighbour, our predominant trading partner and our closest friend. As the hon. member opposite, the hon. member for Kingston and the Islands (Miss MacDonald), said to the Empire Club in Toronto on October 4, 1979:

I am also not sure that we really have paid as much attention as we should to our nearest neighbour and closest partner, the United States . . . Our relations with the U.S.A. are so enormously important that they just must be our first priority. Have we really been as attentive, as co-operative and, yes, as tough as we should be in this regard?

With regard to Canada having a role to play in El Salvador, the Secretary of State for External Affairs and the Government of Canada do have an opinion which has been clearly expressed, in some cases publicly and in other cases privately, as should be the case. It is clear also that we have an interest in the matter. This has been clearly expressed in considerable detail today by the Secretary of State for External Affairs.

What the Secretary of State for External Affairs was attempting to say in his earlier remarks is that our bilateral interests in El Salvador are not nearly as significant as they are in many other countries, even those close by such as the Commonwealth Caribbean, and, therefore, we do not see it necessary for Canada to make public pronouncements on the pros and cons of the developing situation in that country, or to seek to promote our role as mediators.

The accurate situation is that many countries in the world are in the same position as Canada in that we do not have a primary interest in the area and are not in a position to make great public statements. It would seem that even countries which are closer to the area and have a more direct interest have found it appropriate not to make such public statements.

In respect to an international fact-finding mission, I would point out that, as far as is known, the government of El Salvador has not asked for such a mission. It would be presumptuous, and not at all consistent with the basic premise of international relations, as well as an interference in the domestic affairs of other countries, for Canada or any other country to suggest that such a mission be established and intrude itself into El Salvador. Such a mission would be unfounded. If the government of El Salvador requested such a mission, that would be a different thing. So far, no such request has been received. It is also significant that neither the Organization of American States nor the United Nations has proposed such a mission, or even contemplated it.

I have a great deal of respect for my colleague, the hon. member for Saskatoon East, and I was very gratified during the question period on March 1 to hear that hon. member ask the Prime Minister how he could equate Canada's interest in respect of the North-South dialogue with the fact that the United States was planning to extend additional military assistance to El Salvador.

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member but his time has expired.

Mr. Robert Wenman (Fraser Valley West): Mr. Speaker, I rise tonight to speak on this motion regarding El Salvador. As

I do so, I wonder what suddenly qualifies me, or any member of this House, as an instant expert, both in the analysis and the solution of the problems of that country. I have not heard that country mentioned in the House of Commons this year, except in the past few weeks. It seems suddenly as though this week, because the President of the United States is coming, or because of intensive reports of repression in the area, these concerns are raised. I know from talking with Canadians in non-governmental organizations that these problems did not begin overnight, or even last week or last month. The difficulties in El Salvador have only now caught public attention for a variety of international and political reasons.

Having regard to this instant expertise of members of the House of Commons tonight, I wonder what is the source of the information being brought forward. As I watch the news from the United States on my television set, I note one type of reasoning and one type of program where intervention is justified and rationalized. As I watch the news from my television station in Canada, I note a condemning attitude, and an expression of great concern over some of the problems faced by that country. As I read the material coming across my desk from one source, namely, the Department of External Affairs, I note one argument condemning the position taken and another defending it, and so I find it hard to know who and what to believe. There is a lack of information. Quite frankly, when we start hardening the line and taking sides, we start judging and condemning on the basis of very little information.

I have been a member of the Standing Committee on External Affairs and National Defence for some seven years and I would like to know where this issue has been. Is the issue now before that committee? Has it been the subject of study, and are we in fact acting upon such a fact study or on information gleaned by our own information-gathering source, or are we again jumping to conclusions on the basis of information we have received through the media, as we have done in respect of so many international events and crises?

I think all of us had better start by being cautious about our sources of information. Let us not become instant experts, as far as judgments are concerned, and let us be careful about condemnation. It is very easy to look back in history and determine what we should have done and what we should have said. On many occasions, better judgment and a little less haste to judge and to jump in would have been in the interest of all.

I do not know whether I should believe when we are told that communists are running guns in the area in an attempt to overthrow a right wing government, socialists, or whoever they are. I do not know whether the Americans are just trying to escalate an East-West crisis or whether the Soviet Union is trying to escalate such a crisis to test the Americans and the new President. I do not know about all these things, but I know the end result of this kind of international intervention.

We have seen the end result many times in many places. I wondered about the end result of France, the United States, the Soviet Union and China being involved in Vietnam. I wondered what this has meant to the people of Vietnam. I visited Vietnam and I know what this has meant so far. The international involvement has meant more troops, more guns, more death, less food and less social progress. That is what that international interference has meant.

• (2140)

In this modern world we see again and again the superpowers seeking ground other than their own where they can play their political science games of war, of experimentation and push and pull to see who will go the farthest. What a shame it is that El Salvador is seemingly becoming a victim of the international giants' power play.

I think it is dangerous to condemn either side at this stage, but it is not dangerous to condemn the results of this international power play in the area. What was the result in Cambodia? Twenty-five to 50 per cent of the people lost their lives, loss of freedom and social structure, and loss of food, and water in a country that had exported food. It is now one of the most impoverished countries of the world.

What of Ethiopia and Somalia, two of the poorest countries in the world, suffering again through the struggles of the superpowers? And what will we as Canadians bring to this debate in Parliament?

Well, it seems to me that what we are bringing, to start with, is condemnation. That is what this motion talks about. It talks about condemning, about judging, and it gives me great concern that members of this House, who badly lack information, are asked to pass on a motion of this sort. I think this motion is irresponsible in that it is escalatory, in that it promotes confrontation and anger—

An hon. Member: Wake up, Bob.

Mr. Wenman: It is not a matter of waking up. Maybe you need to wake up. Perhaps the ones who need to be awakened are the ones who need to look at the whole international situation.

People point to another Vietnam. I am not sure that the situation in Vietnam, looked at in retrospect, might not have suggested a different course of action. When I compare nations in southeast Asia, and that is the comparison that seems to be made, where there is, in fact, basic democracy, basic freedom, multiplicity of parties, in some cases a parliamentary system like our own, I see prosperity and peace there although I see the problems there too. But then I look at Cambodia, Laos, and Vietnam, and it does not take much to judge which system is the superior of the two.

I am not going to stand here and condemn the United States offhand. The United States is a bastion of democracy and freedom, and I support the basic values of the United States in that direction. However, when it comes down to the question of escalating the cold war militarily and socially into a hot war situation, that is another matter. I do not want to see that in the area. I do not want to see the United States moving in in a bigger way, nor do I want to see the Soviet Union, through Cuba or whatever other satellite, moving into the area.

Instead, I think we have to see our position for what it is, and it surely somehow relates to what Canada will bring to the debate and what its attitude will be.

I think the attitude of Canada has to be that which is in our tradition. I think, instead of coming down on one side or the other of that east-west conflict, we should take the attitude that is being fostered in our parliamentary committees where in fact, knowledge and caring is being found. We have had a committee sitting hour after hour after on North-South dialogue. We need to redirect our effort from confrontation to peace and compassion and the reality of longer-term programs that will bring peace and stability to that region. We need to start caring about human rights, and we need to express concerns about human rights in El Salvador. I commend and support those hon. members who have said that. We need to express concern about human rights in Cambodia, Vietnam, Laos, Ethiopia, Somalia, wherever there is this east-west conflict the results of which we must share.

Now, it is very easy to say that Canada perhaps does not have an interest in the area or that we somehow do not really have an involvement there through our traditions or our practice. We might not have that involvement now but perhaps we should have it and anyway, whether we like it or not, if the east-west confrontation continues, we will be involved.

Hopefully, our involvement will not be a military one but rather that of a country with compassion and freedom. In trying to pick up the results, regardless on which side, the east, the west the right or the left, we will pick up the tragedy that will result from war in that region.

We know only too well in this House that there are no winners in any war. No war is ever won. The people involved directly suffer the most, anyone involved suffers in any kind of war. There will be, in fact there are already, losers in this war. I understand we are already starting to see the fallout of some 60,000 refugees and, again, it does not matter who wins, there will be refugees from the right wing, there will be refugees from the left wing. The refugees of the world are created by this east-west conflict. And who in the world will then be called upon to accept the refugees, to help them? The United Nations will be called upon to do so and so will Canada but, before these people become refugees, we must consider peaceful participation in the affairs of El Salvador, of South America and of the North-South community of nations. That is where the matter stands, and that is where we should be looking now.

Instead of condemning one side or the other, why not propose perhaps an international monitoring system that will supervise both economic and social support programs? Why not bring in this type of a program instead of political and military solutions one way or the other? We do not have involvement in the area. In fact, we know the need is there. It is clearly identified in almost any sphere by any group, it does not matter whether it is left, right or centre. The need for stability is demonstrated there, stability that can provide the infrastructure to deliver aid programs and, beyond the aid programs, an infrastructure that can deliver development programs. I wish that were the tone of the United States, of the Soviet Union and of Canada. This debate, in my opinion, Mr. Speaker, has not provided that tone because the very nature of the motion is that of confrontation.

I am concerned about the disparities which I hear about, the stories that the area is wracked with terrorism, violence, oppression, torture and murder. Ten thousand people were murdered there last year alone, many thousands more were left homeless by the fighting. Yet, I am encouraged that in the midst of this, reform is also taking place. It is time for us to participate in making reform a reality and to move toward development and stability in the region. Whether it be a communist, a fascist or a democratic system, people prosper from strong and stable economic, social and political structures which deliver services.

Let us not look to confrontation with the President of the United States; let us look to supporting the President and encouraging a redirection in aid programs to that area. We should work toward an international monitoring of the military and political situation, and above all, we should supervise the distribution and control of arms.

In conclusion, I wish that Parliament, with its reputation for peace and humanitarianism, would come to the aid of El Salvador rather than joining with or condemning one side or the other.

• (2150)

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, having read very quickly the motion moved by the New Democratic Party, I feel the very least that can be said is that it gives an incomplete description of the situation in El Salvador. I also believe that this motion is rather naive as it does not take into account the various implications and ramifications of the situation prevailing in that country, while on the other hand, the motion seems to me slightly pretentious as it purports to be based on a thorough knowledge of the factual reality in that unfortunate country.

Mr. Speaker, no one questions the fact that in Central America as in the Latin American continent as a whole, socioeconomic conditions are so horrendous that they literally make visitors to these countries sick to their stomachs. I had the opportunity to live for two years in South America and I can understand the feelings of exasperation and frustration of a working class exploited by oligarchies with the support of governments which to say the least tolerate those inequities. Nevertheless, Mr. Speaker, these problems must be solved by the people of those countries. In the case of El Salvador, the last thing to wish for would be a massive presence or intervention by any foreign interest.

Mr. Speaker, the motion gives the impression that we are living in a world where there are only good guys and bad guys, where everything is either black or white. In other words,

unfortunately, this motion does not consider all the hues of the complex situation now existing in El Salvador. For instance, this motion assumes naively, to say the least, that the United States, our southern neighbours, are the only country to provide military aid to one of the parties in the conflict. It also suggests, quite wrongly, that it was basically the United States of America which decided to become militarily involved in El Salvador. Absolutely nothing is said about interventions by other interests, countries or ideological groups. There is complete silence in that regard. What about Cuba? No, Cuba is completely out. Even though the Nicaraguan territory has been used, this is completely ignored in the motion.

Mr. Speaker, when the Canadian people have given a group of men the responsibility to govern their country, and when these men have decisions or judgments to make about situations outside our borders, I believe the least we can expect is that they should be quite familiar with the facts. I think that unfortunately, as far as the situation in El Salvador and the rest of Central America is concerned, we have to be extremely cautious, otherwise we might make judgments which will not serve the interests of Canada and the free world, or even of the people in countries like El Salvador who deserve a better fate.

I would like to close by quoting the words of the former American ambassador to El Salvador, Mr. Robert White, who has, on several occasions, publicly opposed the military aid given by his own country to the junta which governs El Salvador. Mr. White, who saw the situation first hand for a few years and who witnessed the events in that country, wrote the following—I say all this, Mr. Speaker, to show that everything is not either black or white and that it is not only a fight between the good guys and the bad guys—as I was saying, Mr. White stated the following, as reported by *The New York Times* on March 7, only two days ago, and I quote:

[*English*]

No leader of the leftist forces, whether it be Ungo or (Roman) Nayorga or (Hector) Oqueli, has ever—and I have asked that they do so publicly—made any effort to stop the leftist forces from murdering, kidnapping, assassinating. The left takes bus drivers out of their vehicles and guns them down in front of the people. The day that Dr. Ungo condemns that, he starts to gain some moral authority in my eyes. The government of Napoleon Duarte, on the other hand, and many of the moderate military officers, have explicitly condemned the excesses of the security forces. They have tried and thrown out a large number of enlisted people and have transferred a number of officers out of the line of command.

[*Translation*]

Mr. Speaker, I will conclude in pointing out that conditions are not as simple as we are led to believe, that the United States have to assume their responsibilities in the face of strategic interests and on behalf of world peace and also because we cannot allow the setting up of another Cuba on the doorstep of the United States we can deplore such conditions, but if we have to ask the American government to stop such arms shipments we should in the first place make sure that arms shipments from other sources do not reach El Salvador.

• (2200)

[*English*]

Mr. Deputy Speaker: Order, please. It being ten o'clock, it is my duty to inform the House that, pursuant to Standing Order 58(11), the proceedings on the motion of the hon. member for Oshawa (Mr. Broadbent) have expired.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

PUBLIC SERVICE—DISPUTE INVOLVING VETERINARIANS IN ONTARIO AND QUEBEC—EFFORTS TO REACH SETTLEMENT

Mr. Gus Mitges (Grey-Simcoe): Mr. Speaker, on February 26, as reported on page 7700 of *Hansard*, I directed a question to the President of the Treasury Board (Mr. Johnston). Because of a totally unacceptable salary range, the Health of Animals Branch of Agriculture Canada has been having a rather difficult time recruiting veterinarians. This salary range is a discouragement to veterinarians to make a career for themselves in government service.

The starting salary for veterinarians in the federal service is not only a deterrent to recruiting, but a direct insult to the veterinary profession. To every veterinarian in the country, to be offered such a ridiculously low salary range after six years of university training, is an insult. That is the main reason why we have a serious shortage of veterinarians in the federal service today. What irritates me more is that no apparent honest effort has been made by the government and the Treasury Board up to now to alleviate this very serious situation.

The Minister of Agriculture (Mr. Whelan) stated last week, in response to a question from the hon. member for Algoma (Mr. Foster), that there were 23 veterinary vacancies is his department. However, what the minister did not say is that there is an additional 198 veterinary job vacancies in the federal service that would be open and pursued if only personnel was available.

The Government of Canada has chosen to ignore this ever-increasing and ever-alarming vacancy rate in the federal service, which has increased over the past few years. If this shortage of federal veterinarians is not acted upon very soon, the health of Canadians will be in jeopardy. Not only will it have an effect on the health of our people but it will have an effect, as well, on the safety, security and economy of our country. The consequence of the consumption of uninspected or inadequately inspected meat and meat byproducts, which make up more than 40 per cent of the Canadian consumers'

dollar, can be not only injurious to health, but could even be fatal. The threat of food poisoning through the consumption of meat and meat byproducts requires a constant inspection monitoring system, as is carried out by the Veterinary Meat Inspection Department of the Health of Animals Branch. To do the job right would require adequately trained veterinary personnel. There can be no disputing the grave consequences of a breakdown or reduction of services by members of the veterinary science group.

In view of this, I find it extremely alarming that the government has chosen to ignore the vacancy rate which has not only existed for several years but has increased over the past three. However, to give the President of the Treasury Board his due, I was encouraged by his reply to my question on February 26 when he said:

I can assure the hon. member that if there are major inequities they will certainly be adjusted during the current negotiation.

I believe the minister is a sincere man. I hope he will recognize the work of this dedicated group of veterinarians in the public service and correct a long overdue inequity. This group of veterinarians is not only dedicated but, on the whole, a very patient group. But patience, no matter how persevering, does eventually have its breaking point. A very low morale results from being constantly ignored in fruitless attempts for a better deal.

I appeal to the President of the Treasury Board to thoroughly consider all the injustices and inequities to which federal veterinarians have been subjected for so long and to come up with a favourable solution so that we can recruit desperately needed veterinanians into the federal service where they could have a very enjoyable and fulfilling career, which is certainly not the case at the present time.

● (2205)

[*Translation*]

Mr. Serge Joyal (Parliamentary Secretary to President of the Treasury Board): Mr. Speaker, I am pleased to take part in this debate to answer the hon. member for Grey-Simcoe (Mr. Mitges) and to set straight some facts he referred to in his intervention of February 26 last. He pointed out, and here I am quoting one of the figures he mentioned in his remarks, that the starting salary for a veterinarian hired by Agriculture Canada was $17,660. With all due respect for the hon. member, that figure is not correct. The current starting salary for a veterinarian who goes to work for Agriculture Canada is $22,863 and that amount is now being negotiated, so it may be adjusted along with the full salary scale applicable to veterinarians.

In his comments on February 26, 1981, the hon. member also said that the veterinary vacancy rate in the department was in excess of 30 per cent in the section which includes meat inspectors. After checking with the Department of Agriculture it would appear that the vacancy rate for meat inspectors is 17 out of 287, which works out to about 6 per cent. Those are the correct figures. I see that the hon. member is shaking his head in disbelief. Those are the figures provided by the Department of Agriculture. If the Professional Institute of the Public Service which is negotiating for veterinarians has different figures to set forth I am certainly prepared to receive and review those figures on behalf of the President of the Treasury Board (Mr. Johnston).

The hon. member also stated that the negotiations are dragging on. In that respect perhaps we might recall a number of facts. First, the negotiations got under way in November 1980, and continued through January, 1981. They reached an impasse on salary and other related issues in mid-February, particularly on February 6, 1981, and as a result a conciliation officer was appointed; he got the parties together and was able to work in close co-operation with them between February 23 and 26. On February 26, 117 of the 156 veterinarians in the provinces of Quebec and Ontario did not report for work because of illness. Of course, nobody is fooled by this diplomatic illness, if I may call it that. It was a form of strike action that the 117 veterinarians from Ontario and Quebec took that day. Therefore, Treasury Board will certainly not pay sick leaves benefits unless proof of illness is duly submitted. Otherwise, the Department of Agriculture has no choice but to apply the disciplinary action which is warranted in such case.

Therefore, since the twenty-sixth, the conciliator has been waiting for a go-ahead from the parties involved. Considering the progress made with the help of the conciliator, there is a good chance that negotiations will resume within a week and that all parties will come to a satisfactory settlement.

[*English*]

HOUSING—SHORTAGE OF DWELLING UNITS IN VANCOUVER—GOVERNMENT ACTION

Mr. Chuck Cook (North Vancouver-Burnaby): Mr. Speaker, I rise to speak tonight because of a question put to the minister responsible for CMHC on March 5, 1981. His answer—at least to me—was somewhat misleading. I do not blame the minister because I feel he was trying to give a very straightforward and honest answer to the question, but the manner in which it was phrased may create in many minds—certainly in many minds in Vancouver—a conception which simply is not true.

The minister also suggested that I check my facts. I have checked the facts thoroughly, and I bring to the attention of the minister and the House that on Thursday when I spoke about 800 housing units being allowed for a population of 30,000 people moving into Vancouver this year, was accurate. Actually, in rough figures—and as well as we can determine—888 units have been allowed in 1981.

● (2210)

The minister speaks of 3,000 units, but in terms of the housing crisis, there were actually 2,200 units allocated last

year. We might say that those 2,200 units were for the 30,000 people who moved into Vancouver in 1980, not in 1981.

Considering the exploding population and the very serious housing crisis on the west coast, the actions of CMHC have not been adequate, in my view. With the greatest humility and the greatest respect, I would ask the department and the minister to go over the figures again. They should look at what is happening on the west coast and at the continuing tragedy in the housing situation. If the minister does not take action to change his priorities, the situation will worsen in 1981.

Some facts and figures may be useful, Mr. Speaker. In 1979 there were 12,827 housing starts on the west coast, and 3,576 CMHC loans; in 1980, 16,780 starts and 2,440 CMHC loans; at the end of January, 1981, 1,492 starts and 10 CMHC loans. In 1979, 3,054 units were approved by CMHC; in 1980, 2,117 housing units were approved by CMHC and perhaps the most tragic figure of all, with an anticipated 30,000 new residents in the greater Vancouver area in 1981, 888 units were approved by CMHC.

Let me break down the figures for 1980, Mr. Speaker, because I think it is important to understand how much they contributed to the alleviation of the severe housing crisis on the west coast. In 1980, 333 units were constructed for provincial use, mostly for senior citizens, and no one disagrees with that. There were 498 intermediate units for seniors' care; 446 hostel beds for halfway houses, battered wives, etc; 28 reserve housing for Indian reserves in the province, and six rural native units.

The two areas where some help has been given are the 621 units for the Greater Vancouver Housing Corporation and the 1,689 co-operative housing units, roughly 2,200 units in all. I believe that is what the minister referred to when he answered my question. But those figures refer to last year, Mr. Speaker, not this year. Last year, 30,000 people moved into the lower mainland. This aggravated the shortage, caused doubling-up and the opening of many illegal suites, unsanitary conditions and basement accommodation. Another 30,000 people will move in this year. As I said to the minister, only 800 units are available for 30,000 people—perhaps I should say 3,000 for 60,000 people, if the minister wants to add the 1980 starts to the 1981 figures. It is a deplorable situation, and I think CMHC could and should do much more.

The answer I received from the minister last Thursday would show that he feels although the situation is severe, 3,000 units is not bad. I think 3,000 units is a drop in the bucket considering the number of people coming from Ontario and the rest of Canada to the lower mainland.

I suggest to hon. members opposite that some of the people who will not find accommodation at the coast or who will not be able to afford it, may be the sons and daughters of voters in their ridings. If I cannot make the point, then I hope those young people will write to their moms and dads telling them the problems they have run into when trying to get housing. Perhaps they will look at what we have said tonight about this issue and realize where the blame lies. Something should be done about this.

• (2215)

[*Translation*]

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, in responding further to the hon. member for North Vancouver-Burnaby (Mr. Cook) about the British Columbia housing market, I should like to emphasize the fact that the government has made a number of important moves to help alleviate the situation. In addition, there is every indication that the housing market is responding to the high levels of demand.

You will recall, Mr. Speaker, that last year the government increased the national allocation of 25,000 social housing units by some 5,000 additional units. Of these, British Columbia received a total of 1,569 additional units. Also, a further special allocation of some 1,100 units was made in December, 1980, to the Vancouver area. In other words, the federal government provided an additional 2,669 units over and above the regular 1980 allocation in response to British Columbia's pressing needs. Most of these non-profit and co-operative housing units will be coming on stream this year. I am pleased that this assistance has been made available and I am confident that it will go a long way in meeting the need for social housing in British Columbia. Furthermore, 3,730 non-profit and co-operative units have been allocated to British Columbia for 1981. This represents an increase of some 70 per cent over last year's original allocation, in direct response to British Columbia market conditions.

I should like to underline the fact, Mr. Speaker, that starts have increased dramatically in the province, in response to demand.

Once these units come on stream, they will be an important factor in alleviating the situation. In 1980, total starts in British Columbia were some 37,500 units, up more than 10,000 from 1979, an increase of 37 per cent. We are forecasting a record year for housing in British Columbia this year with an estimated 38,000 housing starts. As the hon. member is aware, the government also reinstated the MURB program in the last federal budget. This was in direct response to the tight rental situation in major market areas in Canada. It is expected that the reinstated program will result in 10,000 new units of which a large portion will be built in British Columbia. I might also add that the building industry in the province is operating near capacity.

[*English*]

PARLIAMENT—COLLECTIVE BARGAINING RIGHTS FOR EMPLOYEES

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I rise this evening to follow up on a question which I asked of the Right Hon. Prime Minister (Mr. Trudeau) on February 18 last concerning the extension of collective bargaining rights to employees on Parliament Hill. At that time I pointed out that recently the Special Joint Committee on the Constitution of

Canada recommended to Parliament a charter of rights, which would have granted a number of rights to all Canadians, including the full freedom of association. I pointed out as well that at this time we are denying freedom of association and the right to full collective bargaining to some 3,100 employees on Parliament Hill, namely, employees of the House of Commons, the Senate and the Library of Parliament.

Some 13 years ago a special committee on the public service recommended that this basic fundamental right of collective bargaining be extended to all employees on Parliament Hill, and that we live up to our obligations undertaken pursuant to certain conventions, for example, of the International Labour Organization.

The hon. member for Winnipeg North Centre (Mr. Knowles) was a member of that committee and he has been pursuing this matter diligently for years since that committee reported. Two years ago, the then government House leader, now the Minister of Finance (Mr. MacEachen), promised the House that the government would consider very seriously amending the Public Service Staff Relations Act to extend the right of employees of Parliament to choose collective bargaining.

● (2220)

Since that time no action has been taken whatsoever. What is the effect of this denial of collective bargaining rights and the denial of recognition of the right to full collective bargaining to employees on the Hill? What this means is that employees can be hired and fired at will.

Only too recently one of the major bases for hiring on Parliament Hill was the connection that the prospective employee may have had with particular Members of Parliament in office at the time. Therefore, there can be hiring and firing at will.

There is no grievance procedure whatsoever for employees in the offices of Members of Parliament. Only recently was there a grievance procedure established, and it is not a written grievance procedure open to other employees on Parliament Hill.

There may be unreasonable working hours or working conditions. For example, security guards on the Hill have been told that tomorrow every guard must work whether or not he or she was scheduled to be off. They do not know whether that time will be made up. These are completely arbitrary working conditions.

Working conditions may be unhealthy or unsafe. We need only point to the example of the print shop and the deplorable conditions existing there. There is no control whatsoever over basic working conditions. There may be arbitrary discipline or other problems with respect to promotion, salaries or other working conditions. As we know, salaries are handed down from on high. There is no opportunity for employees on the Hill to bargain collectively.

There are still employment ghettos on the Hill; women who are working as cleaning ladies and men working as maintenance staff. Surely in this day and age our Parliament should be setting an example and not perpetrating these kinds of sexist hiring practices.

I gave the example of the lack of grievance procedure for employees who may be sexually harassed. My reason for raising that example was simply to illustrate the fact that there is no appeal mechanism available to an employee if he or she feels there is a legitimate grievance of that nature.

When I raised this matter in the public accounts committee with Madam Speaker, she said quite properly that this matter should be raised with the government, that employees on Parliament Hill had no collective bargaining rights and that she as Speaker had no power to extend these fundamental rights to employees on the Hill.

It was a fine example of buck passing on February 18 when in response to my question, instead of suggesting that we should have this kind of legislation to bring Parliament into the twentieth century, the Prime Minister (Mr. Trudeau) said we should go back to the Speaker.

The Speaker says she has no jurisdiction and the Prime Minister refuses to accept the responsibility of the government to amend the Public Service Staff Relations Act to allow the right to choose. That is all we are talking about, the extension of the right to employees of the Senate, House of Commons and Library of Parliament, to choose collective bargaining for themselves, not the imposition of anything upon them. As I said before, in the present day we here on Parliament Hill are, in many ways, in the backwater of labour relations.

I urge the government to move forward and accept the recommendation made some 13 years ago by the committee, which examined this whole question very carefully, to live up to the commitment made by the then government House leader some two years ago to amend the legislation to permit the 3,100 employees on Parliament Hill full collective bargaining rights.

I would like to refer to one argument that is sometimes raised with respect to the right to strike. The government will know that essential employees can be designated. If Parliament is sitting and employees are deemed to be essential, those employees can be designated as indeed employees were designated during the strike of the clerical staff. I therefore suggest that that argument is without foundation.

In conclusion, I urge the government to seriously consider the fact that in this year where we are extending the freedom of association to all Canadians through a charter of rights, we should clean up our own house and extend the fundamental right of freedom of association of collective bargaining to the 3,100 employees on Parliament Hill.

● (2225)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, the hon. member for Burnaby (Mr. Robinson) knows full well the government is committed to improving and protecting the rights of individual Canadians, as witnessed by the constitutional resolution now

before the House. Indeed, that hon. member has participated at committee during the study of this resolution, and I am sure, as a supporter of that resolution, he recognizes the efforts the government is making, as are all members of this House, to protect fundamental freedoms and liberties under the constitutional amendments which will be going forward very shortly from this Parliament.

The government believes in general that the collective bargaining system represents the most fair and the most publicly acceptable method of determining wages and working conditions in both the private and public sectors. Obviously the public service at large is organized, and it has been Liberal governments over the past few years which have been in the forefront of labour legislation, leading the way in the field of labour legislation, leading the way in the field of labour relations in this country, both in respect of its own employees in the public sector and in those industries which come under federal regulation.

I should point out, however, that there are a number of ways, in both the common law and through statutory provisions, by which the rights of unorganized employees can be and are protected in Canadian society today.

It is also recognized that Parliament in the relation between its employees and employers, represents a unique case involving a number of complex and special factors. I understand the hon. member for Burnaby wants to include the staffs of members of the House of Commons and of the Senate in any proposed organization or collective association in order to cover all employees of the House, such as the protective staff, *Hansard*, etc. Perhaps that is a good idea. It is certainly being studied at the moment by officials of the government. In order to provide an accurate and comprehensive basis on which the matter can be considered further, we should allow those studies to take their normal course. Then Members of Parliament should have a full opportunity to debate whatever recommendations come forward from the government.

What concerns me about the hon. member's presentation, and this concerned me a few days ago when he directed essentially the same kind of question to the Prime Minister (Mr. Trudeau), is that there is almost smearing or innuendo in the comments he has been making, both publicly, off the Hill, and in this chamber. I hope I have the hon. member for Burnaby wrong in this regard and that he is not engaging in these kinds of tactics because this smears not only those in managerial positions on the staff of the House of Commons, but also Members of Parliament, both in the House and in the Senate. I would ask the hon. member, in making what could very well be, and probably is, a rightful case for association, not to use examples which could undermine the basic principle he is trying to bring forward in this House and in Parliament.

Mr. Deputy Speaker: Order, please. The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock p.m.

At 10.29 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, March 10, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

EXTERNAL AFFAIRS

CANADA-UNITED STATES RELATIONS—MOTION UNDER S.O. 43

Mr. Howard Crosby (Halifax West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Today Canadians from coast to coast are joining together to welcome to our nation the President of the United States of America, the Honourable Ronald Reagan. Accordingly, parliamentarians should put aside their complaints and grievances, subdue rancour, and truly represent the friendly spirit of the Canadian people toward our southern neighbour. Therefore I move, seconded by the hon. member for Burlington (Mr. Kempling):

That this House recognize the interdependence and common interests of Canada and the United States of America by extending our warmest welcome to the President and by expressing our hope that good faith and mutual trust will govern our future deliberations.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Madam Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

FREEDOM OF SPEECH

REAFFIRMATION OF BELIEF—MOTION UNDER S.O. 43

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I rise with some indication from both the government side and our side that this motion would receive the consent of the House. I hope that the members of the New Democratic Party, who I know espouse the doctrine of freedom of speech, can see their way to do likewise.

My motion is in regard to the incident occurring today in front of the Centre Block of the Parliament Buildings during addresses made by the President of the United States and the Prime Minister of Canada. I move, seconded by the hon. member for Timmins-Chapleau (Mr. Chénier):

That the House reaffirm its belief in the rights of all Canadians to demonstrate peacefully and freely in promotion of their personal views but at the same time this House deplores the attempt by certain minorities to drown out the right of the President and the Prime Minister to exercise freedom of speech in the same manner as cherished by such minority groups and, finally, the House assures the President of the United States that this is in no way typical of Canadian hospitality and it commends the Prime Minister of Canada for his impromptu remarks at the conclusion of the ceremony admonishing those who performed a regrettable act.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Madam Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

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BANKS AND BANKING

RECENT HIGH PROFITS—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, bank profits for the first quarter of the banking year are dramatically higher. In the case of the Royal Bank they are up 76 per cent and in the case of the Bank of Commerce they are up 69 per cent, while industrial corporation profits show a decline of 7.2 per cent, as reported by Statistics Canada on Friday. Clearly, bank profits are up because of the government's high interest policy. I therefore move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That the Minister of Finance, on motions, explain to this House why he is maintaining his high interest policy to the benefit of the big banks and to the detriment of productivity in industry and to the detriment of the ordinary people of Canada, and why the banking business is now more profitable than the oil industry or, indeed, any other business in Canada, and if the Minister of Consumer and Corporate Affairs will be publishing a seven-volume report detailing how the banks, in league with the government's high interest policy, are so profitable.

Madam Speaker: Is there unanimous consent for this motion?

S.O. 43

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

CHILE—PRESIDENTIAL CEREMONY—MOTION UNDER S.O. 43

Mr. Simon de Jong (Regina East): Madam Speaker, as I, too, rise in the same light as our tribute to freedom of speech and democratic institutions, I am certain that members to my right will support the following motion.

Considering that on September 11, 1973, the late president of Chile, Salvador Allende, gave his life in La Moneda Palace defending the democratically elected government of Chile against the military coup headed by Augusto Pinochet, and considering that since that day the Pinochet regime has systematically suppressed and brutalized the Chilean people, I move, seconded by the hon. member for Saskatoon East (Mr. Ogle):

That this House requests that the government instruct its ambassador in Santiago not to attend the ceremony to take place March 11, 1981, which will illegally instal the dictator Augusto Pinochet in La Moneda Presidential Palace and condemn the attempt by the Chilean junta to institutionalize its reign of terror in an imposed constitution.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

[*Translation*]

HOUSE OF COMMONS

RESPECT FOR PROCEEDINGS—MOTION UNDER S.O. 43

Mr. Marcel Dionne (Chicoutimi): Madam Speaker, I rise under Standing Order 43 on a matter of urgent and pressing necessity. In the past few days, we, as well as the Canadian people, have witnessed a deterioration and a glaring violation of the respect which should characterize this House. I refer to the racist, hollow and entirely unacceptable comments made in violation of our most basic rights and freedoms last week by members of the official opposition, the member for Winnipeg-Assiniboine (Mr. McKenzie) and the member for Simcoe-South (Mr. Stewart) and others, who deplored among other things the fact that Lord Durham's report had never been enforced so as to make English the only compulsory language in Canada.

I move, seconded by the hon. member for Témiscamingue (Mr. Tousignant):

That following such comments, the Leader of the Official Opposition show himself in his true colours and make it clear to all Canadians whether he stands with the 50 per cent of moderates within his party, those who act according to their conscience, or with the racist extremists. Does he agree or not with such comments? If not, let him prove it by expelling—

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*English*]

EXTERNAL AFFAIRS

POLAND—STUDENT DEMONSTRATIONS—MOTION UNDER S.O. 43

Mr. Blaine A. Thacker (Lethbridge-Foothills): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas over 2,000 university students in Poland are risking their liberty and lives to demonstrate against excessive state involvement in their lives, including mandatory courses in Marxism, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That this House exchange the authors of the National Energy Program for the over 2,000 students who want an opportunity to build better lives, and further, in order to sweeten the deal, that we throw in all the NDP members who constantly call for more state involvement here in Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

INTERNATIONAL IMPLICATIONS—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, I rise under the provisions of Standing Order 43. Given the fact that in implementing its energy policy with reference to Canada lands this administration has come under attack by companies based in other countries which have charged our Government of Canada with not honouring the sanctity of the contract, I move, seconded by the hon. member for Edmonton East (Mr. Yurko):

That the Government of Canada clarify its position with the international community in terms of honouring contracts and agreements.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

RECOGNITION OF CANADIAN RIGHTS—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I too rise under the provisions of Standing Order 43 to move a motion which I am sure my Conservative friends will support. Whereas last week the Canadian ambassador to the United States said that Canada still offers foreign energy firms a warmer welcome than they can find almost anywhere else in the world and whereas on Friday the United States state department sent a strongly-worded communiqué to the Department of External Affairs protesting the very mild national energy policy in Canada, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That this House instruct the Prime Minister to inform the President of the United States that the United States should recognize Canada's right to own and control its own resources, especially in the oil and gas field, which assets are owned by foreigners to the tune of 84 per cent and that it is not in Canada's best interest to take part in a continental energy policy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

MONOPOLIES

MEDIA CAMPAIGN IN ALBERTA—MOTION UNDER S.O. 43

Mr. Jim Schroder (Guelph): Madam Speaker, I rise on a matter of urgent and pressing necessity and move, seconded by the hon. member for Sudbury (Mr. Frith):

That this House condemn the three Alberta daily newspapers which are stirring up regional dissension in order to sell more copies, the profits from which are flowing back to the national monolithic press chains now in Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

INCREASE IN INTEREST RATES—GOVERNMENT POSITION

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Minister of Finance, who was supposed to be here, but who probably could not get through the security. I will address my question to the Acting Prime Minister. A year ago today the government instituted the

floating Bank of Canada rate. At that time the Minister of Finance said that the government would consider special assistance for home owners if interest rates soared under the new floating rate approach. At that time the Bank of Canada rate was 14 per cent, and today it is 17.16 per cent. The prime bank rate was 15 per cent at that time, and today it is 18.25 per cent, or 3.25 per cent more. It has certainly soared. The Minister of Industry, Trade and Commerce said that he was pleased with the new approach to interest rate policy.

My question to the Acting Prime Minister is this: is the government still pleased with this floating interest rate policy? Also, in view of the fact that rates have soared, will the government now institute special assistance to home owners to help them with these soaring interest rates as was promised by the Minister of Finance on behalf of the government last year?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, the hon. member knows full well that, as indicated in the budget, the Minister of Finance is far from being satisfied with current interest rates in Canada. However, the hon. member should also bear in mind that those interest rates reflect the inflationary pressure on the over-all economy. He knows very well that interest rates are one factor in the fight against inflation and that if all economic agents join forces to combat inflation and we manage to reduce the inflationary pressure we will end up with lower interest rates and everybody will be more satisfied.

[*English*]

Mr. Crosbie: I wish to direct a supplementary question to the same Acting Prime Minister, Madam Speaker.

Some hon. Members: Hear, hear!

Mr. Crosbie: His answer made just as much sense as the Minister of Finance would have made. Would the minister answer the question about assistance to home owners in view of the promise made by his minister last year? Would he also answer this? The prime bank rate in Canada is still 18.25 per cent although the U.S. bank rate has come down from December when it was 21.5 per cent to 18.5 per cent, a drop of 3 per cent, but the Bank of Canada rate and the prime bank rate have not dropped. In these circumstances will the minister now direct the Bank of Canada to reduce the Bank of Canada rate correspondingly, or will the government continue its policy of propping up the Bank of Canada rate and Canadian interest rates? Would he give us a clear answer to that?

[*Translation*]

Mr. Bussières: With respect to the first point, Madam Speaker, I thought the hon. member was aware of the connection between the fight against inflation and the interest rates so that if on the one hand the government launches a massive attack against inflation and on the other hand makes grants to help not only home owners who need them but also small businessmen, agricultural producers and all groups in society

who suffer from this high interest situation, we would thus be cancelling what we want to achieve as a first step.

Second, the hon. member knows very well that the rates set every Thursday during the auction sale are flexible and reflect the expectations and apprehensions of the market with respect to the inflationary push so that those rates mirror Canada's current situation. The hon. member may recall that not so very long ago our interest rates were way below those which our neighbours to the south had to cope with. Now, of course, the situation has changed and the rates continue to reflect the over-all condition of Canada's current economy.

[*English*]

ACTION CONTEMPLATED BY GOVERNMENT

Hon. John C. Crosbie (St. John's West): Madam Speaker, the minister is a master of befuddlement, "on the one hand and on the other hand". It was a straight question. May I point out to the minister that the Bank of England dropped its bank rate today from 14 per cent to 12 per cent? We are asking the minister to drop the Canadian rate now from 17.16 per cent because the U.S. rate has fallen 3 per cent in the last few weeks while our rate has not fallen at all.

● (1420)

The minister is aware that bank profits are at a tremendous peak. There has been a 76 per cent increase in profits for the Royal Bank of Canada. The reason given is the spread between the prime bank rate and the rates paid by banks on borrowed money. The United Kingdom has just introduced a special tax to provide an $880 million payment from the windfall profits of the English banks made because of high interest rates. I ask the minister whether he is contemplating such a similar tax, or any action at all, in connection with the difference in the spread? Is the minister contemplating a decrease in the Bank of Canada rate? These are the questions. Never mind giving answers "on the one hand or the other", and telling us you are fighting against inflation. We want to know—

Madam Speaker: Order, please.

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, I am quite amazed not at the questions but at the comments of the hon. member. The one he has just made clearly indicated that he is not interested in understanding the general situation. He is interested in statements, in other words his rhetoric and his style, and he does not want to understand anything and try to have them explained to him. I regret that the hon. member who is a former finance minister now refuses to understand the current situation and would want the government to answer him in the same rhetorical terms he uses to put his questions.

[*English*]

MISCELLANEOUS ESTIMATES

REQUEST THAT MINISTER ATTEND COMMITTEE MEETINGS

Hon. Sinclair Stevens (York-Peel): Madam Speaker, in the absence of most of the inner cabinet perhaps I could put my question to an outer cabinet minister, the President of the Treasury Board.

Some hon. Members: Oh, oh!

Mr. Kempling: How far out can you get?

Mr. Stevens: As we all know, the President of the Treasury Board absolutely flubbed the introduction in this House of the main estimates of his department. Could the minister indicate why he has chosen to turn down the request to meet with the miscellaneous estimates committee last night, today and Thursday, bearing in mind that when the request was made the minister was free on all three occasions?

Mr. Siddon: Explain that one.

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I thought the hon. member was rising in his place to apologize for his curious behaviour of two weeks ago.

Some hon. Members: Hear, hear!

Mr. Johnston: With respect to appearing before the miscellaneous estimates committee, I will be delighted to do so. Last night was not possible. I was advised that the committee meetings were cancelled today and that the Tory party was having a caucus on Thursday morning. I have since spoken to the chairman of the committee who advises me that to the best of his knowledge the committee will be meeting on Thursday morning. I will be delighted to attend because I have been waiting a year to receive an intelligent question from the hon. member for York-Peel.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

INCLUSION OF ONE DOLLAR ITEMS IN SUPPLEMENTARY ESTIMATES

Hon. Sinclair Stevens (York-Peel): Madam Speaker, may I put my supplementary question to the same minister? It touches on Supplementary Estimates C which were introduced in this House, on which the guillotine will fall, as we know, within two weeks. Would the minister tell us whether he is aware that he has included 30 $1 items in those Supplementary Estimates C, totalling $868 million of expenditures or guarantees to be incurred on behalf of the Government of Canada? If he is aware that there is over $868 million included in the $30 worth of items, would he explain to this House why he thinks that is fair disclosure to the House and to

the people of Canada? Is that not really a shocking concealment of the expenditures of the government?

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the hon. member for York-Peel is always shocked by everything he does not understand.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

• (1425)

Mr. Johnston: I will verify the hon. member's arithmetic, as I normally do, and I will be happy to respond to any specific questions on Thursday morning before the miscellaneous estimates committee.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF FORMER GOVERNOR GENERAL MICHENER AND OF PREMIER BUCHANAN OF NOVA SCOTIA

Madam Speaker: It is with great pleasure and gratitude for the honour he does to us that I draw the attention of the House to the presence in our gallery of a former Governor General and former Speaker of this House, His Excellency Mr. Roland Michener, and Mrs. Michener.

Some hon. Members: Hear, hear!

Madam Speaker: I also draw attention to the presence in our gallery of the Premier of Nova Scotia, Mr. John Buchanan.

Some hon. Members: Hear, hear!

* * *

EXTERNAL AFFAIRS

EL SALVADOR—CANADIAN INFLUENCE ON INTERNATIONAL COMMUNITY

Mr. Bob Ogle (Saskatoon East): Madam Speaker, in the absence of the Secretary of State for External Affairs I will direct my question to his parliamentary secretary. It is further to the situation in El Salvador, which was debated seriously and well in this House of Commons yesterday. I feel that the members of this House and the people of Canada would give strong support to the positions that we proposed with regard to stopping military assistance to that country. I wish to ask the parliamentary secretary how the Government of Canada is going to influence the international community in a positive way to bring about a political solution in El Salvador, as other countries such as Mexico and West Germany are proposing?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, the hon. member is right in saying that we had a serious debate on the problems in El Salvador, but I would like to point out that it is certainly not by attacking our neighbours and best allies, the United States, that we will make a useful contribution toward improving the present situation in El Salvador. In this regard, Madam Speaker, I believe that the motion introduced yesterday was unfortunately unbalanced and rather incomplete, which prevented us from agreeing to it. The Secretary of State for External Affairs has made it clear on several occasions to representatives of the El Salvador government, both to the Salvadorian ambassador in Ottawa and through our own ambassador in Costa Rica, that we greatly deplore the violation of human rights in that country. Unfortunately, as long as arms reach that country from other sources, we cannot attack the American government exclusively on this matter.

[*English*]

CUTBACK IN CANADIAN AID

Mr. Bob Ogle (Saskatoon East): Madam Speaker, I was not attacking the American government. I was asking for positive responses from the Canadian government with regard to establishing a peaceful zone. I understand from this morning's news that the government has cut back on its aid to El Salvador. In the recent past there were similar circumstances, in Zimbabwe for example, where the people were rising up to control their own future. Will the parliamentary secretary explain how Canada will approach its very serious role in North-South relations as it relates to aid to that country?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, the hon. member says that he is not attacking the American government, but that was essentially the purpose of the resolution or motion introduced in the House yesterday. As for any cut back in Canadian assistance to El Salvador, Madam Speaker—I would like to have a bit of silence, Madam Speaker. If the hon. members do not want an answer, I shall simply sit down and shut up. As for our reduced assistance, I must point out that we are critized when we maintain our level of assistance in similar situations. Canada will continue to play its role through the usual channels, and these are not problems which can be solved through spectacular debates in a public forum.

• (1430)

[*English*]

Mr. Ogle: Madam Speaker, I am afraid the parliamentary secretary has the wrong page in his briefing notes.

Some hon. Members: Oh, oh!

Oral Questions

CANADIAN ROLE IN CENTRAL AMERICA

Mr. Bob Ogle (Saskatoon East): During the debate yesterday it was brought up many times that we Canadians did not in a sense have any role or any expertise in that area. As a last question to the parliamentary secretary, will he now please tell the House how the government plans to have us acquire that expertise and that role in that area, just as we would if we had a sick neighbour down the street we did not know but would have to help?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, in view of the wording of yesterday's motion, I had concluded that the New Democratic Party believed that it had this expertise and that it was well aware of the facts. As for the briefing notes, I must point out to the hon. member that not having any, I could not therefore have the wrong page.

* * *

CANADIAN BROADCASTING CORPORATION

MEASURES TO SETTLE STRIKE

Mr. John Bosley (Don Valley West): Madam Speaker, I have a question for the Minister of Communications. In spite of his commitment several weeks ago to end the CBC journalists' strike, in spite of a major shift in the position of the union and in spite of several courageous efforts at mediation made by the Department of Labour, the CBC management's position has not changed and the newspersons are still on strike. Could the minister advise the House of the steps he intends to take to settle this strike, especially when one considers that the government is seeking our approval for a 12.4 per cent increase in the estimates of the CBC, while the CBC management will not budge an inch from its 8 per cent raise offer to its journalists, and when one considers also that the CBC management will refuse to make a final offer until the union agrees to recommend it to its membership without first looking into it.

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, the hon. member knows well the nature of the system under which the CBC operates. From time immemorial, the parties on both sides of the House have reaffirmed the basic concept that CBC should be free from all government interference and able to conduct its broadcasting business independently from the government as far as content and labour relations are concerned.

On the other hand, the hon. member is ill informed. Before asking such questions in the House, he should know that the CBC management's position has changed over the weeks and months. Although an agreement has not been reached, the fact remains that the money items include a lump sum offer of $2,300 to each of the 180 newspersons and that the special mediator appointed by the Minister of Labour has explored all possible avenues of settlement. For the time being, the union has turned down the salary offers, but the CBC management is willing to return to the bargaining table and to continue negotiating in the hope that a settlement will soon be reached.

● (1435)

Mr. Bosley: Madam Speaker, I should like to put a supplementary to the Secretary of State and Minister of Communications.

The minister knows full well that this strike, the longest in the history of Radio-Canada, is reducing coverage of the constitutional debate in Quebec, that the rest of Canada is less aware of the fact that Quebec is opposed to the constitutional proposals and that, should the strike continue, it will prevent practically any coverage at all of the provincial elections in a large part of the province.

Madam Speaker, will the government assume its responsibility for giving that service, because as Quebecers and francophones across the country become increasingly aware of Radio-Canada's persistent resistance to setting this strike they are led to believe that the government wants the strike to continue, and that, for political reasons?

Mr. Fox: Madam Speaker, this is the first time I have ever heard a spokesman of the opposition ask the government to intervene directly in the daily operations of Radio-Canada. If that is the new position of the Progressive Conservative Party, Madam Speaker, that is, to put an end to the principle which anglophones in this country have always known as the—

[*English*]

—"arm's length principle". I am astounded that hon. members of the opposition would ask this government to cast aside the arm's length principle which has always been one of the basic principles of this government in dealing with culturalism.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. I do not know what has happened to the House today, but I wish it were a little bit quieter. I recognize the Right Hon. Leader of the Opposition.

COVERAGE DURING ANTICIPATED PROVINCIAL ELECTION CAMPAIGN

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, there are very many of us who have long memories about the arm's length relationship with the CBC; we remember the words of the Prime Minister who was going to put on the lid and shut the doors of the CBC, and we remember the words of the minister, now the Minister of Consumer and Corporate Affairs—

Some hon. Members: Question.

[*Translation*]

Mr. Clark: And my question to the Minister of Communications concerns—

An hon. Member: The strike.

Mr. Clark: The strike, yes, but—

[*English*]

My question to the minister has to do with how long the government expects this strike to continue, and particularly, since there are rumours of an imminent provincial election in Quebec, whether it is in the plans of the government to take action to ensure that there will be coverage in the province of Quebec of all sides in an election campaign, or will it consign the people of Quebec to the same news blackout during an election campaign to which its actions consigned the people of Quebec during the constitutional debate?

[*Translation*]

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, as I said last week in reply to a question from another member from Calgary on cablevision coverage, I think it is this side of the House which suffers from lack of coverage because if the Canadian people, especially francophones in Quebec, could actually see how weak the arguments but forward by the Hon. Leader of the Opposition and his party are, it would be much to our advantage, and in that sense we are most anxious to see the strike come to an end.

QUEBECERS' RIGHT TO INFORMATION

Right Hon. Joe Clark (Leader of the Opposition): I have a supplementary, Madam Speaker. For the sake of national unity I will point out to the minister the distinction between Calgary and Edmonton; there is a slight difference. I think that the basic question here is whether the people of Quebec will be able to benefit from the services of the CBC French network during such crucial time as a provincial election. We had a situation where the residents of the province of Quebec were denied the right to watch on television the debates of the constitutional committee as well as events with great significance for their future. So the question now is whether the federal government which is responsible for the CBC French network is prepared to go along with another delay which could deny Quebecers the right to watch the provincial election debates on the CBC French network.

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, as I said earlier in answer to the Leader of the Opposition, we are continuing negotiations with the union to which the CBC French network is not party. The Minister of Labour has appointed a mediator whom the Leader of the Opposition knows very well. We have been trying for a long time to settle that strike. The latest salary offer from the CBC even included a lump-sum payment of $2,300.

I would say to the Leader of the Opposition that his remark about the difference between Calgary and Edmonton could be checked with the hon. member who put the question to me last week, and I would tell him that that member does indeed represent a Calgary and not an Edmonton riding.

[*English*]

INQUIRY RESPECTING SETTLEMENT DEADLINE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my supplementary question is directed to the Minister of Labour. I would like to ask whether the Government of Canada has a deadline for the settlement of this strike and, if so, what is that deadline?

• (1440)

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the right hon. gentleman is fully aware that under the powers of the Department of Labour it is not possible to have a deadline, that the role of the department is to provide expert mediation services to the parties to help bring about an agreement, and therefore if he is asking whether we are considering legislating an end to the strike and removing the right of collective bargaining, we are not considering that. I can assure him of that.

However, I do assure him through you, Madam Speaker, that the negotiations are continuing, that our mediator is very much involved, and it is true that the union membership turned down an offer by the CBC last Friday. I believe it will be necessary for both parties to move further than they have for an agreement to be achieved. I think it is appropriate in particular for the CBC to improve its wage offer, but there also may be some further movement required on the part of the union. I believe that with some give and take an agreement is possible, and I hope that it can come very soon.

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EMPLOYMENT AND IMMIGRATION

CONTRACTS SIGNED BY DOMESTICS PRIOR TO IMMIGRATING

Mr. David Orlikow (Winnipeg North): Madam Speaker, my question is for the Minister of Employment and Immigration. The minister, I am sure, has received representations from groups acting on behalf of women who come to work in Canada as domestics in which it is made clear that many of them are not paid the wages or benefits which they were promised before they arrived.

Is the minister or his department giving consideration to including in the contract which is signed a provision which would permit domestics to claim from their employers the wages and benefits the employer agrees to before the domestics arrive?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I would like to tell the hon. member that a few months ago we commissioned a major study on the question of domestic workers by Miss Mary Eberts, a well-known lawyer in this area and Toronto. That report is now complete and it is my intention to release it in a matter of two or three weeks, after I have had a chance to review it.

My colleague, the Minister of State for Multiculturalism, has organized a conference dealing with the problems of immigrant women, and we will be discussing that issue and those problems during that conference. We will have an opportunity to present the paper and at that time we will be able to look at the very serious problems affecting domestic workers in this country.

REFUND OF CANADA PENSION PLAN CONTRIBUTIONS

Mr. David Orlikow (Winnipeg North): Madam Speaker, the minister will be aware that many of these domestics have unemployment insurance and Canada Pension Plan premiums deducted from their wages, that very few of them can collect unemployment insurance, and that when they leave the country very few know that they are entitled to a refund of their CPP contributions. Is that report going to deal with that question and will the minister make clear to these people when they come to this country what their rights are with regard to unemployment insurance benefits and the Canada Pension Plan?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I would be glad to tell the hon. member that that specific issue is dealt with in the paper. There are a number of solutions proposed in the report, and once we have had an opportunity to make it public and get some response, then we will take corrective action.

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RESEARCH AND DEVELOPMENT

PROVISION OF INCENTIVES

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is for the Minister of State for Science and Technology.

In view of the fact the Japanese have become the world leaders in trademark applications, with the latest figures for 1977 indicating that Japanese applications account for about 25 per cent of the world total, will the Minister of Science and Technology create the same climate of incentive in Canada for research and development to compete with Japan and the world in trademark applications, in the hope of increasing our competitive position in world trade?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, as the hon. gentleman I hope is aware, we have recently indicated to the public and Parliament the kind of five-year track of spending we believe is required to increase our research capacity in the science and technology fields.

We also have currently under study a variety of other approaches, tax measures and other means of trying to encourage the kind of research and development we wish to see take place in the private sector, and I will certainly be interested in the ideas which he has put forward stemming from other countries which we might usefully adapt to our own situation.

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STATUS OF WOMEN

APPOINTMENTS TO ADVISORY COUNCIL

Mr. Walter McLean (Waterloo): Madam Speaker, my question is to the minister responsible for the status of women and relates to the arm's length approach the government always takes.

The minister announced on Friday the appointment of six members to the Canadian Advisory Council on the Status of Women, to fill vacancies which came about in January when several members resigned to protest his political interference. He also elevated to president a loyal supporter in Doris Anderson's place. After all the public discussion on the appointment process, why did the minister not heed the concerns of women's groups and consult more widely, or does he find it too tiresome to do this?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, we have obviously heeded the concerns because we appointed extremely well qualified people, and if the hon. member would care to look at the qualifications of those who were appointed he will find that not only do they represent a good cross-section of points of view of women in this country—

Mr. Clark: Of the Liberal Party.

Mr. Axworthy: But also represent very well the strong feminist activities in the regions from which they come.

Mr. McLean: Madam Speaker, the question did not relate to the qualifications but to the process, and neither the national action committee nor provincial advisory councils were consulted.

Having received many representations calling for an independent, external review of the advisory council to restore its sagging credibility, news reports now suggest that the cabinet has decided there be no immediate review of the council because it might be politically embarrassing. Will the minister tell the House when the government will end this elitist, patronage-oriented process? Will there be a truly independent review of the council?

Mr. Axworthy: Madam Speaker, we might come to an end of some things as soon as the hon. members opposite end the kind of inflammatory language they use with respect to that

council, which does not help any situation. And I would indicate to the hon. member that, just as his own research is obviously unreliable, we have some unreliable leaks in the government service as well, because the fact of the matter is we are discussing with women's groups, including the advisory council, the question of a review. It was raised with the council yesterday and I will await their discussion and recommendations, which I hope to have any day now.

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GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA

Mr. Jack Murta (Lisgar): Madam Speaker, my question is for the Minister of Transport in his capacity of answering for the Canadian Wheat Board. Farmers in Canada are becoming sick and tired over the continuing promises for compensation on the limited grain embargo imposed on the Soviet Union, in which Canada participated. Has the Canadian Wheat Board yet indicated to the government the level of compensation that should be paid, and if so, has the matter been brought up before cabinet?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, this question comes under the authority of the Minister of Agriculture and I pass it on to him.

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, a study of the losses that grain producers may have suffered has been submitted to cabinet for decision. We are honouring the former government's commitment.

Mr. Murta: Madam Speaker, the minister has indicated the study has been submitted to cabinet. Given the fact the government is not stalling or fudging or hedging on this particular issue, can he indicate to the House when farmers in Canada will likely know the amount of compensation the government is going to pay?

Mr. Whelan: Madam Speaker, I would hope soon.

* * *

● (1450)

IMMIGRATION

RUMOUR OF GENERAL AMNESTY FOR ILLEGAL IMMIGRANTS IN QUEBEC

Mr. Marcel Prud'homme (Saint-Denis): Madam Speaker, my question is directed to the Minister of Employment and Immigration. Having been associated closely in the past with the general amnesty program entitled "Opération mon Pays—Operation Canada my Country", and knowing that in Quebec we are on the eve of a provincial election, can the minister inform the House if there is any truth in the rumour of a general amnesty for illegal immigrants in Quebec, following a request of the Quebec minister of immigration who is now encouraging illegal immigrants to visit Quebec immigration offices for a special screening test?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I have not yet received any official communication from the minister of immigration for the province of Quebec. We contacted his office and we were told that he did not in any way issue a call for general amnesty. He was simply prepared to take illegal immigrants on a case by case basis to see if there were any grounds for humanitarian consideration. However, I will be meeting with the minister of immigration from that province tomorrow. But I can tell the House that we certainly have no intention at this time of any general amnesty; because it really does not solve the problem of illegal immigrants in the country.

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AGRICULTURE

STEPS TO COMBAT SPREAD OF ANIMAL DISEASES

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, my question is directed to the Minister of Agriculture to whom I sent notice. Under the Animal Disease and Protection Act, all animal products from other countries must be destroyed or returned to the country of origin in order to avoid bringing disease into Canada. A similar act exists for plants. Unfortunately, due to a dispute between Agriculture Canada and the Air Traffic Association of Canada as to who will pay the cost, incinerators have not been built to take care of wastes from commercial international flights at prairie airports. Could the minister tell the House if his department has an agreement with the Air Traffic Association of Canada regarding the building of these incinerators? If so, what is the nature of the agreement, and when will incinerators be built?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I have been informed by my officials that progress has been made. The airlines are responding to our complaints. At the moment we consider the progress satisfactory. CP Air is building one, and the negotiations at Calgary, Edmonton and Winnipeg are proceeding as we hoped they would. They seem to have accepted the idea that they are responsible for this. It is food that has not been consumed on airlines travelling to some country other than the United States of America.

SHORTAGE OF VETERINARY INSPECTORS

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I have a supplementary question. Another area in which there are financial considerations or a lack of personnel for the protection of consumers and farmers from disease organisms from outside the country is that of veterinary inspection. There seems to be a number of available vacancies. Without getting into the problems which exist now between the department and existing veterinary inspectors, is the problem of providing an adequate service a simple one of not enough money, or is there

a shortage of adequately trained personnel to fill the positions which are now available?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, in answer to the hon. member, I believe it is a combination of both. There is a shortage of moneys and there is also a shortage of properly trained personnel.

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NATIONAL ENERGY PROGRAM

EMERGENCY PLANNING TO DISTRIBUTE GASOLINE RATIONING COUPONS

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, in the absence of the Minister of Energy, Mines and Resources and the Postmaster General, I should like to direct my question to the Acting Prime Minister. I assure him that this party and people across the country are very interested in energy self-sufficiency and are aware of the government program for emergency energy rationing.

Is the minister aware of the directive which has gone to local post offices across Canada asking them to prepare for the distribution of coupons for gasoline rationing?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I am not aware of that but I will inquire. I would find it quite normal, if we are to be prepared for any eventuality, for the Department of Energy, Mines and Resources to be ready for such a possibility.

Mr. Gurbin: Madam Speaker, my supplementary question is directed to the Acting Prime Minister. I should like to assure him that this is not just a casual preparation for any eventuality; this is a specific directive which has told people in post offices across Canada that their workers, as of April 1, 1981, will be asked to work 14 hours a day to distribute these coupons to people for gasoline rationing.

Will the minister inform the House of the total effect of this? What does the government really have in mind? Does this mean that we have an emergency energy situation and that the National Energy Program has indeed been a failure?

An hon. Member: That we know.

Mr. Pepin: Madam Speaker, it is the characteristic of an emergency not to be expected. But I will find out further, and I am sure my hon. friend will have his answer in the coming days.

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GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I should like to direct my question to the Minister of Agriculture. It is supplementary to the one posed by the hon. member for Lisgar with respect to the compensation to which western grain farmers are entitled as a result of the embargo on the U.S.S.R.

The minister has been putting off the decision and the announcement. It was originally planned to be given by August 1, 1980, at the end of the crop year. It was put off, and at the beginning of December the minister said that it would be a few days. Will the minister make a commitment now that any compensation determined by cabinet will include an interest rate from the end of the last crop year equal to the interest rates that western farmers carry on their supplies and costs? Will he make a commitment that they will be entitled to receive interest on this long overdue compensation?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the hon. member knows as well as I that it not only includes western farmers, it includes commercial grain farmers in any part of Canada. It is an important factor also in the central part of Canada because, for instance, the province of Ontario produces more commercial grain than the province of Manitoba. So, it affects them similarly.

I cannot say what the decision will be. The submission has been made, but the hon. member is so wrong. The crop year only ended on August 1. How in the world could we have all the figures calculated by that time? It took longer than we thought. We thought we would have them ready for November 1. We did not have them by late November or December 1. We did not have them until some time in December, and I believe they were considered in January. They were considered at that time interdepartmentally, and not too many days or weeks ago they were submitted to cabinet. They are being considered in a very concentrated and determined fashion at the present time.

I wish I could tell the hon. member that interest rates and all that will be considered. But he is fully aware that in the last year one and a quarter crops have been delivered. So, a tremendous amount of grain has been moved. When we were talking about making the payments to them, many farmers said that they did not want them before January 1, that they wanted them after that because they did not want to pay too much income tax. So, the shortage of money is not as the hon. member said.

Mr. Hnatyshyn: Madam Speaker, in the speech from the throne at the start of this session the Prime Minister and the government gave Members of Parliament from western Canada a special mandate to speak on behalf of western grain farmers. That is what my colleagues and I on this side of the House are trying to do. But, all we get from the government is double talk, double track, and double cross.

Would the minister make a commitment that a statement will be made and that payment will be forthcoming to western Canadian farmers before the end of this month? It is a simple question. I would like an answer.

Mr. Whelan: Madam Speaker, if everything goes as smoothly as we hope, well, that could be possible.

DETAILS OF PROGRAM

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, my question is directed to the Minister of Agriculture. Is my understanding of what he just said to the hon. member for Saskatoon West correct, that the government is considering paying compensation for the embargo to grain farmers for grain produced and consumed in Canada?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I never made any mention of grain being consumed in Canada or being sold outside Canada. The hon. member will have to wait and see our submission and how we figured it out. It will all be made public once a government decision is made.

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AGRICULTURE

HERD MAINTENANCE PROGRAM FUNDING

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, my supplementary question is directed to the same minister. It concerns his responsibility for the herd maintenance program in western Canada. I understand the minister still carries some responsibility for that program. Madam Speaker, we have been told that snow was a criteria for rainfall. The appeal board has advised the minister that snow should be removed. I am asking the minister how the cattle producers of western Canada can feed their cattle on Liberal promises and snowballs, after March 31 when funding has been cut off?

● (1500)

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the hon. member knows how fat an animal can get on snowballs and Liberal promises. But he also knows how fat they can get on Conservative wind, as far as that goes.

Some hon. Members: Order!

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PRIVILEGE

MR. RAE—ACCESS TO INFORMATION RESPECTING PUBLIC FUNDS—RULING BY MADAM SPEAKER

Madam Speaker: On Wednesday last the hon. member for Broadview-Greenwood (Mr. Rae) raised a question of privilege with respect to the matter of distribution of grants in constituencies represented by members on the government side and by members of the opposition. I might point out that this is a political, not a procedural, problem. Several members of the House have acknowledged that it was not a question of

privilege, as I think the hon. member for Broadview-Greenwood did. In the course of his remarks the hon. member asked me to comment on the wisdom of a practice which appears to discriminate against opposition members.

I was also asked by members to comment on a ruling of Mr. Speaker Jerome, dated December 10, 1979, which was referred to on several occasions. In this regard I want to say that I agree with the principle of that ruling, which stated in part that:

—the support of public funds, where applied to parliamentary activities ought . . . to apply across the floor of Parliament.

I have no hesitation in stating that I have no quarrel with this part of the ruling, and I will apply it when it has relevancy.

In his ruling Mr. Speaker Jerome offered certain comments which were also mentioned in the House last Wednesday. Whatever reasons Mr. Speaker Jerome had for commenting, not ruling, on the wisdom of a certain practice, the comments are separate and apart from matters of order or privilege.

As I said in my observations of last Wednesday:

I would hesitate to comment on situations which are not clearly put to me for a ruling to be made.

In other words, I shall do my duties as required under the rules to determine questions of order or privilege. But I would be going beyond my duties of applying procedural rules if I were to comment on my predecessor's remarks or on matters not procedural. That, of course, I cannot do.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

MR. FLIS—PATRIATION OF THE CONSTITUTION

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, I am pleased to table 4,000 petitions from constituents and others supporting the proposed resolution to patriate the Constitution with an amending formula and a charter of rights and freedoms, including in that charter of rights the concept of multiculturalism.

Some hon. Members: Hear, hear!

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QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,645, 1,970, 2,030 and 2,054.

Order Paper Questions

[*Text*]

SOCIAL SECURITY AGREEMENTS

Question No. 1,645—**Mr. Cossitt:**

1. Did the Minister of National Health and Welfare announce on October 21, 1980, that a Canada-France Agreement had been signed on social security and that a similar agreement was signed with Italy in January, 1979, and, if so, are negotiations taking place with other countries at the present time in a similar vein and, if so, in each case (a) what is the name of the country (b) on what date did negotiations commence (c) how are they progressing and what is the anticipated date of conclusion?

2. Are the United States and Great Britain involved in such negotiations and, if not, for what reason?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): 1. The Minister of National Health and Welfare announced on October 21, 1980, that an administrative arrangement had been signed, defining the provisions for the administration of the Canada-France Agreement on social security which had been signed on February 9, 1979. This agreement will enter into force on March 1, 1981. A similar agreement with Italy which had been signed on November 17, 1977, entered into force on January 1, 1979. An agreement is to be signed with Portugal in December, 1980, and it is expected to enter into force in early 1981. Negotiations in a similar vein, or preliminary contacts with a view to such negotiations, are currently under way with other countries as follows:

(a) Greece.

(b) A preliminary information meeting was held in Ottawa from October 14 to 16, 1980.

(c) Consensus was reached on the general parameters of an eventual agreement and on a timetable for preparing a draft of such an instrument. The signing of an agreement is anticipated for the spring of 1981.

(a) Belgium.

(b) No formal negotiations have yet taken place, although a preliminary information meeting was held in Ottawa in July, 1978.

(c) Further discussions are required to develop mutually acceptable provisions of an agreement.

2. Technical discussions were held by U.S. and Canadian officials in Ottawa in October, 1979, and in Washington in July, 1980. The conclusion and signature of an agreement and the necessary administrative arrangement will hopefully take place early in 1981. A first meeting concerning a possible agreement took place between British and Canadian officials in London in July, 1977. Since then there have been numerous contacts and communications at the official, ministerial and prime ministerial levels in an attempt to persuade the British side to commence formal negotiations. On October 22, 1980, in London, the Right Hon. Patrick Jenkin, Secretary of State for Social Services in the government of the United Kingdom, indicated categorically to the Minister of National Health and Welfare that, for financial reasons, there was no possibility at all for an agreement and no scope for keeping the door open for negotiations on an agreement in the future.

OLD AGE SECURITY RECIPIENTS

Question No. 1,970—**Mr. Knowles:**

1. How many persons in Canada, and in each province, are in receipt of the Old Age Security pension?

2. Of the recipients of the Old Age Security pension, how many persons in Canada, and in each province, are in receipt of the Guaranteed Income Supplement?

3. Of those receiving the Guaranteed Income Supplement, how many persons in Canada, and in each province, are receiving the full amount?

4. What is the average amount, in Canada and in each province, being received as a Guaranteed Income Supplement by recipients of the Old Age Security pension?

5. Do the answers to the above questions take into consideration persons living outside of Canada who are in receipt of the Old Age Security pension and, if so, how many of such persons are there, and if they are considered as belonging to the various provinces, what is the number for each province?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): 1, 2 and 3. Please see list below.

4. Please see list below.

5. Please see list below.

Number of Persons in Canada in Receipt of

	1. Old Age Security Pension	2. Guaranteed Income Supplement	3. Full Guaranteed Income Supplement
Newfoundland	43,291	35,201	17,788
Prince Edward Island	14,692	10,636	3,564
Nova Scotia	91,188	60,697	20,236
New Brunswick	69,613	46,558	16,847
Quebec	557,342	356,088	125,546
Ontario	839,563	381,773	84,129
Manitoba	119,880	65,741	15,725
Saskatchewan	114,033	61,409	16,301
Alberta	155,923	82,980	23,028
British Columbia	283,761	136,301	35,038
Yukon	687	363	223
Northwest Territories	1,207	962	768
International Operations[1]	849	368	92
Canada	2,292,029	1,239,077	359,285

NOTE: Above figures relate to December, 1980.

[1] Represents the persons paid under international agreements.

4. Average Amount of Guaranteed Income Supplement Being Received Each Month by Recipients of the Old Age Security Pension

	Based Upon Old Age Security Population	Based Upon Guaranteed Income Supplement Population
Newfoundland	$125.76	$154.67
Prince Edward Island	107.43	148.40
Nova Scotia	95.40	143.32
New Brunswick	97.06	145.12
Quebec	92.34	144.53
Ontario	61.04	134.23
Manitoba	74.98	136.73
Saskatchewan	75.56	140.31
Alberta	73.58	138.26
British Columbia	65.05	135.44
Yukon	85.85	162.47
Northwest Territories	136.99	171.88
International Operations[1]	106.63	246.01*
Canada	75.50	139.65

NOTE: Above figures relate to December, 1980.

[1] Represents the persons paid under international agreements.

The left hand column gives the average amount of Guaranteed Income Supplement paid in December, 1980, on the basis of the total Old Age

Security population (2,292,029). The average based upon the lower Guaranteed Income Supplement population (1,239,077) is indicated in the right hand column.

* Since these reflect Canada/Italy benefits, the monthly average seems higher due to the fact that they were paid out retroactively to date of application.

	5. The Number of Persons Outside Canada Receiving Benefits
Newfoundland	169
Prince Edward Island	84
Nova Scotia	787
New Brunswick	886
Quebec	5,680
Ontario	11,332
Manitoba	1,802
Saskatchewan	679
Alberta	1,235
British Columbia	4,776
Yukon	—
Northwest Territories	—
International Operations[1]	436
Total	27,866

NOTE: Above figures relate to December, 1980. The figures in lists 1 and 2 include persons living outside Canada who are in receipt of Old Age Security.

[1] Represents the persons paid under international agreements.

MOUNT CURRIE, B.C.—HEALTH CARE FOR INDIANS

Question No. 2,030—**Mr. Greenaway:**

1. Does the Department of National Health and Welfare, at this time, employ or have on its payroll, any individuals to provide health care to the Indians at Mount Currie, British Columbia and, if so (a) what are their names (b) in each case (i) is he/she part time, full time or on contract (ii) what are his/her specific duties and is he/she carrying out such duties at the present time (iii) what are his/her hours of work (iv) what is his/her salary per annum (v) what are his/her qualifications (vi) what is his/her length of employment (vii) what additional benefits does he/she enjoy at the expense of the government?

2. Does the department provide living accommodation for these individuals and, if so, what is the (a) nature of the accommodation (b) cost of provisions (c) method of payment for such provisions?

3. Were complaints received against these individuals and, if so, in each case, what was the nature of the complaint and what action was taken to investigate and correct the problem?

4. Was any such individual expelled from the reserve and, if so, in each case (a) what was his/her name (b) for what reasons (c) on what date did the expulsion occur (d) is he/she, at present (i) on the department's payroll (ii) enjoying the additional benefits of employment (iii) performing duties for which he/she was hired (iv) residing in government provided accommodation?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): 1. Yes—three persons.

(a) J. Steward;

(b) (i) Full-time dental therapist,

(ii) Basic dental care for on reserve Indian children.

Currently carrying out these duties,

(iii) 37½ hours per week,

(iv) $19,254—$21,576,

(v) Graduate of the Fort Smith School of Dental Therapy,

(vi) Two years,

(vii) None.

(a) R. Andrew;

(b) (i) Full time—Band Contribution Agreement,

(ii) Carries out community Health representative program for on reserve residents. Presently working,

(iii) 40 hours per week,

(iv) Paid on hourly basis, range—$6.18—$6.91,

(v) Graduate of Pacific Region C.H.R. Training Program,

(vi) Four years,

(vii) None.

(a) C. Andrew;

(b) (i) Full time—Band Contribution Agreement,

(ii) Carries out community health representative program for on reserve residents,

(iii) 40 hours per week (on the job training),

(iv) Paid on hourly basis—$5.88,

(v) Trainee at Pacific Region C.H.R. Training Program—March 1/81 will receive diploma,

(vi) One year,

(vii) None.

2. No. (a), (b) and (c): Not applicable.

3. No. Not applicable.

4. No. (a), (b), (c) and (d): Not applicable.

CANADIAN MEDIA CORPORATION

Question No. 2,054—**Mr. Beatty:**

1. Since March 1, 1980, by month, what amount, if any, was paid by the government to the Canadian Media Corporation or companies associated with it, for services related to the corporation's current responsibilities?

2. By month, what services were performed for which either the corporation or associated companies were paid?

3. Under what circumstances, if any, can payments to the corporation exceed $2,430,000 over the terms of the contract?

Hon. J.-J. Blais (Minister of Supply and Services):

1. For the period of March 1 to November 30, 1980 $ 0.00
For the period of December 1 to December 31, 1980 $25,928
For the period of January 1 to January 31, 1981 $90,000

2. The firm provided agency of record services which includ-

ed the purchase of print and electronic media. These services were provided during the month of December, 1980, under an interim contractual arrangement. The service provided during the month of January, 1981, was under a contractual arrangement in effect from January 1, 1981 to March 31, 1983.

3. The contract for the period of January 1, 1981, to March 31, 1983, was issued on a price-to-be-negotiated basis. Prices are to be negotiated prior to July 31, 1981, to establish a firm fee. DSS is unable to determine the final amount to be paid to the contractor until the negotiations have been completed and will not therefore know whether or not payments will exceed $2,430,000 until the contractor's fees have been firmed up.

* * *

[*English*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,461 could be made an order for return, this return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,461 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

AMERICAN MOTORS

Question No. 1,461—**Mr. Deans:**

1. From 1965 to June, 1980, how many orders in council were issued affecting American Motors and its subsidiaries operating in Canada and what was the actual wording of each order in council?

2. What amount of customs duty was remitted for each order submitted concerning American Motors and its subsidiaries?

3. What were the commitments from American Motors and its subsidiaries in exchange for remitting each customs duty?

4. Did American Motors and its subsidiaries meet each commitment?

Return tabled.

[*English*]

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

Madam Speaker: Stand.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Blaine A. Thacker (Lethbridge-Foothills): Madam Speaker, I rise to participate in this historic debate which will have an effect, for better or worse, on the people of Canada for all future time.

The focus of this debate is on the proposed resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada as amended by the parliamentary committee, but in truth the proposal must be seen and understood within the broader Canadian reality. It is within this broader reality that I wish to direct my initial remarks. If time then permits, I intend to deal with certain specific clauses which, in themselves, are rather disturbing.

The broader Canadian reality is the product of Canada's huge size geographically, our cultural differences, our different historical time-frames and our different mental attitudes. In short, what is this Canada that we all love and care for, each in our own way?

Never in all recorded time has such a huge geographical area remained as one country for as long as Canada has already lasted. We read about the greatness of China, Egypt and the Roman Empire, but in fact none ever covered such a large area nor developed the stable form of government and society which we have here in Canada. We are one of a kind. All others survived for their limited life spans only with a great deal of civil violence, oppression and wars. Even our great neighbours to the south endured a civil war and killed over 600,000 of themselves. That civil war occurred a mere 120 years ago. Other empires sanctioned slavery and oppression to hold themselves together.

The unique contribution of Canada and Canadians to world political evolution is our way of resolving deep conflicts of interest by political compromise rather than unilateral, political or military action. The process of political compromise started with the Royal Proclamation of 1763, continued through the Quebec Act of 1774, the Constitution Act of 1791 and, finally, the British North America Act of 1867. Each of the above statutes marked a major point of departure from prior constitutional practice and reflected a political compromise which kept the whole together and defused the political dissatisfaction of the time.

For example, the Royal Proclamation of 1763 recognized the political reality of Canada along the St. Lawrence—60,000 French-speaking Canadians and virtually no anglophones. The Quebec Act of 1774 recognized the political reality of the coming American revolution and kept French Canada separate. The Constitution Act of 1791 recognized the political reality of the United Empire Loyalists and their unique political and social history as distinct from the French-Canadian history. But the 1841 Act of Union joining Upper and Lower Canada was an attempt to create a unitary state, thereby anglicizing French Canadians. It was a unilateral act with no political compromise; it failed.

Then, 26 years later, we had the dialogue of the Fathers of Confederation resulting in the BNA Act of 1867. It is interesting to note that the act of 1841 was unacceptable to Quebecers and resulted in a 26-year deadlock. I fear that this present resolution will cause a similar discord and deadlock until all provinces and territories are recognized as being equally important.

In political reality, the BNA Act decreased dramatically the powers of the central unitary government which governed between 1841 and 1867. The BNA Act of 1867 was the greatest devolution of political power ever. Under that act Canada has physically expanded, has developed industrially and is developing socially into an honourable society. It has developed into a powerful industrial force and into a respected member of the world community to which millions want to emigrate.

At the same time we have preserved the unique features of our history—the 376-year history of Quebec and Nova Scotia, as well as Alberta's 76-year history. I was struck last year while sharing Nova Scotia's celebration of its three hundred and seventy-fifth year and Alberta's celebration of its seventy-fifth year by the fact that Nova Scotia celebrated its seventy-fifth year in 1680. That was before the American revolution, the French revolution and the industrial revolution. Is it any wonder that we have somewhat different attitudes in Canada?

• (1510)

Returning now to the constitutional proposal, we are today debating three subjects with major differences of opinion, three conflicting ideas for the future development of this nation. One concerns the amending formula, one concerns an entrenched charter of human rights and the last one concerns a referendum. The Liberal Party has one view of Canada as reflected in its position on the amending formula, the charter and the referendum, while my Progressive Conservative Party has another view. We are locked in a struggle for the hearts and minds of our fellow Canadians.

In other countries with less political maturity, the differences would have already produced civil violence. It is a source of great pride to me that such has not occurred here, even though I sincerely believe that the Liberal Party is pressing too hard on these three issues and on the energy issue as well.

The proposal also contains one idea that all parties agree with—patriation, or the transfer of power to Canada itself to change the Constitution in the future. On that we all agree, and had the government accepted the Progressive Conservative proposal of last December, the British North America Act would right now be here in Canada and we would not be facing this serious conflict. Nor would we be facing an international incident with the United Kingdom.

With respect to the amending formula, we have since 1867 developed a number of conventions under which the BNA Act has been amended. There have been about 20 major changes and many more minor changes. In 1965 the then minister of finance, Mr. Favreau, summarized in this House those conventions as follows:

1. No act of the United Kingdom Parliament affecting Canada is passed unless it is requested and consented to by Canada.

2. The sanction of Parliament is required for a request to the British Parliament for an amendment to the BNA Act. The procedure is usually a joint resolution of the House of Commons and the Senate.

3. No amendment to Canada's Constitution will be made by the British Parliament merely upon the request of a Canadian province: the U.K. government will not intervene in the affairs of Canada, except at the request of the federal government representing all of Canada.

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

The conventions developed out of political compromise, and for 16 years since 1965 both levels of government have honoured those conventions. However, in 1978 the present Prime Minister (Mr. Trudeau) brought forth a unilateral proposal which would have completely altered the Senate and many other constitutional rules as well. Fortunately, the Supreme Court found it to be ultra vires and it died.

Now we have another unilateral proposal which again contains many clauses which fundamentally change our constitutional way of life. But this time the government is not prepared to wait until the Supreme Court has ruled. If the government really believes we are sovereign, then why not wait until our own Supreme Court has ruled? Alternatively, why not put the proposal by way of a referendum to the people of Canada, asking whether they want the amending formula the government proposes? I would be delighted to campaign in western Canada against the Liberals and New Democrats on their actions to deny western Canadians equality with central Canadians.

Hon. members know that I have spoken on earlier occasions to the historic disadvantages suffered by western Canadians. I speak of the transportation inequities, the tariff inequities, the regulatory inequities and others. I submit that the combination of punitive taxes on western petroleum energy, while leaving totally untouched the energy of central Canada—even though that energy is being exported in great quantities—with the amending formula which makes all regional provincial governments less than equal will increase an already disturbing level of western alienation.

Canada has succeeded only because our predecessor politicians took the time to listen and respond with a political compromise which worked and was accepted in the circumstances by the majority of Canadians in each region. For

example, the rest of Canada has responded generously to the aspirations of Quebec. How else could Quebecers, with only 26 per cent of the population, have a separate pension plan, a separate tax system, a separate radio and TV system, a separate civil law system and official bilingualism? Earlier governments dominated by non-Quebecers did respond, but I sense with regret that the present government, dominated by Quebecers, is not responding to the hopes and aspirations of westerners. To the extent that they fail to listen and understand, they will retard and even destroy Canada. The government, and the Prime Minister in particular, have taken a calculated risk that westerners will swallow the energy takeover and taxes, the amending formula, the referendum clause and the entrenched charter rather than separate. The Prime Minister might be right, but I say that there will be a long-lasting sense of injustice which will harm federal-provincial relations for many years.

If the Prime Minister is wrong and western Canadians choose to take their destiny into their own hands and central Canada refuses to be reasonable, then we will face years and years of bitter discord. Do not be surprised, Mr. Speaker, when you see sabotage of oil installations and pipelines. We need co-operation in Canada to solve serious problems relating to industrial changes, energy deficits and world peace.

With respect to the question of an entrenched charter, we should not forget the present situation concerning human rights in Canada. I have listened to several members opposite, and they leave the definite impression that Canadians are getting something "extra special" from this proposal. That impression is erroneous. In fact, Canadians have right now all the rights proposed together with one in particular which is omitted from the proposal and to which I want to return later.

The basis of our present human rights lies in several sources: first, the common law tradition extending back to the Magna Carta; second, the various human rights bills, such as the Diefenbaker Bill of Rights, the Alberta bill of rights and other provincial statutes; third, the universal declaration of human rights to which Canada subscribes; fourth, the United Nations covenant on civil and political rights; fifth, the United Nations covenant on economic, social and cultural rights; and sixth, the optional protocol under which Sandra Lovelace is successfully proving that section 12(1)(b) of the Indian Act is discriminatory.

The issue is not the existence of human rights in Canada but how those rights are adapted and altered in the future. Under our present law, if a citizen feels his or her human rights have been violated, he or she can raise the issue with the existing human rights commissions, and there is also access to the courts. If people are unsatisfied, they can lobby their provincial or federal legislatures and obtain changes. A review of Canadian human rights history shows a slow but steady and progressive improvement.

I believe that an entrenched charter is unwise within the context of our Canadian society and particularly in relation to our system of representative, responsible parliamentary government and our judicial system. I sense that an entrenched charter will change dramatically the process by which our own unique Canadian society has evolved and will continue to evolve in the future, particularly with respect to human rights.

It seems to me that the great value of our present system of responsible government is that it permits each generation to strike a new balance which is appropriate to its particular time and place. The focus of that process in Canada has been provincial legislatures and this federal House. The agencies of enforcement have been the human rights commissions and the judicial system. On balance, and especially if we contrast the position of human rights in 1867 with today, we see an enormous change which I think all would agree has been progressive.

For example, in 1867 women were denied the vote which they now have. Men without property were denied the vote which they now have. The poor of 1867, the mentally handicapped of 1867, the physically handicapped and the native peoples of 1867 all were viewed in an entirely different light compared with now. In 1867, we did not have electricity, cars, airplanes, TV, stereo, or satellites. Our view of the world, science and religion has changed incredibly since then.

● (1520)

I submit, Mr. Speaker, that had the Fathers of Confederation entrenched their view of human rights, of democratic rights and of legal rights in a charter, we would be labouring today under a very different type of society and possibly would have had change only by civil violence.

In fact, under our system of responsible, representative parliamentary government we have been able to change and adapt our institutions quickly enough to preserve the whole. I am of the opinion that an appointed judiciary slows the process of change and also, by virtue of its past Canadian mandate restricting it to legal interpretation and enforcement, will impair the process of future change. There is also the potential problem of an appointed judiciary which decides to become activist and political, as in the U.S.A. If they make a mistake it cannot be easily corrected. If Parliament makes a mistake, it can be changed by future parliaments. An entrenched charter will change our attitudes and practices to the point where we will be narrow, technical and legalistic in our attitudes rather than fair, reasonable, tolerant and open. We will be adopting the minimum legal standard required rather than the much higher moral standard under which we should all operate.

Therefore, before entrenching a charter of human rights we should take a serious look at our method of selecting judges in the context of federal-provincial relations, in the context of their sex and even their ethnic balance. To impose suddenly and unilaterally an entrenched charter on our existing system with no genuine examination of the probable effect on other systems is most unwise. Mr. Speaker, just as the huge deficit of $137 billion piled up by past parliaments is now seriously hampering this Parliament, so will our present action of entrenching a charter based on today's values hamper future generations. Better to leave rights in a statutory bill of rights, like that of John Diefenbaker.

In fact, we are displaying an enormous ego to believe that we have the answers for all time. Several members have argued that our treatment of the Japanese during the Second World War and the Chinese before that justify an entrenched charter. The treatment of both was a tragedy, but in reality they were also treated badly in the U.S.A. with its entrenched charter.

In Russia and many other countries with beautifully written, entrenched charters we find the most barbarous and vicious tortures ever designed by mankind. On the other hand, here in Canada with our representative, responsible democracy with no entrenched charter, we have a sense of fairness and justice and, on balance, a rapidly improving sense of human rights.

The reality of human rights is that they exist in people's minds and are protected by individuals standing up and insisting on the value of human dignity. Right from the beginning people in this nation stood and spoke against the treatment of the Japanese Canadians and, earlier, the Chinese Canadians.

If our government was oppressive and putting people in jail without trial, or if our police or military forces were out of civil control, then I would be arguing strongly for a change. But they are not, and the reason they are not is that we are individually and collectively committed to being a civilized society with a system of government that has grown and adapted as our sense of human dignity and rights has grown and adapted. The focus of that change and the changes which should occur in the future should be in the provincial legislatures and in this House where we are subject to review by the people every four years.

The beauty of John Diefenbaker's Bill of Rights is that it sets out the basis for our values. Mr. Speaker, let me read those values, and I quote:

> The Parliament of Canada, affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions:
>
> Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;
>
> And being desirous of enshrining these principles and the human rights and fundamental freedoms derived from them, in a bill of rights which shall reflect the respect of Parliament for its constitutional authority and which shall ensure the protection of these rights and freedoms in Canada:
>
> Therefore—

It then goes on to enumerate specific rights. But, Mr. Speaker, in this proposed entrenched charter did the Liberal-NDP coalition accept the PC amendments to include the right to own and enjoy property? No, they did not. Did they accept the PC amendment referring to the dignity and worth of the human person? No, they did not. Did they accept the PC amendment referring to the family? No. Finally, the Liberals voted against a PC amendment acknowledging the supremacy of God. Shame! The NDP sent a member to speak against the amendment, then sent others to vote for the amendment, but I submit only when they knew the Liberals intended to defeat the amendment.

Since then, has the Leader of the NDP insisted on the supremacy of God clause? Of course not. Their philosophy does not accept the concept. What hypocrites! They make the pharisees look like angels.

Under the proposed entrenched charter, an aggrieved citizen will have no choice but to engage a lawyer and go to court; and if that citizen loses, there will be no remedy except a constitutional change, which will be virtually impossible. Also, Mr. Speaker, I wonder if ordinary citizens genuinely realize the enormous legal cost involved in the use of our judicial system. An entrenched charter will do for us lawyers what the Liberal government tax reform did for chartered accountants. We will be creating a new class of high priest, the constitutional lawyer. This will concentrate wealth in still another level of privileged class. It is ironic that the NDP members who purport to stand up for the ordinary Canadian are in fact injuring those very people they purport to protect. The same argument applies to their stand on energy and fiscal policy.

The right to own and enjoy property goes to the root of what being a Canadian is all about. Except for our native community, we are all immigrants to Canada within the last 400 years. Most of our ancestors came for the opportunity to work hard and make a better life for themselves and for their descendants. The right to own property was vital. John Diefenbaker's Bill of Rights confirmed and acknowledged that right.

The form of property ownership has changed over the last 50 years as we ourselves have changed from a predominantly rural to a predominantly urban society. In the past, ownership of property meant land, but now it means shares in corporations. At the root of our PC policy to have each and every Canadian owning directly a few shares of our national oil company was the desire to have each citizen receive a direct dividend from their oil resources. Each citizen, wherever he or she lived, would directly own and feel a part of western Canada, the Beaufort Sea and High Arctic, the Atlantic Hibernia play as well as several international plays. People would excitedly wait for the quarterly and annual reports to learn of the current status of their property.

People ask me why the Liberals and New Democrats voted against property rights. The reason is clear, at least to my mind; property rights prevent them from nationalizing companies in which Canadians own shares. You will recall that when PetroCan bought Pacific Petroleum for $1.5 billion, some $430 million went to Canadians who were forced to sell their shares to their own government. An entrenched right to property would block such forced sales, because the enforcement clauses in the various corporation statutes would be null and void. Let there be no doubt as to the long-term intention of the Liberal-NDP coalition: they are preparing to nationalize industry generally.

The Liberal-NDP position means that future Canadians will once again have to fight the same battles as the English did in 1215, the Americans in 1776 and the French in 1790. What a waste!

● (1530)

The referendum clause which permits this Parliament to bypass provincial legislatures and even change provincial

powers is not consistent with our Canadian constitutional history. It must be changed, and I sincerely ask members opposite to vote for our amendment presently before the House.

In summary, it seems to my mind that the amending formula, the entrenched charter, the referendum clause and the specific omission of clauses respecting property, the supremacy of God, the dignity and worth of the person, the attempt to rewrite history and more, all signify a regressive step in our national evolution. The end does not justify the means today any more than it did in 1841. The attempt to rewrite history by changing the names of the various British North America Acts is an act in the finest of Marxist theory, but it is not part of our Canadian history.

By passing this proposal, we will be condemning ourselves and future generations to discord and dispute, because forces are gathering in the west which will not accept a secondary status in Canada. We will be equal or we will be separate, sir. That is the concept to which western Canadians are flocking today. They will be equal or they will be separate. These mean and petty attempts to block our equality will simply cause deadlock until they are changed. What a tragedy it is that the very people who should understand most clearly do not.

Mr. Jesse P. Flis (Parkdale-High Park): Mr. Speaker, it is fitting that the present debate on the proposed new Constitution is taking place in the Senate and in the House of Commons during the month of March. For it was on March 8, 1867, that the British North America Act was passed by the House of Commons in Great Britain, 114 years and three days ago. The BNA Act was proclaimed in Canada on March 29, 1867, and Queen Victoria declared July 1 as the day of confederation.

Today we are trying to shake off the last vestiges of our colonial status. Canadians from coast to coast are agreed that this last vestige of colonial status must end. Canada has reached the crossroads in its history. The time has arrived for Canada to thank Great Britain for being the guardian of our Constitution and to request the British Parliament to amend the BNA Act for the last time. Canada has reached full adulthood.

In this House on February 17, the hon. member for Oshawa (Mr. Broadbent) reminded us that now is the time in Canadian history to act, we have waited long enough.

[*Translation*]

Now is the time in Canadian history to act; we have waited long enough.

[*English*]

As chairman of the special parliamentary committee on the proposed national trading corporation, I have learned from Canadian manufacturers and exporters that our feeling of Canadian nationalism and patriotism for our country does not flow into commercial and economic fields. For example, do hon. members of this House know what the big trading slogans are in the successful manufacturing and exporting countries, such as Japan and West Germany? They are their national symbols: "Made in Japan," and "Made in West Germany". Members of the special committee have come to realize that each nation acts as one when producing and exporting goods and services. Each country is not a divided nation, but united and extremely efficient when it comes to dealing with other nations. Can we as Canadians say the same when certain provinces want increasingly to act alone with their industrial and export strategies?

By bringing the Constitution home, we will bring to Canada the powers to master our own destiny. It is with this same feeling of patriotism that we can begin to generate the necessary capital and human resources to take control of our industries and natural resources from foreign domination. It is only then that we can begin effectively to plan to increase our economic clout with other exporting nations.

Countries around the world are hungry for made-in-Canada products and equipment. They want Canadian management, engineering and construction expertise. Patriating our Constitution with a charter of rights and an amending formula will give us the maturity to export goods and services under a national symbol, under a Canadian identity. Canada will then achieve the self-concept it requires. "Self-concept" is defined by psychologists as "What is my perception of myself, and how do I think others perceive me?" Canada's "id" or ego has not been the healthiest over the last century.

Unfortunately, we are still perceived by many countries as a colonial state, a consuming country, a country which has not achieved complete sovereignty. Patriating our Constitution with a charter of rights and with an amending formula will enhance Canada's self-concept to the level of a true national identity. So that when someone asks our children and their children, "Who are you?", they will proudly respond, "I am a Canadian"; "Je suis Canadien".

Canadians have done much already in assisting Canada to achieve a national identity, a national self image. The Canadian Citizenship Act, the Canadian flag, the Canadian national anthem, are but a few examples of this maturation.

[*Translation*]

In my opinion two stages in the development and maturation of Canada are still misunderstood.

[*English*]

The first stage is for this Parliament to designate July 1 as Canada Day. The second stage is for both Houses to give unanimous consent to patriate the Canadian Constitution with an amending formula and a charter of rights.

On October 29, 1980, one day after the House of Commons committee on the Constitution of Canada was struck, I wrote a letter to the chairmen of the committee, and I sent a copy to all members of the committee. The hon. member for Provencher (Mr. Epp) tried to take me to task in this House on that but I want to assure him that my intentions were very honourable.

The letter read:

In view of the fact that I have been receiving many representations from Canadians of non-English and non-French-speaking backgrounds, I request the opportunity to appear before the committee as a witness. The purpose of my

appearance would be to suggest, on behalf of over 7 million Canadians, an amendment to the proposed Constitution, namely, the incorporation of cultural rights, including heritage linguistic rights, under the charter of rights and freedoms.

Three weeks later I wrote to the hon. Minister of Justice (Mr. Chrétien) recommending that the concept of multiculturalism be brought into the proposed resolution. On November 27, 1980, I wrote again to the special joint committee suggesting amendments to the proposed Constitution which would reflect the cultural pluralistic society of Canada. In addition to the above actions, I lobbied in caucus and sought the support of every cabinet minister to ensure that multiculturalism be given appropriate attention in the proposed Constitution.

Why was I pressing for this change to the proposed resolution? I was motivated by the thousands of representations made to me regarding this particular amendment. On behalf of the ethnocultural groups and the 4,000 individual Canadians who made representations to me to ensure in the Constitution that the rights of all cultural groups are protected, I wish to thank the government, both opposition parties, the Senate and the special joint Constitution committee for agreeing to Section 27 of the proposed resolution, which reads:

This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

Placing multiculturalism as a separate section in the charter of rights ensures that, in intepreting such provisions as Section 14, right to interpreters, Section 15, equality rights, and Section 22, preservation of third language rights, the courts will have to be conscious of the importance of these rights as they relate to cultural groups.

● (1540)

I would like to congratulate the Canadian Consultative Council on Multiculturalism, Canadian Citizenship Federation, Canadian Federation of Civil Liberties and Human Rights Associations, Canadian Polish Congress, National Italian-Canadian Congress, German-Canadian Committee on the Constitution, Council of National Ethnocultural Organizations of Canada and many other groups and individuals who made such excellent presentations to the special joint committee on the subject of preserving and enhancing the multicultural heritage of Canada by entrenching the concept into the Constitution.

Expressions of appreciation regarding this amendment are already being communicated to the capital. Dr. L. G. Polymenakos, president of the Greek community of metropolitan Toronto, said this:

The Greek community is in full support of this amendment, and are extremely pleased that the government has adopted such a basic form of human rights.

I quote the Lithuanian Community Association of Toronto:

We are pleased that this amendment has been included in the Constitution, as opposed to the preamble.

I wish to read a telegram from the Canadian Polish Congress:

Resolved, that the annual meeting of the Canadian Polish Congress (Toronto District) held on March 7, 1981, at Toronto and representing 50,000 Canadians of Polish origin . . . expresses its thanks to the federal government for introducing an amendment to the Constitution which recognizes the concept of multiculturalism in Canada.

[*Translation*]

That Canada should be recognized as a cultural pluralistic society is a *fait accompli* and an enviable achievement which all Canadians strive for. Canada must consider both reality and the aim to achieve.

[*English*]

We have heard from the official opposition and from the premiers of the provinces about the idea of patriating the Constitution first and then allowing Canadians to decide what should be in the charter of rights. We heard this a moment ago from the hon. member for Lethbridge-Foothills (Mr. Thacker). They said that we should not impose upon the parliamentarians of Great Britain the task of deciding what should be in the Canadian Constitution.

I would like to ask those critics to assess the process that the proposed resolution for a joint Address to Her Majesty the Queen respecting the Constitution of Canada went through. Are they suggesting that hon. members and senators who worked so hard on the Constitution committee are not Canadians? Are they saying that the 97 groups of witnesses who appeared before the committee are not Canadians? Such critics are insulting the 323 Canadian groups and 639 individual Canadians who made written submissions suggesting various amendments, many of which have been accepted by the joint Senate and House of Commons Constitution committee. I submit that all of the above people are Canadians. Therefore, the proposed resolution before us with some 58 amendments will be a truly Canadian Constitution—a Constitution written in Canada by Canadians, for Canada and for Canadians.

I would like to respond to the ill-informed critics who have charged that the proposed Constitution with its Charter of Rights and Freedoms is the obsession of the Prime Minister (Mr. Trudeau). Hon. members of the official opposition have been writing letters to members on this side of the House stating that the Liberal members have little courage to do what is right for Canada, that we are afraid to stand up to the authoritarian discipline or "captivating sorcery of our leader."

I have in my right hand 4,000 signatures from Canadians who support the proposed resolution to patriate the Constitution with a Canadian Charter of Rights and Freedoms. In my left hand I have 31 representations opposing the inclusion of the charter of rights. The people of Parkdale-High Park and other Canadians have spoken in this chamber today. They have told me how to vote, not the Prime Minister.

The Constitution package before us is not a "Trudeau package". The Charter of Rights and Freedoms in a patriated Constitution is what all the backbenchers and ministers on this side of the House have been pressing for. This is what the Canadians who elected us have been thirsting for for over 50 years. Thank God we have a leader who is sensitive to the wishes of the majority, a leader who does not dictate but leads. The Prime Minister is only as good as his ministers and his

backbenchers who are elected by the people of Canada to govern wisely the affairs of the nation.

Canada's democratic government is far stronger when we have constructive criticism from the two opposition parties. One of those two parties has given this Parliament positive criticism. The other party, unfortunately, has stooped to an all-time low in attempting to bring disunity to this country. I draw hon. members' attention to the householder of the hon. member for Okanagan-Similkameen (Mr. King) and to this letter from the hon. member for Richmond-South Delta (Mr. Siddon). I wish to make it clear that I have high respect for both of these gentlemen and that in no way am I attacking their personal character. What I am objecting to is their actions which turn one Canadian against another.

I draw the attention of hon. members to the cover of this householder, paid for by Canadian dollars and sent to everyone in that constituency: "Are you ready for second-class citizenship?" To suggest that bringing home our Constitution with a charter of rights will somehow make some Canadians second-class citizens is unparliamentary.

I have also a letter from the hon. member for Richmond-South Delta, a very friendly letter addressed "My dear Jesse" and signed, "Yours very truly, Tom". I quote:

A country can only be constituted by a bringing together of individuals and regions, in a spirit of good will.

Let us see some of that spirit of good will from the official opposition, because to date we have not seen it.

Otherwise the constitution and possibly the country is doomed to failure.

It is this doom and gloom which is demoralizing our country. I draw attention to the last page of the *Householder*, supposedly a letter from a constituent in Okanagan-Similkameen:

Mr. Prime Minister:

I am a Canadian, as loyal and dedicated as you. Do not offend me by questioning my devotion to my country. Do not offend me by taking me for granted.

Let me read from the letter attached to the one received from the hon. member for Richmond-South Delta:

I am a loyal and dedicated Canadian. Do not offend me by questioning my devotion to my country. Do not offend me by taking me for granted.

If the official opposition is receiving thousands and thousands of letters from constituents objecting to the charter of rights, may I ask why they keep using one and the same letter? The Prime Minister's office as of today has received approximately 6,000 letters concerning the Constitution. Out of that number, 600 to 700 have dealt with the charter of rights. They have been mainly in support and involve other issues, such as property ownership and including a reference to God in the preamble. These are the things to which people have been addressing themselves.

An interesting sidenote, Mr. Speaker: last year the Prime Minister's office received approximately 10,000 letters concerning the seal hunt issue alone, showing that the proposed Constitution is not causing as much concern as the official opposition and the premiers of the provinces would lead us to believe. I give credit where credit is due and I give negative criticism where negative criticism is due.

I am somewhat disappointed with all three parties represented in this House, with the special joint committee on the Constitution, with the Senate and with Canadians in general. All the discussions, recommendations, petitions, and debates that we have heard on the topic of a new Constitution for Canada have been offered in a spirit of individual, group and regional interests. The whole process in arriving at a proposed resolution to be presented to Her Majesty the Queen respecting the Constitution of Canada has been a very selfish one.

• (1550)

Will Canada guarantee my democratic rights, my mobility rights, my legal rights, my rights of equality, my linguistic rights or my cultural rights? Will the new Canadian Constitution guarantee my fundamental freedoms of conscience, religion, thought, belief, opinion, expression or peaceful assembly and association? The answer to all the above questions is yes.

Not one Liberal, Conservative or NDP member, no premier and no Canadian has asked the question: What can I do for Canada? What is my obligation as a Canadian citizen to my country? What are my responsibilities to my great nation? How am I showing my patriotism and allegiance to my country? Is it my duty to defend Canada in time of war?

An hon. Member: Yes.

Mr. Flis: Therefore, I see a very important element missing from the proposed constitutional resolution before us. The package before us is a one-way, selfish ticket. It clearly states what the Constitution will offer Canadians, individually and collectively, but the new proposed Constitution, moulded by Canadians, does not entrench Canadian citizens' obligations, duties, allegiances and responsibilities to their country.

I recommend, therefore, that on this historic occasion this House entrench a preamble to our Constitution. Such a preamble should include, among other things, the obligations, duties, responsibilities and allegiance of every Canadian citizen to his or her country, Canada. The principles we stand for as Canadians should be stated eloquently and in a style that can be committed to the hearts and memories of generations of Canadians. The preamble should be one of the most significant parts of the Constitution and could serve to educate the young as to their obligations to their country.

What is lacking in this country today is what the people in Poland have just rediscovered; the strength, the power and the force of solidarity—"Solidarnosc", as they say in my heritage language. One week ago today, Mr. Speaker, a member of the solidarity union of Poland sat in your chair, unknown to you. As he sat in that chair I explained to him how our Parliament functions. He sat there with tears in his eyes and said, "God, this is freedom!"

We need solidarity in this House during this debate. The various levels of government must practise solidarity in sharing the wealth and poverty of this land. Canadians individually

and collectively must display this spirit of solidarity. In addition to the spirit of co-operation and solidarity, Canada requires from its citizens and non-citizens alike an attitude of intrinsic and extrinsic patriotism.

As the proud member of Parliament for Parkdale-High Park, Mr. Speaker, I should like to end my contribution to this historic debate by saluting, on behalf of my constituents, the Canadian flag in this chamber to your right, thus displaying my patriotism to Canada, a country which my parents adopted only 51 years ago.

[*Editor's Note: At this point Mr. Flis saluted the flag.*]

Mr. Flis: I pledge allegiance to this flag and to the country for which it stands—one country, one nation, indivisible for all.

Some hon. Members: Hear, hear!

Mr. Joe Reid (St. Catharines): Mr. Speaker, a short number of months ago I was one of those denied the opportunity of speaking and participating in the early rounds of this debate. This is a debate on a matter which touches the lives of so many Canadians; a debate in which, as the Prime Minister (Mr. Trudeau) indicated when introducing the resolution, all members were invited to participate; a debate which involves a fundamental document of our nationhood, one which all of us say is intended not only to serve our needs of today but which must endure so as to serve the needs of the generations of our children of tomorrow.

It does not matter that my words are those of a backbencher, that they be repetitious or even immaterial; we as members of Parliament should not be denied the opportunity of expressing our own points of view, or those from the parts of the country from which we may come.

Some hon. Members: Hear, hear!

Mr. Reid (St. Catharines): This is why I welcome the opportunity of participating in this debate today. Already we have a document that is rigid in form and in substance. In spite of what my hon. friends may say as a result of the number of communications they may have received, such as the hon. member for Parkdale-High Park (Mr. Flis) whom I follow, the Prime Minister has indicated there will be no free vote on this resolution in this House.

I have noticed that the pages of *Hansard* have not been filled with joyous recounts by hon. members from the province of Quebec. Even at this late date, as I rise in support of the amendment proposed by the hon. member for Provencher (Mr. Epp), I would remind those opposite that although this government is made up of members basically from one region, it is the Government of Canada that has a duty and a responsibility to all of the provinces and all the people within those provinces to act in the general interests of Canada. This makes it even more important for the government to be sensitive and to take some soundings of the wants, feelings and needs of that great part of this country from which this government has no representation.

Polls are not new to this government. Let us ask the members of this government to read the results of polls. Better still, they should listen to the opinion makers of that western area of ours, be they provincial legislators, members of the press or members of this House of Commons.

One often asks oneself why this government insists on brinkmanship. In those early months of 1980 I heard and applauded those members who went into the province of Quebec and talked about a renewed federalism. In my naiveté, perhaps as a new member, I really thought they were talking about a redraft of the Constitution, one which would right the wrongs of the past, bring justice where injustice prevailed and provide equity and equality for all Canadians, the key to which was still federalism, and the purpose of which was greater strength, harmony and unity for all Canadians. The substance of that charter of renewed federalism I thought would be the product of the deliberations of a constituent assembly of Canadians, that the preamble would be one recognizing the supremacy of God and the dignity and worth of our people, as well as the spelling out of a way of life as we would have it be.

What do we have? Certainly we have a better document than the one proposed some four months ago, but it is still a document of illegitimacy born out of political opportunism and political compromise rather than the high principles of self-help and consensus which wed the four colonies of British North America together in the first place, subsequently joined by each of the other provinces under terms and conditions negotiated and agreed upon. It is still a document of unilateralism, divisive in its nature and in its process. It is not a document that finds common ground of understanding between and among its partners to confederation, but one that will continue to antagonize and be an affront to the provinces. It is still a document that runs the perils of doubt and uncertainty, that flies in the face of public and popular opinion.

• (1600)

We all know that a document of this kind should stem from the people. It has to be an expression of their philosophy and of their willingness to be governed by an accepted statement of values and principles. How many times has it been said that a certain law is not worth the paper it is written on, or that the law is an ass? Such statements can only be made where those laws never did have, or have lost, the respect of the people. We have been told goodness knows how many times that we are the servants of the people and that what this government has forgotten is just that. As was so ably set out by my colleague, the hon. member for Provencher, laws and lawmakers must never just command, but rather in a democracy they must command respect not only for themselves but for what they are doing.

It is worth noting here from Table I to Appendix D of the joint committee's report that, of the opinions expressed concerning the proposed resolution as a whole, 18 groups and 54 individuals expressed themselves as being in favour of the

resolution while 30 groups and 197 individuals disapproved of the action now being taken by this government.

Support for the government's resolution has continually eroded from the time it was first introduced last October. It is because of the awesome nature of our task that history will look kindly upon the decision of the Leader of the Official Opposition (Mr. Clark) who, from the outset, proposed to support the creation of a new made-in-Canada Constitution and to oppose the notion of arbitrary and unilateral action by a majority federal government.

One of the things that has disturbed me since coming to this House is the reckless regard we have for truth and credibility. Too often we have been told the end justifies the means and it disturbs me, as it does the people of Canada, that this government is promoting a constitutional package in its main resolution with little explanation as to need, substance and content.

Speech after speech is given in glowing terms as each refers to a charter of rights—but not particularly this one. At last, they point out, we will be free of that last vestige of colonialism, but there is little reference to the amending formula proposed. Patriation has become the government's method, but alteration is its goal. In this resolution, Canadians would be given the patriation they have indicated they desire, but they will also be given a proposal that breaks the equilibrium maintained by our two levels of government until now, one in which they have functioned in a complementary fashion, which is the very essence of a federal regime.

Let me refer to Table II of Appendix D to the report before us. The numbers are small, limited as they were by the time frame imposed, but the percentages are significant. Recognizing that there is almost universal acceptance of patriation, only 23 groups and 42 individuals making submissions to the special joint committee approved the government's action of unilateral patriation with changes, while 33 groups and 92 individuals opposed such action—almost two to one. Is this responsive or even responsible government?

On the opening day of this debate the Minister of Justice (Mr. Chrétien) remarked, and I quote:

> Canadians will take pride in the results of the substance of our work.

Another quote, given on February 25 last:

> With all my heart I want to believe that—but I don't. The wounds have been too deep.

These are not my words, though I believe them. They are the words of a former NDP leader in the province of Ontario, Mr. Stephen Lewis. We have been told over and over again we have had 53 or 54 years of failure. That sounds like more of the distorted political advertising of this government. Slough off the success story of those years, the great gains in social living made by our people through agreement and compromise, and forget that in 1931 it was the lack of an amending formula that halted the complete establishment of our sovereignty. It is worth keeping in mind that for the last 13 years the chairman of those federal-provincial conferences, the one person who has participated in each of them, has been our own Prime Minister. If there was failure, who must share, perhaps to the greatest degree, responsibility for that failure? Who had the greatest opportunity to make it work, if he wanted to do so? Process, particularly if that process has to do with the amending formula, if it has to do with making changes in the Constitution of tomorrow, is even more important than substance, as was shown in 1931. The way in which change is to be brought about is the very essence of the opposition to this proposal. The necessity of an acceptable amending formula was in the past and, I submit, is now the most critical subject we have to consider in this constitutional reform. Process cannot be set aside slightly. The amending process is our protection for the future. Process, in this instance, is substance.

I listened to the Minister of State for Science and Technology (Mr. Roberts) quote George Brown as he commented 116 years ago on how he prepared to gather these countries together—"countries" was his word for colonies—into one organized government. What the hon. Minister of State for Science and Technology omitted to do was to point out that that plan of government clearly and specifically set out the federal and provincial jurisdictions. George Brown went on to emphasize, and I quote:

> And we take especial credit to ourselves that the system we have devised, while admirably adapted to our present situation, is capable of gradual and efficient expansion in future years to meet all the great purposes contemplated by our scheme.

The process of amendment as proposed does and can alter substantially the fundamental nature of federalism in this country.

I am not going to deal at length with the number of amending formulae presented to this House, but let me emphasize again that we on this side of the House say that any amending formula written into the Constitution must have two distinct characteristics. First, it must be fair and equitable to all people in all provinces; second, it should reflect the federal nature of Canada.

● (1610)

It is clear that a patriated Constitution must contain an amending formula. This is why a simple amendment to the Statute of Westminster will not suffice. We on this side of the House take the position that the essence of an amending formula is consensus and that the consensus should be the widest one possible. We offered the Vancouver formula as one having that kind of support, but it was rejected by the government in favour of the Victoria formula.

If one listens to government supporters, one would think that the result of the Vancouver consensus would be something new—a more divided country than ever before. They talk of a crazy quilt and a checkerboard; then they talk about opting out. Diversity is in our make-up; it is nothing new. It has been present since 1867 and even before that. It started with the British North America Act, with linguistic rights and the retention of the civil code for people in the province of Quebec. That special consideration of diversity continues today.

Various provinces entered confederation under different provisions. As we developed our social service programs, these

varied from province to province. This has been part of our history and tradition. Are we the worse for it? No, there is a diversity in our make-up which has permitted provinces to move in accordance with their separate wants and priorities, each within its time and circumstances. It has allowed the people in our regions to grow and enjoy as they would choose, not as they would be required or forced to do.

While the term "opting out" is perhaps not a very apt one, what is meant by it? In what areas might they opt out? Put simply, those areas subject to the opting-out provision would be those touching upon the rights and privileges already granted to the provinces under the BNA Act, under which they have been operating for the last century or more. It is taking away something they already have.

How much different is that from the Victoria formula, which encourages such comments as the one reported at page 7445 of *Hansard*:

> But one essential fact remains for us members from Quebec, namely that the government of Quebec and all Quebecers maintain their right of veto and that in future no constitutional change can be made without their consent. I consider that this right of veto is a prerequisite condition for anyone who acknowledges the specificity of Quebec.

Those same words could be used for Ontario or for a combination of any two Atlantic provinces. It throws a population veto out of balance when one considers that the population of British Columbia exceeds that of all the Atlantic provinces together. If the Vancouver formula is bad, the Victoria formula is worse. It makes classes of provinces, gives some a perpetual veto and perpetuates seeds of ongoing discord. Is this the equity, fairness and justice that Canada wants written into its Constitution? No, Mr. Speaker.

The future of Canada will remain secure only if we allow Canadians in various parts of our country to have their regional identities, to maintain their traditions and to live up to their own values within Canada. If we want to strengthen and maintain Canada, the government should follow such a course.

The people of St. Catharines and indeed the people of Ontario are not seeking any special status or privilege, even knowing the province of Ontario has the right of veto in the government's resolution. Public opinion polls taken within the province show that they, too, want to bring the Constitution home and then to participate, in a capacity equal to all other Canadians, in the drafting of a Constitution made in Canada by Canadians for Canadians. They are prepared to participate as equals. Our fear is—and I fervently hope that such will not be so—that that opportunity may be lost forever unless we change the present animosity, alienation, confrontation and indifference to the alternative course of action of appreciation, harmony and understanding. Only then will each of us as Canadians from our various regions be able to share in the joy and pride which go with the symbols and institutions with which we identify as Canadians. Unless there is a feeling of pride and participation, the risks and divisions contained within the proposed Constitution will live for many years to come.

It has been said often that unity does not mean uniformity. It has never meant uniformity. Nor does uniformity give unity. One can find unity in the diversity of the country, for it has been the Canadian way of life and has made Canada the envy of the world. The major purpose and duty of the government is to remove regional unfairness and disparity and to promote equality across the land, just as it adopted the provision of equalization and wrote it into the Constitution. This has been accepted by all.

I should like to turn to the showpiece of the government's constitutional initiative—the Canadian charter of rights and freedoms. It is the showpiece because it is the part of the package to which most people can relate. The hon. member for Parkdale-High Park and other speakers on the government side indicated that the charter may not be perfect. Then they went on to say, "but nobody has to be perfect." This is merely a continuation of the wrong premise from which this package stems. If we are to have a charter at all, as Members of Parliament do we not have a responsibility to draft the very best one possible, especially if we are building, as the hon. minister pointed out in introducing the motion, a better Canada? In fact, he said:

> We have the occasion, after the traumatic experience of the spring, to build for our children and the children of our children a better Canada.

Does this not mean that we must develop and draft the most perfect Constitution possible?

Property rights are sadly missing from the government's package. Since coming to this House I have heard members speaking rhetorically about looking upon the Rockies, gazing over the Pacific coast, the coves of the Atlantic provinces or the wheat fields of the west. They have said, "These are my Rockies, my beautiful landscapes, my forests and my grain fields, mine for me to enjoy because I am Canadian and they are Canadian." That is like saying: "They are mine to enjoy, that is right, but please do not touch; they are beautiful, but they are beyond your reach." How can you say, Mr. Speaker, that they are yours when you cannot even own a little piece of them, or just a corner of them?

● (1620)

For a brief moment it seemed that common sense would prevail and that the government would support our position on property rights. But then, common sense and another good Canadian tradition was displaced by political expediency. The family home, the family farm and the family business are basic to our Canadian way of life. New Canadians have come here with that single motivating thought. Indeed, I say to the hon. member for Parkdale-High Park that in Poland the people are struggling to gain the right to own and occupy a single piece of land.

Some hon. Members: Hear, hear!

Mr. Reid (St. Catharines): The right of ownership is one which is to be denied in this Constitution—or perhaps not confirmed is a better way of putting it. We have heard it mentioned, and I think it was almost spoken with praise, when

government members referred to the Diefenbaker Bill of Rights. They said, "We are the party of rights and entrenchment." I agree with that, but the Diefenbaker Bill of Rights had the property rights proposal contained within it. Today's proposal is one that remains silent and muted, leaving a serious gap, far from a perfect charter of rights, one that we might expect to have. Not only is this charter not perfect, it is not even as perfect as we can make it.

I was born and raised on the prairies of Saskatchewan. Like many others, I served my country in time of war and in peace. I am a Canadian. Any Canadian Constitution which does not give me the same rights as all other Canadians to live, work, invest and do business and, indeed, to hold and enjoy property in any part of this country is deficient and discriminatory.

Some hon. Members: Hear, hear!

Mr. Reid (St. Catharines): Rather than have this charter be of the people, for the people, the approach taken is that the government grants rights and individual freedoms. We on this side of the House do not subscribe to that view but, rather, to the view that the citizens of our country have rights simply because they are people, human beings created in the image of God. They have certain inalienable rights. No government, no matter what the system, particularly the democratic system under which we live, should take those rights away from us. The right to own and enjoy property is one of them.

What this government seems incapable of understanding is that it is one thing to give people a Constitution, but it is another to give them one which they respect, a Constitution they can respect because they have had some part in developing it or in the process of the drafting or adoption of it. There are many such processes which can be accepted. But I submit that such a charter and, indeed, a Canadian Constitution should be the subject and the result of the deliberations of a broad cross-section of Canadians. Only then will we be able to say that we have a Canadian Constitution made by and for Canadians.

The Fathers of Confederation set a monumental task for themselves. They structured a nation from the wilderness. They established two levels of government which were to act as partners in the building of a new nation. Their task was to form the union and they did their job well. It is now our task to hold it together.

The Government of Canada and the provinces have long held that through confederation each of them has benefited. The greatness and diversity of this land and its people should never be undermined or reduced, for in that act of diversity lies the very strength of this nation. At times it will cause conflict and perhaps not promote rapid change, but that is a necessary concession which must be made to the greater good of all.

Change in the structure of Canadian politics has always been gradual. Change in Canada has not been the birth of conflict and violence. Canadians are a patient people. They will not accept change if the result of it is contrary to their wishes. We should bring the Constitution home and we should do it now. As Canadians we should gain the independence in form which we have enjoyed so long in fact. Then the opportunity will be ours, as a mature and responsible nation, to make the kind of change the people of this country would propose. That is what being independent really means. That is the Canadian mosaic. The Canadian people themselves may not be perfect but they deserve the chance.

Let me say here that no matter what form the resolution might take as it goes from this Parliament to Westminster, be it good, bad or indifferent, it is my hope that it would be endorsed there and returned to us, as Canadians, to work out our own future, to work out our own salvation as we see fit, in accordance with our own responsibility as a sovereign nation. But the fault will lie with this government if it embarrasses this country and Great Britain by the package it is submitting.

History will judge our actions with respect to this resolution. I can say without equivocation that I am proud of my leader and of my party for the stand they have taken. I am convinced it is the position of the majority of Canadians since it is, as Mr. Diefenbaker would say, "on the side of right."

Some hon. Members: Hear, hear!

Mr. Laverne Lewycky (Dauphin): Mr. Speaker, I welcome this opportunity to participate in this debate. I will be taking a conciliatory approach in my remarks, one of building and working together, an approach which I would like to see all members in this House take, as other members of my party have taken.

I would like to emulate one of my colleagues, the hon. member for Winnipeg-Birds Hill (Mr. Blaikie), who loves to read the prophets. I would like to quote a phrase from the great prophet Isaiah who said, "Come, let us reason together." That is the encouragement that I wish to give.

In the course of this debate there has been division and rancour, but our party has taken the approach of reasoning together. Division, of course, is not unexpected. As the leader of the New Democratic Party, the hon. member for Oshawa (Mr. Broadbent), stated, there was division in 1867 and there has been division in other countries. I do not find that human nature changes when it comes to expressing strong opinions.

I have been a bit disappointed by the arrogance and unreasonableness displayed by the government in some respects. We must not be arrogant or unreasonable in return; I think we ought to reason together. We can do this by looking for common ground, things that we can agree on and ways in which we can reason together. I think we have found some of these areas, and patriation is one of them. Every party agrees that the Constitution should be patriated. As an analogy, look at the way we grow up. As an adolescent we probably had a learner's licence to drive a car and when we grew older we were able to have our own driver's licence. This is what the patriation of the Constitution is about. We are saying we are past the stage of adolescence, we have reached adulthood, and let us have our own driver's licence.

I would like now to deal with the charter of rights. It is true there is not unanimity with respect to whether or not we

should have a charter of rights in the Constitution. We in the New Democratic Party have always favoured, in terms of policy, a charter of rights. In 1947 the government of Saskatchewan under Tommy Douglas passed such a bill. As I look at members in our own party, I know there are those who have been fighting for a charter of rights for a long time. The hon. member for Winnipeg North Centre (Mr. Knowles) has been fighting in this House since before I was born on issues such as a charter of rights. Therefore, I am happy that I can now stand with my generation and say that we do want a charter of rights. In fact, even the Conservative party with its Bill of Rights in 1960 indicated it favoured a charter of rights.

● (1630)

What about equalization? Everybody agrees that we ought to have equality of the human condition, whether in the area of health, education, or on such a vital matter as housing. I suggest that we examine where we can reason together. We feel equalization is important because our country is like a human body. We cannot cut off an arm or leg or undernourish any part of the body; every part of the body requires nourishment. Equalization ensures that there is this economic nourishment for every part of our country.

Resources is one other area of agreement. Before agreeing to send the resolution to committee, we in the New Democratic Party said we wanted to see some of the grievances of the west addressed. I refer here to my part of the country—Manitoba, Saskatchewan and Alberta. I am pleased with the role my leader played in taking the initiative and adopting the attitude that we could reason together. To the credit of the government, it was willing to participate in this reasoning together to see that we did get acceptance of amendments such as resource control amendments.

I want to focus for a moment on some matters of agreement on which we have reasoned together and on why we can support this present resolution. Section 56 provides that which every province has wanted: control of their resources. At the initiation of the debate on the resolution in the House of Commons on October 7, 1980, the hon. member for Yorkton-Melville (Mr. Nystrom) said this:

> —changes are absolutely necessary in the area of resources so that there may be access to indirect taxation . . . There must be a clarification of resource ownership.

This was stated before the committee had an opportunity to examine the amendment in detail. I am happy to say that this amendment was granted. The area of resource control was dealt with in the Constitution.

Therefore, I concurred with great pride when my leader, the hon. member for Oshawa, pleaded with some members of this House who failed to recognize the importance to western Canadians that this particular resource concession held for us. We are all aware of the fact that there have been Supreme Court decisions which have caused great concern amongst the provinces in western Canada. This amendment addresses that particular concern. Under this Constitution provinces will be able to levy indirect taxes on their resources. I feel this is a major concession. It is something we want for all Canadians. I underline the fact that this resource amendment is very critical. We are happy to see that provision in the Constitution.

I would like to deal now with the charter of rights and discuss fundamental freedoms. Everyone in the country, regardless of province, would say we deserve these. Maybe I could just underline one of them to focus in on the discussion. Much has been made of the question whether God is recognized in the Constitution. Section 2, under fundamental freedoms, says that everyone has the fundamental freedom of conscience and religion. It is true that man does not live by bread alone. Part of my view of Canada is that we should all have freedom of conscience and religion.

We have a religious heritage in this country. On March 23, 1980, when I spoke on the national anthem bill, I made reference to the fact that Sir Leonard Tilley had referred, in the initial discussions, to Psalm 72:8. At that time people were wondering what the name of our country should be, and he said that Psalm suggested the name "the Dominion of Canada." Referring to this Psalm, he said, "His dominion shall be from sea even to sea, from the river even unto the ends of the earth." There has been this recognition from the beginning.

While I am disappointed that the Liberal members on the committee did not vote to include the supremacy of God amendment, I would just like to point out that in 1914 Mackenzie King said:

> With the Greek, let us measure our contribution to civilization in what we give to the humanities. With the Hebrew, let us believe that God continues to work through the centuries and that He may work for continents as well as men. With the founder of our faith, let us believe that all life is sacred and all human life but the reflected image of the Divine.

My colleague, the hon. member for Burnaby (Mr. Robinson), spoke in the House on February 23 and, in referring to the Diefenbaker Bill of Rights, correctly said, and I quote:

> It was a Liberal member who introduced an amendment on the last day of the committee hearings to entrench that in the Constitution.

That Liberal member, a former high commissioner to London and Member of Parliament for Essex East at that time, Paul Martin, said in the committee:

> It would seem to me, and I am open to correction, that in a bill of rights entertained and introduced by a country composed as we are of people who acknowledge the existence of God, we should not hesitate to confirm that fact in some way in this preamble. In the preamble which I put forward, reference to the diety is made twice, at the beginning and in the final paragraph.

My hope is that at some time in the future, if we do have a preamble, some form of recognition of what we believe in will be included in the Constitution. For the moment, I must say that I am happy with the entrenchment of freedom of religion in every province because it is important to my constituents. In my constituency there are two Hutterite colonies. I know the history of the persecution which they experienced in Europe, Russia and even in the United States. They were forced to come to Canada for refuge. They came to Manitoba and even to constituencies such as mine, the constituency of Dauphin. I feel very happy to be able to go to them and say, "You are welcome in my constituency; we are encouraging you to practise your religious freedom, something you have desired all of

your lives." I feel good about being able to say that this freedom is entrenched in the Constitution. This applies to Hutterites in Saskatchewan and Alberta as well. This freedom cannot be taken away by any amending formula because it is included in the charter of rights.

Similarly, when my born again brothers and sisters in Christ quote John 3: 16 and tell me how they have a personal faith in Christ, I can say to them, "We are not setting up any barriers in the Constitution; we are entrenching this bill of rights in the Constitution." I can even say to some of the Mennonites in my constituency who do not vote or will not vote because of their belief and conscience, "You, too, have freedom of conscience; you, too, have freedom of religion." I think it is important that this be recognized regardless of what has been said in the House to date.

Let us take a further look at the charter of rights and some other matters which have been mentioned. With respect to aboriginal rights, I am happy to see Section 33 in the charter of rights. I must concur with my colleagues, the hon. member for Winnipeg-St. James (Mr. Keeper) and the hon. member for Kamloops-Shuswap (Mr. Riis), when they say that if the recognition and affirmation of aboriginal rights were not included in the Constitution, many of us would have great difficulty going to the Indian reserves in our areas to try to answer questions which might be asked. In my constituency there are some seven Indian reserves. I can go to the north, to Shoal River, to Ebb and Flow, to Crane River, to Pine Creek, to Sandy Bay, to Valley River or Waterhen—any of these Indian reserves—and I say, "Yes, we have recognized aboriginal rights in the Constitution."

● (1640)

People ask me why I favour aboriginal rights. There are a number of reasons but one of the main ones can be found in Proverbs 23, verses 10 and 11. Solomon said:

Remove not the old landmarks and enter not into the fields of the fatherless:
For their redeemer is mighty; he shall plead their cause with thee.

I am very happy that there can be an affirmation of the contribution to our country of our native people, whether they be Inuit, Métis or Indian, in the charter of rights.

Let me turn now to Section 15, which I think is very important. It deals with the rights of the disabled. The marginal note reads "Equality before and under law and equal protection and benefit of law." The section provides that there shall not be discrimination based on mental or physical disability.

My colleague, the hon. member for Beaches (Mr. Young), worked hard on the special task force and on the committee when it dealt with this matter. I have had a lot of personal experience in working with disabled people. For three years I was a supervisor of group programs with the Society for Crippled Children and Adults in Manitoba so I know the battles that must be fought to make sure that the disabled are accorded their rights. In fact, if anything was the catalyst which led me to become involved in politics, it was this. I had to run five times before getting elected, of course. As an administrator and supervisor I found that I was unable to do anything for the disabled, because when I wanted to tackle a program I came up against regulations which did not recognize equality for the disabled. It was the desire to have input and to make sure that the disabled receive due recognition that first involved me in the political scene.

When we think about the matter logically and philosophically, we realize that all of us have a certain disability. For example, I cannot swim; even though I have taken pre-beginner swimming lessons a few times I still cannot swim. There were many Monday nights at the Misericordia Hospital in Winnipeg when the disabled took swimming lessons. They now swim far better than I can. We all have disabilities in one form or another. It must be recognized that people who may be physically disabled are not necessarily mentally deficient. A lot of them are much brighter and more intelligent than I ever will be, Mr. Speaker. I am very happy to see this section in the resolution. We recognize the importance of the disabled and their rights should be entrenched in the Constitution.

The next matter I want to deal with is multiculturalism. Section 27 of the resolution states:

This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

It is fitting that we recognize the importance of multiculturalism in this year, 1981. It was on October 8, 1971, that the Prime Minister (Mr. Trudeau) announced for Canada "A policy of multiculturalism within a bilingual framework" and called for "a vigorous policy of multiculturalism". At that time there was unanimous agreement in the House on this issue. This year, 1981, is the tenth anniversary of the inception of the multiculturalism program, so it is appropriate that in the Constitution Act of 1981 we recognize and affirm Canada's multicultural reality.

At least one third of the Canadian population is of neither English nor French descent. While people of British and French origins form the two largest groups in Canada, a significant number of other ethnic groups, numerically and quantitatively, form part of the population. The German, Italian and Ukrainian communities are respectively the third, fourth, and fifth largest in Canada.

According to the 1971 census, there are 44 different ethnic groups in Canada's 22 million people. These ethnic groups have contributed to the building of Canada. As a rule, people are wont to consider only the two founding groups. The aboriginal people have been mentioned in the Constitution, and rightly so, but in addition we must always remember the others who helped build the country by the sweat of their brows.

A large number of Italians came to this country to help build the CPR. Some 15,000 Chinese from Canton and Hong Kong also came to help build the CPR. The record shows that in 1900 a Chinese person coming to Canada paid a head tax of $100. By 1903 that had gone up to $500. There were prohibitions for these people who came to help build our country, but they came just the same and they worked hard.

I was very happy to see people from various ethnic organizations participate in the committee hearings and share their vision of Canada with us. I should like to mention one or two people who appeared at the hearings and whom I had the opportunity to question. Professor Lupul of the Ukrainian community spoke to us of his vision of Canada. He said this:

A new Constitution is like a new house. In it there must be a room for the whole family. We are part of the Canadian family and have been so for almost a century. In our new constitutional house there must not only be room for all of us, but we must enter it through the front door together, culturally equal.

That is what entrenchment of the charter of rights means to people of ethnic background. It makes them culturally equal. It allows us all to enter this new Constitution by the front door.

Some people feel that entrenchment of this equality in the Constitution is more important than a preamble. A preamble is desirable but it is symbolic. It is nice to have it and to see ourselves reflected in it, but as one witness said, it does not really mean anything. It is the specific provisions that are important. When you say there is a cultural right, it means that everyone has a right to their cultural and linguistic heritage; then if you have a problem you can go after a legislature or present your case in a court. We now have this important recognition in the charter of rights.

The Constitution must not only reflect the Canada of today but the Canada of the future. When I think of the ethnic groups in this country and the contribution they have made to it, I am happy that Section 27 has been included.

As I said in committee, I regard multiculturalism as a renewable resource much as energy or the oil in Alberta. In terms of trade or diplomacy, it is useful to have as our representatives abroad Canadians who can understand and speak Chinese or any of the languages of the other 44 groups listed in the 1971 census. This is important because language reflects who we are, our concepts and our way of thinking. If I can speak another language then I know that in another country I can be understood and perceived with all the cultural information that language holds. If I have to learn another language when I am older, I may not have that facility. I would not be sure that I could come across exactly the way I want to.

• (1650)

I think the inclusion of Section 27 in our Constitution recognizes and taps this potential which we have as Canadians. It is important we keep this in mind when we think of the charter of rights and the recognition that it has had.

In regard to multiculturalism, I want to make a personal reference to indicate to hon. members why this is so important to me. I have a Ukrainian heritage and I am very proud of it. My grandfather came from the old country. He was a homesteader in the Pine River area. He literally worked the land with the sweat of his brow. My parents followed in the same tradition. When I think of my mother, my dad, Michael and Terry, I think of them as true builders of the west. My father and my mother had to work hard to buy their farm. They bought the farm by picking seneca roots and berries. This farm they bought was for sale because of delinquency in taxes. Not many of us have had to scratch or work that hard to make sure that our children, our succeeding generations, have the luxury which we members enjoy in this country today. My parents had to struggle with the language. In fact, my dad learned English by reading the English bible. When he could not understand the English, he would go to the Ukrainian bible for help. His dictionary is thumb-worn. He had to look up almost every word in order to learn the language and be able to communicate in the way he would like.

Our education and the possibilities we have we take literally for granted. I feel I can go to my parents and say to them, "We, as your children, appreciate the contribution you have made to Canada; section 27 recognizes your heritage and the contribution which you have made to our country."

Some hon. Members: Hear, hear!

Mr. Lewycky: My constituency has a large number of ethnic groups. We try to foster the Ukrainian heritage. Dauphin is known as the home of Canada's National Ukrainian festival. For the last 15 or 16 years people from across the United States and from as far away as the down under countries have been coming to Dauphin to participate in its Ukrainian festival. They have come to learn a little about the heritage we have in Canada. Some of my American friends come to Dauphin. They tell me that they are happy to come to a place like Dauphin because they can get a little spiritual and cultural renewal and find out something about their roots. Everyone is talking about roots right now and we have the opportunity to find out something about our roots. I am happy to say that ethnic groups from my area have felt free to participate and to contribute to our multicultural heritage.

Since Dauphin was given constituency status there have been some ten Members of Parliament representing the area. I am the tenth Member of Parliament from Dauphin. Our seventh Member of Parliament, Fred Zaplitny, was the first person of non-Anglo-Saxon or French heritage to represent the riding. I recognize how he contributed to the political life of Canada at that time, and I am proud to go to his son, Rick, and tell him, "Look, Rick, in section 27 we recognize the important contribution people with an ethnic background have made." I will be happy to go to Pine River this summer when it has its eightieth anniversary. Most of the people from this community have Ukrainian backgrounds and I will be able to say to them, "We recognize the contribution you have made to Canada through Section 27 of the charter of rights."

In conclusion, I beg all members of the House to take the words of the prophet Isaiah seriously when he said: "Come, let us reason together." Let us find this common ground. I think the New Democratic Party has been spearheading the way in trying to point out areas of common grounds, such as patriation, the charter of rights and equalization. We have spoken about resources. In specifics, we have talked about rights for the aboriginal people, for the disabled and for women. We have spoken about the need for the recognition of multicultur-

alism. In view of that, I am happy to say that I can support this resolution.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Corbin): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Dartmouth-Halifax East (Mr. Forrestall)—Marine Transport—Withdrawal of Dart Containerline service from Halifax—Role of President of Canadian National Railways; the hon. member for Portage-Marquette (Mr. Mayer)—The Environment—Garrison diversion project—Suggested topic for discussion between Prime Minister and U.S. President Reagan; the hon. member for Cowichan-Malahat-The Islands (Mr. Manly)—Fisheries—Effect of tanker traffic on west coast fishery.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, in rising to speak in this debate, I must first congratulate the joint committee for the amount of work it did in bringing us this far in considering the resolution. I wish particularly to compliment the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) for doing an extraordinarily good job as co-chairman. He certainly became a television star, among other things, but more impressive to me was the calm and cool way in which he presided over what could have been a very fractious committee.

The other bouquet I want to hand out is to the hon. member for Provencher (Mr. Epp), who presented our side of the case with such clarity and with a steady sense of what was proper to present to such a committee and what was not. He gave a very stirring speech in the House a couple of weeks ago when he introduced the amendment we are now discussing.

I suppose every debate in the House has its high points and its low points. To date, I would suggest that the low point was a speech given by the Minister of Labour (Mr. Regan) on March 2. Although he was given an opportunity to participate in one of the most important debates of this generation, he thought only of the opportunity to deliver a speech filled with self-serving remarks about his own public service, coupled with cheap shots directed at the Right Hon. Leader of the Opposition (Mr. Clark), who was not present in the House at the time.

It is with great concern that I rise today to add my voice to the voices of other members opposing the proposed amendments to the Constitution. Like my colleagues, I want the Constitution to be patriated. Unlike members opposite, I want it patriated without change except for the addition of an amending formula. The changes can be made in Canada by the people the changes will affect.

This Constitution affects the very survival of Canada, the identity and values of Canadians. It determines the economic welfare of the country. It affects all problems in Canada because it is a document which establishes the power distribution between our two levels of government and it sets the rules of all manner of business. It is something so important and so essential to our nation, I wonder how the government can pursue the course it has chosen when the effect of what it is doing will be felt by every citizen of Canada and future citizen of Canada. How can the government move so quickly and unadvisedly?

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

The Acting Speaker (Mr. Corbin): Order, please. It now being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, public bills, private bills and notices of motion.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Items Nos. 17, 18, 22, 25, 29, 31, 32, 33, 34, 35, 36 and 37 allowed to stand by unanimous consent.

* * *

• (1700)

CANADA ELECTIONS ACT

AMENDMENT RESPECTING POLLING HOURS

Mr. Bill Clarke (Vancouver Quadra) moved that Bill C-237, to amend the Canada Elections Act, be read the second time and referred to the Standing Committee on Privileges and Elections.

He said: Mr. Speaker, anyone living in British Columbia has experienced the outrage, or at least the irrelevance, of turning on the television or radio at eight o'clock on election night to find that a majority government has already been elected.

In this electronic age it is probably impossible to prevent the news from leaking out in advance of eight o'clock, the time the polls now close. Even though there is a prohibition on broadcasting such information in Canada before eight o'clock p.m. on election night, there are occasional slip-ups across the border. United States television signals are available to residents of western Canada close to the border. They can find out in this way, accidentally or otherwise, that as far as they are concerned the election is over. Anyone who wishes to get this information in advance has only to telephone a friend in the east at six o'clock Vancouver time. He can find that the election is over, or whatever the result happens to be.

This may not appear to be serious, but there is, in close ridings particularly, a winner's syndrome, if I can call it that. It is something that would force the person who wants to have a voice in the government, and who sees that the only way he can get that is by having a government Member of Parliament, to spread the word to a number of friends to hold back from voting. They could then go en masse to the polls later in the day and swing an election in a way that it really was not intended to go.

My proposal in Bill C-237 is for what I call a national election clock. The polls would open at the same instant everywhere in the country and close at the same instant. There are seven time zones in Canada. I am ignoring the most westerly one, the Yukon time zone, because there are so few electors there and it is a very small time zone.

Under my proposal, the polls would open local time in the Newfoundland time zone at 12.30 p.m. and close at 8.30 p.m., from 12 p.m. to 8 p.m. Atlantic time, from 11 a.m. to 7 p.m. eastern time, from 10 a.m. to 6 p.m. central time, from 9 a.m. to 5 p.m. mountain time and from 8 a.m. to 4 p.m. Pacific time. That is the same instant across the country. The polls would close at the same instant, according to my proposal, exactly eight hours later.

At present the polls are open for 11 hours. Any of us in this House who have visited polls on election day will have observed that there is a very slow period of voting during each election day. In fact, probably not more than 25 per cent of the voters in any particular poll arrive before four o'clock in the afternoon; in other words, in the first seven hours. Eight hours, as suggested in my proposal, would be an adequate amount of time to allow all voters to come within a reasonable period of time to cast their ballots.

This would improve the working conditions on election day for the approximately 200,000 people in all of the political parties and all of the polls who are now required to be on duty from early in the morning until late at night. It would be better for poll workers.

The results of the election would become available at the same time all across the country. I often have complaints from my friends in eastern Canada who say they have to wait until midnight or one o'clock to find out whether I have been elected. My proposal would take pity on those people in the east and allow them to retire earlier, having the information about who in the west has won. There has only been one time in the last ten years when the vote was very close. The decision was actually made in the west in 1972. The vote was not decided until the count got over the mountains.

There are two other bills that have been presented, one in the other place and one here, Bill S-11 and, Bill C-626, which have identical proposals to amend the Canada Elections Act. They are identical to each other, not to mine. The difference is that while they respect the opening at different hours across the country, they provide that the polls be open for 11 hours in each case. Therefore the polls in the Pacific time zone would have to open at seven o'clock in the morning, quite an unreasonable hour. In Newfoundland the polls would not close until 9.30 p.m. which I suggest is too late for them to be open. Under my proposal, no one would have to stay up late. The polls would close at the same instant and the results would be available to all Canadians at the same moment.

I was not content to restrict my bill to the election clock; I proposed to deal with one or two other problems. One complaint that has come to me often in elections is that people have moved within the riding. They cannot vote at their new place of residence. Canadians being quite mobile, they move at all times of the year. This can be a particular problem in rural ridings, but even in a city an individual might move eight miles across town. He would lose his vote unless he were willing and able to make that trip back to the place where his name was on the polling list.

To overcome that problem, I propose in Bill C-237 that transfer certificates be issued within a riding to enable a person whose name is on the list in another poll to vote at a different poll within the same riding.

One feature of the bill is that it would provide for all absences to be covered. Under Section 46(1) of the existing act, proxy votes can be obtained for people who are going to be absent from polls for varying reasons. One section reads:

(a) his absence from the polling division in the course of his employment as a fisherman, mariner, member of an aircrew, member of a forestry crew, member of a topographical survey crew, prospector or trapper,

(b) his illness or physical incapacity, or

(c) his absence from the polling division while a full-time student duly registered at a recognized educational institution in Canada during an academic term,

I have had some personal experience with students and those who must be away for one reason or another or because of illness and physical incapacity. The procedure is quite cumbersome. Canadians are often denied their vote because they are unwilling to bear the cost, get a medical certificate from a doctor or because the registrar of an educational institution cannot be reached in order to obtain a certificate of that kind. Canadians travel in this jet age. Trips are often planned months in advance. We do not know when an election will be held until two months or so in advance.

Under my proposed Clause 4, voters absent from the riding on polling day or advance polling days are eligible for a proxy certificate. Other countries have provisions to accomplish that. In the United States, citizens can attend at U.S. embassies abroad and cast their ballots on voting day. Canadians who are absent because of holidays, business trips or who are unable to get to the poll because they are ill or are students would easily obtain a proxy. That is what my proposal in Clause 4 would provide.

● (1710)

There is a fifth and final point proposed in my bill. Under the current Canada Elections Act we have a list of special electors; the Canadian forces electors, the public service electors and veteran electors. There is a fourth class, if I could call it that, which I would term special external electors, those Canadians who have gone abroad for temporary periods of work. I do not refer to those on vacation or at schools, but rather to those people who have gone abroad, perhaps engineers working on Canadian pulp mills abroad, pipeline consultants, Canadians working overseas for CIDA or the Organization for Economic Co-operation and Development, or even some Canadians who go overseas for periods of less than five years to work for Petro-Canada, Bell Canada or other companies. This would mean they could be away from Canada during an election period and would otherwise be disenfranchised. Canada has shown its flexibility in that we now have three special categories of electors on the list; as I mentioned, the forces, the public service and veterans. I am now proposing a special electors' list which would cover that kind of worker who is absent from Canada for a long but still temporary period of time.

I would not expect the House to accept this bill without some support. I have had some lengthy correspondence with the Chief Electoral Officer in this regard. He has given me some commentary on the proposals. I cannot say he is either fully for them or fully against them, but he does indicate he has reviewed the drafts and has set out his comments in a letter I would make available to the committee which refers to this bill. At this time I think I should allow other hon. members of the House to comment on this proposal, but I would be glad to bring those comments to the attention of the committee should this bill get to that stage.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, the first and perhaps the main proposal contained in this bill reminds me of an experience I had on Monday afternoon, October 14, 1935. That was the first election in which I was a candidate. I do not see many hon. members suggesting that they remember that date, but I was a candidate in that election. I had voted for the first time in the election of 1930 but it was 1935 before I ran as a CCF candidate in what was then the constituency of Winnipeg South Centre. With all of the enthusiasm and hopefulness of a 27-year-old candidate I was sure I was going to win.

About five o'clock in the afternoon of election day the newspapers appeared on the streets of Winnipeg saying "Liberals sweep Nova Scotia". We still had two or three hours of voting in Winnipeg and, of course, there were several more hours farther west. Whether that had any effect on the voting one will never know, but at least that was the first year in which we had this concern. The radio was also reporting the same sort of thing. It was as a result of that experience in 1935 that the government shortly after brought in a bill which Parliament passed, between the 1935 and 1940 elections, prohibiting radio stations from broadcasting election results until the polls were closed in the area in which the radio station was located.

Things have changed a great deal since then. This seemed a very simple matter to solve at that time. Now with networks and easier access to long distance telephones, with the United States radio and television stations giving out the information, the ban against pre-publication of the results does not have very much effect.

Accordingly, I believe the hon. member for Vancouver Quadra (Mr. Clarke) is to be commended for bringing in a bill proposing we do something about this. I hope I am not publishing results before they are announced, but I believe the government is going to indicate its willingness and readiness to have the subject matter of this bill referred to the Standing Committee on Privileges and Elections. If that proposal is made we shall certainly give it our support. In other words, we think the proposal of the hon. member should be looked at to see whether his idea or something like it might be feasible.

The first reaction some of my colleagues had to this proposal was that it would be shortening by too much the number of hours available for voting. That could be overcome by adding a couple of hours, still preserving the principle that the polls should open and close at the same instant right across this vast country.

Another way in which the matter might perhaps be dealt with would be to require that ballot boxes not be opened in the eastern part of Canada until the polls in the west had actually closed. That idea is also subject to criticism in some respects. I have heard of others and we have received letters suggesting still other ideas. My friend recited the experience of the 1980 election when even in Manitoba the first television results from the east let us know that the game was over so far as the outcome of the election was concerned. The fact is that it would be desirable to find some way by which the possible influence of knowing the early results could be counteracted.

This idea, along with others, could well be the subject of study by the Standing Committee on Privileges and Elections. I believe it is almost a tradition in this place that within a year or two of an election we reconsider the Canada Elections Act. The Chief Electoral Officer and the government bring forward suggestions and private members make proposals. I believe we should look at what has been put before us now in that light.

Something got me off the track when I started to say that the hon. member for Vancouver Quadra was particularly concerned about the 1980 election when it seemed to be all over by the time we got to the Red River Valley. I can remember other elections, cliff hangers, in respect of which we

had to sit up late at night in Manitoba to see what happened in British Columbia before we knew what the result would be.

I think it is not beyond our wit to find some way in which to vote as a nation from coast to coast. I have seen other ideas besides this one and the one I suggested. Certainly we would be prepared to agree that the subject matter of this bill be referred to committee. The same applies to the other suggestions by the hon. member. When that committee meets there will be quite a few suggestions, and these are all in line with the general practice of reviewing the Canada Elections Act within a year or two of the experience of a general election.

We thank the hon. member for Vancouver Quadra for bringing these ideas before us. If I am right in my prediction that we will have a motion to refer the subject matter, we shall support it.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I should like to join with the hon. member for Winnipeg North Centre (Mr. Knowles) in commending the hon. member for Vancouver Quadra (Mr. Clarke) for bringing this bill forward. Most private members' bills deal with a singular issue and are very short, but this is a bill with a number of clauses. It has been extensively well researched. It has been well thought out and we have no hesitation in joining the sentiments expressed by the hon. member for Winnipeg North Centre in that the subject of this bill should be referred to committee.

• (1720)

Obviously we are not in a position to allow the bill to proceed past second reading because, as the hon. member points out, it is a tradition following a general federal election that this matter is considered in great depth by members of this House upon a report made by the Chief Electoral Officer, and he has informed me that he will be bringing forward later this year his report based on the last election.

The value of this bill is that the Chief Electoral Officer, being a servant of this House, is in a difficult position in making recommendations for changes in voting procedure or behaviour. It is really the initiative of members of this House that should dictate any changes in the Canada Elections Act; he has only to advise.

I see merit in the substance of this bill. I am not committing the government to any of the changes in this bill, but the situation as outlined by both the hon. member for Vancouver Quadra and the hon. member for Winnipeg North Centre concerning the polling hours is perhaps something members on all sides should deal with because it does cause a problem.

My hon. friend from Vancouver Quadra talked about the 1972 election as being an exception whereby the western results made a difference. The hon. member for Winnipeg North Centre could remember earlier ones. I certainly remember the 1979 election when, yes, the fate of the Conservative government was decided, but it was not until we got the results from Manitoba that we realized that it more likely would be a minority government. So in that sense the votes did very much count in Manitoba. We hear a lot about votes not counting but obviously all votes count. Nevertheless, it must have a profound effect on the voter in western Canada after the polls close in eastern Canada to have the results either by cable television, which is not subject to the regulations now in force concerning broadcasting, or, as the hon. member said, from U.S. outlets. So I think there is something in the point made by the hon. member for Vancouver Quadra although I am not necessarily agreeing with what he has proposed. We can certainly deal with this when it gets to committee.

The other sections dealing with proxy voting, special voting rules, mobile voting places, etc., are also very worthy of study because there have been several comments made by government employees overseas that they have been disenfranchised for one reason or another. We are talking about a lot of people, but even if it is only one person, we are perhaps denying a right of Canadian citizenship, notwithstanding where that person may reside, because of service to the Government of Canada. This also applies to the Canadian Armed Forces personnel. Perhaps there could be some changes made there.

Without prolonging the debate any further, Mr. Speaker, I once again applaud the hon. member for Vancouver Quadra for bringing this bill forward, and if all hon. members agree I would move, seconded by the hon. member for Spadina (Mr. Stollery):

That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

"Bill C-237, an act to amend the Canada Elections Act, be not now read a second time but that the order be discharged, the bill withdrawn and the subject matter thereof referred to the Standing Committee on Privileges and Elections."

The Acting Speaker (Mr. Corbin): Is it the pleasure of the House to adopt the amendment?

Some hon. Members: Agreed.

Amendment (Mr. Collenette) agreed to.

The Acting Speaker (Mr. Corbin): Shall the motion, as amended, carry?

Some hon. Members: Agreed.

Motion, as amended, agreed to.

The Acting Speaker (Mr. Corbin): Accordingly, the order is discharged, the bill withdrawn and the subject matter thereof referred to the Standing Committee on Privileges and Elections.

[*Translation*]

I do now leave the chair until eight o'clock.

At 5.26 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, I am rather surprised that we were able to gather a quorum this quickly after the dinner recess, considering the other attractions in town this evening with President Reagan's first visit to Canada. However, before dinner I started to point out the effects of the Liberal initiative to bring the Constitution back to Canada, particularly the process the government has recommended to Parliament.

I should like to go into the history of this by pointing out that hon. members on the government side are fond of telling us that the search for an amending formula has been going on for some 54 years. That would put it ahead of the search for Chloë in the Louisiana swamps. Each day during those 54 years has not been spent actively searching. Not only is this a false impression, but I want to point out that there was very little mention to the constitutional issue through long periods of time, particularly during the 1980 election when the current government received its mandate from the people of Canada.

The real impetus behind the resolution we are considering this evening comes from the May, 1980, Quebec referendum in which the majority of Quebec residents voted for renewed federalism. They turned their back on sovereignty-association because of the federal government promises of a better deal for Quebec. The extent of the double cross of Quebec is now becoming more and more apparent, particularly to the people of that province. I am sure most hon. members opposite are well aware that a recent poll indicated that 44 per cent of the people of Quebec are now opposed to the Liberal-NDP resolution, 37 per cent approved and 19 per cent are undecided. The 73 Liberal Members of Parliament from Quebec should be considering why they are moving on this unwanted course which breaks another Liberal promise. That course is now being opposed by both the government and the people of Quebec.

The government seems to have taken advantage of the confidence expressed by the people of Quebec in the federal system in the May, 1980, referendum by coming up with a resolution which reflects its own lack of faith in our federal nature. The government may deny this, but it can be proved by looking at what other authorities have to say about federalism and the unilateral act the government is now contemplating.

Let us look at the 1965 white paper on amending the Canadian Constitution, which said:

● (2010)

In a federal state, there are particular considerations that add to the importance of . . . built-in certainty and stability. A federal system is one in which the powers of all legislatures and governments are limited, not only by definition but by their relationship to each other. The very nature of the federation requires that the rights and powers of its constituent units be protected.

This is from the 1965 white paper which had the foreword signed by the Right Hon. Lester Pearson. In its introduction, former Prime Minister Pearson wrote:

In any federation, the two most critical questions are the distribution of powers between the two levels of government and the manner in which the Constitution can be changed. A federation is necessarily a delicate balance between conflicting considerations and interests. It is to be expected that the most delicate of all questions should be the way in which such a balance might be altered.

Our present government is approaching this question with all the delicacy of the proverbial bull in a china shop. The United Kingdom's consideration of the changes to be requested in our Constitution has resulted in the Kershaw report, which says:

The federal character of Canada's constitutional system affects the process for amending that system. For it would be inconsistent with that federal character to treat the Canadian federal government of Parliament as having the power to secure the amendment of all parts of that system on its own initiative, regardless of the will of provincial governments and legislatures affected by those amendments.

Finally, let us have a look at what our Prime Minister (Mr. Trudeau) formerly thought about federalism. In the 1960s he said:

Federalism is by its very essence a compromise and a pact . . . It is a pact or quasi-treaty in the sense that compromise cannot be achieved unilaterally. That is not to say that the terms are fixed forever; but only that in changing them every effort must be made not to destroy the consensus on which the federated nation rests.

The white paper in 1965, which would bear reading by everyone interested in this subject, proposed the following clause as part of its amending formula:

No law made under the authority of this part affecting any provision of this act or Section 51A of the British North America Act, 1867, or affecting any provision of the Constitution of Canada relating to

(*a*) the powers of the legislature of a province to make laws,

(*b*) the rights or privileges granted or secured by the Constitution of Canada to the legislature or the government of a province,

(*c*) the assets or property of a province, or

(*d*) the use of the English or French language,

None of this is to come into force, or no changes are to be made to any of these provisions unless concurred in by the legislatures of all the provinces. These were the amending proposals of the 1965 white paper. It goes on to say:

Paragraphs (*a*) to (*d*), and especially (*a*) and (*d*), could be said to represent essential conditions on which the original provinces united to form the Canadian confederation, and on which other provinces subsequently joined the union. Changes in these basic conditions—such as in the powers allocated to provincial legislatures—could alter their status in relation to Parliament, thus changing the conditions on which the provinces entered confederation.

The 1965 white paper noted that the BNA Act "left Canada without any clearly defined procedure for securing constitu-

tional amendments from the British parliament." However, it went on to say:

> Certain rules and principles relating to amending procedures have nevertheless developed over the years. They have emerged from the practices and procedures employed in securing various amendments to the British North America Act since 1867.

What are these principles? Once again, there are four of them which are outlined in the white paper:

> The first general principle . . . is that although an enactment by the United Kingdom is necessary to amend the British North America Act, such action is taken only upon formal request from Canada.
>
> The second general principle is that the sanction of Parliament is required for a request to the British parliament for an amendment to the British North America Act.

So far so good.

> The third general principle is that no amendment to Canada's Constitution will be made by the British parliament merely upon the request of a Canadian province.
>
> The fourth general principle is that the Canadian Parliament will not request an amendment directly affecting federal-provincial relationships without prior consultation and agreement with the provinces.

That is what this government is not doing. We have a government here which is abiding by the first three rules but which is ignoring the fourth. It is superfluous to have rules if they are ignored when it is inconvenient. What state would this country be in if Canadian citizens decided to ignore the laws they did not like?

While our government seems content to overlook the historical precedents of our federal system, the United Kingdom is probably not. The Kershaw report notes:

> —the U.K. parliament retains the role of deciding whether or not a request for amendment or patriation of the BNA Act conveys the clearly expressed wish of Canada as a whole, bearing in mind the federal nature of that community's constitutional system.
>
> In all ordinary circumstances, the request of the Canadian government and Parliament will suffice to convey that wish. But where the requested amendment or patriation directly affects the federal structure of Canada, and the opposition of provincial governments and legislatures is officially represented to the U.K. authorities, something more is required.
>
> We think that it would not be inappropriate for the U.K. parliament to expect that a request for patriation by an enactment significantly affecting the federal structure of Canada should be conveyed to it with at least that degree of provincial concurrence (expressed by governments, legislatures, or referendum majorities) which would be required for a post-patriation amendment affecting the federal structure in a similar way.

The Canadian government is making a lot of fuss about the United Kingdom government interfering in Canadian affairs. That is because the British are trying to tell us something which our government would like to keep quiet. By making enough indignant noises, the government hopes to cover up the British message and stop Canadian questions.

If the Prime Minister has his way, we will have a Constitution which has been amended by another country, and which does not have the support of the provinces. What will this mean to Canadians? It will mean that the patriated and amended Constitution will lack legitimacy. That is to say, unless the overwhelming majority of people living under a Constitution regard the document as valid and properly based, they will not consider themselves bound by it. And what modern-day sovereign country would accept a constitution legislated outside of its own borders? Even the amending formula will be externally legislated without Canadian support, which means that it will lack legitimacy and, consequently, so will any future amendments.

Gordon and Janet Leckie have been writing articles on the Constitution. They put forward the following:

> A country with no written constitution may live and work effectively. A nation with an iron-bound constitution may live and work effectively. But a society with a constitution whose legitimacy is disputed will live and work in acrimony, at best, and in conflict, at worst.

The only way to avoid this disaster is to bring home the Constitution with an acceptable amending formula and then amend it in Canada. No adult nation should, or would, do otherwise.

● (2020)

The amending formula to be entrenched in the Constitution, according to the government's wishes, is the Victoria formula, and it is now totally unacceptable. It completely ignores equal status accorded to all Canadian provinces. While British Columbia may oppose an amendment, it is powerless to prevent it without the help of another province. If, on the other hand, Ontario opposes an amendment, the amendment is defeated. Quebec is given the same power. Thus the whole of Canada will be held hostage to the desires of either of the two central Canadian provinces.

While the current government reason is that extending a perpetual veto power to Quebec will ensure that province's special place within the federal system, it does so by taking away from the other provinces. This will increase the resentment toward Quebec and the feelings of alienation on the part of the western and maritime provinces.

If the power of the House of Commons and the power of constitutional change is to lie in central Canada, the west and the maritimes must be assured of having a counterbalance. The only place for that counterbalance to exist might well be in the Senate. In the resolution before us, the Senate is given a veto over all constitutional amendments, but no change in Senate composition is included in this resolution. Without Senate reform, the power of government still lies in central Canada. Current membership in the Senate has Canada divided into four regions: Ontario, Quebec, the maritimes and the west. Each of the regions is allocated 24 seats in the Senate, plus Newfoundland which is allocated six. The Yukon and

Northwest Territories have each been given one. This is just a further example of inequality. Ontario as one province has 24 seats. The west has 24 seats divided among four provinces. Senators are appointed at present by the federal government, and although they must come from the designated regions, the appointments, as we all know, are often made as a reward for party services. Consequently, the senators do not truly represent their regions. They will not necessarily defend their regional rights and interests.

If we look at other federated states, we see that this inequity does not exist. For example, in West Germany, the Bundestag is elected on the basis of population like our House of Commons. But in the budersrat, the upper house, the landers, or provinces, themselves exercise authority to protect their rights and prerogatives. Delegates appointed by the six smallest provinces, ten in total, with only 26 per cent of the whole population of Germany, can muster a majority in the upper house. The same arrangement exists in Switzerland.

Consequently, if Canada had the constitution of West Germany, instead of only 54 per cent of our senators coming from the west and the maritimes, 71 per cent would come from these regions. If we had the constitution of the United States or Switzerland, 80 per cent of our senators would come from the less populated areas. With control of the upper house, the west and the maritimes could be assured of receiving a more equitable treatment in all matters that concern them. As it stands now, all our legislative power is concentrated in the House of Commons, which is dominated by the more populated provinces of Ontario and Quebec. Now we are faced with a Constitution which will ensure even more power being concentrated in those two provinces.

The amending formula to be entrenched combines, with the absence of Senate reform, to produce a totally unacceptable situation. What is worse, there is no hope of improvement if this resolution is passed. On February 17 the Minister of Justice (Mr. Chrétien) said:

> —what we are doing today is the start of the process, not the end. Much reform has to be undertaken in Canada in future in terms of constitutional powers.

He gave Senate reform as an example. But how can the west and the maritimes hope for improvement when they have had no say in the amending formula chosen by the government that will be used to reform the last place where they can hope for fair play? The reason the amending formula must have the consensus of the provinces is that it will be used to make future changes that will affect the provinces.

Mr. Irwin: P.E.I.?

Mr. McKinnon: Yes. I wish to comment on the process regarding the entrenchment of a charter of rights, that is, the process that is being followed to entrench it.

On November 7, 1980, the Prime Minister said:

> I am convinced that there would never be an entrenched charter of rights. Particularly, there would never be entrenched educational language rights if it weren't done now by the national Parliament the last time, as it were, that we had a possibility of proceeding in this way to amend the Constitution. In other words, once we have a constitution in Canada, whether it be with the Victoria formula or any other formula, we will never get anything saying that all Canadians are equal—

So instead of having long philosophical discussions about a charter of rights, we are being subjected to what one man considers to be right. The heck with the rest of the country! We are to be treated like little children who do not know what is good for us. Well, I for one hope I know what is good for me, and I can tell you, Mr. Speaker, that I do not need the Prime Minister or his sycophants in the Langevin Building to give me instructions in morality.

The essential function of a charter of rights is the protection of every citizen from injustice, and it should result from a calm, unhurried discussion. Instead, in Canada we are having an emotional, partisan, hasty argument involving pressure groups which are trying to gain a privileged position by having their particular interests entrenched. A charter of rights is intended to provide common rights for each and every individual citizen. It is not intended to protect special groups. If equality for all citizens is the essence of a charter of rights, how can the wishes of some groups be approved and others denied?

I would like to quote the testimony given by Professor Peter Russell of the University of Toronto to the special joint committee which reads as follows:

> I suggest to you that there are three qualities which should characterize the process of defining the rights and freedoms which are so fundamental to Canadians to entrench in the Constitution.
>
> The process should be considered, it should be reasonably popular and it should be as unifying as possible. The process of entrenchment should have those qualities because it involves the creation of a higher law, the law of the Constitution which will limit all Canadian law-makers in the future, and those who fashion constitutional guarantees designed to limit the powers of transient majorities must express and try to express the enduring will of our nation. They must not themselves be simply, and no more than, a transient majority.
>
> By these standards, I judge the means being used now to entrench a charter of rights and freedoms in our Constitution as seriously deficient. The charter has been drafted, I say, in haste, at least pretty quickly, by some government officials. It is being put through this federal Parliament, sometimes closure has been used, deadlines have been and are being applied without permitting the Canadian people sufficient opportunity to consider and discuss all of its important implications. It is to be made part of our Constitution not by a constitutional act of Canadians but by a foreign legislature and in the teeth of some bitter opposition from a majority of provincial governments.

By entrenching a charter of rights in our Constitution, we are handing the protection of citizens over to the courts. That is another problem. As the Hon. James Richardson, a former Liberal cabinet minister, told the special joint committee:

> The essential weakness of written constitutions is that they are inflexible. The courts that interpret a Constitution must look at what the Constitution says, and not at the political and social reality of the times in which the judgment is being made.

—Parliament responds to social and political realities. Parliament responds to human needs in a way that a court can never do, because a court is not being directed by human needs but by the dead hand of a written constitution.

As more senior members of the House will realize, it was not often that I agreed with the Hon. James Richardson during his tour here, but I do agree with that quotation.

The Ontario royal commission's inquiry into civil rights—the McRuer Report of 1969—supports this view. The report said:

● (2030)

We do not think it is consistent with a true concept of democracy for a court of appointed judges to be able to make a law with far-reaching effects touching the lives of everyone in the country with no power in Parliament to alter it. In the last analysis, in such cases the power of final decision may rest on one man casting the deciding vote in the court of last resort.

Canada already has an Official Languages Act passed in 1969 with support from all parties. As Gordon Leckie has stated:

Which will seem more legitimate—a 'constitutional right' foisted on us reluctantly by the United Kingdom, or an act passed by our own Parliament? Obviously, Canadians will not feel bound by a rule, technically 'entrenched' or not, which has never been approved in a mandate from the whole people.

I agree with Mr. Leckie. Entrenchment will not achieve the protection of human rights. One has only to look at the Soviet Union's entrenched bill of rights to understand this fact.

An hon. Member: We are tired of the Soviet Union.

Mr. McKinnon: Do you know it off by heart, gentlemen? Just think what wonderful rights they must have because they are entrenched in a bill of rights which says:

Citizens enjoy in full social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution . . . citizens are guaranteed inviolability of the person—

An hon. Member: You are the fifteenth person to say that.

Mr. McKinnon: Human rights flow from the fact that we are human. The government does not confer them upon us. And when we take it upon ourselves to write down what rights we have, we must remember that by any omission, we are also establishing what rights we do not have. For example, property rights. They have been omitted from this resolution and thus from the rights of Canadians. The legitimacy of even those rights that have been included is in doubt because they impose obligations on the provinces in fields within their jurisdiction—for example, minority language rights.

There is no doubt that the Constitution could be patriated or brought home, and quite easily. It would, however, require the Prime Minister to exhibit a little flexibility and a modicum of trust in the intelligence of his fellow Canadians. The Prime Minister wants his way; he wants his charter and his amending formula to be applicable to Canadians forever. Tempting as it is, I am afraid it would not be productive to attempt to question the Prime Minister concerning his yearnings for immortality, his wish to have only his own ideas in the charter and the Constitution, and then to leave them almost impossible to amend. It reminds me of a discussion I had very early in my public life when I had supported some good measure on a school board and mentioned to a colleague that the measure had gone through fairly easily. He replied, "You will be surprised at how much good you can accomplish in public life if you don't care who gets the credit." What a pity the Prime Minister has never been able to share the credit for initiatives.

Until now, every worth-while initiative taken by the Prime Minister has come to naught. Despite his not inconsiderable talents, his record is one of failure after failure. When he first ran as a prime minister in 1968, it was under the slogan "A Just Society" but that dream ended in 1970 when he imposed the War Measures Act. Then came his "third option" phase, and it too has disappeared with little trace. Next came his Holy Grail, the contractual link with Europe. Again, failure. Next came his initiative for francophonie or a French-speaking Commonwealth which is at present deadlocked by differences among France, Quebec and Canada. Recently he has tried to make some progress as a self-appointed leader of the North-South concept. We saw him go to Austria. He got lost in Austria, then he lost Algeria.

An hon. Member: He is still lost.

Mr. McKinnon: This was despite the considerable help of a rather large group of people who were trying to get him to the right place at the right time. Considering the Prime Minister's and Canada's track record in this area, which is one of diminishing contributions, it should not have surprised the Prime Minister that his sudden conversion has been looked upon somewhat skeptically.

These are the great initiatives of the Prime Minister during his long term of office; each of them was well-intentioned but each has failed. Recently a biography on the Prime Minister was entitled "The Northern Magus". I regard him more as a Canadian Hamlet, the melancholy prince who meant so well but hurt so many, the contrast between thinking and acting being a primary conflict in both their characters. I believe it is the reputation that he has built as an underachiever that drives him to this desperate attempt to leave a monument in the form of a patriated Constitution and entrenched charter of rights. I say desperate, because he seems not to care if he breaks every tradition, if he divides the country, if he deceives the head of the government of a friendly country. Nothing seems to matter; he must have his monument.

The fact is that at this stage of his political life he has little to leave behind. Other than a great reputation for slick campaigning and his recognized ability to use the leverage of his tribal vote in one area into winning enough seats to maintain power despite his sorry record, this is not really much to leave behind.

Mr. Peterson: What a crybaby!

Mr. McKinnon: What a waste of talent, because he has considerable talent and he wasted much of it.

Mr. Peterson: I know! Should we abolish the electoral system in Canada?

An hon. Member: Don't talk from your seat. Stand up and talk.

Mr. Deputy Speaker: Order, please.

Mr. McKinnon: The hon. member who speaks so often from a sitting position has not really contributed. I give the Prime Minister full credit for being one of the best and one of the slickest campaigners the country has ever seen.

If this resolution passes in its present form and the amended Constitution and charter of rights are patriated with the divisive amending formula included, that will be the Prime Minister's greatest failure. I can assure hon. gentlemen opposite that this country, this party and parties on all sides of the House really want to bring the Constitution home. Only a misguided genius like the Prime Minister could manage to have the country quarrel about how to bring it home when we all want that. He has managed to come up with the one way to alienate all of those people who desire it. I regret that and I look forward to the day when this country, not with this Prime Minister but with another, will be able to heal the grievous wounds the right hon. gentleman has left as his legacy.

Some hon. Members: Hear, hear!

Mr. Ray Chénier (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, we are engaged in a debate in this House which gives each member, that rarest of opportunities, the opportunity to participate in the conception and birth of the most basic and important statements of our nationhood: the Canadian Constitution.

Each of us represents a part of Canada, a collection of Canadians who together form the national will. We assemble in this chamber to make decisions which, we feel, after all due and proper debate, are in the best interest of the nation. We are here to do a job, mindful of the feelings of our constituents, but mindful also that they are but part of the Canadian family. One of the intriguing characteristics of Canada is that although this land is almost unimaginably vast, most of us have close relatives or friends in other parts of Canada. And we all know that we are essentially the same sort of people and that our acceptance of Canada as our enduring homeland is never questioned.

We are a population blessed with enormous wealth from our resources, both in industry and natural; a strong and proud democratic tradition; a belief that we should share the bounty of our land with those who do not enjoy its full benefit, and, above all, a population which has learned the lessons of tolerance and understanding, and those lessons have been learned with some pain.

[*Translation*]

Mr. Speaker, I wanted to participate in this historic debate to express vividly and clearly my support for the proposed resolution concerning a new Constitution, a truly Canadian Constitution. I believe that thanks to the efforts of the three parties this Parliament has been successful in drafting a text which all at once is noble, just and futuristic. It is without hesitation or fear that I will tell my voters and the rest of the Canadian people that parliamentarians are making a courageous and great stand in this debate. I know that the native people with whom I work more closely because of my duties as parliamentary secretary, as well as the disabled and the handicapped whom I met as a member of the Task Force on the Disabled and the Handicapped, understand the scope of the achievements contained in this resolution.

• (2040)

[*English*]

I support this resolution for many reasons, but I must mention one which surely is on the minds of all members, be they in support of it or in opposition to it. I fear that should we fail now, should we abandon the momentum built up after years and years of debate and indecision, we may fail completely and forever.

We have the duty to rise to the occasion, to look behind the narrow and selfish pressures besetting this process and see to it once and for all that we sever our final colonial links and grasp firmly the promise and challenge of the future.

I must confess that I am alarmed by the tactics and arguments advanced in this debate by members of the Conservative party who even have the gall to compare our democracy with that of the U.S.S.R.

An hon. Member: The same bill of rights.

Mr. Chénier: In particular, I find it extremely distressing that the Right Hon. Leader of the Opposition (Mr. Clark) has demonstrated quite clearly that he is prepared to sacrifice the tremendous achievements in this resolution in order to preserve his own political future. It is the Leader of the Official Opposition who has been racing about the countryside telling Canadians that this Constitution will mean the end of Canada. The desperate words he has used in making his case would be alarming were they not so misguided and self-serving.

Let me quote from the speech of the Right Hon. Leader of the Opposition in this House two weeks ago. We must, of course, understand that the prospect of political mortality may have distracted rather than focused his thoughts. Nevertheless, what he said is on the record for all Canadians to see what the Leader of the Opposition feels about this resolution. He said:

The aftermath of the adoption of this resolution will have us looking around at the breaking of our federation and perhaps at the breaking of the nation itself.

It does not take too much interpretation to see that the Leader of the Opposition is suggesting that giving the provinces at long last a formal and essential role in amending our Constitution, which this resolution does will result in our country falling apart. I must say that if the Leader of the Opposition thinks Canada will come tumbling down because the provinces are at last formally involved in all future amendments to the Constitution, then indeed he has but scant faith in the integrity of Canada or the degree of commitment of the provincial governments to the concept of Canada.

Some hon. Members: Hear, hear!

Mr. Chénier: The Leader of the Opposition says that we must try again and again to achieve the impossible.

Mr. Blenkarn: Why don't you try?

Mr. Chénier: He feels, in advancing his doctrine of naive and weakened federalism—

Mr. Blenkarn: You know, you might get an agreement.

Mr. Chénier: —that it is only because the Prime Minister (Mr. Trudeau) does not give in to every demand of the premiers that we have failed to attain an agreement with the provinces on an amending formula.

An hon. Member: Thirty five per cent.

Mr. Chénier: He says it is the Prime Minister, and not the system, who is to blame for the 54 years of impasse in obtaining patriation.

Mr. Blenkarn: It was certainly his for the last 12 years.

Mr. Chénier: He, not the Prime Minister—and I would surmise that the hon. member over there who loves to attack our native people in Canada is also an agent of divisiveness and disintegration—is prepared to see Canada—

Mr. Taylor: Aren't you a Canadian?

An hon. Member: Take your head out of the sand.

An hon. Member: Quebec will remember you.

Mr. Chénier: —become a land where, by crossing provincial boundaries, a person may lose or gain basic rights.

Mr. Blenkarn: That is absolute nonsense.

An hon. Member: Are you talking about yourself?

Mr. Chénier: I see some members on the other side must have imbibed Mr. Reagan's liquor tonight.

An hon. Member: Didn't the government supply that?

Mr. Chénier: As the Leader of the New Democratic Party (Mr. Broadbent) points out quite perceptively, if it had been Donald Duck—

An hon. Member: Donald Duck?

Mr. Stollery: Why don't you shut up?

Mr. Deputy Speaker: Order, please. The parliamentary secretary has the floor.

Mr. Nielsen: He should be careful about what he says.

Mr. Chénier: If it had been Donald Duck proposing the resolution before us, there would not be the level of agitation from the ranks of the Tory opposition or the dissenting premiers.

I am confident that if we can skim off the froth of bitterness from the Tory position in this debate, we will see that they, too, see the great merit and worthiness of the task at hand. We heard some of their members mention that to the Young Conservatives two weeks ago. Others said it outside the House on a Friday evening, also about two weeks ago.

Mr. Nielsen: Groucho.

An hon. Member: Thirty five per cent.

Mr. Chénier: We know that they do support patriation and the charter of rights as well as the other provisions in the resolution. I do not believe their fears about this resolution are justly founded. They have taken a position that is impossible to reconcile with reality, but that is their problem and they will have to deal with it in the future.

An hon. Member: What did Pearson say?

Mr. Chénier: My only wish is that they could have put the interests of all Canadians ahead of their difficulties as a political party.

Mr. Taylor: Look who is talking about the west.

Mr. Chénier: I do not want to dwell on the negativism of the opposition with regard to this resolution. I believe this is a time for celebration in Canada, not a time in which to incite divisiveness among our people. We have before this House a resolution which frees us from the enormous difficulties of determining our national will through the constitutional process and makes great strides toward creating a Canada which proudly states its belief in the integrity of the individual.

If we look beyond the criticism of the opposition and examine with fairness what is really being undertaken here, I believe all Canadians will agree that we are strengthening and preserving the Canadian tradition of mutual understanding and co-operation, not tearing this country asunder as the opposition would have us believe.

Mr. Taylor: I am a Canadian. I do not agree.

An hon. Member: Who says you are a Canadian?

An hon. Member: Everybody from Alberta is a Canadian. Don't you know that?

Mr. Chénier: Let me elaborate briefly on the provisions in this resolution.

[*Translation*]

Mr. Speaker, all Canadians went through a very traumatic period last spring when the forces of federalism regrouped to fight against those who would divide us and to reaffirm the national will. We also recall that the provincial premiers each in turn visited Quebec to tell Quebecers that their future is more secure within Canada. All provincial premiers and the Right Hon. Prime Minister of Canada made a commitment to renew federalism through a genuinely Canadian constitution. That is a promise we are about to honour.

This resolution will enable Canada to discard an archaic and steeped-in-colonialism process with a view to amending its constitution. As a result Quebec will be protected by a right of veto in the amending formula against any encroachment upon its rights as a people made unique by their language and their culture. I will point out that the Progressive Conservatives who pose as the champions of Quebec would take that protection away from this unique province—

[*English*]

—As well, the west, the maritimes and Ontario will be able to block any intrusion seen as not in its best interests through the use of a veto. When the population of the provinces in the west, of British Columbia or Alberta, is great enough, they will have the same power.

Mr. Taylor: Under that Constitution, we would still be in the same position. There is a veto power on everything. You had better read the Constitution.

Mr. Chénier: The integrity of each region is protected by this resolution, and one must admit it would only be the most bizarre and unusual circumstance in which the jurisdiction of the provinces might be threatened by the provisions in this Constitution.

The proposed amending formula would ensure that in the future no central government would be permitted to intrude in areas of provincial jurisdiction. Moreover, should there arise a matter of compelling national interest which may affect the provinces, a referendum obliging a double majority vote would ensure that no central government could act without the proper sanction of the people of Canada.

● (2050)

As for equalization, I am sure all hon. members agree that Canada is a nation built on sharing among individuals and among the so-called have and have-not provinces. This Constitution will ensure that this tradition remains.

The provision of mobility right guarantees is again at the core of the concept of Canada as a nation of diverse regions but of people of kindred spirits. Canada was built by Canadians able to travel throughout the country to seek work. I think of northern Ontario where people from all over the land came to seek work in the mines or forests. What kind of Canada would it have been if workers from the maritimes or Quebec had been turned away because they were not residents of Ontario? I find it troubling that the European Common Market has fewer barriers to the mobility of workers than there are in Canada. Surely we must protect the right to live and work anywhere in Canada before this principle is further eroded.

Mr. Taylor: We have it right now.

Mr. Chénier: It is sad to hear the hon. member say we have it right now because it does not exist in all provinces.

I come now to the charter of rights and freedoms. I have no hesitation in stating that this Parliament, through the efforts of all parties, has succeeded in producing a statement of rights and freedoms unmatched by any in the world. The charter reflects the values and duties of a modern society which recognizes the essential dignity and equality of all human beings. It is a charter that is far more just symbolic because the protections extended will indeed require action by the legislatures and courts in order to catch up with the principles Canadians share. This charter has the dual purpose of correcting long-standing injustices as well as establishing new standards for our treatment of special groups of Canadians, such as the handicapped and disabled whose situation has been articulated publicly only in recent years.

This charter puts our rights as citizens and human beings beyond the reach of any future capricious government, be it federal or provincial. That is important because we know that statutes or rights, such as the federal or provincial bills of rights, are not immune to legislative action and have been overridden in numerous cases. Clearly if we mean business in the matter of rights and freedoms we must state so unequivocally.

In addition, this charter would ensure that the protection of basic rights applies uniformly right across Canada.

Mr. Blenkarn: Like property rights.

Mr. Chénier: I really cannot understand why some provinces would want the right to tamper with what is probably the next best thing to an ideal statement of rights. What other reason is there than to reserve for the provincial legislatures the power to invade those rights at some time in the future? If changes need to be made to this charter, the amending formula will provide the instrument to make those changes, and they will apply to all Canadians.

I am sure that once the dust has settled and the wrangling over procedure we have experienced here has been put behind us, the entrenchment of this charter of rights in our own Canadian Constitution will stand as a magnificent achievement by Canadians. This charter was indeed created by Canadians, including the people on the joint committee and the hundreds of groups and individuals who submitted evidence. To say that the British Parliament will be imposing measures on Canadians is clearly one of the sillier arguments of the opposition, and they have some really silly ones.

I must say that while I am very proud that we are to have such a charter of rights, I am somewhat disturbed that the generous feelings in this document have not been met in other

quarters by the same response. I would like to spend just a few moments on this area.

Mr. Blenkarn: Tell us about property rights.

Mr. Chénier: The poor hon. member has his mind stuck on property rights tonight. He seems to have a problem with it.

Mr. Blenkarn: Do you not think anyone has the right to property?

An hon. Member: Quiet, it's past curfew time at the city pound.

Mr. Deputy Speaker: Order, please.

[*Translation*]

Mr. Chénier: During the public hearings, Mr. Speaker, there was a tremendous openness of mind and heart and one group after another as well as one individual after another expressed not only their tolerance but also their understanding of the unique character of our country. Their testimony will be the basis of the Canada Act. The vast majority of those who appeared before the committee expressed support for sections 16 to 23 on official languages, language of communication with the federal government and certain provincial governments, and I repeat, certain provincial governments, language of instruction, and language to be used in court proceedings and in government documents.

At least 12 groups and individuals, besides the ACFO and the FFHQ, spoke of language and strongly suggested that Section 133 of the BNA Act be extended to Ontario.

Mr. Speaker, the Council of Quebec Minorities, the Canadian Federation of Municipalities, the Canadian Jewish Congress, the Italian-Canadian National Congress, among others, and also, of course, the Commissioner of Official Languages have one by one argued that Ontario should grant its French speaking minority the language rights it has been asking for for so long.

I am both saddened and disappointed by the fact that Ontario does not officially recognize bilingualism in the province. It seems to me that now is the right time, and I find it unfortunate that Ontario has not yet reached the maturity that Canada in general has demonstrated since the Official Languages Act was enacted.

Mr. Speaker, it has been over 100 years now that language rights for French-speaking and English-speaking Canadians in Quebec and Manitoba were entrenched in the British North America Act. After 114 years, the new Canada Act will confirm that status quo in terms of languages, and will guarantee new equal linguistic rights to the citizens of New Brunswick. That is all! After so many years of evolution and progress, the most important francophone minority outside Quebec, the Ontario francophones, will still not have managed to see their rights protected.

I am disappointed, Mr. Speaker, with the attitude of the government of my province. Still, I accept that the federal government should not impose official bilingualism on that province: that is not part of our government's approach. Despite my deeply felt disappointment, I fail to understand the lack of popular support for our efforts and those of national and provincial groups who have pleaded the case for a bilingual Ontario.

In my riding, for instance, 43 per cent of the people are French speaking and live in large numbers in seven main communities. Still, representations were made to me only once in favour of enshrining the linguistic rights of our minority, and even in that instance the representations were almost anonymous in that they were just signed "a group of concerned citizens."

That lack of enthusiasm saddens me, Mr. Speaker, because there can be no better time for claiming our rights. Even now, it is not too late to do so; otherwise, the francophone minority of the riding of Timmins-Chapleau will have missed a unique and historical occasion of ensuring that the rights of their children are protected.

We must not forget that once these rights are entrenched in a truly Canadian Constitution, no new provincial government can take them away from us. In my opinion, popular support for a bilingual Ontario has still to be assessed. The results of the poll which appeared on February 28 in the *Toronto Star* showed that at least 52 per cent of the people in Ontario would accept institutional bilingualism in my province. Premier Davis and his Conservative supporters therefore have no longer any reason to hide behind the argument that such a policy is not agreeable to a majority of the voters.

I believe that we, the members of the francophone minority who are scattered throughout Ontario, will find it hard to live with our lack of pride if we do not make an effort in the next few weeks to urge the Ontario population to indicate to Mr. Davis the urgent need to entrench once and for all our linguistic rights in the new Canadian Constitution. I invite my colleagues—

• (2100)

[*English*]

Mr. Blenkarn: I rise on a point of order, Mr. Speaker. I wonder whether the hon. member would permit a question; perhaps after his speech?

Mr. Deputy Speaker: Would the parliamentary secretary accept a question?

Mr. Chénier: I would like to complete my speech, Mr. Speaker.

[*Translation*]

I invite my colleagues the hon. members from Ontario, whatever their party, to show Premier Davis their support for our rights. It seems that Mr. Davis is the one who needs to be

convinced. We were told for many months last year how useful it was to have Conservative governments in every province. This now seems less useful when we need the help of the members opposite.

We are running out of time and there is lobbying to be done, no longer by national groups or Quebec members—they have shown us their generosity and I thank them for their efforts—but it is now up to us, the citizens of Ontario, to tell the Premier of our province, our provincial representatives and all the candidates in the provincial election, the Canadian government—

[*English*]

—and above all we must convince the English majority in Ontario that our language rights in Ontario must be guaranteed in our new Canadian Constitution.

An hon. Member: Why not put an amendment?

Mr. Chénier: It seems that the hon. member who has the floor over there, Mr. Speaker, does not understand what I am saying. I am asking the province of Ontario to take the lead. Ontario's citizens must be convinced that such French-language guarantees in health and legal services, in education, in our own school boards and other services dispensed by the province of Ontario will take nothing away from the English majority. On the contrary, it will affirm the same rights enjoyed by the English minority in Quebec for more than a century. Where is the justice there? Above all, it will demonstrate once again the maturity of our country and of our province in respect of an understanding and appreciation of our cultural and linguistic differences, although we are of the north.

There is one thing which still amazes me when we talk of rights and guarantees. I notice every day the struggle of some local groups in my constituency who to this day feel that such things as official languages and language rights do not apply outside this chamber or outside the law books. For example, a community college board has been arguing for months whether to approve and display the French name of the college along with the English one in order to attract more of the 43 per cent French population it should serve. To this day the matter is not resolved because members of the board have not understood that such decisions should be spontaneous, and not deliberated to death, to express immediate understanding and acceptance of our important French-speaking minority, and that minority in my riding, I repeat, amounts to 43 per cent.

[*Translation*]

It is not too late for this minority to speak out. Acadians did so collectively in New Brunswick and Premier Hatfield has served them well. The rights of Acadians will be entrenched in our new Constitution. There is still time to rally public opinion in favour of a bilingual Ontario. I shall continue to speak of this noble and historic resolution proposal to various groups in my constituency. I urge all Ontario members to do the same. Let us shake public opinion! With the mandate of our constituents, we shall then be able to tell the Ontario premier, whoever he may be, that the Ontario people want to ensure that the new Canadian Constitution will guarantee once and for all the linguistic rights of the francophone minority.

[*English*]

In conclusion, I should like to say that Canada will be a better place as a result of this resolution. We will have our own Constitution with an amending formula which respects the principles of federalism without entrenching paralysis, a formula which respects the special needs of Quebec as well as protecting the interests of the other regions. We will enjoy the protection of an entrenched charter of rights which will enable any Canadian to seek justice through the transient prevailing attitudes of the legislatures. I would reiterate that this charter applies equally to both federal and provincial legislatures. This charter in all its beauty takes the custody of our basic rights and freedoms out of the hands of government, which have shown in the past they are capable of legislating in a discriminatory manner, and places that trust with independent courts.

This is a vibrant time in our history, a time of great debate on the future viability of our nation. I firmly believe the provisions of this resolution go a long way toward resolving the many inherent problems of a federal system such as ours. Rather than divide us, I believe that, once the storm of debate has passed, Canada will emerge as a paragon of democracy and, above all, a free and completely independent nation.

Some hon. Members: Hear, hear!

Mr. Mayer: Mr. Speaker, I wonder if the hon. member for Timmins-Chapleau (Mr. Chénier) would entertain a question?

Mr. Deputy Speaker: Does the parliamentary secretary wish to accept a question?

Mr. Chénier: Mr. Speaker, I would rather have other speakers address the House.

Mr. Nielsen: I rise on a point of order, Mr. Speaker. I wonder if the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development (Mr. Chénier) would accept a question from me in the eight minutes of his remaining time?

Mr. Deputy Speaker: Does the hon. member wish to accept a question?

Mr. Chénier: I would repeat what I said before, Mr. Speaker.

Mr. Bill Yurko (Edmonton East): Mr. Speaker, I first want to take this opportunity as a member of this House to welcome President Reagan to Canada today. I, like most Canadians, am distressed at the lack of courtesy displayed by a very small minority in front of the assembly today.

Some hon. Members: Hear, hear!

Mr. Yurko: We have a very serious topic before us and I expected to speak seriously tonight. On May 9 of last year I moved a motion to effectively patriate the Canadian Constitution with or without the unanimous consent of the provinces because I felt it was legally possible, and was fully supported by precedents. In my opinion, patriation is the one great final step toward the evolution of a national cohesiveness.

I know the process being followed is producing division, but the nation can stomach considerable stress and strain, and it is constantly proving this. It proved it last May 20. This is a durable nation.

On the passage of that resolution I said:

Mr. Speaker, every member in this House has been humbled today by the passage of a motion stating that the Parliament of Canada submit an address to Her Majesty, Queen Elizabeth, that Her Majesty may graciously be pleased to cause a bill to be laid before the Parliament of the United Kingdom to provide for the amendment in Canada of the Constitution of Canada.

Then I said:

Parliament must pursue this objective with haste. This is the beginning of a dream that so many of us have cherished for so long; a dream to make this nation whole, to give this nation a distinctiveness, a wholesomeness, a Canadianism that is our own, and sovereignty as a nation and as a people.

● (2110)

Let us hope and let us pray that this process which has begun here today will not falter and fail. Let us all be determined that we shall succeed in patriating our Constitution with provincial unanimous agreements, but without, if necessary, for the Parliament of Canada can patriate the Constitution with a built-in formula of unanimity for the subsequent amendment of the Constitution in Canada. The question is, has Parliament got the will to do it?

Let us also be determined that we shall succeed in adopting a less rigid formula for amendment so that we can preserve what is good in our Constitution and yet change with some ease what needs changing to keep pace with the evolution of the Canadian identity and the Canadian reality.

That is what I said last May 9. While discussing that motion, the Prime Minister (Mr. Trudeau) and the two House leaders of the opposition said that we should first consult with the provinces and discuss patriation and the amending formula, and we have. We were all party to those deliberations on national television last September, each of us has his own version of the villains and heroes of the drama. I watched the drama on television and recorded it. Three dominant themes emerged from that conference. The first was that politics, rather than statesmanship, prevailed; the second was that massive growth of provincial governments and their extensive involvement in their economies and redistribution of wealth was pervasive, and all provinces wanted to protect, enhance and extend such involvement, and I was a member of a cabinet which, for seven years, extended this area of involvement dramatically.

The third theme was that honest differences existed over the concept of the Canadian federation. Some saw the nation as moving steadily towards increasing isolation and separation of Canada's two linguistic solitudes; whereas others saw the nation moving increasingly toward the intermingling of these two solitudes.

Mr. Speaker, the conference was doomed to failure and it has failed. The national government subsequently reacted and brought forth a package addressed to the Queen to patriate the Constitution and entrench a charter of rights and freedoms. It is a complex package and has been subjected to the intense public hearing process of the joint committee on the Constitution. Our party sponsored 22 amendments, of which seven were accepted. We have been constructive in committee, from my point of view, the hearings were a remarkable process of participatory democracy in Canada. Indeed, they were probably unique in that regard in length and involvement, and all who participated are to be congratulated.

The nature of our constitutional process today is that the federal Parliament can make any address it wishes to the British Parliament for amendment of the BNA Act. We are the only country in the world with such a process. Nothing in the Constitution or in law compels the federal Parliament to consult with or get agreement of any or all provinces, irrespective of some well-known principles. The British Parliament makes the final decision, and thus far has not refused any request by the Canadian Parliament. Indeed, as things now stand, the British Parliament could attempt to unilaterally change the BNA Act, but such a suggestion is preposterous.

What has been suggested is the possible refusal by the British parliament of a request from this Parliament for patriation and/or amendment, and such a proposition is also preposterous. It would also be tantamount to unilateral action by the British Parliament in dealing with the Canadian Constitution, and I think such action is unthinkable.

I am satisfied that the rights and powers of the Canadian Parliament to patriate are part of that umbrella of powers given to it by the very process of confederation itself. We, of course, all know that since 1907, and particularly since 1930, a principle or convention has gained increasing recognition and acceptance, the principle that the Canadian government will not request a constitutional amendment of the British parliament when such amendment directly affects federal-provincial relationships without prior consultation and agreement with the provinces. However, such a convention is not entrenched, is not a right, it is in doubt, and one court has now ruled against its existence. This we must change at the earliest opportunity.

The veto rights of provinces over constitutional amendments must be codified in the Constitution at the earliest opportunity, and I say now, before divisiveness in this country is allowed to increase. We have a dangerous amending formula which must be changed or regional fractiousness will reach new heights. So, in my view, we must patriate now and entrench the veto rights of the provinces alone or in combination.

Any amending formula is an improvement over the unilateral formula now in place. I have, therefore, taken a stand but it has been consistent. In a recent letter to the Leader of the Official Opposition (Mr. Clark) and all members of the Progressive Conservative caucus, I stated I am a Canadian before being a partisan politician. I have often been emotionally moved when speaking about human rights of minority

peoples, including my own ancestors, who experienced the shame and anger of discrimination. How, then, am I to vote on this parliamentary resolution to entrench a charter of rights and freedoms and patriate the Constitution from Great Britain? How will each of us as parliamentarians, men and women of conscience, vote? Shall we be guided by the principles and content of the resolution or by the process? Each of us must make our own decision, and we must put people before party, country before province and conscience before convenience when making that decision.

An hon. Member: Bravo, bravo!

Mr. Yurko: My party has chosen to base its collective decision on process. Most of my colleagues have rejected unilateral action by the federal Parliament in both patriation and entrenchment of rights.

I do not agree with most of my colleagues, and have stated so publicly and honestly. I am in agreement with Premier Davis and Premier Hatfield and all their supporters, Conservatives in Canada.

I have chosen to base my decision to support the resolution on the principles and content of the resolution rather than the process. In doing so, and in announcing that decision, I have received much correspondence. Canadians wrote to me. For every letter against my position, I received no less than three upholding it. What did these letters say? Well, those who supported me stated, first, the time to patriate was now so that we could then go about building a nation. Second, they said that unanimous agreement by all the provinces was improbable and illusionary. Third, the entrenchment of basic human rights was mandatory, and fourth, they expressed a real concern for the continued unity of this nation.

● (2120)

Those against my position fell into three categories. First, a genuine concern over provincial disagreement with the process and different provincial constitutional status and the lack of a reference to God; second, a genuine hate for the Prime Minister, particularly because of his past record; third, raw ugly bigotry against the French fact in Canada and its further entrenchment and extension. Most of the letters in the third category were not signed.

In the positive letters, the concern for continued national cohesiveness or unity was pervasive. This wonderful, emotional and moving concern for the country reminded me of why I entered politics in 1968 after working for almost seven years in the United States. In 1968, I made my first speech in a constituency which was contested by a skinny fellow, the hon. member for Edmonton North (Mr. Paproski) who won the nomination. Therefore, I reverted to provincial politics. I said in that speech:

> The very foundations of our nation are quivering. Unstable because of the lack of a common Canadianism. We live in a land divided—divided by geography—divided by origin—divided by wealth—divided by beliefs and divided by desires.
>
> There is growing in our land a fungus—a fungus called "separatism". We have two varieties—an eastern kind and a western kind. Each of us must recognize that this fungus must be eradicated from the face of our nation. We all sense this need for servitude under only one flag—with only one anthem—to recognize only one "Canadianism". A "Canadianism" which is broad enough and flexible enough to embrace all our cultures, and more than one language if necessary, all our beliefs and all our hopes. A "Canadianism" which will result in a nation of power. A powerful nationalism which will be a moving force in the international community. To the development of this type of "Canadianism" I will dedicate my efforts if elected.

For 13 years I have pursued and will continue to pursue the commitment I gave on my first attempt at political nomination.

The concern for national unity, for a national cohesiveness, and for the evolution of a Canadian brotherhood is as keen today as it was 13 years ago.

We all witness in our country bickering over wealth, over power, over prestige, over preservation and over prominence. The fungus of separatism has grown substantially during the last 13 years. We have had to deal with a serious attempt, through a democratic referendum, at separation called "sovereignty-association". Canada won that round, thanks to the work of many, including many from this House. Why have we not been able to deal effectively with the problems of the nation as they evolve and intensify? I maintain it is because our Constitution resides in another country and we have not yet found the way to change it step by step when it needs amendment to meet the reality of a growing complex society which is increasingly becoming interdependent.

We have continued to bicker and quarrel and seldom agree as a quasi-federation of ten provinces with a central national Parliament. The Canadian Constitution must be patriated now; it is timely. Further delay will only increase national divisiveness and turmoil. Perhaps much of the fault for increasing divisiveness can be directly attributed to the failure of this national Parliament and the enormous growth of provincial governments since the war. This resolution cannot fail; it must succeed.

There has been much fractiousness in this House. I was not used to such fractiousness in the other assembly in which I served for ten years. Questionable accusations abound in this place, yet we set ourselves up as an example for the nation, as the moulders and builders of a country. What an example to be broadcast daily across our land! Partisan political gamesmanship in this House is pervasive, constricting and an anathema to both statesmanship and national evolution. This is true on all sides.

The discord and fractiousness between regions, between provinces and Parliament is no more and no less than a reflection of the discord in this place. We have not yet found a common cause, a common direction, or a common destiny as a nation. We are not even a nation in law because our Constitution still resides in another country, but we have become a nation in spirit, the spirit of universal brotherhood where peoples from virtually every land in the world can live, work, play, fraternize and worship separately, yet together. It is that exciting spiritual realization that stimulates us and makes us tremble with anticipation. It is that excitement which has been captured in the content of the Charter of Rights and Freedoms embodied in the resolution before this House.

We as a civilized society have suddenly and collectively recognized that fundamental human rights exist and are inalienable. As a nation and as a people, we wish to enshrine them now in our most fundamental law, our Constitution; enshrined in our Constitution as a symbol of our brotherhood and forever as a restraining hand against collectivized discriminatory action, particularly those of governments in our pluralistic society. These rights are not given by government. They are recognized to exist, so we enshrine them here. That is a great leap toward freedom.

It is governments which set the tone of discrimination as evidenced by many examples, such as discrimination against Japanese peoples during the Second World War and restriction of peoples with Austrian-Hungarian passports during the first great war, many of whom were my ancestors who came to this country 20 years before that time.

Therefore, I support fully and with great exhilaration the entrenchment of a charter of rights and freedoms in the Canadian Constitution. The argument that somehow it is colonial or inappropriate to ask for and effect such entrenchment in the British parliament, when we have effected some 21 amendments using a similar process, does not overwhelm me. I—and I am sure most Canadians—would be honoured to have Britain do it for us. I would think it would be an act of great honour and privilege for British parliamentarians. What finer final gift could Britain give the Canadian pluralistic society than the entrenchment of such a charter!

In my view it would cement for all time a friendship, a kinship, a bond, between mother country and its offspring which has grown to manhood. What greater final gift could we Canadians receive from Britain, that wonderful society where parliamentary democracy was incubated and blossomed, that gave the world a true understanding of collective and individual freedom!

The British Parliament would be acting without precedent and committing irreparable harm to Canadian-British relations if it attempted to resist, or delay, or modify, or reject the entrenchment of the charter of rights and freedoms before patriation of the Canadian Constitution. Such action would result in a form of Commonwealth impeachment and would downgrade the lofty esteem of the monarchy, particularly so in the eyes of the ethnic community. I, for one, would regret it immensely.

The people of Canada, through the hearings of the joint parliamentary committee, through past massive petitions and through the electoral process, have demonstrated positively that they want fundamental rights entrenched in the Constitution, irrespective of what some provincial premiers contend.

• (2130)

All ten premiers on two occasions, in 1977 and 1978, unanimously agreed to extend bilingual educational rights to all provinces where numbers so warrant. Therefore, such agreement supports entrenchment in the Constitution. I want to say that six of the premiers at those conferences were Progressive Conservatives.

The extension of duality promotes and enhances our diversity. Oneness would accelerate homogenization and rapidly destroy our diversity, as it has with our neighbour to the south. The melting pot process would prevail with oneness. Multiculturalism lives because duality is alive. It is duality which promotes and enhances our diversity.

Some hon. Members: Hear, hear!

Mr. Yurko: Bilingualism kindles the desire for, and extension of, multiculturalism. It is the very essence of bilingualism and multiculturalism which provides diversity and gives us an exciting national fabric that makes for a new nationhood, even though some ferment must be endured. The very technology which has propelled the English language to the forefront in world commerce, communication and near-universality, is now giving way to a new universal language. It is the language of electrons and optics, a language which at the push of a button can instantly translate signals into any and all languages and thus preserve, enhance and propagate many languages and cultures. Technology which began as a mass homogenizing process of languages and cultures has now become the salvation of all languages and cultures. Canada being so advanced in technology is the very first world nation which is using and will, use technology to create a multilingual and multicultural society. It is unity and diversity in practice that we are witnessing in Canada at this very time.

The charter is not perfect, but it is a significant step forward, matching the action of all other federations formed since 1867. I would like to have included in the preamble a reference to God and family and the worth of the individual. However, I am distressed over accusations in the debate in regard to the inclusion of a reference to God in the Constitution. My belief in God is secure; it does not need to be enshrined in secular documents. It is now enshrined in the greatest of all constitutions—the Good Book. I wholeheartedly accept its inclusion in the Diefenbaker Bill of Rights and I would be delighted to see God enshrined in the preamble to the Constitution. What distresses me is the postulate that somehow we on this side are somehow more godly than members on the other side of the House, or that they are more godly than we, or that one person here in his or her judgment is somehow more godly than someone else in this House. Time will bring forth a constitutional preamble and God will be in it, if He so wills it to be.

I would also like to see the right to own property in the resolution. But this will come eventually with provincial consent. To force it into the Constitution now over provincial objections would be a massive interference into provincial powers and it would surely provide the provinces with sufficient additional ammunition to perhaps defeat the resolution in Britain. It would certainly enhance their case. If anything, the resolution should have in it a provincial property ownership opting-in clause for provinces. In 1972, we essentially enacted the Diefenbaker Bill of Rights containing the right to own property into the first law of Alberta. I can vouch for the fact that our experience has shown that it is not overly difficult to

live with it on the provincial level. The British parliamentarians would break faith with the people of Canada if they tampered with this parliamentary resolution from the Canadian Parliament.

Let me now deal more specifically with patriation and the process contained in the resolution for evolving a final amending formula in Canada.

Could you tell me how much time I have left, Mr. Speaker?

An hon. Member: Fifteen minutes.

Mr. Yurko: Let me state that our PC caucus has laboured under the partial illusion that the Vancouver amending formula was agreed to last September by all the premiers and by the Minister of Justice (Mr. Chrétien) speaking for the federal government. I wrote to all the premiers in Canada, since I was a member of a provincial government for so long. The Ontario minister of intergovernmental affairs wrote me a letter which has become quite famous. He ended with this statement:

> In sum, our discussions held out the potential for consensus but it was not achieved in fact. The explanation lies not in the ill of any of the participants but in defects inherent in the formula itself.

One premier who does not support the patriation resolution also replied to my letter. He said:

> There is no question in my mind that there was a considerable consensus in favour of the Vancouver formula by officials, ministers and first ministers. You will recall at the September first ministers' meeting seven premiers specifically stated they supported the Vancouver consensus, while two indicated a willingness to consider it seriously. Quebec, which has traditionally maintained the position that there should be no decision on an amending formula until discussion on the division of powers is completed was willing to consider this subject.

Perhaps the provinces could agree on the Vancouver formula and offer it as an alternative to the Victoria formula for the people to decide, as is possible in this resolution. Nevertheless, patriation now with the Vancouver formula is unilateral patriation, regardless of how one looks at the matter at this time. Furthermore, the Vancouver formula is, in my estimation, structurally unsound and would soon destroy this nation.

Some hon. Members: Hear, hear!

Mr. Yurko: Patriation must be done with the unanimity formula in place, as was stated in the resolution which was passed on May 9. Such a procedure is contained in the resolution for a term of two years.

Let us now briefly examine the referendum clause in the resolution and the legitimacy of the warnings of the dire consequences predicted as a result of this amending procedure. Our leader, Premier Blakeney, the four breakaway NDP members, other premiers and many caucus members see the referendum as an insidious destruction of federalism. In my estimation, this is exaggeration of the wildest sort, to predict such a result from the use of the referendum clause. But how much of a constitutional fixation is the referendum procedure? It is a way of bypassing the provinces, as some say, but then is that not what the procedure for constitutional amendment is today, according to the Manitoba Court of Appeal? If all the premiers see it as a threat, then they are surely in favour of revising it; and would not revision take place just as soon as a national Progressive Conservative government is elected? If this resolution is so divisive and the people are massively against it, would not the national PC Party, my party, win the next election in a landslide and change this part of the Constitution with the unanimous consent of the provinces? Of course we would. We would change it before it was even used for the first time.

The lament that the use of a peoples' referenda on constitutional change may—and it is a vastly exaggerated may—change the very nature of our federation is a spurious argument. I believe that the use of a peoples' referenda, initiated by the people of Canada or by federal authority, to be appropriate and desirable as an instrument of constitutional change in the Canadian federation. Indeed, I believe that the peoples' referendum tool is not only a needed process for breaking federal-provincial log-jams, but it should be a fundamental right of the people of Canada. I believe that the umbrella, or sovereignty cap, over the Canadian federation, which has many parts similar to the declaratory powers, peace, order and good government provisions, and which is now being shared between the British parliament and the Canadian Parliament, with a common monarchy, should not be totally transferred to the Canadian Parliament and the provinces on patriation. It should be shared by the Canadian Parliament and the provinces with the Canadian people through a process other than the electoral process. That is why I believe it necessary for the Canadian people to have the means to initiate constitutional change directly rather than acting only as a referee to break log-jams. That is why I included a peoples' referendum clause in the resolutions I introduced in both the Thirty-first and Thirty-second Parliaments.

• (2140)

But such referenda must be used with great caution and great wisdom—and not often—so the rules of implementation and acceptance of the results must of necessity be laid down in a non-partisan way by a non-partisan process. Reasonable amendments have been made to the resolution in this regard, but we could go even further.

The process in the resolution for patriation and evolving a Canadian amending formula is simple: first, the amended Constitution is patriated with the unanimous consent formula in place; second, a two-year period during which the unanimous consent formula will apply and a search for a less restrictive formula will go on; third, the provinces will establish their alternative to the federal formula if they can reach agreement; and fourth, a national referendum to choose between the federal option, which is the Victoria formula, and the provincial option.

In regard to this process for evolving a permanent amending formula in Canada, surely the provinces in two years can meet almost continuously to evolve a provincial alternative to the federal option which is the Victoria formula which, in 1971, did receive the unanimous approval of all ten provincial governments. Indeed, if I was a leader of any provincial govern-

ment in this nation, I would appoint a minister for full-time duty on this alone for two years.

Some hon. Members: Hear, hear!

Mr. Yurko: The least that can be done by the province is to evolve some meaningful amendments or alterations to the Victoria formulae. The Victoria formula is a regional formula with four regional "veto" powers. It must be revised to give it a selected narrow provincial "veto" component and a national "veto" component. The provincial veto component must be the protection of provincial resource ownership and boundary integrity in accordance with an amendment I proposed, which was as follows:

No constitutional amendment affecting changes to the resource ownership rights of any province or provinces, or changes to the physical boundaries of any province or provinces shall become law unless such changes have been approved by the legislative assemblies of the province or provinces specifically affected.

The smaller provinces simply cannot be held to ransom in this regard by powerful regional partners. They must have some protection in the most narrow of areas, which is the protection of their very areas and the resources they own.

The national veto component should be that any combination of provinces having 25 per cent of the population of Canada shall have a veto on a constitutional amendment. Not only those that had reached 25 per cent of the population of Canada but any combination of provinces having 25 per cent of the population should have a veto.

Stated positively, any constitutional amendment must have the approval of provinces whose population is equal to or greater than 75 per cent of the total Canadian population. This is perhaps the appropriate way to overcome the Victoria formula limitations on a rapidly growing west. Otherwise, the west could have over 50 per cent of the population of Canada in a couple of decades and still have only one veto.

I expect that amendments similar to these will be the bargaining position of the federal government and the provinces during the two-year period after patriation. Such changes add to the possible veto of the eight smaller provinces but do not take anything away from Ontario and Quebec regional veto powers in the Victoria formula.

Let me say in conclusion that once we were a community of communities, a nation in which each individual community was almost a self-contained entity. I remember this well because the culture and language of a community of people was not really threatened except by the autocratic dictates of the provincial school board. I remember well when Foster Hewitt and his Saturday night broadcast penetrated our communities. This was followed by an explosion of technological encroachment: transportation, television, electricity, gas, and so forth. The communities soon lost their identities to integration, interdependence and homogenization. In less than 50 years, Canada moved from a community of communities to a highly integrated, highly interdependent, regional structure. Some provinces were natural regions and therefore undertook regional responsibilities. Other provinces were too small and too sparsely populated to become regions unto themselves, and so they had to be interlinked with other provinces for rational growth and identification and progress. In fact, in some cases, the very essence of provincial status became questionable. In other cases, the very physical size of provinces suggested new regional identification.

The very nature of the political freedom we enjoy as a result of confederation prevented needed integration of some provincial entities. In the growing west, historical grouping of provinces prevented some realignment of regions. The accelerated pace of growth and settlement of the west and north will cause future regional re-definition.

Canada has become literally five regions within which provincial entities increasingly inhibit growth and evolution rather than enhancing it. But the future of Canadian nationalism will not be restricted for too long by this inhibiting process. Rationalization will be forced by technological integration. Constitutional accord or discord based upon regional well-being and regional aspirations is inevitable and therefore forms the very basis of the amending formula being proposed as the federal option, though it needs improvement.

This nation, Canada, will increasingly evolve, and its interdependence will increasingly grow as a co-operative quasi-economic and social federation of five natural regions. Within these regions, provinces shall co-operate and compete, shall integrate transportation and energy and other systems and shall evolve somewhat different and unique social and cultural systems. And over-all, all these regions shall form the umbrella of a reorganized national Parliament.

I have almost finished, Mr. Speaker.

The relationship of the national umbrella and the regional well-being, aspirations and growth will be dynamic, changing and challenging. This, then, is, and will continue to be, the essence of Canada.

Patriation of the Constitution and the entrenchment of a Charter of Rights and Freedom is a giant leap, and a mandatory one, toward this vision of Canada, a vision which is destined and pre-ordained and beyond the simplistic rationalization of most of us.

Patriation of Canada's Constitution is the decisive stepping stone toward eradicating the fungus of Canadian separatism—both the eastern and western varieties. We are the most fortunate of all peoples on earth. We have been given a legacy by our pioneering parents, grandparents and great grandparents, which is unmatchable. Let us build on this legacy. Let us not fail them and break this country apart for, if we do, they shall not sleep, and neither will we.

Some hon. Members: Hear, hear!

Mr. Gus Mitges (Grey-Simcoe): Mr. Speaker, it is a great pleasure and honour for me to take part in this debate. It is perhaps one of the most important debates in our history. It could quite conceivably change our lives and our way of living. It is a very important debate indeed.

There is no question that as this debate on the Constitution progresses, and as it becomes more complex, there is a danger

of losing sight of the major issues in this see-saw battle, with its myriad of recriminations from all sides of the House. Regardless of the changes that may be made in the constitutional document, and whatever may be included therein, it will not be worth a pinch of salt unless there is a desire and a will, not only on the part of the federal and provincial governments, but among all Canadians in all regions and provinces of Canada, to co-operate and together make the Constitution work.

● (2150)

As it now stands, Mr. Speaker, I cannot see this working unless the federal government relaxes its unilateral stand, starts bending a little, giving a little and not being inflexible in its deliberations on the Constitution resolution.

The government is saying that some of the changes it has undertaken in the Constitution are mandatory in order to keep faith with the people of Quebec and to keep Quebec in Canada after Quebec's positive referendum last May, not to secede from Canada, but to remain an intractable part of our great federation. But, Mr. Speaker, if the government is keeping faith with the people of Quebec, as it insists, surely it should have the support in this endeavour of at least one provincial party in that province for its constitutional proposals. But the fact remains, Mr. Speaker, not one provincial party in Quebec is backing the government.

Canadians all across our great land, Mr. Speaker, look upon the Constitution with worry and apprehension, because they know and understand that the constitutional resolution was not one that found birth through good faith and that it was not conceived through a reasonable level of consent by the provincial governments and the people of Canada.

With the government acting in a unilateral way, and acting contrary to the prevailing wishes of most of the provinces and adopting measures very much contrary to the wishes of the majority of the Canadian people, a constitution, illegitimately conceived as this one has been conceived, will carry no weight and literally will not be worth the paper it is written on.

Others before me in this debate, Mr. Speaker, have mentioned the constitutions of other countries like the U.S.S.R and the United States, which theoretically and in glowing terms, guarantee the rights and privileges of their citizens, but these same constitutions have faltered in several instances when the practicality of enforcing such rights was called upon, as was so eloquently expressed by a number of colleagues who spoke before me in this debate.

A constitution and bill of rights, Mr. Speaker, should serve to unite a nation and its people and to articulate its ideals—ideals, that are a vested interest and have input from a majority of its citizens.

Once a level of agreement has been reached on its terms, then and only then will it have the credibility and constant support and approval that is needed.

The only way, Mr. Speaker, that I can perceive this government's action regarding the Constitution—as it has been also perceived by an ever-increasing number of Liberal senators in the other place—is that it is both unconstitutional and mischievous. I believe the only sensible action the government can take in the national interest, is to meet again with our provincial counterparts with a view to at least reducing the package to simple patriation with an amending formula made-in-Canada by Canadians and to working a consensus approach that will be amicable and agreeable to most Canadians.

It is my firm belief, Mr. Speaker, that if the constitutional crisis reaches Westminster, then to have our Constitution amended in Britain, surely is one way of reducing Canada to colonial status.

I believe that Canada is a mature country, inhabited by mature, well-thinking citizens, who, I believe deplore, as I deplore and regard as unthinkable, the idea that we should condescend to have another country do the work that is Canadian. It is our duty and responsibility to change our own Constitution; we must not shirk that duty and responsibility and ask another country to do the work for us. If such a responsibility is shirked, Mr. Speaker, and not acted upon, then surely the supreme sacrifice paid by fellow Canadians in two world conflicts and the Korean War to keep Canada free and democratic and to gain its independence as a sovereign nation, was all for naught.

If we are truly free and sovereign, Mr. Speaker, then let us take our responsibility firmly and settle our constitutional problems here in Canada by Canadians for Canadians. Somehow, Mr. Speaker, considering all the other national problems in our country, I strongly suspect a very false sense of urgency in the action of the Prime Minister (Mr. Trudeau) of trying to push through his constitutional package.

It reminds one of the similar false sense of urgency one finds in matters undertaken by people who try to push through a deal that would not meet the test of honesty, the scrutiny and thoroughness of investigation which would bring to light glaring pitfalls and perils that perhaps would not be apparent from a hasty examination of documents.

A constitution, Mr. Speaker, is the most important document in any sovereign country. It not only must have wide acceptance by its citizens, but before that happens, every detail and working part of that constitution must be thoroughly gone over, dissected, redissected and improved upon in order to gain the acquiescence, respect and confidence of its citizenry.

I feel quite strongly, and many Canadians feel just as stongly, Mr. Speaker, that Canada has no need of a patriated Constitution at this time. I do not believe that most Canadians have ever felt or expressed such a need. I believe that for the last 114 years, the BNA Act has served us well. It has provided Canadians with what it promises—peace, order and, on most occasions, good government.

As Canadians we are free to do what we choose. The fact that our Constitution rests in Britain is a matter that can be attended when the right time comes. The right time, of course, will be when the great majority of Canadians agree on how patriation should be achieved. According to the last poll, Mr.

Speaker, Canadians are not in favour of patriating the Constitution under the terms unilaterally set by the federal government.

The government has been saying all along that it is acting in response to urgent public demand. This is no longer the case; the opposite is true.

Canadians realize that there are other pressing problems of a higher priority that they are anxious to have resolved before patriation of the Constitution is even considered.

I say with respect, Mr. Speaker, that it is unfortunate that our Prime Minister wants a patriated Constitution as his monument before he steps down. It has been said that he will do anything to go down in history as a father of his country and, as others have said, will even put his country "through the boredom, conflict and agony of this incredible constitutional season."

I believe today, Mr. Speaker, that the national priorities for positive action that should be taken by governments and all of us in this House are to try to solve such issues as high unemployment, two-digit inflation and downward economy. Above anything else, Mr. Speaker, I do not believe we have a constitutional crisis in our country, as some would wish us to think.

There is no question that we do have a crisis, Mr. Speaker, but what it is is an economic and unemployment crisis that has been literally swept under the carpet, out of sight and out of mind, in the hope that somehow it will all go away. It would be wonderful, Mr. Speaker, if things were as easy as all that.

We all know that this wishful thinking has resulted in little or no concrete action being taken on these national concerns which are causing, Mr. Speaker, not only a national crisis, but family crises, family breakups, inflationary prices and a continuing lower standard of living for all Canadians.

These are the real crises, Mr. Speaker. These are the crises with which we should be dealing and to which we should be giving our undivided attention in an effort to solve them. We should not be sidetracked by fake constitutional crises that will not put one slice of bread on the table, that will not build one affordable house for Canadian families lacking in suitable accommodation, and that will not put clothes on the backs of Canadians.

Some hon. Members: Hear, hear!

Mr. Mitges: May I call it ten o'clock, Mr. Speaker?

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

Adjournment Debate

MARINE TRANSPORT—WITHDRAWAL OF DART CONTAINERLINE SERVICE FROM HALIFAX—ROLE OF PRESIDENT OF CANADIAN NATIONAL RAILWAYS

Mr. J. M. Forrestall (Dartmouth-Halifax East): Mr. Speaker, I am here this evening to pursue a little further the disastrous result of non-intervention by the present federal government with respect to the move of Dart Containerline from the port of Halifax to the port of Montreal. My colleague, the hon. member for Halifax West (Mr. Crosby), and I have raised this matter in the House on a number of occasions over the last ten days since the announcement of the move was sprung upon us. They are concerns which flow from factual data about this very serious move on the part of Dart for, after all, Dart accounts for approximately 30 per cent of the traffic volume through the port of Halifax going up river to Montreal. Earlier today, the Premier of Nova Scotia, Mr. Buchanan, and his minister of development, Mr. Thornhill, met with the Minister of Transport (Mr. Pepin). The reports from that meeting are somewhat optimistic from the point of view that the minister has now indicated he is prepared to examine the impact of subsidies on river ports and the inequity which might arise from that respecting the ports of Halifax and Saint John. That, at least, is a step in the right direction.

What is required, what I am asking of the government, is for a full-scale inquiry in two parts. One part should be undertaken within the ambit of the Canadian Transport Commission having to do with rates, rate charges, the growth in rate charges and the justification for rate increases in recent years by Canadian National. The second part should be undertaken by the government itself because it is a matter of policy and has to do with the full investigation and revelation of the dollars and cents being spent in the principal ports on the St. Lawrence River versus the dollars and cents being spent in the development of the two principal east coast ports.

The purpose of that inquiry will be to determine whether inequity is built in by reason of government policy in these areas. Having said that, and recognizing the difficulty of the minister with direct intervention in precluding the right of private enterprise to decide where it will operate from and under what circumstances, it seems to me there is still, notwithstanding the optimistic notes from this afternoon's meeting, every reason to believe this move and its disastrous effect on the port of Halifax-Dartmouth can be, if not completely avoided, at least alleviated. I am hopeful that is the case. I am hopeful that a positive tone from the Minister of Transport will have that result. Failure to have that result will be worse than the impact on the port of Halifax, not on the opening of the seaway alone, but of taking advantage of the opening of the seaway by government to effect year-round transportation into the port of Montreal, which took away the very active winter season for the ports of Saint John and Halifax. If we fail in this, some horse trading can be done. In this connection I shall list some things for the benefit of the parliamentary secretary, who is kind enough to be here this evening, and expand on this very serious question.

The least that can be done is that a full CTC hearing be held, including a comparative analysis of the inequities which may be built in and arising out of freight rates or deliberate government policy on the one hand by the CTC and on the other hand by a commission set up by government. The minister has this authority, and he has a moral obligation to direct CN to give the type of assurance that we do not have at this time, that in fact the move by Dart is not caused directly by the rate structure or by undue delay in moving containers from the port of Halifax to the port of Montreal.

• (2205)

Is the fact that it takes seven, eight, nine, or ten days to move a container at the root of the difficulty? The minister can direct Canadian National to lower its rates by one-third. Indeed, some have suggested it can lower them by 50 per cent of the current rate charged for containers and still realize a profit. Mr. Neeling is one authority for that. There are many others. Second, it should guarantee five day or even three-day delivery on containers from Halifax to Montreal. Third, it should divest itself of its interests in Cast.

Three or four years ago I appeared as an affected person, and as a Member of Parliament, the first to do so in the history of that august regulatory agency, arguing that CN should not invest in Cast. Of course, I was laughed at. We now see the serious consequences that could flow from that conflict of interest.

Fourth, it should direct CNR to offer to the government of the province of Nova Scotia or another party its shares in Halterm to remove any doubt or suspicion of a conflict of interest by the national railway. The federal government can offer to repay the province of Nova Scotia its investment in the second container pier and its investment in Halterm. It should order or assist in an inquiry into this and ascertain from the railway, CP and Dart, that the reason for moving is that it is no longer economical to operate there. It should determine the answer to that question once and for all.

I see my time has just about run out. I ask the parliamentary secretary to convey to the minister and his colleagues in cabinet the importance of moving at the earliest possible opportunity on the oceans industries park. That might help fill the economic gap. I would appreciate whatever comments the parliamentary secretary can make on this very serious matter.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I thank the hon. member for this opportunity to bring the House fully up to date on this matter. The minister met yesterday with Dr. Bandeen, and today with Premier Buchanan, Mr. Thornhill, his minister of development, and the mayors of Halifax and Dartmouth.

First of all, it should be made clear that CN was not a party to the discussions between Dart and Canadian Pacific which led to the move by Dart. The discussions were on a private commercial basis, and since CN was not aware of their content, Dr. Bandeen could not have informed the minister before the public announcement was made.

During yesterday's meeting, Dr. Bandeen assured the minister of CN's continued commitment to the port of Halifax. As the House knows, CN helped pioneer container traffic in Halifax over a decade ago, and remains a partner in the Halterm container facility. In fact, CN intends to do some aggressive marketing to ensure a satisfactory level of business at the terminal, and to replace its lost rail traffic. Ceres, the operator of the new container terminal at Fairview Cove, remains optimistic for the future of the port.

With regard to rail freight rates, Dart has stated that these were not a factor in the decision to move from Halifax. Certainly there have been substantial increases in the last decade, about 172 per cent in the rate from Halifax to Montreal. But compared with an increase in the rate from Montreal to Toronto of about 200 per cent, and an increase in the consumer price index of 216 per cent over the same period, the increases do not seem excessive. Dr. Bandeen told the minister that he is prepared to go to Halifax and discuss CN's plans for the port with Premier Buchanan.

• (2210)

The benefit Montreal receives from ice-breaking services has also been raised. It is difficult to allocate ice-breaking costs because of other purposes, such as flood control which ice-breaking serves. But even if the estimated cost of $17 million is allocated solely to commercial tonnage in the four winter months at Montreal, the cost per ton is only $1.60. Nonetheless, the minister has indicated he is prepared to look at the issue of cost recovery for ice-breaking services.

In spite of Dart's decision, which was based on purely commercial considerations, the government and Canadian National remain fully committed to the port of Halifax and are convinced it has a major role to play in the Canadian ports system. I wish to tell the hon. member that I will bring his recommendations to the minister for consideration and possible implementation.

THE ENVIRONMENT—GARRISON DIVERSION PROJECT—SUGGESTED TOPIC FOR DISCUSSION BETWEEN PRIME MINISTER AND U.S. PRESIDENT REAGAN

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, I rise this evening to speak further on a question I had the opportunity to place before the Prime Minister (Mr. Trudeau) last Thursday concerning the Garrison diversion project in North Dakota.

The effects of that project are well known, not only in Manitoba but here in the chamber and I do not wish to proceed into some of the problems and concerns we have in Manitoba about that project. It is a very large irrigational and recreational scheme designed to provide irrigational and recreational water in North Dakota.

In the process, there is a distinct possibility, if the project is completed, that the diversion will transfer water from the Missouri basin to the Hudson Bay basin. That water then will flow into the Souris River, the Assiniboine River and, there-

fore, into the Red River and then into Manitoba's lake system causing very severe damage to Manitoba in terms of the quality of the water and the fishing industry there.

This project has been under way for some ten years. Each year there seems to be an additional allocation of funds to it by the United States government. With each additional allocation of funds, the project becomes closer to completion. As this occurs, there is the added possibility that the total project will in fact be completed. When that happens, we in Manitoba will suffer very severe consequences.

We have the provincial government of Manitoba involved. It has sent notes of protest to United States officials. We have had local officials involved in the person of the mayor of Portage La Prairie, and we have had local groups formed in Manitoba to travel to North Dakota to let the Americans know about our concerns. I might add that there is a considerable amount of opposition to the project in North Dakota because this project will cause some detrimental effects in the United States.

What concerns me is that either the federal government is not doing what I think it can or should be doing or, if in fact it is representing our interests to the Americans the way it should, it is not letting us know.

There is a considerable amount of public opinion in terms of concern about the Garrison project, a concern which is increasing day by day. I should like to quote briefly from three newspaper articles which have appeared since the beginning of the year. Before doing so I should like to say that I raised this very issue on January 13 following a question I asked in this House on November 19. I received what I consider to be a very favourable reply from the parliamentary secretary. I very much appreciated that reply and sent a clipping of my remarks on the topic along with that reply to a local station in Portage La Prairie. I might also add that I felt I received a very favourable reply from the Prime Minister last Thursday. In the meantime, the project proceeds.

On January 15 the Brandon *Sun* ran an article which said:

In Bismarck Thursday Mr. Olson said the Garrison water diversion project must proceed on schedule until claims that it would ruin Manitoba's fishing industry are proven.

Mr. Olson is the governor of North Dakota.

That leads us to some very serious consequences in terms of the attitude of the governor of North Dakota. We realize that if the project is further advanced and we do in fact receive polluted water and some foreign fish species and fish diseases, it will be too late to turn the tap off or turn the waters back. Once the fish come, they will be with our water systems in Manitoba literally forever.

On January 23 the Winnipeg *Free Press* ran an editorial which said, again speaking of Governor Olson of North Dakota:

The more serious of the governor's charges, from the Canadian point of view, is his perception that there has not been a Canadian objection to the diversion that could be classified as "official".

• (2215)

I think this is not entirely true and I do know that Manitoba has sent official protests. I took the Prime Minister (Mr. Trudeau) at his word when he said he was going to raise it with President Reagan on his visit here today. I think there has been some official protest raised, but the perception is that they have not been official enough for the governor of North Dakota to recognize.

The article goes on to read, again referring to Governor Olson when he suggested that:

Manitoba should be willing to accept the damage to its water represented by Garrison in return for permission to build hydro lines across North Dakota so that Manitoba power can be sold to Nebraska.

Clearly this is unacceptable to Manitoba because what they are suggesting, if in fact the governor speaks for his area, is that there be some kind of linkage in terms of allowing Manitoba hydro to be transferred across the northern United States, that that be linked with Manitoba accepting a certain amount of water damage as a result of the Garrison diversion project.

As recently as March 5, there was an article in *The Globe and Mail* which read in part:

Last Dec. 1, U.S. officials sent a note to Ottawa proposing that consultations on the project begin on March 2. The date passed this week without a response from Ottawa, but Canadian officials said yesterday that they plan to agree to begin consultations soon.

This again is very disturbing to us because we have seen a change of administration across the line. They have a new secretary of the interior, and it appears the present government has not seen fit to be in contact with this new administration. So I would urge the parliamentary secretary tonight—and I congratulate him for seconding the motion, which received unanimous consent in the House last Thursday and I know he is concerned about it—to take this matter very seriously because we do not have much time left to stop construction of those parts of the dam that are going to cause irreparable damage to Manitoba.

I would hope, if the parliamentary secretary is not going to accept some of the proposals we have made in terms of what we think the government should be doing, that the government would be prepared to announce some initiatives to convey the kind of message that we think needs to go to the Americans concerning the Garrison River diversion project.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the government is seriously concerned about the potential adverse effects of the Garrison diversion project on Canada and has, as promised on numerous occasions, made these concerns clear to the new United States administration. In fact, this very day, the Prime Minister (Mr. Trudeau) and President Reagan will have had an opportunity to discuss the issue. The concern of the government was evidenced by our support of the recent motion under Standing Order 43, expressing the strong concern of this House that important funding decisions on the Garrison project were

being made prior to discussions between the Prime Minister and President Reagan on this issue.

We have welcomed and appreciated past United States assurances that U.S. obligations under the boundary waters treaty will be honoured, and we trust that these will be reiterated by President Reagan while he is here. Nonetheless, we cannot but be concerned by the authorization of new funds, no matter how small, for a plan that has not been modified in any way to take into account Canadian views or the conclusions and recommendations of the IJC.

The government agrees with the hon. member for Portage-Marquette (Mr. Mayer) that every additional expenditure adds impetus to completion of the project. This is a viewpoint which we have expressed to the United States on a number of occasions, pointing out that Canada considers that any new construction on the Garrison project, in the absence of significant project redesign, would appear to be leading inexorably toward completion of features that would ultimately result in violation of the boundary waters treaty.

● (2220)

The government continues to take every opportunity to reiterate its viewpoint to U.S. authorities. As we informed the hon. member for Portage-Marquette on another occasion, the suggestion that a delegation representing all parties in the House go to Washington to emphasize to the U.S. Congress the united position of all Canadian political parties on this issue is a possibility which the government is seriously considering. We appreciate the willingness of members of the House to act in support of the government's efforts, and we recognize the value of a joint approach. The government considers, however, that any such approach would have to be carefully timed and geared to an appropriate specific occasion in order to have optimum impact.

Discussions are currently under way between the Department of External Affairs and the U.S. state department to set up consultations on this issue and to determine an appropriate and mutually acceptable agenda. The government still considers, as we have stated in the past, that government-to-government consultations offer the best potential for satisfactory resolution of this problem.

We would not hesitate, however, to call upon interested members of the House to form an all-party delegation to make Canadian concerns known to Congress, should the government determine that such a move would be a useful and effective means of pursuing Canadian interests.

FISHERIES—EFFECT OF TANKER TRAFFIC ON WEST COAST FISHERY

Mr. Jim Manly (Cowichan-Malahat-The Islands): Mr. Speaker, on November 25, I raised the threat posed by increased tanker traffic on Canada's west coast. I questioned the Minister of Fisheries and Oceans (Mr. LeBlanc) about the stance of his department toward that threat. This evening, on the eve of President Reagan's address to the Canadian Parliament, I am pleased to have an opportunity to raise this important issue in connection with our relationship with the United States.

Everyone in British Columbia agrees that a super port in the Strait of Juan de Fuca threatens our fisheries, our beaches and our tourist industry. Time and again the government indicated its opposition to such a super port. But how effective has its opposition been?

To be effective, opposition to this super port must be based upon adequate information, and it must be backed up by political will. These are precisely the two areas in which the government is lacking. The government lacks adequate information and political will. While we know an oil spill will have disastrous consequences on our fisheries, we lack specific information on the way this would happen in specific cases.

Last fall, I prepared a submission to the National Energy Board in which I opposed the proposal of Trans Mountain Pipe Line to build a super port near Port Angeles, Washington. But as I went through the environmental studies included in the Trans Mountain submission, I found time and again the statement that adequate information was not available. We lack adequate data on which to base our opposition. It is for this reason that in the past I have asked both the Minister of Fisheries and Oceans and the Minister of the Environment (Mr. Roberts) to prepare independent studies on this subject. We would like to have the vast resources of our federal government brought to bear on this important question. We believe that our coast is under threat, and we would like some help to deal with it. We have not found that help forthcoming.

This brings me to my second point. The federal government's opposition to increased tanker traffic not only lacks an adequate information base, it lacks political will. British Columbia has seen many situations where the good wishes of the Department of Fisheries and Oceans have not been backed by the political will which ensures that the fisheries are protected.

● (2225)

Ladysmith Harbour, one of the finest shell and oyster producing areas in the province, is being destroyed by log storage and the use of toxic chemicals in local mills. The Cowichan estuary, in spite of Department of Fisheries promises, is being parcelled out and given over to increased industry, which will destroy this vital feeding ground for young salmon. The Chemainus estuary is being considered for dry land log storage.

This winter there will be a lifting of the moratorium on offshore drilling on the Pacific coast, which will open our coast to the possible kind of megadisasters which we have seen in the Gulf of Mexico. The government has clearly failed to protect fish habitat because it has lacked the political will—not because it lacked the knowledge, it knew what was happening, but it did not have the political will to do anything about it.

This spring the minister finally realized the crisis in the chinook salmon stock on the Pacific coast. These stocks have

been declining over the past decade. In place of reasonable conservation measures introduced over a period of years, the government was afraid to look at the situation. When it finally realized that it had a crisis on its hands, the government announced drastic measures which hit the sports fishing industry twice as hard as reasonable measures would have done five years ago.

There is a lack of political will in the Department of Fisheries and Oceans. When we look at our government, we see that there is a total lack of political will in terms of standing up to the United States. The United States cancelled the maritime fishing treaty and the Prime Minister (Mr. Trudeau) tries to look at that action in what he calls the best possible light, in a spirit of friendship. But when we are being pushed around by a bully in the guise of a friend, the best possible thing to do is to recognize what is happening and to stand up to it. In a letter to the Prime Minister I asked him if he would raise this issue with President Reagan. I hope that he will.

My question this evening is with respect to what the Department of Fisheries and Oceans, or what any other department of the government, is doing to make sure that we do not have this increased tanker traffic on our coast. What is the government doing to help us meet this threat?

Mr. George Henderson (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, in response to the hon. member's concerns, it is, first of all, important to point out that this government is very well aware of the potential risks associated with the trans-shipment of hydrocarbons along our coastlines. The Department of Fisheries and Oceans, in particular, has consistently expressed concern about any proposals which would increase the volume of oil shipped along Canada's west coast.

Given this awareness on the part of the government, and in recognition of the need for an objective examination of Trans Mountain's proposal, the National Energy Board has just completed a comprehensive round of public hearings on the question, to which the hon. member has already referred.

In view of these quasi-judicial proceedings by the National Energy Board, I believe the House will appreciate that any statements I make in reply to the hon. member must be of a general nature. Ultimately, the National Energy Board will present its recommendations to cabinet for approval. For this reason it would be improper for the government, or any member of the Privy Council, to make public any strong opinion on the proposal now under consideration.

With respect to the statement contained in a publication of the Trans Mountain Pipe Line. Company, asserting that their proposal has attracted support from the Department of Fisheries and Oceans, I can assure the House that the minister responsible for that department has at no time said that he supports the Trans Mountain proposal.

As part of his responsibilities under the federal Fisheries Act for fish habitat protection, the Minister of Fisheries and Oceans (Mr. LeBlanc) has requested and received copies of all plans relevant to the interests of fisheries from Trans Mountain Pipe Line. Departmental specialists are in the process of assessing the project with respect to the potential risk to the fisheries of the west coast and their conclusions will be made available to the company in due course.

I would point out to the hon. member that there are many complex aspects to the proposal submitted by Trans Mountain Pipe Line. The fact that it would increase the volume of oil shipments along the west coast in one that fishermen and the fishing industry continue to view with some apprehension. On the other hand, the company has included a so-called "hook-up" concept in its proposal. This concept would provide a pipeline hook-up to supply crude to Puget Sound refineries, thereby eliminating the need for tanker traffic deep into the sound among the Gulf Islands. This idea may have some merit and it must be carefully assessed before any final conclusions are made. The National Energy Board will be listening to the facts and opinions on all aspects of the proposal prior to making a recommendation to cabinet.

For legal reasons, it is not appropriate for any minister of the Crown to present testimony before the National Energy Board. Accordingly, the Department of Fisheries and Oceans has not presented a formal submission to the board.

Individual specialists from the Department of Fisheries and Oceans were subpoenaed by an intervenor, and they presented expert testimony in their own behalf as private citizens before the board. The public hearings commenced on November 25 in British Columbia; and I understand they came to a conclusion in Ottawa on March 6.

[*Translation*]

The Acting Speaker (Mr. Corbin): Order, please. The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock p.m.

At 10.30 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, March 11, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

HOUSE OF COMMONS

ADDRESS BY UNITED STATES PRESIDENT REAGAN—MOTION UNDER S.O. 43

Mr. Arnold Malone (Crowfoot): Madam Speaker, today the House was honoured by the visit of the President of the United States of America. So privileged were we by his presence and by the content of his speech that on four occasions members of the House of Commons, the Senate, the diplomatic corps, and distinguished Canadians present in this House and in the galleries, awarded the President standing ovations. I move, seconded by the hon. member for Lisgar (Mr. Murta):

That those members of the New Democratic Party who were among those who sat defiantly with their arms folded in indignation at the presence of another head of state be censured for their deplorable and unacceptable behaviour.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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KU KLUX KLAN

REAFFIRMATION OF CONDEMNATION—MOTION UNDER S.O. 43

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. I hope we will shed any partisan considerations, as we did yesterday for the motion by my friend, the hon. member for Leeds-Grenville (Mr. Cossitt).

In view of the unfortunate incident yesterday at Don Mills Collegiate Institute in my constituency in which a member of the Ku Klux Klan was permitted to address a senior history class, I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker), and supported also by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House reaffirms its condemnation of the Ku Klux Klan, as passed unanimously in this House on July 14 last on a motion by the hon. member for Boadview-Greenwood, urges all provincial departments of education and local school boards in Canada to take note of this condemnation, and reiterates its belief that the principle of freedom of speech does not give licence to preach hate against any racial minority group in this country.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Madam Speaker: Does the House agree to the motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

YEAR OF THE DISABLED

SUGGESTED ACTION FOR INDUSTRIALISTS AND MANUFACTURERS—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. I believe all parties can enthusiastically support this motion.

Whereas 1981 is the Year of the Disabled and throughout Canada a number of disabled citizens for various reasons require only one shoe or one glove but find it necessary to purchase a pair of shoes or gloves in order to satisfy their need, I therefore move, seconded by the hon. member for Simcoe South (Mr. Stewart):

That this House urges the Minister of Consumer and Corporate Affairs to encourage Canada's shoe manufacturers and textile industries to make these goods available to Canada's handicapped people on a direct purchase basis so that they may purchase only one shoe or one glove.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ENVIRONMENT

ACID RAIN—CALL FOR REDUCTION BY UNITED STATES—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that 50 per cent of the

acid rain falling on Canada is from American sources, that some crop yield losses in southern Ontario as a result of acid rain are now approaching 10 per cent, and that the assessment of Dr. Leonard Hamilton of the Brookhaven Institute of New York is that 5,000 Canadians died last year as a result of acid rain, I move, seconded by the hon. member for Regina East (Mr. de Jong):

That this House calls unanimously upon the President of the United States to take necessary action to reduce the output of those American sources of acid rain which affect Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE MINISTRY

ACID RAIN PROTEST—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the apparent instruction by the Prime Minister (Mr. Trudeau) to the Minister of the Environment (Mr. Roberts) to withdraw from participating with protesters during President Reagan's visit to Canada, I move, seconded by the hon. member for Crowfoot (Mr. Malone):

That this House agrees with the Prime Minister's action in directing the Minister of the Environment to remove himself from the acid rain protest, thereby avoiding the curious spectacle of the minister's advertising his own incompetence and ineffectiveness.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1410)

AGRICULTURE

HERD MAINTENANCE PROGRAM—MOTION UNDER S.O. 43

Mr. Doug Neil (Moose Jaw): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the confusion which still exists with respect to the herd maintenance program, to the extent that some recipients of the benefits of the program are now being asked to refund payments that they have received, I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That the minister in charge and senior officials administering the program be required to appear before the Standing Committee on Agriculture to give an account of their actions and explain the reasons why the plan has become such a fiasco.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*Translation*]

THE CONSTITUTION

REQUEST THAT MEMBERS MAINTAIN QUALITY OF DEBATE—MOTION UNDER S.O. 43

Mr. Marcel Dionne (Chicoutimi): Madam Speaker, I rise under the provisions of Standing Order 43 concerning an important matter.

Considering that Canadians had lost hope that the level of the constitutional debate would rise, and since the hon. member for Edmonton East (Mr. Yurko) reassured us by voicing noble sentiments and solid arguments in his speech last evening, I move, seconded by the hon. member for Portneuf (Mr. Dion):

That all speakers in this constitutional debate draw inspiration from the speech of the hon. member for Edmonton East with a view to maintaining this significant debate at the high level it deserves.

[*English*]

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, over a year ago the federal government announced an embargo on grain sales to the Soviet Union. There was agreement that grain producers should not bear the cost of lost sales and, since the embargo has cost grain producers many millions of dollars in lower prices and lost sales, I move, under the provisions of Standing Order 43, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the federal government immediately make compensation payments to grain farmers to compensate them for their loss of income as a result of the grain embargo.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

LAW OF THE SEA

UNITED STATES DECISION TO REASSESS POSITION—MOTION UNDER S.O. 43

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, since the Canadian delegation to the United Nations Conference on the International Law of the Sea expected, as did the rest of the world, that this year would see the successful conclusion of the treaty on the Law of the Sea, a treaty that would provide security for all countries and which, in particular, would ensure that the future exploitation of the world's renewable and non-renewable resources would be carried out in order to protect the common heritage of all mankind and not simply to address powerful, private economic interests, I move, seconded by the hon. member for New Westminster-Coquitlam (Miss Jewett):

That this House deeply regrets the decision of the United States government to reassess its commitments at the United Nations Conference on the Law of the Sea, in particular its decision to review the fundamental concepts of the common heritage of mankind, since these decisions will delay indefinitely the conclusion of a meaningful treaty on the Law of the Sea and threaten to sanctify the triumph of private greed over public good.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PROPERTY RIGHTS

LEGISLATIVE PROVISIONS—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion of urgent importance. To my knowledge no political philosophy or party in this House advocates confiscation of private property without appropriate compensation and/or access to due process of law. Therefore I move, seconded by the hon. member for Etobicoke Centre (Mr. Wilson):

That this House categorically reject any legislative initiative or policy direction by government which advocates or incorporates into the laws of parliament retroactive expropriation by government, or Crown corporations of government, of property deemed to be private property without due compensation and/or access to due process of law.

Madam Speaker: Is there unanimous consent for such a motion?

Some hon. Members: Agreed.

Some hon. Members: No.

CRIMINAL CODE

PROTECTION AGAINST PERSONAL VIOLENCE—MOTION UNDER S.O. 43

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that crime in Canada is on the upswing, particularly in cases of rape and muggings, often resulting in severe beatings and death of victims who in most cases were not able to defend themselves against such vicious attacks, I move, seconded by the hon. member for Simcoe South (Mr. Stewart):

That the law of Canada be changed to make it legal for Canadians to be issued a permit to obtain Mace, a small cannister spray containing tear gas, to be legally carried and used for self-defence, and be used only under circumstances where a person feels his well-being is in jeopardy.

Madam Speaker: Is there unanimous consent for such a motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

PIPELINES

ALASKA GAS PIPELINE—UNITED STATES GOVERNMENT COMMITMENT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is for the Secretary of State for External Affairs and it concerns the Alaska highway natural gas pipeline. The minister will recall, as we all do, that in 1979 the builders of the American portion of the pipeline said that they would need government guarantees, in all probability, to build the U.S. portion. You will also remember, Madam Speaker, that his colleague, the Minister of Energy, Mines and Resources, told Parliament on July 17, 1980, as reported in *Hansard* at page 3061:

What was important to obtain from the American government was that firm commitment that they would see to it that the pipeline would be built. Whether they do it by financial commitment, legislation, or other means, that is for the American government to decide. What is important is that we have that commitment.

Today in this House, President Reagan specifically referred to "completion of the project based on private money". In other words, no government guarantees.

Would the Secretary of State for External Affairs tell the House whether the Government of Canada has the unqualified commitment of the government of the United States that the pipeline will be built?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, the Right Hon. Leader of the Opposition is as capable of interpreting the statements of the

President of the United States as we are. We all heard what he said here this morning. What he told us, in addition to what was said here, is that the United States is just beginning to look at all of these policy problems, and their administration will be in a position to give fuller expressions of their views in several months.

NATURE OF UNITED STATES GUARANTEE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, some months ago we had guarantees. A little before that they were ironclad guarantees. Now we have, according to the words of the President of the United States uttered in this chamber not many hours ago, a very clear commitment that the Government of the United States would see this proceeding only by way of private money, in other words—without any question of interpretation—without government guarantee. Nothing could be clearer than that.

I presume the Government of Canada had discussed this matter at some length when it saw that the gaurantees which the minister of energy said existed did not exist. I presume the Government of Canada discussed this at some length. Will the Secretary of State for External Affairs answer my question? Does the Government of Canada today have a firm guarantee from the Government of the United States that the pipeline will be built? Yes or no? It is a simple question.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, my interpretation of the words of the President, which we all heard, is that we do have a firm guarantee. I believe there is no difference in the commitment, as he expressed it, from the commitment we have had. The U.S. administration is only at the beginning of a review of many aspects of its policy, and we will have fuller statements of U.S. policy, and the means which the United States intends to follow to achieve these, in the months to come.

Mr. Clark: Madam Speaker, what is the nature of the firm guarantee?

Mr. Fulton: A handful of jelly beans.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. MacGuigan: Madam Speaker, the other party seems to be having its own private joke over there.

Mr. Baker (Nepean-Carleton): They are a joke.

Mr. MacGuigan: We heard the commitment which was given by the President here today that the United States would proceed with the pipeline, that it was a national objective for the United States.

Mr. Clark: Madam Speaker, what we heard was that the United States would proceed with private money. What the minister of energy has been saying was that the United States would give government guarantees. What he has been saying has now been denied by the President of the United States.

An hon. Member: Listen to the facts.

Mr. Clark: We would like to know what the position of the Government of Canada is.

* * *

EXTERNAL AFFAIRS

CANADA-UNITED STATES RELATIONS—STEPS TO RESOLVE DISAGREEMENTS

Right Hon. Joe Clark (Leader of the Opposition): Let me ask a more general question then, since the minister seems to have difficulty with a specific question. If we can judge from the remarks of the Secretary of State for External Affairs yesterday and from the tone of the remarks of the President of the United States earlier today, while there remain disagreements on some specific and important questions, there is a general willingness to resolve those disagreements which are outstanding between our two countries. Could the Secretary of State for External Affairs tell us what specific steps have been put in place to ensure that we will be able to resolve the disagreement on the fishery question, to resolve the acid rain problem, the Garrison, the Skagit Valley and auto pact disagreements? What specific steps have been put in place?

An hon. Member: Get it in writing, Joe.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, it would take me a long time to outline the specific steps in each of these areas because there are different forums of consultation for which provision has been made with respect to many of those problems. In fact we did hear assurances and commitments from the President in a number of areas which have not previously been made by his administration. With respect to environmental problems, he undertook best efforts to clear up the water and air environment to our satisfaction. With respect to Garrison, he gave us a stronger undertaking that they would not proceed in any way which would imperil the quality of our waters.

* * *

● (1420)

FISHERIES

CONSERVATION OF STOCKS ON GEORGES BANK

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is also for the Secretary of State for External Affairs who will recall that in response to a question I put to him on Monday about the cancellation of the east coast fisheries treaty by the United States, he replied:

> It seems that American fisheries officials have not shown themselves capable of adequately protecting fish stocks. This is what troubles us more than any other single thing about the American decision.

Given that concern which the minister expressed about the American action, what specific conservation and management arrangements were arrived at during the past two days with the minister's American counterparts to see that the fisheries stocks on Georges Banks are not depleted in the near future? Was the authority of the Secretary of Commerce, for example, guaranteed, seeing that he has the authority to enforce fisheries management?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I had discussions on that matter of a fairly detailed nature with both Secretary Haig and Secretary Baldrige. I believe my colleague, the Minister of Fisheries and Oceans, also had discussions on the same matter with Secretary Baldrige. What the United States is undertaking at the present time is to place a management plan before the New England Fisheries Council and to use all of their efforts, both themselves and through Congress, to attempt to have that plan satisfactorily implemented on the east coast.

Miss MacDonald: I am sure the minister is aware that the Secretary of Commerce has the authority to enforce fisheries management. I asked whether that guarantee had been given during their discussions.

* * *

LAW OF THE SEA

RECONSIDERATION OF UNITED STATES POSITION

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I would like to raise another matter which I am sure was discussed during the past two days. It concerns the alarming news out of Washington that the President has dismissed his principal negotiators at the Law of the Sea conference and, indeed, has indicated that the United States wishes to reopen many areas of that very complex negotiation. Since this action by the United States conceivably threatens Canadian interests in its 200-mile economic zone, will the minister tell us what are the specific areas that the United States now wants to renegotiate, and what steps are the various ministers and the Canadian government as a whole taking to protect Canadian interests in this issue and to see that the Law of the Sea Conference is brought to a successful conclusion?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, although this is a multilateral and not a bilateral issue, Secretary Haig and I had quite an extensive discussion on it this morning. The American position is that at the present time they are not objecting to any part or any aspect of the proposed Law of the Sea convention nor to any aspects of the negotiations. They are in effect reserving their position on the whole matter to give their administration time to examine it, without any indications at this time what their final conclusion will be. The changeover in personnel which the hon. member referred to is indeed extensive, as often happens with American administrations where the changes go far beyond changes made here when there is a change of government. As a result of that, Secretary Haig will be starting tomorrow with meetings aimed at this very point to try to resolve their policy in the reasonably near future.

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● (1425)

PIPELINES

ALASKA GAS PIPELINE—UNITED STATES POSITION

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Secretary of State for External Affairs who has chosen to interpret vague language by the President of the United States to mean that the Alaska gas pipeline is going to be guaranteed. Is the minister aware that just a couple of hours ago, in an interview, the United States Secretary of State said that if private financing for the pipeline were not available that problem would have to be faced at the time? In light of that assertion, will the minister admit that not only is that not a guarantee, it is the opposite of a guarantee? It is no guarantee at all. He said the problem would have to be faced down the road.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I was sitting next to Secretary Haig when he was answering those questions. He was being asked about the way in which this commitment was going to be interpreted by the United States. As I understand it, he said he was not going to get into the various hypotheses that could occur as to whether or not private financing would be readily available. He certainly also assured us that the government would take whatever steps were necessary to make sure that any Congressional facilitation was taken, to the extent that that is under the control of the administration generally, to advance the agreement in every way possible.

Mr. Broadbent: Madam Speaker, I also listened with care to what he had to say. He was saying that if any government regulation would seem to be interfering with private financing, if that was an inhibiting factor, then the U.S. administration would try to clear it up. That is, and again I repeat, anything but a guarantee of the project. In fact it turns it entirely back to the private sector.

In that connection, since President Carter a year ago refused to give guarantees to U.S. private financing—

An hon. Member: No, he didn't.

Mr. Broadbent: He refused to give public guarantees to private financing because the situation was very precarious at that time, and considering that at this very moment we are exporting less through pipelines in Canada to the U.S. than then was the case because the demand has been reduced, is there any reason the minister now has for believing the private sector will be any more interested today in raising the money for that project than it was a year ago?

Mr. MacGuigan: Madam Speaker, the way in which the money is raised is a matter for the American administration and for U.S. promoters. It is not a matter for us to decide. I understand the American position has always been that they intend to see that the pipeline is built by private funds, so I see no difference in statements now being made and statements which were made formerly.

RESULT OF UNITED STATES STANCE

Mr. Edward Broadbent (Oshawa): Madam Speaker, the minister knows that in a letter produced a year ago President Carter did not in any sense guarantee the project, and the wording was very carefully crafted to avoid that commitment. Considering what the minister has just revealed in his answers to the Leader of the Official Opposition and myself, will he not agree that we will have a western portion of the pre-build completed in two months, a Canadian pipeline produced to export Canadian gas to U.S. markets, without any guarantee that the original purpose of the pipeline is to be implemented, namely, a pipeline designed to carry U.S. gas from the far north to U.S. markets? In short, has the minister not sold out completely on the issue?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, what I am saying is that I do not believe there is any difference in the kind of commitment given today by President Reagan and by Secretary Haig in our discussions and the previous commitment given by the United States administration.

* * *

AUTOMOTIVE INDUSTRY

CANADA-UNITED STATES AUTO PACT—TALKS WITH UNITED STATES PRESIDENT

Mr. Otto Jelinek (Halton): Madam Speaker, my question is directed to the Right Hon. Prime Minister.

Last year the Canadian deficit rose nearly $4 billion as a result of the obsolete U.S.-Canada Auto Pact. It is quite clear that the government has been totally ineffective since it returned to office over a year ago in its attempt to improve the situation. I would therefore ask the Prime Minister to inform this House what priorities this issue received in talks between himself and President Reagan this week and, more important, what immediate, positive developments in the Canadian auto industry can we expect as a result, keeping in mind the $4 billion deficit in this country, a deficit which is growing?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, it seems to me that the two questions are linked, and I would answer by saying quite a high priority.

• (1430)

ENCOURAGEMENT OF CANADIAN PRODUCTION

Mr. Otto Jelinek (Halton): Madam Speaker, since the Prime Minister does not want to reveal what his discussions with the President were, I would like to put a question to the Minister of Industry, Trade and Commerce on a related matter.

Last month the sale of imported cars rose by 30.4 per cent, as the minister knows. In 1980 alone the sale of Japanese imports rose by 151.3 per cent. In view of the fact that this party, along with the interest groups, has come up with some positive recommendations and suggestions for the minister to consider over the last year or so, only to have him issue press releases like this one, indicating over and over again, like a parrot, that more discussions and consultations must take place, I would like to ask the minister what immediate and specific action the government intends to take to ensure that Canada gets its fair share of both parts manufacturing and assembly of vehicles in the auto industry. We do not want any more rhetoric about—

Madam Speaker: Order.

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, we have taken concrete action in the past year to assure additional activity in auto parts and auto manufacturing generally in this country, which will mean the preservation and extension of thousands of jobs for workers, My hon. friend is so tied up with his own rhetoric that he keeps forgetting, or does not bother listening to the definite information I've been providing in this regard. We will be continuing our efforts in this manner, and part of those efforts will be working with the United States to take steps which will help bring about the return to health of the North American auto industry, with our particular focus being on the Canadian industry and the workers and communities connected with it.

* * *

THE ECONOMY

QUERY RESPECTING GOVERNMENT'S FISCAL STANCE

Hon. Sinclair Stevens (York-Peel): Madam Speaker, I would like to put my question to the Minister of Finance, whom we all noted in this House following in a very pensive way the speech of the President of the United States. He undoubtedly noticed that the President indicated great alarm at the size of the deficit in the United States and indicated that they were taking serious steps to correct that. Bearing in mind our deficit on a per capita basis is now projected at four times the deficit the Americans anticipate, and as a percentage of spending is five times as high as in the U.S., would the minister indicate whether he has taken any fresh look at his own figures to determine if what he set down last October is now satisfactory, bearing in mind how our continental partner is trying to put its fiscal position in a more responsible stance?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I have listened carefully, perhaps pensively, as the hon. member says, to the words of the President, both in public and private, and I have had discussions with Secretary of the Treasury Regan and, as a result, I have absolutely no intention of changing the fiscal stance of the Canadian government.

Mr. Stevens: Madam Speaker, again I direct a question to the Minister of Finance who has indicated, I think very clearly, which end of the baby he prefers.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Stevens: Perhaps he could indicate to the House why he feels it is satisfactory to have roughly a 14 per cent per year spending increase in Canada, at a time when the United States is attempting to get its spending increases at the federal level down to 6 per cent. Would he at least tell us what significant insight he has that would indicate his 14 per cent is satisfactory, when clearly the Americans have seen the error of their ways and are going to get down to something that is looked upon as a more responsible, or to use the President's word, sensible level of 6 per cent?

Mr. MacEachen: Madam Speaker, the hon. member will realize that the projected rate of growth for government expenditures in Canada for 1981-82 is 12.8 per cent, and the projection is to reduce that rate of growth until it reaches 10 per cent in 1983-84.

I believe that is a responsible and gradualistic approach which I have defended frequently in this House. I believe that if this government projected a rate of increase of expenditures for 1981-82, the results would be extremely disruptive and harmful to large segments of the Canadian population, and that is why I have opted for a gradualist approach in reducing the rate of growth in expenditures, in reducing the deficit and fiscal requirements.

The alternative, it seems to me, is to undertake the kind of disruption that I would not recommend either to my colleagues or to the House of Commons, nor would I attempt to defend it before the Canadian people.

Some hon. Members: Hear, hear!

* * *

[*Translation*]

ENERGY

REQUEST FOR AGREEMENT WITH QUEBEC RESPECTING CONVERSION OF THE USE OF ELECTRICITY

Mr. Jean-Guy Dubois (Lotbinière): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. In a document dated February 11 and entitled "Information, Corporation of Master Electricians of the Province of Quebec", mention is made of the proposed grants for converting to electricity, but there is a warning. It states that the practical application of the federal project should of course be compatible with the Quebec government energy policy. Besides that statement it is also reported that according to reliable sources the project will not be implemented before 1982. I would like to ask the minister if indeed that statement is true or, if not, whether he can say when the project will come on stream and what are the terms of the agreement with the Quebec government.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I must reaffirm to the House and the Quebec public that the program has been in force since October 28 last and that all conversions to natural gas will be eligible for the $800 grant announced in the budget. As for switching to electricity, I have had very recent discussions with my Quebec colleague and we expect to reach agreement in the coming days. Quebecers converting to electricity would also be eligible for a similar grant of at least $800 under the agreement, provided that the people who make the switch isolate their homes and also keep their old system, oil heating for instance, so they may in time switch to gas should gas become available. Bearing in mind those two conditions, Quebec government officials told me they would accept conversions to electricity.

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[*English*]

INTERNATIONAL JOINT COMMISSION

APPOINTMENTS TO FILL VACANCIES

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, my question is to the Right Hon. Prime Minister. As he well knows, the International Joint Commission has served as a valuable tool for the maintenance of good Canada-U.S. relations in boundary water pollution problems. Indeed, it was the IJC that lent weight to Canada's opposition to the Garrison diversion during the 1970s. Did the Prime Minister learn from his discussions in the last couple of days when the President intends to appoint the three American representatives to the commission, and could he tell us when his government intends to fill the two Canadian vacancies on the commission? I would remind him that the IJC cannot function until these positions are filled.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. member is correct, the IJC cannot function until it can sit with four members, which means there has to be at least one member on the other side and three on the first side. The prerequisite is failing in the United States, and we still have some vacancies on the Canadian side, too. We did discuss this matter, and we both indicated our intention to fill these positions very soon.

Mr. Sargeant: Madam Speaker, I would like to thank the Prime Minister for that answer. Could he tell me now if, in his discussion with the President, he received any new assurances concerning future Garrison diversion construction? And further, could he tell us if the President simply reiterated the stand of former President Carter, or whether President Reagan proposes any new initiatives in this matter?

Mr. Trudeau: Madam Speaker, I would repeat what the Secretary of State for External Affairs said in an earlier answer, that the President gave unequivocal assurances that none of the money now allotted to that diversion would be spent in any way which could affect waters flowing into Canada. That is what we requested, and that is the firm commitment we received.

* * *

● (1440)

THE ENVIRONMENT

GARRISON DIVERSION PROJECT—PROTECTION OF CANADIAN INTERESTS

Mr. Jack Murta (Lisgar): Madam Speaker, my question is directed to the Secretary of State for External Affairs. It is in connection with the Garrison diversion. Since the minister indicated that further construction will not take place, presumably in the foreseeable future, until further negotiations take place between the two countries, can he indicate to the House what the government intends to do at the present time to ensure that Canada's interests in the Garrison question are protected?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, there was a United States note of December 1 which, I believe, is still considered operative by the new administration. Under that we are to have talks beginning later this month as to the details of Garrison. But I would correct the hon. member in one respect. The U.S. administration did not say that no works would take place, but that no works which would have any effect on Canada's interest would take place.

Mr. Murta: Madam Speaker, I suggest to the minister that that has been the position the American government has basically taken all along, that nothing will happen which will affect Canadian waters. Certainly from the point of view of Manitoba that kind of assurance is not good enough, because at some point the linkage will take place and water will flow north into the Manitoba water system.

I thought—and probably I will take this back—that there was some progress with the administration, but there does not seem to be any progress at the present time. Nevertheless, as we all know, Congress plays an important part in the general outcome of the decision. Is the minister now prepared to pick up on what the Prime Minister indicated last week, that he is ready to accept an all-party parliamentary delegation to Washington to lobby Congress on this very question, and to impress upon members of Congress the importance of this entire question to Manitoba and to Canada?

Mr. MacGuigan: Madam Speaker, I have an open mind on that and will certainly be pleased to conduct investigations into whether it would be a useful step at the present time. It might be useful, first, to begin these detailed discussions with U.S. government officials, which I believe will take place this month, before we make a final decision on an approach to Congressmen. But at some point that may well be a useful step to take.

ACID RAIN—CHANGES IN UNITED STATES POLLUTION CONTROLS

Mr. Tom McMillan (Hillsborough): Madam Speaker, my question is directed to the Minister of State for Science and Technology and Minister of the Environment. As he will know, on the eve of President Reagan's visit to Ottawa this week the United States Environmental Protection Agency announced plans to weaken substantially pollution control standards for new and expanding industries in that country. Since such sweeping changes to the U.S. clean air act would drastically increase acid rain in Canada, will the minister indicate what steps the Government of Canada plans to take to oppose those changes?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, in a continuing way we are making representations to the United States government in relation to that problem. I will be visiting Washington at the end of this month to continue those representations.

Mr. McMillan: Madam Speaker, my supplementary question is directed to the same minister. The Canada-United States memorandum of intent on acid rain signed last August committed both countries to enforce vigorously existing environmental regulations. Does the minister believe that the plan to weaken the U.S. clean air act signals to Canada that the new Reagan administration does not intend to honour the provisions of the memorandum of intent?

Mr. Roberts: No, Madam Speaker. In the discussions with American officials, and again today in this House as the President spoke to us, the desire of the United States to live by that memorandum was affirmed. We believe—and I was encouraged by his words—that the United States will maintain the progress we made with the previous administration toward an international accord on air quality standards. I have every reason to believe that the schedule which was laid out will be maintained.

NORTH-SOUTH RELATIONS

QUERY RESPECTING UNITED STATES GOVERNMENT COMMITMENTS

Mr. Douglas Roche (Edmonton South): Madam Speaker, my question is directed to the Secretary of State for External Affairs. The North-South dialogue between the developed and developing nations is deadlocked and needs a political push at the highest level for a breakthrough. This could occur at the anticipated North-South Summit in Mexico in June and at the scheduled economic summit in Ottawa in July. Did the government secure a commitment from the American government, during the visit of the past few days, that President Reagan will attend the Mexico North-South Summit and that it agrees that the North-South issue will be foremost on the agenda in Ottawa?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we did not seek commitments as such. We certainly raised all aspects of the North-South question with the United States. The American reaction, especially on participating in the Mexico Summit, tends to be rather positive at this stage.

Mr. Clark: Tends to.

Mr. MacGuigan: It would not be appropriate for us to negotiate that with them. Their official will be in Mexico City tomorrow to carry on discussions with the Mexicans on that point. I suspect they will be giving this matter full consideration in the very near future.

Mr. Roche: Madam Speaker, the minister did not make any mention of the importance of this issue in the economic summit which will be held in Ottawa.

WORLD BANK ENERGY PROPOSAL

Mr. Douglas Roche (Edmonton South): In order to maintain our credentials in the advancement of the North-South issue, it is imperative that the Canadian government establish a new policy. Since energy is a critical issue for developing countries, is Canada prepared to back the new energy affiliate proposed by the World Bank? Is consideration being given to locating the energy affiliate of the World Bank in Canada, particularly in the province of Alberta?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we are one of the strongest supporters of the new energy affiliate, so I can assure the hon. member that we are doing everything we can in international discussions to advance the idea. Of course we would like nothing better than to provide Canada as a home for that institution if it gets off the ground. It is somewhat premature at the moment, when there is not widespread commitment to it, to discuss where it will be or what form it will take.

PIPELINES

ALASKA GAS PIPELINE—UNITED STATES FINANCING

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is directed to the Secretary of State for External Affairs. It follows an answer he gave to the hon. member for Oshawa. I should like to read one line from President Carter's approval of the Alaska pipeline in 1977. He wrote:

> The aforesaid producers of Alaska gas may not be equity members of the sponsoring consortium, have any voting power in the project, have any role in the management or operations of the project, have any continuing financial obligation in relation to debt guarantees associated with the project.

Unless this directive is changed, there cannot be any private financing. Would the minister indicate to the House whether he asked President Reagan if he is prepared to change this provision and, if so, when will it happen?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we did not discuss any documents of that kind with the President of the United States. Indeed, the hon. member, who was well taught in law school several years ago, is as capable of interpreting that document as anyone else.

Some hon. Members: Oh, oh!

Mr. MacGuigan: The discussion in this area was of a more general nature, but we were very heartened by the assurances we received.

Mr. Waddell: Madam Speaker, I was not well taught; the minister was my professor.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Lawrence: The blind leading the blind.

Mr. Nielsen: That explains a lot.

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NATIONAL ENERGY PROGRAM

QUERY RESPECTING UNITED STATES REACTION

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my supplementary question is directed to another professor, the Minister of Energy, Mines and Resources. On Friday the United States government withdrew a memorandum protesting our energy policies. In his speech this morning, the President eliminated a section of his text dealing with energy. In light of those two puzzling moves, would the minister of energy tell us whether President Reagan or any of his officials expressed reservations about Canadian energy policies and if so, would he tell us what were those reservations?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I noted no expression of reservation at the meetings I attended. Nonetheless, we agreed that in

matters of mutual interest, including energy, we would carry on our conversations at the official level. Those conversations have been going on for quite a while. They will continue, but I have not noticed any expression of reservation.

* * *

● (1450)

SCIENCE AND TECHNOLOGY

CANADIAN REPRESENTATION AT INTERNATIONAL CONFERENCE

Hon. Ron Huntington (Capilano): Madam Speaker, my question is for the Minister of State for Science and Technology and Minister of the Environment. It concerns the five-year cyclical meeting to be held in Paris this month by ministers responsible for science and technology in member countries of the Organization for Economic Co-operation and Development. Can the minister explain to the House why it is that Canada's Minister of State for Science and Technology is not planning to attend this conference, particularly since the theme of the conference this year links science and technology to industrial strategy?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I would very much like to attend the conference. Unfortunately, there is a meeting of the executive committee of the Council of Environment Ministers, of which I am the chairman, being held at the same time in Regina. Therefore I must be at that particular place. My colleague, the Minister of Communications, will be representing the Canadian government at that important conference in Paris.

Mr. Huntington: Madam Speaker, since it is my understanding that communications is not to be a high priority issue at that conference, and in light of the fact that the conference is cyclical and held only once every five years, is the minister saying that his priorities are mixed because the government is not placing a high emphasis on this important area to Canada and Canadian industry? Will the minister advise the House if he will extend an invitation for observer status to a member of the official opposition?

Mr. Roberts: Madam Speaker, I do not agree with the assumptions in the hon. member's question. There will be many representatives from Canada there, including the chairman of the National Research Council, representatives of the National Science and Engineering Research Council and representatives of the Ministry of State for Science and Technology. We will be ably represented, not only at the official level but, as I indicated earlier, by the Minister of Communications.

The involvement of the Ministry of Communications on the scientific side is quite extensive. There is no doubt on my part that this is an important meeting and that we will be ably represented.

EXTERNAL AFFAIRS

CANADA-UNITED STATES RELATIONS—RATIFICATION OF TREATIES BY U.S. SENATE

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, the Prime Minister, President Reagan, and a few others witnessed this morning the signing of two treaties by the Secretary of State for External Affairs and Secretary Haig, on behalf of the United States. My question is for the Secretary of State for External Affairs. Does the minister have any commitment that the U.S. Senate will ratify either one or both of those treaties?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I think that even if the United States administration were to offer a commitment at this point that the Senate would do something, we would treat that with a certain degree of skepticism. Obviously, we could not have an assurance of that kind. All we have are assurances that the administration will do its best to secure that agreement.

With respect to the boundaries treaty, there have been soundings in the Senate which have indicated approval of that by the senators.

CANADIAN POLICY IN FUTURE NEGOTIATIONS

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my supplementary question relates to a story which appeared in a number of Canadian papers dated February 5, out of New York by Associated Press. In that story the Secretary of State for External Affairs is quoted as indicating that in future negotiations with the United States on any treaties, Canada would first demand that the U.S. Senate adopt a resolution committing itself to ratification of the treaties. Is the minister now swallowing those words, or is he disputing the quotation? Or is the minister changing his policy? Just what is he doing?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I apologize if I misunderstood the hon. gentleman in the first instance. I guess I did not hear the first part of his question. I take it he was referring to the two treaties which were signed this morning. If that is his concern, our policy did not take effect for those treaties because they were already through the process at that stage.

Some hon. Members: Oh, oh!

Mr. MacGuigan: I want to tell the hon. member, and other hon. members, that with respect to the prospective west coast fisheries treaty concerning tuna, we are seeking and requiring exactly that kind of assurance from the U.S. Senate.

FISHERIES

UNITED STATES POSITION WITH RESPECT TO EAST COAST SCALLOP FISHERIES MANAGEMENT

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, my question is for the Minister of Fisheries and Oceans. On Monday the minister assured the House that he would ask the Secretary of Commerce if he would be prepared to intervene, as he is permitted to do under American law, and put some pressure on the regional councils to restrict the increasing scallop fishery on the east coast. Did the minister raise that issue? Does he have some assurances—not the assurances that the Secretary of State for External Affairs gave us earlier in the day—and some firm commitment from the Secretary of Commerce that there will be a restriction on the scallop fishery to protect those stocks?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): In my conversations with Secretary Baldrige I made it clear that, independently of what had happened in relation to the fisheries treaty, the fact remains that the stocks which could be subject to arbitration are stocks which are not independently and fully in the interests of the United States or fully in the interests of Canada either. For that reason they cannot be considered to be national stocks.

I made the point that the requirements of conservation were overriding in this situation. I asked the Secretary to make sure that the management plan, which was discussed in the President's letter to Senator Percy, I believe it was, be put into effect. The Secretary undertook to have consultations with his own officials and with the regional councils and that our officials and his would be speaking in the days to come. I hope that we are able to effect a conservation plan which has nothing to do with, or is quite independent of, the other issues in this situation.

Mr. Miller: Madam Speaker, I do not think that we can really assure the Nova Scotia fishermen that there are really any guarantees that there will not be a continuing escalation of the fishing effort there.

NEGOTIATION OF WEST COAST TREATY

Mr. Ted Miller (Nanaimo-Alberni): I would now like to ask the minister a question with respect to the west coast. I am not attempting to link one to the other, in terms of negotiations, but I think there is a linkage in terms of the attitude of the U.S. toward both the east coast and the west coast fisheries.

In view of the fact that many of the negotiating teams under the Carter administration have been dismissed by President Reagan, did the minister raise the issue of the west coast treaty? Will Dr. Lee Alverson, who is well respected and largely responsible for the progress with respect to that treaty, be retained as the American negotiator? Did the minister receive assurances that, indeed, those negotiations will lead to a fair and equitable treaty for the Canadian fishermen as well as the American fishermen?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the issue of Dr. Alverson's mandate was not discussed.

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EXTERNAL AFFAIRS

POLICY RESPECTING SIGNING OF TREATIES WITH UNITED STATES

Hon. Erik Nielsen (Yukon): Madam Speaker, if I heard the Secretary of State for External Affairs correctly in response to the questions put by the hon. member for Durham-Northumberland, he just made a rather significant statement on policy. In response to the questions put by my colleague with respect to the process to be followed in treaty ratifications, the minister said that in that instance, if it were a new treaty, a guarantee that the U.S. Senate would approve it would be sought beforehand. That was the specific nature of the question and answer. If I heard the minister correctly, my understanding is that the policy of the government now when it enters into treaties of a general nature which require Senate approval, is that it will be requiring specific Senate approval before a treaty is signed. Would that be a correct interpretation of the policy of the government?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I do not intend to go so far today as to announce a new policy for all treaties with the United States. Certainly, our disposition at this point is that in a case where there is a question, because of the nature of the negotiations, that there might not be subsequent ratification by the Senate, to seek some kind of assurance from the senators in advance either in the form of a resolution, in the form of letters or in the form of direct assurances which are funnelled through the Secretary of State, to seek assurances from the U.S. Senate before the treaty is signed that it will be ratified by the Senate.

Mr. Nielsen: Madam Speaker, that is a very interesting response. The minister uses the term "assurances" and previously he used the term "guarantee".

Where such treaties with countries other than the United States require some form of ratification by legislatures in those other countries, will it be the intention of this government to follow the same kind of policy as it intends to follow with the United States?

Mr. MacGuigan: Madam Speaker, there certainly is no problem of this kind with any other country, and we have no plans to apply such a test to other countries. Our problem is peculiarly with the Senate and, in particular, the foreign relations committee of the United States Senate.

Order Paper Questions

● (1500)

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

MR. FLIS—PATRIATION OF THE CONSTITUTION

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

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NORTH AMERICAN AEROSPACE DEFENCE COMMAND

TABLING OF EXCHANGE OF NOTES BETWEEN CANADA AND UNITED STATES RESPECTING AEROSPACE AGREEMENT

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, in accordance with the provisions of Standing Order 41(2), I wish to table in both official languages an exchange of notes between Canada and the United States constituting an agreement between our two governments to renew the North American Aerospace Defence Command NORAD agreement for a further five years. These notes were signed in Ottawa this morning by the Minister of National Defence (Mr. Lamontagne), myself and Secretary of State Haig.

Some hon. Members: Hear, hear!

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I wish to draw the attention of the House to the fact that the series of questions which will be answered today are questions put by the hon. member for Leeds-Grenville (Mr. Cossitt) and deal with the so-called Taschereau papers. The numbers are as follows: Nos. 29, 49, 50, 161, 163 and 1,498.

[*Text*]

TASCHEREAU PAPERS

Question No. 29—**Mr. Cossitt:**

1. What was the highest authority, including his or her job designation, who made the decision or participated therein, that Mr. Michael Pitfield should be ordered to return the Taschereau Papers to the Public Archives with instructions that availability to the public be delayed until 1986?

2. What are the names and job designations of all persons who examined the Taschereau Papers during the period of time they were in the Privy Council Office until they were returned in February 1978?

3. What are the names of all the members of the security committee of the cabinet and which ones participated in any way, directly or indirectly, with the decision in regard to the Taschereau Papers?

4. Will the government review whether or not the Taschereau Papers will be made public at an earlier date and, if not, for what reason?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): 1. The Clerk of the Privy Council and Secretary to the Cabinet, within the terms of his office and after due consultation and reflection, ordered the return of the Taschereau Papers to the Public Archives with instructions that availability to the public be delayed until 1986.

2. Mr. P. A. Lemieux, Senior Secretariat Officer (Security Policy).

3. Not applicable; refer to 1. above.

4. Yes.

Question No. 49—**Mr. Cossitt:**

Were there any individuals mentioned in the Taschereau file on National Security that were then or thereafter or at any time since, cabinet ministers and, if so, what are their names and in what connection were they mentioned?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): It would be improper to attempt to answer this question until a review of the transcript of the in camera hearings is concluded and a recommendation is made and agreed to by the government to make it public.

Question No. 50—**Mr. Cossitt:**

1. How many persons named in the Taschereau Papers on National Security were not prosecuted and who were they and what was the reason?

2. In consequence of the revelations made by Mr. Igor Gouzenko (a) how many individuals were prosecuted (b) who were they and what were the charges (c) what was the result in each case (d) to the knowledge of the government, where are these people now?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): 1. Refer to reply to question No. 49 answered today.

2. (a), (b) and (c) Submitted is a copy of a notice which appears in the Gouzenko commission record and lists those who were prosecuted, convicted, dismissed or had become fugitives.

(d) Whereabouts unknown.

Notice

The following is a list of those persons against whom charges arising out of this report have been laid and a statement showing the status of the proceedings taken as of December 31, 1946:—

Emma Woikin

Found guilty on the 12th day of April, 1946, of offences under the Official Secrets Act and sentenced to two years and six months imprisonment.

Kathleen Mary Willsher

Found guilty on the 3rd day of May, 1946, of an offence under the Official Secrets Act and sentenced to three years imprisonment.

Edward Wilfred Mazerall

Found guilty on the 22nd day of May, 1946, of conspiracy to commit an offence under the Official Secrets Act and sentenced to four years imprisonment. His appeal was dismissed.

Harold Samuel Gerson

Found guilty on the 11th day of October, 1946, of conspiring to commit an offence under the Official Secrets Act and sentenced to five years imprisonment. Appeal pending.

James Scott Benning

Found guilty on the 29th day of October, 1946, of committing an offence under the Official Secrets Act and sentenced to five years imprisonment. Appeal pending.

David Gordon Lunan

Found guilty on the 18th day of November, 1946, of conspiring to commit an offence under the Official Secrets Act and sentenced to five years imprisonment. Appeal pending.

William Pappin

Charged with an offence under Section 467 of the Criminal Code and acquitted on the 18th day of October, 1946.

Eric George Adams

Charged with conspiracy to commit an offence under the Official Secrets Act and acquitted on the 22nd day of October, 1946.

Matt Simons Nightingale

Charged with an offence under the Official Secrets Act and acquitted on the 7th day of November, 1946.

Agatha Chapman

Charged with conspiracy to commit an offence under the Official Secrets Act and acquitted on the 27th day of November, 1946.

David Shugar

Charged with conspiracy to commit an offence under the Official Secrets Act and acquitted on the 7th day of December, 1946.

Philip Durnford Pemberton Smith

Found guilty on the 27th day of December, 1946, of conspiring to commit an offence under the Official Secrets Act and sentenced to five years imprisonment.

Frederick Poland

Charged with committing an offence under the Official Secrets Act and with conspiracy and has elected trial by jury and is now awaiting trial.

Israel Halperin

Charged with an offence under the Official Secrets Act and with conspiracy to commit the said offence. Has elected summary trial and is awaiting same.

Henry Harris

Charged with an offence under Section 405A of the Criminal Code and with conspiracy to commit an offence under the Official Secrets Act.

Fred Rose

Found guilty on the 20th day of June 1946, of conspiring to commit an offence under the Official Secrets Act and sentenced to six years imprisonment. Appeal dismissed.

John Soboloff

Found guilty of an offence under Section 405A of the Criminal Code and fined $500.00 and costs.

Raymond Boyer

Charged with offences under the Official Secrets Act and with conspiracy to commit same. He has elected trial by jury and is awaiting trial.

Sam Carr

Has been charged with offences under the Official Secrets Act and with conspiracy to commit the said offences and also with conspiracy to commit offences under Section 405A of the Criminal Code. A warrant has been issued but Carr has not been found.

Freda Linton

Has been charged with offences under the Official Secrets Act and also with conspiracy to commit same. A warrant has been issued but she has not been found.

Question No. 161—**Mr. Cossitt:**

1. With reference to the answer by the Solicitor General on October 16, 1979, at page 228 of *Hansard* in reply to a question by the hon. member for Leeds-Grenville in relation to public access to the Taschereau Papers now in the hands of the Public Archives, is it the policy of the government to continue the investigation and (a) if so, on what date is it estimated that it will be completed (b) if not, for what reason?

2. Did the government order a halt to the investigation into the whole question ordered by the previous solicitor general and, if so, what are all the reasons?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): 1. Yes. Refer to reply to question No. 29, Part 4, answered today. The review will be done as quickly as possible after the appointment of a reviewing officer.

(a) The best estimate possible at this time would be May 1, 1981.

(b) Not applicable.

2. No.

Question No. 163—**Mr. Cossitt:**

With reference to the answer by the Prime Minister to a question by the hon. member for Leeds-Grenville on December 12, 1979 at page 2279 of *Hansard* in relation to an independent review of the Taschereau file, is it the policy of the government to follow the same course of action and (a) if so, on what date will the review be completed (b) if not, for what reason?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Yes.

Motions for Papers

(a) Refer to reply to question No. 161, 1(a), answered today.

(b) Not applicable.

Question No. 1,498—**Mr. Cossitt:**

Were the Taschereau Papers returned to the Public Archives by Mr. Michael Pitfield with instructions that public release be delayed until 1986 and, if so, under what statutory authority was such action taken?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): See reply to Part 1 of question No. 29 answered today. Such action was taken in his capacity as Clerk of the Privy Council responsible for the management of the Privy Council office pursuant to Orders in Council PC 1940-1121 and PC 1975-94.

[*English*]

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

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, Notice of Motion for the Production of Papers No. 2 is acceptable to the government. These papers are documents submitted by the offices of the Prime Minister (Mr. Trudeau) and the Privy Council and contain copies of all communications, memos, notes on telephone conversations, etc. between the Privy Council office and/or the Prime Minister's office with the Public Archives or any other persons or groups in connection with the so-called Taschereau Papers prior to April 14, 1980, and specifically these documents include a copy of a letter written by Mr. Michael Pitfield to the Public Archives ordering such papers to be withheld from public examination for a further period of ten years.

I ask, Madam Speaker, that the remaining notices of motions for the production of papers be allowed to stand.

[*Text*]

TACHEREAU PAPERS—PUBLIC ARCHIVES

Motion No. 2—**Mr. Cossitt:**

That an order of the House do issue for a copy of all communications, memos, notes on telephone conversations, etc., between the Privy Council office and/or the Prime Minister's office with the Public Archives or any other persons or groups in connection with the so-called Taschereau Papers prior to April 14, 1980, and specifically, that this include a copy of a letter written by Mr. Michael Pitfield to the Public Archives ordering such papers to be withheld from public examination for a further period of ten years.

Motion agreed to.

[*English*]

Madam Speaker: Shall the remaining notices of motions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Gus Mitges (Grey-Simcoe): Mr. Speaker, when I called it ten o'clock last night, I was talking about the real crises in our country, such as family crises, family break-ups, high unemployment, inflationary prices and a continued lower standard of living which all Canadians are experiencing today in Canada. We should not be sidetracked in our efforts to solve these crises by fake constitutional crises that will not put one slice of bread on the table, build one affordable house for Canadian families lacking suitable accommodation, or put clothes on the backs of Canadians. These are the real crises to which Canadians want us to address ourselves, not this fake constitutional crisis which we are being forced to railroad through.

The people of Canada elected us in good faith to represent their wishes and aspirations and to help Canada and Canadians grow and prosper. However, in my estimation the government has shirked its responsibilities and duties and has not lived up to its mandate.

Surely, the people of Canada deserve better than to have their desires and aspirations relegated to the bottom of the pile in priority by a government which is so imbued and obsessed with its own importance and with trying to make its mark in history that it does not want to be concerned about anything else but the Constitution.

I believe that when future generations look back to this particular time in our history, they will look back with amazement, incredulity and wonderment that so-called intelligent men and women were really responsible for such a fiasco, one which could have been very easily prevented by the use of common sense and good will instead of the use of deliberate confrontational tactics by the government in all its deliberations regarding not only the constitutional resolution but many

other areas as well. Good will and common sense would have gone a long way toward resolving many of our national problems, achieving a better understanding and resolving our economic woes. It would have brought about a better understanding of the diverse cultures and traditions which make up our great country and far greater unity in our great country and its regions, from one end of Canada to the other.

Hopefully, when future generations do look back at us, they will look back more in pity than in disdain, although it will be hard for them to understand how their ancestors let such a fiasco get its start and get out of hand, progressing so far before the alarm finally went off. One thing about which I am certain is that it will make very interesting reading.

I could go into considerable detail regarding the many sections in the constitutional resolution with which I do not agree and which I believe should be changed. However, many of the changes which should be made in this resolution have already been emphasized quite well by numerous speakers who preceded me in this debate.

Having said that, I would be remiss in my duty as a member of Parliament representing all my constituents if I did not draw the government's attention to an area in the constitutional proposal pertaining to legal rights, a subject which is very close to my heart. I refer to section 7 which states:

> Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

As glowing as this section may sound, one aspect is missing. It does not in any way extend protection to the unborn foetus; the wording "Everyone has the right to life" pertains only to those who have been born and not to the unborn foetus. In other words, in the proposed Constitution a foetus is not legally recognized as a living person. This decision was handed down by the Supreme Court of Ontario, which defined life as beginning at birth. In essence, this could almost result in abortion on demand, which would increase quite substantially the present disgraceful abortion rate in Canada of 65,000 per year. The decision by the Supreme Court of Ontario could quite conceivably be concurred in by the Supreme Court of Canada, which would be an unspeakable disaster.

The people of Canada have replied, in numerous questionnaires, that the vast majority are against abortion on demand, but this is what we will have if the government does not act to change this section of the constitutional proposal to include, in unequivocal terms, the concession that a foetus is indeed a living person and should be protected in the same way and fashion as outlined for everyone else.

● (1510)

I believe that if the government enacts this change it will be giving a great service and will find itself in accord with a great percentage of the wishes and desires of the Canadian people who abhor the practice of abortion, as I and many of my colleagues in this House abhor it, Mr. Speaker. Indeed, I have no problem in classifying abortion as premeditated murder, unless the life of the mother is honestly at stake.

So I ask the government again, Mr. Speaker, to give thought to protecting the lives of those who are in no position to speak for themselves. Foetuses are human beings, Mr. Speaker. It is up to us to protect them. Let us protect them, Mr. Speaker, for all time guaranteeing their status and rights and by enshrining their recognition and rights in our Constitution. As fellow human beings, Mr. Speaker, they have the right to life, peace and happiness and the Constitution will guarantee their rights against any possible changes or contemplation of changes in the future.

I again implore this government—and I cannot emphasize this too strongly, Mr. Speaker—to show compassion and humanity and change this section of the proposed constitutional resolution. This will save thousands upon thousands of human lives which today, without thought and without regard, are being destroyed for ostensibly nonsensical reasons. This act is perpetrated by so-called medical therapeutic abortion committees which in most cases have shirked their responsibilities by taking the path of least resistance and have rubber-stamped their approval for abortion, which I firmly believe makes them accessories to murder.

If they have a conscience at all, Mr. Speaker, I believe they will regret to their dying days their part and role in the wholesale slaughter and murder which they initiate on a continuing basis as members of abortion committees in the great majority of our hospitals across Canada. If the government decides to exclude the unborn from the protection of the law, Mr. Speaker, and to entrench this exclusion in its charter of rights, then that is done in full knowledge of its abominable consequences. Let there be no doubt about it, Mr. Speaker; legalized abortion is in fact the legalized killing of human beings, even though these human beings have not been born.

It is no secret, Mr. Speaker, that the 1969 amendment to the Criminal Code which allows an abortion to take place for reason of mental health or where the life of the mother may be endangered has proved to be a failure. The therapeutic abortion committees set up to police this amendment, Mr. Speaker, rubber-stamp practically every case for abortion that comes before them, with the exception of pregnancies which are too far advanced.

On the other hand, Mr. Speaker, there are many doctors who resent the brazen killing of life by some of their colleagues and who have spoken out against this abominable practice. They should be greatly commended.

Yes, Mr. Speaker, it is a terrible travesty that, in spite of ten years of outcry and the killing of more than half a million unborn lives, the government up to now has proceeded to ensure that this process be made irreversible by incorporating it in the proposed Constitution. I am again asking the government, Mr. Speaker, to reconsider this terrible injustice and change the proposed Constitution to include fellow unborn humans so that they will have the same protection as other human beings.

I would like to quote from an article in the January 26, 1981, edition of the *Western Catholic Reporter* which reads as follows:

All people of any religion or non-religion should stop voting for any politician who condones legal abortions no matter what the party.

We do not vote for known crooks no matter how brilliant they may be.

We do not vote for those who condone legalizing violence against unborn life, no matter how many times they appear at church.

Still quoting the article, Mr. Speaker, it continues:

If you want to know which MPs accept legalized abortion, watch for the coming vote on the charter.

And as a final note of confirmation of the government's intentions, I will quote this piece of evidence from the same periodical:

Upon receipt of the text of Mr. Chrétien's amendments to the charter on his speech of January 12, the following note was found among the section by section explanations: Section 15.1 " 'everyone' is replaced by 'every individual' to make it clear that this right would apply only to natural persons"—

Thus the intention of the government is perfectly clear. It does not intend to do anything for foetuses, unless it does a complete change of heart.

I fervently hope, and many Canadians hope as well, this will indeed be the case, Mr. Speaker, that the government will have a complete change of heart and reverse its attitude regarding unborn human beings and guarantee their rights as well in the proposed Constitution.

Before concluding my remarks, Mr. Speaker, I should like to dwell for a moment on one other aspect of the proposed charter of human rights, or, to be more correct, on one aspect that is omitted from the charter of human rights, and that is, the ownership of property. The ownership of property is conspicuous by its absence from the charter.

This omission from the charter, Mr. Speaker, has resulted in a considerable amount of anguish, disbelief and anxiety among all segments of our population across our land. In many cases it took considerable hardship and hard work to assemble the required capital to buy property in the first place, and now people find that their ownership can be jeopardized and taken away from them in any number of ways, contrary to their own wishes and desires.

Surely, Mr. Speaker, not enshrining property rights in the proposed Constitution is a glaring omission, and the government must admit it is a serious error of judgment on their part to omit this very important right from the proposed charter of human rights. Such an omission, Mr. Speaker, will have serious consequences for a very large section of our population. Such an omission, Mr. Speaker, has to be rectified, and property rights must be included in the Constitution. To ignore this, Mr. Speaker, could be considered a direct affront and disservice to all the people of Canada.

If the government really believes in the democratic principle, it will know that it was elected to serve the people and not the other way around. That would be the undemocratic way, with the people subservient to the government. That is something which Canadians abhor and disdain and they will not tolerate it for long.

Mr. Mike Landers (Saint John): Mr. Speaker, I welcome the opportunity to participate in this historical debate and to read into the record a letter I received from a constituent whose view of Canada is totally compatible with my personal view. The letter, dated May 16, 1980, reads as follows:

Dear Mike,

You may remember that we met several years ago before an election when you were touring the Ridgewood veterans wing of the Saint John regional hospital.

I am writing to you as my member of Parliament from Saint John, New Brunswick, in hopes that you will do everything in your power to expedite negotiations between the federal government, the other provinces and the province of Quebec as soon after the referendum is over as is possible. I am assuming that Mr. Claude Ryan's forces are going to be successful. And I feel very strongly as does my family that we not only want Quebec to stay in confederation, but we want them to know that they are as equal as any other Canadian in every way, shape and form. We want them to know that as a founding people of this nation that their culture and aspirations can be met and protected in our confederation of Canada. We want them to know that it enhances our culture and will make for a stronger Canada if their hopes and aspirations can be met within our union. There is no need for any bad feeling among anglophones and francophones. This country has plenty of room for us all to flourish in peace and prosperity.

I had the good fortune to study medicine at the University of Ottawa in the late 40s and early 50s—then to practice among the Acadians in Shediac, New Brunswick for five years. They are wonderful people and it is my hope that they will be able to develop in every way in a united Canada.

I am sending a copy of this letter to Mr. Ryan so he will know the feelings of the Creamer family of Saint John, New Brunswick. While we do not intend to sell our own English heritage short we do not intend to sit idly by and watch our French Canadian cousins lose all the things they hold dear.

Yours very truly,
(Dr.) Roy Creamer

What I would like to ask Dr. Creamer to do is keep writing.

Mr. Speaker, not all of my constituents are as fair and broadminded as Dr. Creamer. The worst comment—and when I say worst, I mean the slimiest comment I have heard since the introduction of the resolution on the Constitution in Parliament—was from a constituent who, to protect the narrow-minded and ignorant, shall remain anonymous. His comment was to the effect that anybody supporting the resolution was, "a French Canadian papist". The only reason that I would condescend to even repeat such a dastardly remark is to point out that there are some prominent New Brunswickers whose ancestors would be quite surprised to hear their descendants referred to as "French Canadian papists".

Three New Brunswickers who have given solid support to the resolution on the Constitution come to mind immediately. Imagine the look on the faces of the English protestant ancestors of Premier Richard Hatfield to hear him being referred to in the manner previously described. Imagine the look of astonishment on the faces of Gordon Fairweather's English Anglican ancestors, or the look on the faces of the British Anglican ancestors of the hon. member for Moncton (Mr. McCauley).

● (1520)

Turning to the substance of the resolution, a Canadian charter of rights and freedoms will guarantee that Canadians are entitled to the following rights and freedoms with respect to all matters of federal, provincial and territorial responsibility: fundamental freedoms, which include freedom of conscience and religion; freedom of thought, belief, opinion and expression, including freedom of the press and other media of

information, and freedom of peaceful assembly and of association.

With respect to democratic rights, which comprise the right to vote in the election of the members of the House of Commons and of a legislative assembly, the charter will include the right to stand for office in either of these institutions; the requirement that no House of Commons and no legislative assembly continue for longer than five years except in extraordinary circumstances; and the requirement that there be an annual sitting of Parliament and of each legislature.

With respect to mobility rights, the charter will enshrine the right of every Canadian to move freely from one province to another to establish a residence and to seek a job anywhere in Canada, as well as to enter, remain in or leave the country.

Regarding minority language educational rights, the charter will provide that citizens of the English-speaking or French-speaking minority of a province have the right to educate their children in that minority language, wherever numbers warrant.

Finally, respecting legal rights, the charter will include the right to life, liberty, and security; the right to equality before the law; protection against unlawful search or seizure, detention and imprisonment; protection against denial of counsel, undue delay of trial, and cruel or unusual treatment or punishment; and the right to the assistance of an interpreter. Also included are non-discrimination rights, which protect citizens from discrimination on the basis of race, national or ethnic origin, colour, religion, age or sex.

Hon. members may ask themselves why there is a need to entrench rights of Canadians in a Constitution? As a Canadian first, but as a Canadian of Irish Catholic descent, I am all too familiar with the British penal laws which reduced Irish Catholics to chattel status without human rights. Under these penal laws, no Catholic was permitted to own land; no Catholic was permitted to vote; no Catholic was allowed to hold public office; no Catholic was allowed to work in the civil service; no Catholic was allowed to own a weapon; no Catholic was allowed to own property of value over 5 pounds; no Catholic was allowed to be educated in or out of Ireland; no Catholic could earn more than one third of the value of his crops; and no Catholic was permitted to practice as a lawyer, doctor, trader or professional. The Catholic religion was largely forbidden, with no facility to train new priests, and foreign-educated priests were outlawed. All Catholics were compelled to pay a tithe to the Anglican protestant church. This brought on secret masses, and priests, returning from the continent, were hunted down, hanged, drawn and quartered in the diamonds of Ulster townships. We all know what long-lasting effects these dastardly laws had, and are still having in Ireland today.

If the joint resolution before the Canadian Parliament were taking away rights the way the penal laws did, then I could understand why the Right Hon. Leader of the Opposition (Mr. Clark) would be opposed to it.

Some hon. members opposite may still think that the penal laws were appropriate. And no doubt, there may be a fringe element of Vancouverites who believe that no Canadian of oriental extraction should be permitted to own land. There may be a small ill-advised segment of Albertans who believe that no native person should be permitted to vote.

If one believes the media coverage, there seems to be a minority of Torontonians who believe that no Pakistani should be allowed to hold office. Some misguided Quebec separatists may believe that no anglophone should be allowed to work in the Quebec public service. Yes, there may even be the odd Haligonian who might believe that no black should be allowed to own a weapon. I know that hon. members may find it hard to believe, but there may even be a closet bigot or two in the fair city of Saint John who might believe that no francophone should be allowed to own property over a certain value.

It is because extreme right wingers continue to reside in Canada, or, as the hon. member for Winnipeg North Centre (Mr. Knowles) refers to them, red-necked yahoos—although no doubt they are few in number—that we are entrenching human rights and freedoms in our new Canadian Constitution.

In closing, may I point out that a substantive measure in the resolution, of the utmost importance to the Atlantic provinces, provides that the Parliament and Government of Canada will be committed to the principle of making equalization payments to the poorer provinces. Both orders of government will be committed to promoting equal opportunities for Canadians, furthering economic development to reduce disparities, and providing essential public services at a reasonable level to all Canadians.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I rise to speak on this important question because I believe that passage of this proposal, patriation of the Constitution, and entrenchment of a bill of rights will have important beneficial effects on the people of this country. I say this, however, making it quite clear that I have not been flooded with masses of letters, telephone calls or personal representations on the subject, as so many members in this chamber have said they have.

Mr. Paproski: Talk to Nystrom.

Mr. Orlikow: It has become apparent during the debate which has gone on in this chamber since last October that this bill and the support or opposition to it cuts across all party lines. As I listened to some of my Conservative friends, one would think that, because the New Democratic Premier of Saskatchewan opposes the position taken by the majority of the New Democratic members in Parliament, we are the only party in which there are divisions on this subject.

I point out to my Conservative friends that the Conservative premier of the largest province of this country, namely Ontario, supports the proposal before Parliament and is in opposition to the position taken by almost all of the Conservative members of this Parliament. I point out for their information, in the event they do not know, that the leader of the Liberal Party in Quebec, Mr. Ryan, who will probably be the next premier of Quebec, opposes the constitutional proposal we

are debating now which was put forward by the Liberal government.

It should not surprise anyone to learn that there are some differences of opinion in our party and that the Premier of Saskatchewan opposes the constitutional package before us. I want to say to members of this House that in supporting this constitutional package before us, we are saying that when this is passed, it will bring important improvements to the people of Canada. We are saying also that this proposal is not perfect. We are saying that had we been drafting the proposal, were we the government, it would have been considerably different. I am certain that it would have had in it some provisions about spelling out the economic rights of the people of this country, for instance, the right of every person in this country, who wants to and is able to work, to have a job so that we do not have the kind of unemployment we have today.

In supporting this proposal and the idea that our Constitution should be patriated, and in supporting the idea that in the Constitution there should be an entrenched charter of rights, we are following the policies laid down by our party and by the CCF before it. The first convention of the CCF was held in Regina in 1933. At that convention, the party adopted a manifesto which has become well known in Canada as the Regina Manifesto. I want to put on the record some provisions from that manifesto because I think people are entitled and want to know that our position is right in line with the position we have followed for many years. Let me quote from the Regina Manifesto of 1933 as follows:

> —the amendment of the Canadian Constitution, without infringing upon racial and religious minority rights or upon legitimate provincial claims to autonomy, so as to give the Dominion government adequate powers to deal effectively with urgent economic problems which are essentially national in scope;

The convention resolution from which I just quoted looked to the patriation of the Canadian Constitution and the entrenchment of a section spelling the fundamental freedoms of the people while seeking "collaboration of the provinces to incorporate them in the Canadian Constitution". All the party resolutions urged that provincial consent for this change be sought, but never called for unanimous agreement for patriation or any other aspect of constitutional change.

● (1530)

However, it has become obvious that a majority of the provincial governments are now, and are likely to be in the foreseeable future, opposed to entrenchment of the bill of rights in the Constitution. If we have to wait until we have approval from the provinces, we are not likely to achieve either patriation of the Constitution or an entrenched bill of rights, for which our party worked for so many years, in the foreseeable future. If we are to patriate the Constitution and get a bill of rights, much as we would have preferred to have it done in co-operation with the provinces, we have to do it unilaterally.

Let me give another example from Frank Scott, one of the founders of the CCF, former dean of the law faculty at McGill University, a renowned expert on the Constitution and one of the leading civil libertarians during the past 40 to 50 years. He has spoken and written frequently on the question of bringing the Constitution back to Canada and on the desirability of entrenching the bill of rights in the Canadian Constitution. It is in part because of the arguments that he has advanced over the years that I am so enthusiastic in my support for both the patriation of the Constitution and the entrenchment of a bill of rights. Let me quote a couple of paragraphs from what Professor Scott has written:

> The insertion of a bill of rights in our own Constitution, and support for the proposal of an international bill of rights, seem to be logical parts of a good domestic and foreign policy for Canada. Perhaps a growing recognition of the international importance of cultural liberty for minorities will help us to reduce our internal conflicts over such issues.

In the Canadian Bar Review, 1949, he wrote:

> To define and protect the rights of individuals is a prime purpose of the Constitution in a democratic state. In Canada today many people are feeling that this purpose is not being adequately achieved . . . it is not surprising that natural law concepts are being re-examined and put forward in the form of a bill of rights for Canada, designed to shield the individual from abuses of governmental power, while at the same time a more positive role for the state in securing the economic basis for personal freedom is also being stressed.

I respect the views of those who oppose entrenching a bill of rights in the Constitution. Some who take that view do so because they have been impressed by the fact that in Great Britain people have had freedoms and property rights as much as in any democratic country without any bill of rights. Their rights are protected through common law. They were successful in protecting the rights of their citizens for hundreds of years.

In recent years, several million people have come to Great Britain from former colonies, mostly non-white people. There are reports almost every day in the newspapers of prejudice and discrimination against those people. I am certain that those people now living in Great Britain have come to realize that they need protection from an entrenched bill of rights such as the one we are discussing at the present time.

Let us look at the experience in the United States, a country with a large and diverse population which includes people from many different racial, religious and ethnic backgrounds. For many years they had open, and indeed admitted, legal discrimination. There were segregated schools, buses and restaurants. Between two and three million non-white people living in the south and southwest were not permitted to vote. Their Congress was not able to deal with those problems because of the divisions in that country. Discrimination in those and other fields in the United States was not banned by law until the United States supreme court dealt with some of the problems. The United States supreme court outlawed discrimination because their constitution and interpretation of their bill of rights showed that that kind of discrimination was illegal.

The first major decision handed down by the Supreme Court was reported in *The New York Times* on May 18, 1954, headlined "High court bans school segregation 9-0". The story began:

> The Supreme Court unanimously outlawed today racial segregation in public schools.

In explaining its decision, the court found that:

> The fourteenth amendment provides that no state shall "deny to any person within its jurisdiction the equal protection of the laws". The fifth amendment says that no person shall be "deprived of life, liberty or property without due process of law".

That is the kind of provision which is in the charter of rights and constitutional proposal before us.

Some Canadians say we do not need this kind of law because we have never had discrimination. Those who say that have very short memories. I will not repeat what other members have already said regarding the discrimination we have had in this country. I will just mention a few examples. There was the padlock law in the province of Quebec in the 1930s; the expulsion of Japanese Canadians from British Columbia during World War II; the attempts to gag the press by the Social Credit government in Alberta; and the use of the War Measures Act by the Trudeau government in 1970 to arrest and incarcerate about 450 citizens of Quebec in October, 1970, few of whom were ever charged in court, and none, to my knowledge, ever convicted.

If we had had a charter of rights in our Constitution, those who had been incarcerated could have gone to court and demanded that they be set free. It is my belief that an entrenched bill of rights would give a substantial degree of protection to Canadian citizens, even when they hold views which are unpopular to the majority of the people of Canada.

● (1540)

It is easy to grant democratic rights to those people who agree with us. That is easy and comfortable. But, it is a great deal more difficult to grant those rights to people who disagree with us, particularly in times of emergency when, as sometimes happens, almost everybody agrees that something should be done. That is when the few who disagree really feel the wrath of governments.

I want to deal with the proposals before us at the present time. In my view, what we are dealing with is substantially different from the proposal the government made last October, different because of the agreement of the government, after a great deal of pressure, to allow extensive hearings of the committee on the constitutional proposals; because of the many representations made by dozens of organizations in which they outlined the inadequacies, as they saw them, of the resolution as originally proposed; and because of the work of many members on the committee who were not satisfied with the original proposal but who thought that, if they only opposed it and did nothing else, the package would probably pass in an imperfect manner. The groups which made representations and the members of the committee who wanted seriously and honestly to improve the package did a great deal of work, as a result of which it has been substantially improved.

I am told that over 50 amendments have been proposed. I understand from my reading of them that 49 improved the package while only one is a retrograde step. Let me deal first with the retrograde step and then with a few of the improvements.

The retrograde step in my view, and the view of members of this party, is the elimination of that clause in the original proposal which would have limited the authority and power of the Senate. Members of this Parliament will not be surprised when I say that, along with other members of this party, I believe the Senate should be eliminated or that we can do very well without it.

Some hon. Members: Hear, hear!

Mr. Orlikow: Having that view, I support any idea which would reduce the power and authority of the Senate. To say the least, I was unhappy with the decision of the government to take that clause out of the original proposal. We opposed that removal and, if we have an opportunity, I am sure we will move an amendment on this subject.

We must be clear on one thing. Even though that clause has been eliminated, the effect is that if we pass this constitutional proposal, the Senate will have no more power than it has had until now. After the constitutional proposal is passed, before any amendment to the Constitution can be put into effect, it will require, as has been the requirement up till now, the approval of both Houses of Parliament. That means, to my regret and the regret of members of my party, that any such amendment will require the approval of the Senate and the House of Commons.

Some people suggest we will never get this situation changed. We have been through crises and minor incidents in the past as a result of the Senate expressing its disapproval regarding some things we have done, but eventually the Senate has always gone along. I have no doubt that the Senate, for which I have little use, would bow to the will of the people of Canada, given a substantial and overwhelming majority of consensus on the part of Canadians as expressed through their members of the House of Commons, even if it meant that the Senate would be eliminated.

Let me mention just a few of the improvements in the constitutional package before us. First of all, there is the amendment with regard to resources and the power of the provinces to manage and direct those resources within the provinces. The BNA Act gave the provinces the right to their own resources. Recently, however, judicial decisions based on a narrow interpretation of the law have overturned provincial attempts to manage and tax their resources for the general benefit of the people in the provinces. These decisions have blocked the provincial right to raise new revenues from resources and regulated their right of development, especially when those resources were being sold outside the province or provinces.

I will not refer in any detail to the court decisions made in several instances in respect of the province of Saskatchewan, except to say that at least they have created an area of uncertainty for the provinces. The resources amendment now included in the package gives important powers and reassurances to the provinces. I asked the attorney general of the

province of Saskatchewan whether the resources amendment which we had proposed, and to which the government had agreed, represented an improvement to that province, and he assured me it did.

I am from the province of Manitoba which, as far as we know, does not have any resources with great world demand. We are increasingly a have-not province. Believing, as I do, that all the people of Canada, regardless of where they live, are entitled to certain minimum standards in the provision of basic services, I accept the idea that any federal government must have the financial ability to help those have not provinces. My province is a have-not province. Therefore, I am happy the government agreed to amend the original clause dealing with equalization benefits, making clear the reference to equalization payments to the provinces.

Originally, the amendment would have allowed the federal government to bypass the provinces and pay equalization benefits directly to individuals. This would have endangered a major source of revenue to a poorer province such as Manitoba. I am, therefore, happy the government agreed to strengthen this equalization amendment. I do not want the people of my province to be dependent on the good will and charity of the Premier of Alberta or the Premier of Saskatchewan. I want the federal government to have the power and authority to help people in all parts of this country.

I am particularly interested in the charter of rights. This embodies a principle of major importance to the people of this country. I was happy to hear what Professor Walter Tarnopolsky of the Canadian Civil Liberties Association had to say when he appeared before the committee dealing with the Constitution. Let me quote him in part. He said:

—without a bill of rights, the only protection for minorities is the good will of the majority. No doubt people, like the Japanese Canadians, native people, Jehovah's Witnesses, and others could give us examples of how the majority, at one time or another, did not recognize them as human beings equal in dignity and rights.

Then he went on to say:

—particularly for opposition politicians, reliance on a written bill of rights is a much more effective weapon to oppose legislation which is deemed to be excessively oppressive or arbitrary, than a mere claim the legislation is oppressive or arbitrary.

So when we look at the amended package, here is what it provides in the way of fundamental freedoms:

(a) freedom of conscience and religion;

(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

(c) freedom of peaceful assembly; and

(d) freedom of association.

I would remind hon. members that this clause is very much like the one adopted by the 1961 NDP convention, so my enthusiasm for it is not surprising.

● (1550)

Very impressive representations were made to the committee by representatives of the disabled. A representative of the Coalition of Provincial Organizations for the Handicapped told the committee that:

—of most importance to disabled people in Canada is that disability or handicap should be included as grounds protected from discrimination under Section 15(1) and we recommend this amendment to you.

The charter now says:

15 (1) Every individual is equal before and under the law and has the right to equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, sex, age or mental or physical disability.

In other words, the committee accepted the proposal of the representatives of the handicapped.

As for women's groups, the then president of the Canadian Advisory Council on the Status of Women, Doris Anderson, told the committee:

The Canadian Advisory Council on the Status of Women supports entrenchment in the Constitution of a charter of rights and freedoms which guarantees women's human rights to equality.

As I have already said, Section 15(1) states there shall be no discrimination on the basis of sex.

Mr. Speaker, I am particularly interested in the discussions in committee with reference to native people. I have been interested in the subject for many years and, of course, large numbers of native people have moved to Winnipeg in recent years. I was looking at a brief sent to the Minister of Indian Affairs and Northern Development (Mr. Munro) just a couple of weeks ago by the Winnipeg Indian Council and they estimate that there are 12,000 status Indians in Winnipeg. The hon. member for Winnipeg North Centre (Mr. Knowles) and I probably have more status Indians in our constituencies than does any other member. The conditions of native people in this country are a disgrace and a disaster.

I would quote from a book entitled "Indian Conditions: A Survey 1980" put out by the Department of Indian Affairs and Northern Development, which was sent to Members of Parliament. In that book you will see that the mortality rate for native people one to four years old is 3.1 per thousand, and for non-Indians it is 0.8. The rate of suicide is almost three times the national rate. In 1974, 55 per cent of Indian reserve population were receiving social assistance as compared to a national rate of 6 per cent. In 1977, one in three Indian families on reserves lived in crowded conditions. I could go on but I think hon. members who are interested know what the situation is.

The rights and freedoms of Canada's native people were not included in the original constitutional package. Very strong representations were made by native groups, status and non-status Indians, to all parties represented here and to the constitutional committee. The president of the National Indian Brotherhood, Delbert Riley, said this to the committee:

We are opposed to any amendment of the Canadian Constitution which affects our special constitutional position, without our consent. The Royal Proclamation of 1763 provided that constitutional or political change would occur by a process of negotiation and agreement. That, to us, is a fundamental constitutional principle, and one that should be recognized in any amending formula.

I do not have to tell hon. members of this House how much discussion there was on that question, or how reluctant the

government and many members were to do that, and yet the charter now includes the following:

> The guarantee in this charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada including
>
> (a) any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763; and
>
> (b) any rights or freedoms that may be acquired by the aboriginal peoples of Canada by way of land claims settlement.

My colleague, the hon. member from Nunatsiaq (Mr. Ittinuar), moved the following amendment which was accepted unanimously by the committee:

> Rights of the aboriginal peoples of Canada:
>
> 33(1) The aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.
>
> (2) In this act, "aboriginal peoples of Canada" includes the Indian, Inuit and Metis peoples of Canada.

The inclusion of those amendments is of tremendous importance to the native people of this country. We have seen in many parts of Canada provincial hydro organizations building dams and power stations, flooding land on which native people have lived for hundreds of years and doing it almost unilaterally without any real agreement, certainly no legal agreement, with the native people concerned.

Now, I do not say that because of these clauses the problems of the native people are automatically solved, but when differences arise between native people and government or private organizations, they now have a clause in the Constitution which they can use in negotiations, and if negotiations are not successful, they can use this in testing their rights in the courts. I say for that reason alone they are worth while.

In dealing with multiculturalism, Mr. Speaker, I am not going to try to emulate the eloquence of the hon. member for Dauphin (Mr. Lewycky) yesterday. I represent what has been called an ethnic constituency because we have members of almost every racial, ethnic and religious group in this country. Apart from Anglo-Saxons, we have Ukrainians, Poles, Czechoslovakians, Jews, Russians and Germans, in the thousands. In the years since the end of World War II, we have had people coming from Portugal, The Philippines, Italy, Greece, China, Hong Kong, the Caribbean, Africa, India and Pakistan.

● (1600)

An hon. Member: What about the people from Sweden?

Mr. Orlikow: If I have omitted any groups, I apologize. I am of ethnic origin. My father came to this country 75 years ago. He was 14 years old then, and he went to work in order to bring the rest of his family here. He did very well in this country; he was proud of the fact that he had never gone to school in Canada but was able to send three sons to university. I know, as he knew, that for many, many years ethnics were considered second or third-class citizens.

It is not many years ago that ethnics were not able to get work in department stores in Winnipeg and in most other cities. It is not many years ago that one would not find ethnics working in Canadian banks. It is not many years ago that some of our universities had quotas; only certain groups could get into medical college and only certain numbers. That prejudice and discrimination is disappearing, but it has not gone completely. One has only to walk around my constituency or any other constituency to see the buildings owned and operated by various ethnic groups and to see how they change as the population moves.

Ethnic groups are very proud of the way in which they have been able to maintain and develop the cultures and languages they brought with them to this country. They recognize, as the spokesman for the Ukrainian Canadian committee said before the constitutional committee, that there are two official languages, English and French. They are proud of the fact that they have been able to maintain, promote and build their cultures and languages. It was made clear by the spokesman of the Ukrainian Canadian committee that the inclusion in the Constitution of the section which spells out the multicultural background of the country is an important recognition of the fact that they are first-class citizens. I welcome that section.

I should like to refer to one more section in which I am particularly interested, the one which deals with the legal rights of Canadian citizens and their rights regarding search, seizure, detention and imprisonment. The original resolution indicated that everyone has the right not to be subjected to search or seizure except on grounds and in accordance with procedures established by law.

I have already referred to what was done under the provisions of the War Measures Act. Many civil liberties groups were very concerned about the freedom it would give police forces as it was then written, so they welcomed the amendment which restricted the following clause:

> Everyone has the right not to be arbitrarily detained or imprisoned.

There have been some improvements in the constitutional package which I think have made it much more effective than when it was brought forward in October of last year. I am happy to support this constitutional proposal because of the improvements that have been made, because it brings the Constitution back to Canada, and because it entrenches a bill of rights which is of tremendous importance to the people of Canada.

Some hon. Members: Hear, hear!

Hon. Ron Huntington (Capilano): Mr. Speaker, I will try to make eight basic points which concern me about the constitutional resolution. One thing which perhaps worries me more than anything else is the fact that I consider it a threat to our basic structures which protect our freedoms. Since Bill C-60 was tabled in the Thirtieth Parliament, I have advised my constituents of my concern; I sent them an extensive riding mailer in July, 1978. I have seen nothing in the debate and in the proceedings of the committee which has dealt with the resolution package to change my opinion.

In my opinion, there is no democratic mandate for this resolution. I believe it is changing our style and form of

government. Where in the rhetoric of the last election campaign did Canadian people, even those voting in Quebec and Ontario, give the Liberal Party of Canada a mandate to change the Constitution unilaterally through the Parliament of Westminster; to emasculate the powers of western provinces so that the population centres of Ontario and Quebec could control western resources, making the west a colony forever; to expropriate and nationalize the energy industry as it is doing with its energy policy; to change the parliamentary procedures in place to protect people from excessively centralized powers which can only lead to an executive form of democracy; to entrench a charter of rights which contains questionable wording and has serious omissions?

Where, in fact, was the Prime Minister (Mr. Trudeau) in the last election on these very issues? His handlers were allowing his body to be seen, but his thoughts and ambitions were well hidden from public scrutiny and debate. The Liberal Party of Canada, the party of entrenched power at any cost, at any level of morality—one year ago it was 18 cents—are now playing games with structures affecting our basic freedoms. With this constitutional resolution, the Liberal Party of Canada, in my opinion and in the opinion of other colleagues who have spoken, is fanatically seeking to achieve power objectives before the public can express its will in a democratic fashion.

This is the reason for time allocation, for the threat of closure and for the great rush to put this matter through the legislative processes before July 1, 1981.

They love to say that it has been in the process of negotiation for 53 years.

Mr. Pinard: Fifty-four years.

Mr. Huntington: I am now told that it is 54 years. They do not tell us that in those 54 years it has been discussed for approximately 48 days at the official level, or less than one day a year. They do not tell us that the extremely important and dangerous entrenchment package was not part of the discussions over that period of time. They try to belittle the fact that elected representatives of the people are worried about issues which were not part of those negotiations. They do not tell us why they want to entrench aspects which go beyond the protection of our basic freedoms. Rather, they work on a shallow perception of a docile population. They do not tell us why they are removing the right to property; they sneak it into the terminology.

The constitutional resolution is, by all the rules and precedents of a representative monarchial parliamentary democracy, illegal because it is a coup d'état. It changes the very form of our government.

The hon. member for Surrey-White Rock-North Delta (Mr. Friesen) in his speech on February 19 and 20, as reported at pages 7499 and 7581 of *Hansard*, ably pointed out the following:

> The Liberal government is giving the citizen rights. It is now telling the citizen what he or she can do.

I urge those members who have not read his speech to do so. This Liberal party charter assigns rights in the same manner and employs the same language as communist charters. As any thinking person knows, rights assigned and given by rulers can also be denied and taken away by rulers. I see an hon. member opposite shaking his head. I suggest that hon. members opposite take off their blinkers, get out of the tunnel and open up their minds to what they are doing to this country.

● (1610)

The U.S. constitution, on the other hand, comes from the citizenry, and the powers of government are by the people, for the people. It is not a government of the majority telling them what their rights will be.

As my colleague, the hon. member for Surrey-White Rock-North Delta said as reported at page 7519 of *Hansard* for February 20, 1981:

> The government is presenting a proposed charter which purports to give rights to citizens. It is presenting an illusion; it is a fraud. It is not entrenching the rights of citizens; it is entrenching the power of the state.

In my opinion, the people of this great country had better wake up and shake off their apathy before it is too late. The priorities in this debate are not in order. Apart from economics, our national problem is regionalism. It goes right through our country; it is in our cities and our provinces. Federally, the structure of our Parliament does not address this problem, but rather creates it.

Before this resolution is passed, it is my belief that we should discuss the form and structure of our government. The structure of our present government needs amendment. The British parliamentary form of government has great strengths and great weaknesses. Its strengths lie in the fact that it is of a very slow and cumbersome nature. It acts like a huge sponge which absorbs the forces of change within a big, cumbersome and complicated society. It absorbs these forces, and down through the ages it has been able to protect man's freedom better than any other form of government yet devised. This House turfs out those of us who fail to continue to relate to our constituents on the emotional level, and that is one of the great strengths of the system. It allows us, as it should to debate the great ideologies of change of our times.

A key principle and an aspect that is not widely understood is that we are a monarchial parliamentary system. Therein lies the power to demand delay for more mature thought on these forces of change. It is during national crises of arrogance and lawlessness that constitutions are tested. If those constitutions fail—and history is full of examples—nations are destroyed. The power to demand delay for more mature thought has to exist, which is most desirable and in the public interest since governments with parliamentary majorities which have been too long in office have a natural human tendency to abuse power and, perhaps, to go beyond constitutional limits.

Under the royal prerogatives, the sovereign has four instruments with which to procure this essential element of freedom. It has the right to veto legislation, the right to dismiss a government, the right to dissolve Parliament, and the right to

order a general election. Had the Italian constitution allowed the King of Italy these powers, the world might have been spared the fascist regime of Mussolini. It should be voted that in all countries of the former British Empire in which the monarchy has been replaced with some other head of state, countries such as South Africa, India, Pakistan, Ghana, Nigeria—and I ask: Is Canada the next?—there has been a steady decline in freedom from arbitrary government, in the application of due process of law and in respect for the Constitution.

I remind you, Mr. Speaker, that the people under these regimes enjoy markedly less security, both psychologically and materially. I say this in all sincerity, since I was brought up to understand that when I uttered the prayer "God save the Queen" I was, in fact, asking God to help us govern ourselves better. Yet we find today not only reference to the Crown being minimized in Canada but even reference to God being struck from the proposed Constitution by the socialists. I am not one to run and stare at the Royal Family, but I am a Canadian who knows from experience how delicate and precious our freedom is. I know from history how it is earned and how easily it is lost through apathy and indifference. I say to colleagues and fellow citizens: please, let us understand the safeguards which underlie the foundation of our freedom before we carelessly toss it all away.

On the other hand, I must say that the structure of the British parliamentary system has failed us and other former members of the Commonwealth because it represents centres of population. It does not carry the checks and balances necessary for less populated regions to feel and remain a part of the whole. Bangladesh is a recent example of this. The same is also happening in Canada today.

In Canada, Parliament is controlled by the province of Quebec with its 75 seats in this House, and the swing power is in the province of Ontario. The rest of us in the outback regions of this land have the feeling that we really do not matter. The successful strategy of the Liberal Party is to play to the Latin vote in Canada. In every federal election, the Liberal Party starts with 100 Liberal seats out of 282. The other regions, races and ideologies within the country, struggle to overcome that handicap.

To new Canadians who came to this country to participate in its freedom, its opportunities, its welfare benefits and its historical adherence to the principle of private property, I say: beware, new Canadians, of the propaganda to which you are being subjected. If you doubt that this resolution on the Constitution is nothing more than a vehicle to socialize this once proud country, just look at the National Energy Policy which plays one region against another, nationalizes industries under the guise of Canadianization, and has yet to address the problem of oil self-sufficiency within the land.

In my opinion, we in this country are dangerously close to one-party rule. The arrogant audacity of this resolution tells us that we are a frustrated and confused people; we are alienated, when we once had a great sense of nationhood; we are now divided, and our sense of nationalism has been deliberately removed from us over the last 15 years. We are being told that there is racial antagonism in the land; we are changing our form of government without full comprehension of what is ahead; and we are dangerously regionalized. Surely within these issues lies the challenge which must be resolved if, once again, we are to become a strong federal nation.

Our parliamentary structure serves only the population centres, for that is where political power is rooted. We understand that. Our Senate is not structured, or used, to give regional balance. Therein lies one of our failures. Of course, I disagree with the hon. member for Winnipeg North Centre (Mr. Knowles) who wants to abolish the Senate. One of the problems we have in the provinces is that there is not a balance between the regions and the elected assembly which represents or gives power to the population centres. Instead of fooling around with a document of political revolution, which this resolution is, we should be addressing the faults in our structure which are causing the degree of regionalism from which we suffer today. The party caucus system locks behind closed doors the great interregional debates from which understanding and consensus flow. Those great debates in search of consensus are not part of the House of Commons. They are not part of the Canadian awareness at large. Instead, they are buried in the dangerous game of backroom regional party politics.

• (1620)

All three parties are experiencing the tension and strain of this dilemma, for one of the aspects of political power in Canada is caucus solidarity. But if we are really and truly representing the ideals, wants and emotions of our regions, how can we have total solidarity in caucus? That is one of our dilemmas.

Members from Ontario know that the politics of their region is to support the Liberal government because the people in Ontario have been sold a bill of goods which says that their sharing means that the resources of the outback, the west, must be available at half the world prices.

Meanwhile, a customs union forces every Canadian, no matter where he or she lives, to pay 130 per cent to 160 per cent of world price for all capital and consumer goods to protect the industries and the payrolls at the centre and heart of the country. We in the west simply do not see that as being fair or even falling within the ambit of fair sharing. It is raw power politics which causes intense regionalism.

The vast majority of people in the west are not being bamboozled by twisted rhetoric and Machiavellian strategies. These regional tensions and views would be out in the open if the Senate was an elected Senate and if it represented the regions on an equal basis, with full powers to veto abused power from this House of Commons.

The caucus system of achieving consensus has been under debate for centuries. In my opinion, the caucus system fails the minority regions of the country.

In search for an answer to this problem, I have ventured to suggest that we must work federally from a four-region concept. The other day I noticed that the NDP wanted to work

from a five-region concept. I have given that up. As much as I would like to see B.C. become a region, in my opinion it will not work.

I am not alone in my feelings. Back in 1965, there was a paper on an Atlantic union. In 1970, there was a commission of three of the Atlantic provinces on an Atlantic union. They tried to address the same problems. It is not a new problem.

Quebec has gone through an emotional experience with a referendum and does not feel it is a part of the whole. It wants to participate as an equal in the whole. Ontario is a troubled region of the land today. It sees power drifting out. It has obsolete industries and it wants to catch up. It is wondering what is happening to this country. The other region is composed of the western provinces. If we were four regions, we could talk and deal with each other as equals, and we could solve some of this regional inequity. At least with this base the regions could participate as equals rather than be divided, isolated and made to appear as ten fractious fiefdoms. The way it stands at the moment, under the amending formula proposed in the resolution the Atlantic and western provinces are given second-class status compared with Quebec and Ontario. In the west, the provinces of Saskatchewan and Manitoba are reduced to third-class status. Is that fair sharing? This is not the way in which to build a strong federation with strong and vital regions.

In my opinion, it is essential that the Atlantic and western regions participate in the decisions of the federal government as equals with Quebec and as equals with Ontario. We know that Quebec wants to participate as an equal. So do we in the west.

With regional inputs to the council of decisions at the federal level, much of the sense of isolation, frustration and alienation would be removed.

I do not know whether the regions should sit in the House of Commons and caucus as regions or if the Atlantic and western regions first need to caucus in their own assemblies from which they would then elect members to the federal Parliament. However, I do feel that our federal dilemma, caused by a misuse of parliamentary structure, could be resolved as a first priority by a constitutional constituent assembly. It is wrong for the leader of a party with a parliamentary majority to be imposing unilaterally a new style and form of government with entrenched rights which reach well beyond those essential to our freedom and individual dignity.

As this government initiative stands, we will have government by and for the population centres. Those who think we can have a strong federation, or even a strong federal state with the degree of freedom we have enjoyed over the past three and a half decades, should really try to understand the depth of division and alienation which exists within the country. An imposed move towards a unitary state is not Canadian. That approach is foreign.

A few months ago, I went into the office of a chartered accountant who is in his late thirties. He is a very busy man. On his desk was a copy of a book from the *Life* series "Prelude to World War II". I asked him what a busy man was doing with a book of that nature on his desk. He told me that he was startled to learn of the horror and brutality which existed in Germany in the thirties. I was literally shocked. I realize I am getting on, but I did not know I had gone this far. I suddenly realized that we who have lived through the prelude to World War II and who fought to defend our freedom and sense of decency and human dignity are a rapidly diminishing percentage of the population. That is why I am concerned about our basic freedoms and structures. That is why I am concerned that we are taking these structures for granted and that apathy is accelerating.

The situation in Germany started with inflation. I am not implying, Mr. Speaker, that you are as old as I am. Oh, you are older, Sir. It started with inflation in a representative democracy which worked into a direct democracy. Direct democracy soon became leadership democracy, which then turned overnight into a dictatorship. The provinces and neighbouring countries were eliminated, and Germany became a unitary state. It was nationalism at its worst. Essential to that process and maintenance of power was a propaganda system. One of the most powerful men in Germany through the thirties and into the Second World War was the minister of propaganda. Even as a young person, I found this power over the minds of people to be frightening. The same thing is happening in Canada today. The perceptions of our people are being manipulated by strategists and social engineers using the Liberal Party of Canada as their vehicle to impose a socialist unitary state. All legislation submitted to Parliament is designed with a political strategy to serve this end, and this has been going on for years. Seldom do we see an issue addressed alone; it is always in the company of a diseased hooker which attempts to influence the emotions and perceptions of the people at large. As a recent example, Bill C-57 slipped through this House in two and a half hours at second reading. Part I of that bill attacks the very fundamental heart of a free press. We on this side always appear negative, but it is our function as the official opposition to watch what is going on and to make the government justify its legislation.

If hon. members doubt that as an example, how many are aware that an innocuous clause in the omnibus bill in the Thirtieth Parliament dealing with weights and measures made the imperial Canadian standard measure illegal in this country? Not one member in this House understood the meaning of that word until recently. Laws are written without addressing essential definitions such as, what is news, what is advertising? As a result, we face reckless confusion.

• (1630)

This bill came to the House and attacked the independent newspaper structure of the land right after the major newspapers in the land had fallen to the ownership of two separate central capitalistic bodies. What is happening in this land? The National Energy Policy used the catch phrase "Canadianization" when in fact it is nationalizing and confiscating private rights and properties. An example of this is Merit Oil which is an independent, wholly Canadian-owned company.

Why is PetroCan buying an independent wholly Canadian-owned company? Why was it on the market? It was on the market because the monopoly structure and cartel at the refinery gate did not allow it enough room and freedom to operate within the marketplace.

The most recent first ministers' conference was held under the umbrella of a strategy designed to make the premiers look bad. A leaked document was proof of that. A litany of words was listed for the delivery of impressions to an unthinking and apathetic public. Mob manipulation has become the order of the day in Canada, I am very sorry to say. As I said, not one member of the House of Commons recognized that little clause which changed the nature of weights and measures in Canada.

In the Thirtieth Parliament, we became alarmed at the degree of corporate concentration which had taken place. With a great flair, the Prime Minister appointed the Bryce Commission on Corporate Concentration. What has happened since its report came down? The rate and magnitude of corporate concentration has accelerated. It is without restraint or bounds in this country at the present time.

Today, in Canada, we are rushing in both directions. On the one hand, corporate concentration is taking place, and on the other, there is rapid and accelerating state confiscation and state ownership of the means of producing goods and services.

As was demonstrated in Germany, excessive corporate concentration of power leads to a fascist state. As was demonstrated in the U.S.S.R. and other socialist countries which have gone too far, excessive state ownership and control over the means of production leads to a communist state. In both political situations, man loses his freedom. When capital and property are removed from the people and concentrated excessively in corporations or the state, we lose the essence of a free economy. When we lose the element of freedom in the economy, we lose freedom. When people allow themselves to be manipulated into an egalitarian society by intellectuals and elitists, they are no longer free. People who are equal are not free. We are not born equal.

As I mentioned, our parliamentary system has great flexibility. It has built-in safeguards for second looks. Historically it has allowed for the forces of change through legislative debate and law. This resolution on the Constitution attacks the heart of these safeguards. It turns this duty and function over to the courts. Our courts and legal system address words, not issues. Our legal system is operating at the extremities of reasonable interpretation. Why should we turn over this vital function of our legislative assemblies to deal with issues to the word merchants in the courts?

There is a Machiavellian morality to this resolution on the Constitution. It delivers us into a structured society. It removes power from the people and delivers that power to the state. It uses the language of totalitarian societies in the wording of its rights. The state gives the rights to the people—it is not a Constitution by the people and for the people. It removes the right to private property, and I say to you, Mr. Speaker, that this is something that I am here to defend. It carries the potential of eliminating the political power of our second level of government. It creates a unitary state with control at the centre, and the power of the centre is anchored permanently in one province. It creates different classes of citizens depending on the province or region in which they live and work. It does not address the national problem of regionalism but, rather, aggravates it. It attacks the very structures that have allowed change to take place and leave man with his freedom.

A new Constitution must come from a constituent constitutional assembly which represents all aspects and has inputs from society. Only then can Canadians feel secure and enjoy rights that will survive the abuse of power. This resolution must be defeated preferably in Canada.

Today the Right Hon. Prime Minister, in his address to this House, said, "... the people are the architects of its change, not the victims of the change." These words came from a brilliant political strategist who admits that he is capable of changing the course of the ship of state in the middle of the night while the people are asleep.

I have not spoken to the amendment on the resolution, Mr. Speaker, because I refuse to play with tinker toy amendments when the basic issues within the resolution carry such a threat to my freedom.

Some hon. Members: Hear, hear!

Mr. Brian Tobin (Humber-Port au Port-St. Barbe): Mr. Speaker, I am pleased and indeed honoured to rise today to speak in support of this historic resolution before the House of Commons and the Senate. It has been almost 53 years since we in Canada began our attempt to patriate and have our own Constitution in Canada. It is four months since this government, after a great deal of thought, a great deal of soul searching and a great deal of effort to reach agreement with the ten provinces, assumed the responsibility it has as the national government with a mandate to break the constitutional deadlock that has existed for the last five decades.

On October 2, 1980, the Prime Minister (Mr. Trudeau) said that building a country to match a dream is a long and painstaking process. But as each generation has made the sacrifices, so each has reaped the rewards. He said that every generation of Canadians has given more than it has taken and that now is our time to repay our heritage. He said that our duty is clear; it is to complete the foundations of our independence and our freedoms.

I had the honour in the last few months to be a member of the joint Senate and House of Commons parliamentary committee on the Constitution. Every member of that committee worked hard. I believe that members of all parties, when dealing with the Charter of Rights and Freedoms in particular, approached their duties with honest and open minds and with the desire to give back to the people after all the debate had taken place, after all witnesses had been heard and after all the expert testimony had been analysed, the best charter of rights and freedoms possible at this point in our history.

I am proud of the work that the constitutional committee was able to do. I believe it is clear to everyone that the resolution before the House has been substantially improved, especially in the amended charter of rights, and that it is far superior to the bill presented some four months ago. The bill now before us was amended a total of 50 times at committee stage.

● (1640)

In saying this, I want to acknowledge the contribution made by the opposition, Conservative and the New Democratic parties who, in some instances, were the authors of a number of very important amendments or improvements. I speak in particular of the charter of rights and freedoms.

Because of the all-party work which went into the drafting of that charter, I believe it is fair to say that there is near unanimous support in this chamber for the Charter of Rights and Freedoms.

Mr. Malone: That is false.

Mr. Tobin: There must be very few people in this chamber who would deny Canadians the provisions of the charter. I speak now not of the process but of the content of the charter. I would find very little disagreement on that point.

Mr. Malone: You just got it.

Mr. Tobin: Nearly every Member of Parliament supports legal rights for the handicapped in this country, for example. Every member would support new legal rights for Canadians. Every Member of Parliament would support the equalization formula or many of the other provisions in the charter of rights.

There are those who would argue that the Charter of Rights and Freedoms, those privileges enjoyed by Canadians, are important, are paramount, but second only to the whim or the disposition of provincial governments and provincial politicians. That is the argument put forward by the Conservative Party. We in the Liberal Party, and I am pleased to say the vast majority of those members of the NDP, cannot accept the shallowness of that position. We believe that the rights, freedoms and privileges of individual Canadians are paramount, and superior to the disposition or the whim of any politician or any government in this country. That is a fundamental difference.

The shallowness of the kind of argument being put forth by the Conservative party about the process, while it claims to support the content, is so self-evident that there is no need for me to carry on about it any longer. Some members of the Conservative Party have been so uncomfortable, and I am desperately trying not to be partisan—

Mr. Crosby: Don't try.

Mr. Tobin: —that I applaud Mr. Yurko. I do not mean to embarrass him by doing so—

Mr. Nielsen: Order. His riding is Edmonton East.

Mr. Deputy Speaker: Order, please. The practice is to refer to hon. members by their constituency.

Mr. Tobin: I applaud the hon. member for Edmonton East (Mr. Yurko) and I do not mean to embarrass him or to be cute by doing so. As I say, some of his colleagues have been uncomfortable with the shallowness of the argument which says they believe the charter is good but the process is wrong, and they have gone on to say: "Look, besides that, we have had a long tradition of freedom in this country. This is tolerant land. Therefore, we do not need a charter of rights and freedoms. We can trust Parliament to look after the rights and interests of Canadians."

For the most part, I would agree with that. Our country's record, if we look back through our history, has been excellent, especially in comparison to many of the other so-called democratic countries in this world. While it has been excellent, it has not been perfect. It has not been unblemished. We need only to look at some of the activities which occurred during World War II. Neither Parliament nor the legislatures protected the rights of Japanese Canadians who found their rights arbitrarily taken away and in many cases never returned.

We are talking about the rights and freedoms of individual Canadians. Whatever the government, be it Liberal, Conservative, NDP or whatever, I say no government should have the power arbitrarily to remove people's rights.

Again, I say the argument which the Conservatives would make that somehow we can trust the Canadian Parliament to protect the people of Canada does not hold water if we look back through our history. To make such an argument is to suggest that the rights and freedoms of the individual Canadian, the single man, the single woman or child, is his or her right only as long as it is the will of the majority or the will of Parliament that he or she should have rights. That is not good enough. I say we hardly have our eyes open to what is happening in this world when we make that kind of a suggestion.

Just today we had the President of the United States here in our chamber. We were honoured by his presence. Hon. members do not have to look at the most extreme examples of the oppression of rights in this world; they need only cast their eyes south to the problem there with which President Reagan will be struggling soon. In the country to the south of us, in the last few years we have seen the rise of paramilitary units and groups. I watched a special program on the American network the other night which showed a group of 155 people who were armed. What do they stand for? They stand for the extreme right, neo-Nazi, Ku Klux Klan extremist groups. They say a war is coming. They say they are going to do battle with the blacks in the U.S. The only way that kind of extremism will be controlled in the United States, the only way that kind of thing will be challenged before it can mushroom, is through rights entrenched in the American constitution. The present rights in themselves are not enough.

I look at my own country. I am sad to say I look at my own province of Newfoundland and at what the Premier of New-

foundland has proposed in recent months. We have a government in Newfoundland—I pray there are no others in Canada, but I fear there may be others—which proposes to pass laws saying the first qualification to work in Newfoundland on certain developments is that the person be born in that province. If that first requirement is not met, the individual would be told he or she is not qualified to work in Newfoundland.

In this charter of rights we have mobility clauses. These will guarantee Canadians the right to live, work, pursue happiness and to raise their families anywhere in this country. But if Premier Peckford has his way, that right will not be extended to Canadians as far as Newfoundland is concerned.

I have a younger brother who could not find work in Newfoundland. He is now working in Edmonton. I have another younger brother who will complete a course in the college of trades this spring. He may not find a job in Newfoundland. We are glad that my younger brother can pursue a job anywhere else in this country. He, too, may end up out west. The fact that I have two brothers who have to go out west is the kind of shortsighted argument that Premier Peckford would use to justify saying that no one but Newfoundlanders shall work in the offshore industries of Newfoundland. That may appeal to people, perhaps even my brother, the day he boards a plane to leave home. But that kind of shortsighted vision, if allowed to grow, will destroy and balkanize this country and will turn us into ten banana republics.

I find Premier Peckford's position hard to swallow. I cannot accept it, especially in light of what he himself said in his paper "Toward the Twenty-First Century—Together", dated August 18, 1980. In that paper, we read that:

> The entrenchment of democratic rights and fundamental freedoms is a means of giving explicit constitutional recognition to values which have served Canada well.

He continued:

> Newfoundland, therefore, supports a charter of rights which will entrench the democratic rights and fundamental freedoms of Canadians.

Only mobility rights entrenched in a Canadian constitution can put an end to the kind of threat with respect to mobility which Premier Peckford and his government represent.

● (1650)

What did some of the people who appeared before the constitutional committee have to say about mobility? Mr. Gordon Fairweather, the chairman of the Human Rights Commission said:

> I am absolutely delighted to see that mobility rights are to be enshrined ... If the maritime provinces, from where I come, had been restricted in mobility, there would have been social revolution in this country and I think it is time that people remembered that ... We are totally committed to this principle and I think 99 per cent of the people of Canada are.

Mr. Edward Hearn, a Newfoundlander representing the Newfoundland branch of the Canadian Bar Association, said this:

> One of the ... legitimate objectives of the Constitution of Canada is the integration of the Canadian economy. The free circulation of goods, services, capital and workers has not always been adequately protected under the BNA Act. We are strongly in favour of improving and protecting the Canadian economic union.

The Task Force on Canadian Unity said:

> In a federal union, the regions can expect their economies to perform better as a result of the free movement of labour, capital, goods and services.

I only regret that the mobility clause at this time does not include capital, goods and services. As a start we have guaranteed the mobility of individual Canadians to move about this country.

The premier of the province of Newfoundland was quoted while speaking at the National Press Club just across the street here in Ottawa some time ago as saying that the central government has only that life and authority delegated to it by the ten provinces. I do not know that if there are other premiers who share Mr. Peckford's view, but that kind of vision for Canada, if it were universally accepted, would not result in a community of communities but in ten balkanized little states, each to the detriment of the whole, protecting what they see to be their own self-interests.

When I see that kind of a statement by a provincial premier, especially the premier of my province, then if we were to accept that concept, I wonder who Premier Peckford would have arbitrate what he perceives, and indeed what I perceive, to be the difficulties and the differences he has with the province of Quebec on the question of hydro development. With that kind of perception, I wonder who Premier Peckford would have arbitrate the fisheries conflicts which arise from time to time, not between Canada and the United States, but between the maritime provinces.

There is one other matter I want to speak on, namely the referendum provision. There are those who oppose the resolution because they do not like the process and do not want to offend the premiers and provincial politicians. There are those who are upset about the referendum procedure.

There was a referendum not too long ago in my province. Let us review what is in the referendum procedure. The government has already stated it does not intend to impose an amending procedure of its own devising immediately, but rather a two-stage approach to the adopting of an amending formula as proposed which will provide opportunity for all governments in this country to work out an amending formula together.

During the first two years following proclamation of the Constitution Act, 1981, the general amending formula will require the unanimous consent of Parliament and the ten provinces. First ministers will meet at least once a year during that interim period in a constitutional conference. A key item on the agenda of the conference will be a search for a general amending formula.

If unanimous consent on an amending formula is secured, Part V of the act as amended by Parliament and the provinces will come into force and we will have reached agreement for the first time after 53 years of deadlock. If agreement is not possible during the interim period and seven or more provinces representing at least 80 per cent of the population can agree on

a provincial alternative for the general amending formula, a referendum will be held. The people will be asked to decide. They will be called upon to choose between the provincial alternative and either the Victoria formula or another alternative approved by the Senate and House of Commons. Two years in which to reach agreement is a very reasonable and rational position. If agreement is not reached and the provinces and the federal government each present one position, the people of Canada, in the most democratic way possible, will decide what the general amending formula should be.

I want to speak for a moment about referenda. One of the big arguments is that referenda are divisive, that they result in province battling province, father battling son, neighbour battling neighbour.

Mr. King: Your Prime Minister said that.

Mr. Tobin: I agree that referenda are divisive. Of course they are. Elections are divisive. There was a referendum in Newfoundland 32 years ago. I cannot talk personally about it because I was not there. I am not proud to say that I am 26, but being 26 I am proud to say that I am the only Newfoundlander in this House of Commons who was born a Canadian. Having been born after 1949, I was born a Canadian.

Let me say what a referendum means to me. My father, mother, grandparents, older friends and many of my constituents have told me about the great battle of confederation, and a great battle it was. There was a lot of debate and the result was very close. Only 52 per cent of the people of Newfoundland voted for confederation in the referendum. For many of the older people, the scars have still not healed. However, for the vast majority of those in Newfoundland, the scars have healed.

What does a referendum mean to me and what can it mean to future generations of Canadians? I know from reading history that previous to making the final decision on where its future lay, my province went from democratic government to responsible government to government by commission. There was a turbulent history because we, as a country or dominion, had not decided where our future should lie.

There was a referendum held. It was divisive and it hurt. What did it accomplish? It gave to my generation, those born after the referendum and those being born today, for the first time in history, stability for our province. It gave us a sense that we had a future, that we belonged, that we are part of a greater whole, a sense that we live in a land of opportunities and that five years down the road there will not be an appointed or delegated governor or commissioner to run our land.

Although the referendum was divisive, to those of my generation it was a great gift, given to us by our forefathers, our parents, and our grandparents. When they gave us that gift of liberty and stability, for the first time they gave it with the sense that we had a responsibility to preserve and project that new but rich heritage. I suggest that the way I can do that best as a young Newfoundlander, as a Member of Parliament and as a Canadian, is by ensuring that this gift passed to me is passed on to my children. I can do that best by supporting this resolution before the House, with a charter of rights and freedoms which provides for the individual in society—not for provincial premiers, not for political parties, not for government and not for any particular language or racial group—those basic freedoms, rights and privileges that allow the individual to pursue happiness and a rich life in a rich and generous country.

* * *

● (1700)

HOUSE OF COMMONS

PRESENCE IN GALLERY OF GOVERNOR OF FLORIDA

Mr. Deputy Speaker: Order, please. At this point I should like to call to the attention of the House the presence of a distinguished visitor in our gallery from the United States, the Honourable Robert Graham, Governor of Florida.

Some hon. Members: Hear, hear!

* * *

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Howard Crosby (Halifax West): Mr. Speaker, I thank you for the opportunity to join in the debate on the constitutional resolution now before this House.

Let me begin my remarks on the constitutional proposal of the Prime Minister (Mr. Trudeau) by stating in very clear terms that I, like others, have come to bury Caesar, not to praise him. I say this unashamedly and in good conscience because I made my views known to him in a letter delivered the day before Parliament reconvened and before this constitutional resolution was introduced in the House on October 6, 1980. I said to the Prime Minister, and I repeat it now in this House, that the greatest impediment to constitution reform and change is the Prime Minister himself.

Reform and constitutional change is not only a matter of principle but has become and continues to be a matter of personalities, indeed, a conflict of personalities—conflict between the Prime Minister and the majority of provincial premiers, conflict between the Prime Minister and parliamentarians in the United Kingdom, conflict between the Prime Minister and the British High Commissioner and other

diplomats and, most importantly, conflict between the Prime Minister and his colleagues in the House of Commons.

This Prime Minister does not accept as a matter of personal choice and preference the two basic and founding principles of our Canadian constitutional system. The first principle is that Canada is a federal state governed by both a national government and a provincial government for each of our ten provinces. In contrast, Canada is not a unitary state with a single, centralized government, as is the United Kingdom.

The second principle is that the form of government in Canada is a parliamentary democracy in which the Prime Minister is first among equals and holds office only with the consent and concurrence of his parliamentary equals. Again in contrast, our government is not of the republican form wherein the head of state is elected to hold executive office, with the powers and duties of that office separate and apart from the authority of the legislative component, as in the United States.

To put the matter in more mundane terms, the Prime Minister of Canada or, indeed, of any nation governed by the British parliamentary form of government is not justified in assuming he has, as a person and as an office holder, the support of the people, or to assume, as the Prime Minister did, that he "only had the people behind him".

Let us talk about the people of Canada who the Prime Minister of Canada has behind him. What the Prime Minister has behind him and beside him are 142 Members of Parliament, or a clear parliamentary majority in the House of Commons, who proved by their election that they had the support of a plurality, not a majority, of those who voted in their respective constituencies. Indeed, if one counted Canadian noses one would find it very difficult to establish a mandate based on support of the population for the Prime Minister, or for any of his predecessors other than the Right Hon. John George Diefenbaker. Everyone agrees that the former right hon. member for Prince Albert won a tremendous personal mandate in addition to an overwhelming parliamentary majority.

Let us count the people behind the Prime Minister. First, there are just under 24 million people in Canada. Second, there were only 15.8 million registered voters. Third, only 69 per cent of the registered voters, or 10.9 million, voted. Fourth, only 4.8 million of those voters voted for the Prime Minister's party, only 1.3 million more than the 3.5 million who voted for the Progressive Conservative Party. The end result is that if the Prime Minister has a mandate it is from less than 20 per cent of the Canadian people.

Let us not confuse election success with the support of the people. Many of us are well aware that we were elected by a plurality of voters and not the majority. We are well aware that we must earn popular support and work hard to maintain it. Popularity among Canadians, either nationally or in any federal constituency, cannot be assumed from election results. I firmly believe that no one in Canada should know that better than our Prime Minister. He assumed wide and national popularity from an election victory when his party received 44 per cent of the votes of those who voted, 30 per cent of the votes of the total electorate but, most importantly, a minute 20 per cent of the votes of the Canadian population.

The Prime Minister now knows the real answer. Over 65 per cent of the Canadian population is opposed to the constitutional proposal. This result was established and confirmed by scientific polls, the very polls upon which he formerly based his assumption of broad support.

I have said, and I repeat, that Canadians are not opposed to the principle of constitutional change and reform. They are opposed to the person who demands that this change be made now in the United Kingdom Parliament, not in Canada by Canadians. That person is the Prime Minister of Canada.

I have taken some pains to qualify and characterize the popular support for the constitutional proposal. My conclusion is based on sound facts. The Prime Minister has the electoral support of 20 per cent of the people of Canada according to the 1980 election statistics. According to the scientific polls, as I have said, 65 per cent or more of the Canadian population oppose constitutional changes beyond simple patriation. This is the sum and substance of public support for the constitutional proposals.

Let me record the fact that I am well aware many Canadians from coast to coast want change. Many Canadians, particularly those whose origins are outside the British Commonwealth system, want constitutional guarantees and safeguards. Many want rights and basic freedoms enshrined in a bill of rights or a charter of rights. But it would be a cruel deception to offer those well-meaning Canadians a piece of paper, a mere written document approved by the parliament of another country—words with no spirit, statements of right which have no concurrence or that do not stem from a consensus within Canada. That forces us to consider the process and procedure for constitutional change in Canada, and whether the traditional process and procedure has been honoured in the proposal for constitutional change.

● (1710)

An hon. member referred to the shallow argument about process and said that our arguments were not directed to the substance of the proposal. That member and, I am afraid, many members do not understand the meaning of constitutional process. They do not understand that it is equally as important as the substance of the constitutional provisions because it is that process that brings about within Canada the consent and concurrence of the people which is the support for the provisions sought to be enacted. Without that support, consent and concurrence the proposals and provisions are shallow and meaningless and will not be accepted by the people.

On a recent occasion in this House my colleague in the adjoining constituency of Halifax (Mr. Regan) made some remarks about the hon. Leader of the Opposition (Mr. Clark) and his arguments on the Constitution. Let me say very clearly that I was ashamed of my colleague from Halifax but very proud of the Right Hon. Leader of the Opposition in the stand he has taken on the constitutional proposal.

Some hon. Members: Hear, hear!

Mr. Crosby: Because he took that stand when the Prime Minister said he had the people behind him, when it appeared the proposal would go through and would be endorsed and accepted by the people of Canada. He took that stand on principle because what the Prime Minister was doing was wrong, and today it has been proved to be wrong. It does not have the support of the people, and it is the Prime Minister and his supporters who will suffer for that mistake.

Canadians have heard the Prime Minister say time and time again that his proposals for constitutional change evolved from the frustration of years and years of federal-provincial disagreement and inaction. He says that over 50 years of effort failed to produce agreement, that the only effective method and process for constitutional change is unilateral action by the Government of Canada which will exercise its control and authority over the Parliament of Canada.

Certainly proposals have been considered and rejected, but what in specific terms has the Prime Minister done to bring about constitutional reform? Between 1968 and 1971 federal and provincial ministers met seven times in constitutional conferences and produced the Victoria charter which was rejected by the province of Quebec. Apart from these meetings the only real initiatives the Prime Minister promoted or permitted are the following: the establishment of the Special Joint Committee on the Constitution of Canada in February of 1970; the creation of the so-called Pepin-Robarts Task Force on Canadian Unity in July of 1977; the constitutional amendment bill introduced in this House on June 20, 1978, Bill C-60. Apart from first ministers' conferences, these were the only real catalysts for constitutional change launched by the Prime Minister in the 1970s.

We know the conferences failed. Some of us suspected the last effort in September of 1980 was intended to fail in order to justify the unilateral proposals now before Parliament. That is why we are considering this important proposal in an atmosphere of suspicion and mutual distrust.

Let us examine some aspects of those three initiatives, because I think we will see quite clearly that the thrust of the proposed constitutional reform is very different from the changes discussed in those three initiatives. The special joint committee began its work in 1970 and tabled its report two years later. A feature of the report was Senate reform but the proposals were not dramatic. The proposal was that the Government of Canada make all future appointments to the Senate, but that one half would be of persons nominated by the provincial governments. Distribution of Senate seats would be changed to increase representation from western Canada and review of judicial appointments by the Senate was rejected. Also, the Senate's veto over legislation was to be reduced to the right of a six-month suspension of legislative measures. The role of the Senate was to be largely investigative and advisory. The joint committee did not advocate major changes in the Supreme Court of Canada although the report advocated a consultative process with respect to appointments.

The second area of initiative was the Task Force on Canadian unity. After much fanfare and publicity the task force tabled its report in this House on January 25, 1979. Those who remember the establishment of this task force know that it followed the election of the Parti Québécois. There was implicit in its creation the implication that federal government institutions were not responding to the needs of Canadians, particularly those in Quebec, and the task force was intended to direct attention to the revitalization of those institutions. The report contained a long list of 75 recommendations with three areas of special interest, the Senate, the Supreme Court of Canada and the House of Commons, and reflected its concern with revitalizing federal institutions.

As for the Senate, the task force recommended a council of the federation, the real purpose of which was to institutionalize and integrate into the parliamentary system the process of federal-provincial consultation. In other words, the council of the federation would reflect the concerns and interests of Canada's provinces. Its membership would include 60 voting members appointed by the provinces with non-voting participation by the federal cabinet. It would also have the authority to review judicial appointments to the Supreme Court and some federal boards.

As for the Supreme Court, the task force rejected the idea of a separate constitutional court but said the Supreme Court should be composed of five judges from Quebec and six from the common law jurisdictions in the other provinces. Consultation with Quebec and other provincial authorities would be required before appointment to the Supreme Court and the council of the federation would review those appointments. The judges would be separated for some purposes but would jointly deal with constitutional questions.

The most controversial recommendation of the task force related to the House of Commons and involved proportional representation. This complicated proposal was intended to relieve problems of regional representation and the distortion that occurs when one party wins all the seats and no representation is given to the opposition parties from that region. Needless to say, these major proposals respecting the Senate, Supreme Court and House of Commons remain sterile recommendations of a spent force, even though the co-chairman of the task force now sits in the highest council of the Canadian government and from time to time holds the office of Acting Prime Minister. One wonders, Mr. Speaker, what the Minister of Transport (Mr. Pepin) now thinks of his government's constitutional proposals.

The third initiative was Bill C-60, introduced in this House June 20, 1978, which proposed important changes with respect to federal institutions. The primary thrust for constitutional change was the Senate. The proposal was to replace the Senate with a house of the federation consisting of 118 members, 59 of whom would be appointed by the House of Commons and 57 by the provincial legislatures, with two members appointed by the Government of Canada for the Northwest Territories and Yukon.

• (1720)

The concept involved was to take into account the preferences of the electorate expressed at the most recent provincial or federal election. This concept would be implemented by each provincial legislature naming its quota of members after a provincial election, and the House of Commons and the federal government would make their appointments after a federal election.

The house of the federation could delay but not veto the legislation. But it would have authority to affirm or veto judicial appointments, including appointments to the Supreme Court of Canada, subject to an overriding power exercisable by the House of Commons.

Another feature of Bill C-60, the constitutional amendment bill, was the proposal of an 11-person Supreme Court of Canada with four judges from Quebec. The bill proposed a nomination process for appointment involving federal-provincial consultation and a joint nominating council if a dispute arose. The monarchy was to be retained, although the role of Her Majesty the Queen was clearly nominal and the prerogatives and functions relating to the Crown would be exercised by the Governor General.

One other parliamentary initiative which should be mentioned is the Senate Standing Committee on Legal and Constitutional Affairs established in January, 1980. This committee considered an elected Senate, the house of the federation proposal of Bill C-60, and the council of the federation proposed by the Task Force on Canadian Unity. But the point of all these exercises was and still is the necessity of involving the provinces in the process of constitutional change.

This brings me back to my original point which I want to underline. The Government of Canada has ignored in its constitutional proposals the pith and substance of proper constitutional reform. The process and procedure whereby the duly constituted federal authority and the duly constituted provincial governments agree and concur on constitutional change. Only constitutional reform which attracts this kind of concurrence and agreement will benefit the people of Canada.

It may be asked what is the proper procedure for constitutional reform and change. The traditional process and the process honoured by parliaments and governments of the past was to obtain the concurrence of the provinces to any constitutional change affecting the provinces. If one reads the Statutes of Canada and the appendices to those statutes, one will see illustration after illustration wherein the Government of Canada sought the consent and the concurrence of the provinces of Canada affected by changes in the British North America Act. There are amendments to the British North America Act which deal with the extension of the boundaries of provinces. That amendment was made to the British North America Act only after consultation with the provinces and with their consent. Unemployment insurance was the result of a consultative process. There may be cases in which the provinces were not consulted in respect of amendments to the British North America Act, but in each case the provinces were not affected in the manner in which they will be affected by the constitutional proposals now before the House of Commons.

I do not think there is any doubt in the minds of members of Parliament on this side of the House, and I do not think there is any doubt in the minds of Canadians, that the provinces of Canada must be consulted with respect to constitutional change and that only constitutional change which comes about as a result of the consent and the concurrence of the provinces will be effective in Canada. It is much more than a question of process. Hon. members on the other side do not understand that they will enact constitutional changes not only to their peril, but to the peril of all Canadians.

Why should there be provincial consent to and concurrence in constitutional change? It is absolutely necessary in order to have the basic support for the constitutional provisions when they are enacted. I could give a hundred examples, but let me say that in my career I had occasion many times to deal with law in its application to people. Even though a law is carefully written, appears to observe proper standards and is intended to benefit people, that law in its application can result in great injustice and unfairness if it is not properly administered. Yet the Government of Canada in its constitutional provisions is asking the provinces properly to apply, implement and administer a law with which they have not concurred, a law which they have had no opportunity to review and examine. That kind of law will not accomplish whatever the Prime Minister thinks it might accomplish.

I must say that it is not necessary to have complete unanimity; no one has suggested that. The more agreement one has to the enactment and application of a law, the more effective the law will be, whether it is a constitutional law or any other law.

I want members in the House to reflect upon the fact that there is no magic to the constitutional provisions contained in the charter of rights. They are no different from any other words on pieces of paper. They have to be applied by the same people who apply the laws in Canada, they have to be observed by the same people, and they have to have the same spirit and backing as any other law of Canada. There is nothing magic in the House passing a law under the guise of a constitutional amendment, a charter of rights which will go forward to the parliament of the United Kingdom to be rubber-stamped and then come back to Canada. When it comes back to Canada, there will be no magic to its enforcement; it will have no greater force than the people who support that law.

The matter of the constitutional proposals and their application to Canadians has been much discussed in Nova Scotia. Early in the constitutional debate, in November, 1980, I had occasion to participate in a public forum sponsored by the Council on Canadian Unity. The Minister of Labour was present at that meeting, as well as representatives of the provincial legislature. We debated the need for and desirability of constitutional change. I am proud to report to the House what I said on that occasion, that the fight has just begun, that the constitutional debate would be escalated in Canada and that the constitutional proposals would be exposed for what they were—the product of one man with the apparent loyal

support of his party in this House, not the product of a Canadian consensus.

At that point in time it was not an easy thing to say because it appeared that the constitutional proposals would be rushed through the House before Christmas, that they would be sent off to the parliament of the United Kingdom for endorsement, brought back to Canada and enacted in great fanfare and celebration on July 1, 1981. That was the proposition put forward by the Prime Minister in the House. Today we see that schedule has not been continued. The Prime Minister has admitted the difficulty we confront in this proposal. He has delayed the debate, and it is obvious he was mistaken in the first place because, as a result of the delay in the debate and the continuation of the consideration of the constitutional provisions, no amendments were brought forward. Changes were made which the last member who spoke admitted were valuable changes that made the charter of rights one of the best pieces of legislation in the world.

This brings me to another point. Members of the government party have stood up time and time again and called the charter of rights the best constitutional provision in the world. I had occasion to deal for one year with a group of students who studied the constitutional provisions of the world. They are written in many books; I have one or two to which I should like to refer. For example, there is a reference in a constitution to a society in which the rule of law, fundamental human rights and freedoms, equality and justice—political, economic and social—with be secured for all citizens. That is the constitution of Bangladesh. I could quote provisions from the constitution of Haiti which would indicate that things are perfect and all rights are preserved in that nation. I can quote a constitutional provision from Sri Lanka which ensures mobility rights to all persons in that country. Guatemala has provisions which would rival the charter of rights now before us.

• (1730)

So my message to you, Mr. Speaker, and to the members of this House is that it does not matter what you put in a constitution if you do not have the spirit of the people behind it. If anyone wishes to come over to my seat, I can show them the constitution of El Salvador, which is of so much concern to my friends to the left. They think, and they have the audacity to say in this House and elsewhere, that they know how to solve the problems in El Salvador. Mr. Speaker, my friends to the left do not now how to solve the problems in El Salvador or anywhere else in this hemisphere.

Some hon. Members: Hear, hear!

Mr. Crosby: The gang of four is rising up because of disputes in that party; they cannot solve their own problems. But that does not bother them. They are prepared to solve the problems in El Salvador or anywhere else where they think socialism can take over and destroy the country, as it has destroyed the economies of so many countries in this world. We are not fooled by that talk. We are not afraid to stand up for the free enterprise system and endorse a system of government which responds to human challenges, honours incentive and respects the work ethic. There is nothing wrong with that.

As I have said, in the province of Nova Scotia there has been much consideration given to this constitutional debate. I was very proud of the Premier of Nova Scotia, the Hon. John Buchanan, when he appeared before the constitutional committee to state the position of the province of Nova Scotia. He said:

> —we Nova Scotians believe that we have a special stake and a special responsibility in what is happening to Canadian federalism at the present time. Apart from our native peoples we are first among Canadians, . . . we were one of the four original provinces in that federation of 1867 and we brought to that federation a great deal—a great deal of history, of law, of government, of purpose and not least of all, we brought to the union of 1867 our commitment to serve in a constructive way in the new federal state that had been created.
>
> We feel that we have special responsibilities to preserve and to protect the understanding of 1867.

That is what the Premier of Nova Scotia did when he came before the constitutional committee; he came to protect and preserve the confederation which was established in 1867. He did not come to that committee to debate any minute points of constitutional law, of what the rights of the government were in relation to the enactment of constitutional law and what right the government had to ask the Parliament of the U.K. to pass a law. He came before the committee in the interests of preserving this confederation. I was proud of him. What his message was when he came was simply this: the provinces must be consulted in relation to constitutional reform. There must be a process whereby the provinces can have the opportunity to consent to and concur in constitutional changes. Without that consent, without that concurrence, the constitutional changes are a threat to the Canadian confederation. You'd better believe that, Mr. Speaker.

Reference has been made many times in this House to the British North America Act. I wish to comment very briefly on the existence of that act, because sometimes it occurs to me that people are not quite certain about what is involved. The BNA Act is a statute of the parliament of the United Kingdom which was passed in 1867. Over the years it has been interpreted by the judges in Canada and formerly by the Privy Council in order to meet the needs of the Canadian economy and of the Canadian people as we have grown over the years. It has been regarded as a "living tree", something which has lived over a period of 100 years since confederation. It is flexible. It allows for change. It allows Canadians to develop their economy and their individual interests. It is not a document to be trifled with or to be put aside for some draftsman in the Department of Justice to determine what is an appropriate constitutional provision for the people of Canada.

There have been many battles under the BNA Act with regard to interpretation of its provisions. None is more important to the people of eastern Canada, in particular to the people of Nova Scotia and Newfoundland, than the dispute over offshore resources. This is a provision which, if it could be solved by the Prime Minister and the Government of Canada, would give rise to an economic development on the east coast

which would ensure our prosperity for the future. But it is not being resolved. In fact, in this constitutional provision it is being totally ignored. If we had constitutional changes and reforms of that kind before this House, we would see great co-operation from members like myself, since that is what we need.

We need the kind of constitutional changes which will permit development of Canada, which will permit people on the east coast to develop the economy and resources which exist for the betterment of the people. Instead we are faced with a constitutional provision that guarantees equalization. It guarantees the same kind of federal hand-outs that have been received in the past, which have done nothing for the area and which have only maintained us in our poor economic state. At the same time the Government of Canada ignores those kinds of constitutional changes which would guarantee economic progress on the east coast, particularly in Nova Scotia and Newfoundland.

One must ask: Where are the real interests of the government? Is it really trying to change things in Canada or is it just sloughing off its responsibility? Is it creating a constitutional argument, a constitutional debacle which will take people's minds off real concerns, which will take us away from real solutions to the problems and we will simply become a debating society with no purpose, no objectives and no goals?

I think it is a shame, Mr. Speaker, that we in this House, and others elsewhere across the country, must enter into a constitutional debate. Many people have said this to me time and time again. All I can say is that it was not of the making of the Progressive Conservative Party. We believe in constitutional change and reform. But we believe in a Canada that involves the provinces and the people of Canada in the decision-making and which does not simply force upon people something which members of this House could not possibly know whether or not Canadians are willing to accept.

I have mentioned several times that many Canadians have joined in this constitutional debate. I want to honour Mrs. Norah C. Biron, of Green Cove House, Shore Road, Port Maitland, Nova Scotia. She wrote what I think is a very instructive letter to a Halifax newspaper. She comments on the constitutional proposal and indicates a genuine perplexity with the attitude of the Prime Minister with respect to constitutional reform and change. In her letter to the editor she quotes the Prime Minister as saying:

> Policitians who spend their time and energy complaining about the Constitution are simply trying to find excuses for not doing as good a job as they should. Canada's real problems are not constitutional ones but concern housing shortages, the cost of living and other social problems; those who blame the Constitution for their troubles are deluding themselves in thinking that constitutional changes alone will work some sort of miracle on this continent.

Mrs. Biron was quoting what the Prime Minister said in 1967. She asked in her letter what he is saying now. He apparently has changed his tune. He apparently thinks that changes in the Constitution will result in a better Canada. Well, I do not agree with him. I can tell you, Mr. Speaker, he is wrong with respect to a great many of these provisions. He may be wrong on the enshrinement of the so-called legal rights. If he were to consult with Chief Justice Berger of the Supreme Court of the United States he would be told that there is a reign of terror in U.S. cities and that it is related to the constitutional provisions. I can say that because I worked for five years in legal aid. I have defended many criminal offenders, many of whom were charged with murder. I know that at this stage of our development it is highly questionable whether we ought to be giving more rights to criminal offenders in this country than they now have, bearing in mind the reign of terror that Chief Justice Berger says exists in the United States of America and its principal cities. If hon. members do not believe me, they should take a walk through New York City some night.

• (1740)

There are provisions for handicapped persons. I stood in this House under Standing Order 43, and asked the government to change the constitutional provisions to provide for handicapped persons. I wonder if the government really knows what that involves. Is it prepared to finance, for the provincial governments, the programs and the educational system which handicapped persons need? Handicapped persons may have learning disabilities, for example, and they are being denied special training programs. Will the government on the other side of the House really help handicapped persons, or will it merely put a few words into a sterile constitutional provision?

I said I welcomed the opportunity to speak on the constitutional proposal which is before this House and the people of Canada. I hope that by now the people of Canada recognize the true intent of this constitutional proposal and recognize that without the consent and concurrence of the provinces and without the consent and concurrence of the people of Canada it will be a meaningless exercise, a sterile provision which will not help anyone and will cause great division and distortion in the country. Of course the blame will lie at the feet of the Prime Minister of Canada.

Mr. Gordon Gilchrist (Scarborough East): Mr. Speaker, there are times when I wonder about the intelligence, the sense of duty, the motives and even the loyalty of people who are elected to membership in this House of Commons, which is part of the Parliament of the world's most blessed and beautiful of countries, our Canada. I wonder about their sense of devotion to a country with a proud history, which needs no apology, and a magnificent future, which needs, not meddling, but planning.

I wonder about the quality of Members of Parliament who sit here complacently watching escalating inflation beset our senior citizens and breadwinners, watching our students graduate to unemployment levels where only one in every seven is able to find work, watching our Canadian dollars flow out of the country to pay oil workers in Venezuela and Mexico and to help those countries to become rich at our expense, and watching this government neglect the research and scientific and technological development of the world's richest nation so that our main source of jobs and revenue is through the sale of

our valuable resources to foreigners, while our country grows relatively poor and theirs grow richer.

Is it any wonder then that I am reluctant to enter this unnecessary debate when less than 10 per cent of the Canadians surveyed rate it as a low priority issue? This debate, which has wasted a year of Parliament's time, is on an issue which, instead of uniting the people of this vast and diverse land, has divised us all the more. What a legacy this Prime Minister (Mr. Trudeau) will have left to Canada's posterity! This is a debate which I enter out of a sense of compulsion. I enter it reluctantly because it is not necessary. The British North America Act and the common law have served us well.

This debate is divisive because it pits region against region and Canadian against Canadian. It is counterproductive. It emphasizes differences instead of cementing similarities of purpose. It is dishonest in that it masks the real issues with which governments should be dealing, and it has used up a whole year in smoke-screening, unwillingness and inability of the government to deal with and solve the real problems of the country.

A member might well ask himself why he should enter into acrimonious debate which can only serve to divide further this wonderful country of ours when the Prime Minister of Canada has clearly indicated that he will not change his mind, no matter what any of us say, on unilateral patriation and on the charter of rights, even though one in every two Canadian is opposed to these actions, even though eight out of ten provinces are opposed, and even though six provinces feel it necessary to take the matter to the courts.

So just what purpose is there in my taking up the valuable time of the Parliament of Canada to speak out against this undemocratic and unCanadian action by the Liberal Government of Canada, which ignores the wishes of the people of Canada whom the government is sworn to serve? Well, let us have it clearly understood: a government is put in place to serve the people of a country. The people do not serve the government. This Trudeau Liberal government, in securing its mandate in the last election, declared it would serve the people in matters of lower cost energy, lower inflation rates, and by instilling a greater sense of unity in a divided country. It made no mention of constitutional change and therefore has no mandate from the people of Canada to carry out these drastic and divisive changes to our Constitution.

If the government believes itself to be right in its views and actions, but if those actions are contrary to the wishes of the majority of the people, then democracy fails. There are many times when complex issues are resolved by Members of Parliament, the representatives of the people, without the direct involvement of the people on complex issues. However, the Constitution of a country cannot be one of those items. The Constitution by which a nation will govern itself into the future is a document which must come from the people and reflect their views and beliefs. It cannot be the unitary and arbitrary act of one man or one political party dancing to the tune of one man. If one man or a small group of people feel they know better than the clearly expressed wishes of the majority and if that small group imposes its will contrary to the wishes of the majority, then democracy is replaced by oligarchy or, even worse, by dictatorship.

My purpose, then, in rising to debate is simply to sound a warning to those who will listen that this government has no mandate and little public support to act as it is acting in relation to the present Constitution of Canada. It is intolerable and inexcusable for this arrogant Prime Minister to say that it does not matter what Canadians think. He will not change his mind on this matter, which is critical to all Canadians and even to unborn generations. Let the Prime Minister take part in this debate—I hope he will—and tell us all why he has such an obsession to give the people a new Constitution, when they already have one, and to amend it in a way that every second Canadian opposes.

Just what is wrong with the present Constitution? We have a partnership agreement with the provinces which has served us well and has built a great nation over the past 114 years. Can it be that the traditional French bitter mistrust of anything British has blinded the Prime Minister to the fact that the British North America Act—which was really designed by Canadians, aided and bolstered by the common law, which was patriated not only to Canada but also to the United States from Great Britain centuries ago and has constantly been amended and updated by Canadians—has successfully protected Canadian rights, Canadian lives and Canadian property right up until the present? The common law, linked to the British North America Act, has bound Canadians together and to the land they love for over a century.

Can the Prime Minister explain how written words or even words chiselled in stone can better protect the rights of a citizen when a government—any government in any future day—can do away with those written words just as easily as the Prime Minister did away with the rights of Quebec citizens under the War Measures Act, for example? It is not that the War Measures Act was wrong or right but simply that it happened, and it can happen again any time a government decides to call an emergency, in spite of golden constitutional words to the contrary.

● (1750)

We are all aware of the world's finest, most flowery constitution, that of the Union of Soviet Socialist Republics and how it protects the rights of its citizens! I would like to read a few words from it for the benefit of the Prime Minister, although that may be unnecessary, as his inspiration for his own charter of rights may have originated there. Article 2 of the U.S.S.R. charter says:

All power in the U.S.S.R. belongs to the people.

That is great stuff. Article 34 says:

Citizens of the U.S.S.R. are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status.

Article 50 reads, in part:

—citizens of the U.S.S.R. are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and demonstrations.

I wonder what the result would have been in Russia had the recent demonstrations by dissidents in front of Parliament taken place there?

Article 54 states:

Citizens of the U.S.S.R. are guaranteed inviolability of the person.

Article 55:

Citizens of the U.S.S.R. are guaranteed inviolability of the home.

Article 56:

The privacy of citizens, and of their correspondence, telephone conversations, and telegraphic communications is protected by law.

So says the charter. And article 57 says, in part:

Citizens of the U.S.S.R. have the right to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property.

We are all aware of the rights of Russian citizens and the worth of written guarantees. So much for a written constitution!

The BNA Act and the common law have been effective and flexible in protecting Canadians for 114 years, not because of written guarantees but because we Canadians believe in rights and freedoms. If changes are needed from time to time, Parliament can enact new laws to cover any deficiencies, and Parliament does enact new laws every day; every year 100,000 or more new laws emanate from this place.

What does the Prime Minister hope to achieve by switching Canada over to the republican system of government? Does the man who took the guillotine to Parliament in this important constitutional debate wish to become the Charles de Gaulle of Canada and arrange to impose his will on Parliament as de Gaulle was able to do to the Parliament of France for so many years?

What can be said in favour of a new Constitution—new, but still within the parliamentary system incorporating a written charter of rights? In fairness, it must be said that from time to time both the central government and the provinces have been guilty of enacting legislation contrary to the rights and interests of some group or other of Canadians. Examples which come to mind are the Japanese Canadians who were discriminated against in the last war in the same way as Japanese Americans who were protected by a written constitution; the Quebec discrimination against workers from other provinces, a deplorable action by a provincial government which denies the spirit of confederated rights, as well as repeated failures to live up to rights and treaties of native peoples which were not corrected by charters but by intelligence and good will.

The Trudeau charter would attempt to prevent such unfair legislation in future by making it unconstitutional. This is admirable and is deserving of support and careful consideration. But we cannot afford to slap a Constitution together. We must create a just and meaningful Constitution, not an instant one created quickly enough to be passed by Britain, but bad enough that it will have to be passed by Britain because it could not be passed in Canada.

I could applaud such motives and even such actions, if I believed that by just the writing of words, all would be corrected in Canada; that the morning after the proclaiming of the Trudeau Charter of Rights and Freedoms, all Canadians would march arm in arm into the golden dawn. That is not the way life is. Russia certainly has not achieved excellence or individual freedoms by writing a wonderful constitution. Our respected neighbour to the south has not achieved a more hallowed society through the enactment of a ringing constitution. In fact, they have amended their constitution some 26 times in an attempt to reflect changing attitudes.

That is exactly what federal and provincial legislation and the common law have done so well in this country ever since confederation. Why then has the government taken a whole year of time away from valuable economic and social planning if there is so little to be gained from all this discussion? It is a discussion which the people of Canada hold in little regard, and well they might, with inflation of 12 per cent occupying their real concerns in raising their families or in supporting their retirement, or with unemployment staring a million Canadians in the face in a country rich enough in resources to sustain zero unemployment but so poor in government ideas and resolve that it foists an unwanted year of unnecessary debate and bitterness on people who believed that by electing a Liberal government they would get cheap energy and a unified country after the Quebec referendum.

The government promised to keep the increase in the price of gasoline below 18 cents per gallon. It failed to keep that promise, and gasoline rose over 20 cents per gallon in a year.

With a mandate to fight inflation, which it promised to do on behalf of senior citizens, this government has failed by letting inflation rise to 10 per cent in 1980, 12 per cent today, and rolling to a predicted 15 per cent by the end of this year, 1981.

With no mandate to change the Constitution of Canada, no promise to do it, or not to do it if Canadians do not want it done, the government says it is going to do it anyway. Is that responsible government? Is that a government Canadians can trust to deal honestly and capably with our most sacred trust—a constitution for Canada?

You may well ask, just how did this sudden constitutional urgency come about? And why must such important work be subject to an early deadline? There are two reasons. Canadians had rejected the Prime Minister and his Liberal government in 1979 because of its terrible economic mismanagement of the country. Suddenly, the emperor who had quit was the emperor again, and a last ditch opportunity presented itself.

Then the Quebec referendum took place and Canadians rejoiced that Quebecers had opted for confederation, little realizing that Canada's arch socialist would use the occasion as an excuse to change Canada's Constitution under the guise of national unity. As a reward for staying in Canada, he would give Quebec the rest of Canada—as a French socialist republic.

So, with no election mandate and with no demand from Quebec to do so—in fact both political parties opposed the Constitution—this arrogant Liberal government plots to tear down the historical contract under which Canada was built.

I say "contract" because Canada's Constitution, the BNA Act, is a contract, a contract which is the very underpinning by which Canada came together and by which Canadians live. It is a contract entered into by two partners, the provinces on the one hand, and the federal government on the other. While a contract may be broken by either partner, it cannot be the instrument by which one partner can take over the rights and privileges of the other, without consent. Such a takeover would be illegal, and that certainly is the provincial view. Is it any wonder that eight of our ten provinces oppose this Liberal plot? Is it any wonder that two out of three Canadians, 64 per cent of us, are opposed to the unilateral action of an undemocratic government?

In the last Gallup poll, when asked the question if they "preferred to have the Constitution amended by the British parliament to incorporate a bill of rights, and then brought to Canada", four out of five Canadians responded "no". Four out of five Canadians are directly opposed to the very action which this obviously undemocratic government plans to take.

This government, and every one of its members, was elected to represent and enact the wishes of the majority of Canadians. The majority of Canadians are saying, "No, don't change our Constitution in Britain", and the majority of Canadians are not stupid. They, too, have been reluctantly watching the developments of this constitutional debate and they have heard how their rights are being put in jeopardy, not made stronger.

Mr. Speaker, I intend to explore a couple of the rights which have been written, but I see that my time has run out for today. With your permission, may I call it six o'clock and continue tomorrow?

[*Translation*]

The Acting Speaker (Mr. Corbin): Order. It being six o'clock, the House stands adjourned until 2 p.m. tomorrow, pursuant to Standing Order 2(1).

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

APPENDIX "A"

ADDRESS
of
RONALD WILSON REAGAN
President of the United States of America

to

Both Houses of Parliament
in the
HOUSE OF COMMONS CHAMBER, OTTAWA
on
Wednesday, March 11, 1981

The President was welcomed by the Right Honourable P. E. Trudeau, Prime Minister of Canada, and thanked by the Honourable Jean Marchand, Speaker of the Senate and Honourable Jeanne Sauvé, Speaker of the House of Commons.

Hon. Jeanne Sauvé (Speaker of the House of Commons): May I call this meeting to order?

Mr. President, we are grateful for the great honour you do us in addressing this joint session of the Senate and the House of Commons. I now invite the Right Honourable the Prime Minister to introduce our distinguished guest.

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker of the Senate, Madam Speaker of the House of Commons, Mr. President and Mrs. Reagan, distinguished American visitors, honourable members of the Senate, members of the House of Commons, Excellences, Mesdames et Messieurs:

Mr. President, yesterday I welcomed you to Canada. I repeat that welcome now because in this chamber Canada's democracy finds its ultimate expression. Here, in a special way, we speak on behalf of the people of Canada, and here the people of Canada are honoured to receive you, Sir.

Some hon. Members: Hear, hear!

Mr. Trudeau: Nations do not choose their neighbours; geography does that. The sense of neighbourhood, however, is more than a product of geography; it is a creation of people who may live as far apart as California and Quebec. It is what makes neighbours of Canada and Mexico, for instance. Canadians have noted this sense in you, Mr. President, and they know that it gives a particular meaning to your visit to Ottawa.

[*Translation*]

Our being neighbours is not simply a matter of geography, it is a state of mind. Beyond North America lies the New World which we inhabit by your side. We share the dreams which have made this continent a beacon in the night and a haven of hope for mankind. We share the courage and the love for work which have enabled us to build side by side two great federal states stretching from the Atlantic coast to the distant shores of the Pacific. Our accomplishment is dear to us. We are intent on preserving our heritage, but at the same time we gladly agreed to share with others the prosperity and freedom we found in this land.

[*English*]

It is right that we should celebrate what we hold in common. At the same time it is necessary that we remember and respect what makes us different.

More than 200 years ago our paths diverged, although our goals remained the same. You created a great republic with a presidential system. We evolved as a constitutional monarchy, under a parliamentary system. You placed yourselves from the outset under a written constitution that you continue to revere today. We are only now finishing the work of writing ours and bringing it home. You fought a tragic civil war. We have recently undergone the experience of a referendum that involved no violence, but nonetheless touched the very fibre of this country.

The differences of history affect our relations today, because they affect our perceptions, our approaches, our priorities. You, Mr. President, would perhaps agree with Thoreau where he says of the United States government:

This government of itself never furthered any enterprise, but by the alacrity with which it got out of its way. It does not settle the west. It does not educate. The character inherent in the American people has done all that has been accomplished.

The character of the Canadian people, Mr. President, has also made Canada. But here in Canada our own realities have sometimes made it necessary for governments to "further enterprise". Those realities and that necessity are still with us today.

[*Translation*]

Mr. President, you are visiting Canada at a particularly turbulent time in our history. We are in the process of completing the construction of our country. As an American you will appreciate the challenge which we must face. We are attempting to improve our democratic system and to cement our unity. Undoubtedly the din of our labour will reach your ears. However, I can assure you that our stormy but productive discussions will pave the way for a stronger Canada. Indeed, if I may recall a humorist's description of a megalopolis, we have decided that at the close of our current debates we will be "more than a confederation of shopping centres".

In the years to come the United States will be looking at a dynamic neighbour to the North. But putting its own house in order Canada will grow confident in itself. We will establish more clearly where our interests lie and we will pursue them with renewed vigour. One thing will remain unchanged, however: our deep friendship for the United States. In fact, Mr. President, the relations between our two countries will grow at the same time as Canada will grow. Of course, as neighbours we will hold frank discussions. But we have always spoken clearly to each another and our openness was based on mutual respect, as befits two sovereign and equal countries linked by deep friendship.

[*English*]

Mr. President, you take on your awesome responsibilities at a time of stress and crisis in international affairs. The world badly needs the courage and wisdom of the United States, that courage that it can provide under your leadership, Sir. I speak for all Canadians when I say we are ready to work with you in the cause of stability, security, and humanity.

Your task, our joint task, will not be an easy one. Many people fear that the world has become too complicated, that events have spiralled beyond the control of individuals or governments. They are tempted to give up, to opt out, and to hide from reality and responsibility. That way lies oblivion.

I believe we must neither cower before reality nor oversimplify it. Yet complexity should not obscure plain truth. On this most favoured of continents we cannot simply turn our gaze inwards and ignore poverty, ignorance, and injustice elsewhere.

To the east, Mr. President, we face a system that seems ill-designed to respond to change and growth. Nevertheless, the Soviet Union and the eastern European states may come to accommodate themselves at least to the dynamics of their own region. If, for example, the Polish people are able to work out their own destiny within a framework accepted by their neighbours, then they will have matched revolution with a no less remarkable evolution. Through courage and restraint they will have begun the process of making their reality more Polish and their system more responsive, more adaptable, and ultimately more stable.

In the west, Mr. President, we have a long familiarity with the pressures of change. In the past decade our economies have undergone a severe test as trusted assumptions have been found wanting. In the 1970s we were buffeted by the rule shock of rapid energy price increases. We were forced to recognize that the old monopoly of economic power was coming to an end. And yet, for all the strains upon us, our political and economic framework has survived, survived at least as well as the chicken and the neck to which Winston Churchill once referred to this chamber.

Each of the western countries has met the challenge of change in its own way. Since all of us have our own distinctive economic strengths and weaknesses, our solutions have had to be diverse. We have found no simple answers; we have fashioned no single way. With co-operation and consultation, however, we have been able to complement our various approaches.

At another level, though, we do have a single approach. Let there be no doubt about our unity in the defence of our most precious heritage—that democracy which is envied by those who rightly crave it and feared by those who wrongly deny its force.

As to North and South, we are not dismayed by the complexity of the problems. The poverty of the developing countries does not have to be permanent, nor is it unalloyed. The gap between the two groups is neither racial nor unbridgeable. In the growth of the oil producing states, in the vigour of the newly industrialized countries, there is convincing evidence of the dynamism and potential of the developing world. In the unity of the "south", there is not so much an identity of circumstances as an idea, a point of view, a shared sense of injustice. The poorer peoples are at the mercy of circumstances that leave them out of balance, often out of hope, and too often vulnerable to opportunities who come poaching in troubled waters. The industrialized democracies have not only a human duty but a strategic obligation to help developing countries in their struggle, their survival, and their success.

Mr. President, humanity will prevail. We in the new world can never be pessimists, for we are in a very real sense the custodians of the future. You have reminded us of this, Sir, on both sides of the 49th parallel. You have done so by evoking a past in which both our peoples have been the architects of change, not its victims.

I wish you well in your task and comfort in your burden. May part of that comfort come from the assurance of Canada's abiding friendship for your country and for your people.

Some hon. Members: Hear, hear!

Mr. Ronald W. Reagan (President of the United States): Mr. Prime Minister, Mr. Speaker of the Senate, Madam Speaker of the House of Commons, honourable Senators, members of the House of Commons, distinguished members of the diplomatic corps, ladies and gentlemen:

I came to this great capital of this great nation by crossing a border not which divides us, but a border which joins us.

[*Text*]

Nous nous sommes souvent serré la main par-dessus cette frontière et nous le faisons une fois encore aujourd'hui.

Des voix: Bravo!

[*English*]

For those of my own party who accompanied me, I have said that we have often shaken hands across this border and we are doing it once again today.

Some hon. Members: Hear, hear!

Mr. Reagan: Nancy and I have arrived for this, the first state visit of my Presidency, in the spirit expressed so well by a Calgary writer and publisher some 60 years ago. He said that the difference between a friend and an acquaintance is that a friend helps where an acquaintance merely advises.

We come here not to advise, not to lecture. We are here to listen and to work with you. We are here as friends, not as acquaintances.

Some years ago Nancy and I both belonged to a very honourable profession in California. And as I prepared for these remarks today, I learned that among those in the motion picture industry in Hollywood it has been estimated that perhaps as many as one out of five are of Canadian origin.

Many of those whom I counted as close professional colleagues, indeed close personal friends, did not come from America's heartland as I did, but from the heart of Canada, as did most of you in this historic chamber.

Art Linkletter, Glenn Ford, Raymond Massey, Walter Pidgeon and Raymond Burr are but a few of your countrymen who are celebrated in our entertainment industry.

I believe I know the very special relationship between Canada and the United States. But with all respect to those few I have mentioned, I can do better than that. A young lady once came to Hollywood from Toronto. Before long, little Gladys Smith was embraced by our entire nation. Gladys Smith of Toronto became Mary Pickford. And I know you will forgive us for adopting her so thoroughly that she became known the world over as "America's sweetheart".

Some hon. Members: Hear, hear!

Mr. Reagan: America's sweetheart was Canadian.

Affinity, heritage, common borders, mutual interests—these have all built the foundation for our strong bilateral relationship. This relationship has grown to include some of the strongest economic links among the nations on this earth.

Some 16 per cent of America's total world trade is done with Canada. Our joint trade amounts to about $90 billion Canadian, annually. This is greater than the gross national product of some 150 countries.

It's estimated that three quarters of a million United States workers are employed in exports to Canada and, in turn, Canadian exports to the United States account for one sixth of your gross national product.

Not only is the vast bulk of this trade conducted between private traders in two free economic systems, but more than half crosses our borders duty-free. Our seaways, highways, airways and rails are the arteries of a massive, interconnecting trade network which has been critically important to both of us.

Thus, while America counts many friends across the globe, surely we have no better friend than Canada.

Some hon. Members: Hear, hear!

Mr. Reagan: And though we share bilateral interests with countries throughout the world, none exceeds the economic, cultural and security interests that we share with you.

These strong and significant mutual interests are among the reasons for my visit here. Already I have shared with Prime Minister Trudeau very helpful discussions across a range of issues, to listen and to ensure that these important ties shall not loosen.

I am happy to say that in the recent past we have made progress on matters of great mutual importance. Our governments have already discussed one of the largest joint private projects ever undertaken by two nations—the pipeline to bring Alaskan gas to the continental United States. We strongly favour prompt completion of this project based on private financing.

Some hon. Members: Hear, hear!

Mr. Reagan: We have agreed to an historic liberalization of our trade in the Tokyo Round of the multilateral trade negotiations.

We have continued our efforts, begun with the Great Lakes Water Quality Agreement of 1972, to protect our joint heritage in the Great Lakes. We want to continue to work co-operatively to understand and control the air and water pollution that respects no borders.

Some hon. Members: Hear, hear!

Mr. Reagan: During my visit here, I have had the pleasure of participating in the conclusion of two other important agreements. We are renewing the North American Aerospace Defence Command Agreement for five more years. For more than two decades now, NORAD has bound us together in our common defence with an integrated command structure symbolizing our interdependence. This agreement represents continued progress in our relations and mutual security.

Second, we have concluded an agreement regarding social security benefits for those of our citizens who combine work in both nations. With this new agreement, those people who are employed in both countries can be eligible for the combined benefits, and the workers will be eligible for those benefits in whichever country they choose to live.

Some hon. Members: Hear, hear!

Mr. Reagan: Our deep and long time bilateral economic interests lead me to depart from the norm today and give to you a report on America's progress toward economic recovery.

Five weeks ago, I reported to the American people that the U.S. economy faced the worst economic mess since the great world-wide depression. We are a proud people, but we are also realists. The time has come for us to face up to what I described as a potential economic calamity.

I raise this issue today because America holds a genuine belief in its obligation to consult with its friends and neighbours. The economic actions we take affect not just us alone but the relationships across our borders as well.

As we examined America's economic illness, we isolated a number of contributing factors. Our federal government has grown explosively in a very short period of time. We found that there had grown up a maze of stifling regulations which began to crush initiative and deaden the dynamic industrial innovation which brought us to where we are. We saw unbelievable deficits, this year alone reaching up to nearly $80 billion, including off-budget items.

We found that these deficits got in no one's way because the government found it easy to fuel inflation by printing more money just to make up the difference.

The American taxing structure, the purpose of which was to serve the people, began instead to serve the insatiable appetite of government.

Some hon. Members: Hear, hear!

Mr. Reagan: If you will forgive me, someone has once likened the government to a baby: it is an alimentary canal with an appetite at one end and no sense of responsibility at the other!

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Reagan: Our citizens were being thrown into higher tax brackets for simply trying to keep pace with inflation. In just the last five years, federal personal taxes for the average American household have increased 58 per cent. The results: crippling inflation, interest rates which went above 20 per cent, a national debt approaching a trillion dollars, nearly eight million people out of work, and a steady three-year decline in productivity.

We decided not just to complain but to act. In a series of messages and actions, we have begun the slow process of stopping the assault on the American economy and returning to the strong and steady prosperity that we once enjoyed.

It is very important for us to have our friends and partners know and understand what we are doing. Let me be blunt and honest. The United States in the last few years has not been as solid and stable an ally and trading partner as it should be. How can we expect certain things of our friends if we don't have our own House in order?

Americans are uniting now as they always have in times of adversity. I have found there is a wellspring of spirit and faith in my country which will drive us forward to gain control of our lives and restore strength and vitality to our economic system. But we act not just for ourselves, but to enhance our relationships with those we respect.

First, we are taking near revolutionary steps to cut back the growth in federal spending in the United States. We are proposing that instead of having our national budget grow at the unacceptable rate of 14 per cent per year, it should rise at a more sensible 6 per cent.

Some hon. Members: Hear, hear!

Mr. Reagan: This enables us to maintain the kind of growth we need to protect those in our society who are truly dependent on government services.

Just yesterday, I submitted our proposed budget for the coming year, and then immediately crossed the border.

Some hon. Members: Oh, oh!

Mr. Reagan: With extraordinary effort we have isolated some 83 items for major savings and hundreds more for smaller savings, which together amount to $48.6 billion in the coming fiscal year.

Our second proposal is a 10 per cent cut across the board every year for three years in the tax rates for all individual income taxpayers, making a total cut in tax rates of 30 per cent. This will leave our taxpayers with $500 billion more in their pockets over the next five years and create dramatic new incentives to boost productivity and fight inflation. When these personal cuts are combined with tax cuts to provide our business and industry with new capital for innovation and growth, we will be creating millions of new jobs many of them, ultimately, on your side of the border.

Our third proposal is to eliminate those unproductive and unnecessary regulations which have slowed down our growth and added to our inflationary burdens.

Some hon. Members: Hear, hear!

Mr. Reagan: We shall do this with care, while still safeguarding the health and safety of the American people—and, I might add, while mindful of our responsibility to have equal regard for the health and safety of our neighbours.

Finally, we will be working closely with our federal reserve system to achieve stable and moderate growth patterns in our money supply.

As I said, America's program for economic recovery is designed not merely to solve an internal problem. It is viewed by my administration as part of an essential effort to restore the confidence of our friends and allies in what we are doing.

When we gain control of our inflation, we can once again contribute more helpfully to the health of the world economy. We believe that confidence will rise, interest rates will decline, and investment will increase. As our inflation is reduced, your citizens and other world citizens will have to import less inflation from us.

As we begin to expand our economy once again and as our people begin to keep more control of their own money, we will be better trading partners. Our growth will help fuel the steady prosperity of our friends.

The control we regain over our tax and regulatory structures will have the effect of restoring steady growth in U.S. productivity. Our goods will go into markets not laden down with the drag of regulatory baggage or punitive levies, but with a competitive edge that helps us and those who trade with us.

Such new sustained prosperity, in an era of reduced inflation, will also serve world-wide to help all of us resist protectionist impulses. We want open markets. We want to promote lower costs globally. We want to increase living standards throughout the world. That is why we are working so hard to bring about this economic renewal.

There are, of course, other very important reasons for us to restore our economic vitality. Beyond our shores and across this troubled globe the good word of the United States, and its ability to remain stable and dependable, rely in good part on our having a stable and dependable economy.

Projecting solid internal strengths is essential to the west's ability to maintain peace and security in the world. Thus, our national interests, our bilateral interests and our hemispheric interests are profoundly involved in truly international questions.

That's why we must act now, why we can no longer be complacent about the consequences of economic deterioration. We have entered an era which commands the alliance to restore its

leadership in the world. And before we can be strong in the world, we must be once again strong at home.

Some hon. Members: Hear, hear!

Mr. Reagan: Our friend, our ally, our partner, and our neighbour, Canada, and the United States have always worked together to build a world with peace and stability, a world of freedom and dignity for all people.

Now, with our other friends, we must embark with great spirit and commitment on the path toward unity and strength.

On this side of the Atlantic, we must stand together for the integrity of our hemisphere, for the inviolability of its nations, for its defence against imported terrorism, and for the rights of all our citizens to be freed from the provocations triggered from outside our sphere for malevolent purposes.

Across the oceans, we stand together against the unacceptable Soviet invasion into Afghanistan and against continued Soviet adventurism across the earth.

And toward the oppressed and dispirited people of all nations, we stand together as friends ready to extend a helping hand.

Some hon. Members: Hear, hear!

Mr. Reagan: I say to you, our Canadian friends—and to all nations who will stand with us for the cause of freedom—our mission is more than simply making do in an untidy world. Our mission is what it has always been—to lift the world's dreams beyond the short limits of our sights and to the far edges of our best hopes.

This will not be an era of losing liberty; it shall be one of gaining it.

This will not be an era of economic pessimism, of restraint and retrenchment; it will be one of restoration, growth, and expanding opportunities for all men and women.

And we will not be here merely to survive; we will be here, in William Faulkner's words, to prevail—to regain our destiny and our mutual honour.

Sometimes it seems that, because of our comfortable relationship, we dwell perhaps a bit too much on our differences. I, too, have referred to the fact that we do not agree on all issues. We share so many things with each other; yet, for good reasons, we insist on being different to retain our separate identities.

This captured the imagination of Ernest Hemingway when he worked as a writer for the Toronto *Star Weekly* in 1922. Hemingway was travelling in Switzerland and he noted that the Swiss made no distinction between Canadians and citizens of the United States. He wondered about this and asked an hotelkeeper if he didn't notice any difference between the people from the two countries.

"Monsieur", he said to Hemingway, "Canadians speak English and always stay two days longer at any place than Americans do." As you know, I shall be returning to Ottawa in July and, if you don't mind, I'll plan to stay as long as everyone else.

Some hon. Members: Hear, hear!

Mr. Reagan: I am not here today to dwell on our differences. When President Eisenhower spoke from this spot in 1953, he noted his gratitude as Allied Commander in World War II for the Canadian contribution to the liberation of the Mediterranean. This touched my curiosity, and even though I had participated in that war myself, I did a little research.

In the Second World War there was something called the 1st Special Service Force, a unique international undertaking at the time. This force was composed of Canadians and Americans distributed equally throughout its ranks, carrying the flags of both nations. They served under a joint command, were taught a hybrid close-order drill, and trained together as paratroopers, demolition experts, ski troops and, then, as an amphibious unit.

The 1st Special Service Force became famous for its high morale, its rugged abilities, and tough fighting in situations where such reputations were hard-earned. Alerted to their availability, General Eisenhower requested them for special reconnaissance and raiding operations during the winter advance up the Italian peninsula. They were involved in the Anzio beachhead campaign in Italy and were at the spearhead of the forces that captured Rome.

The 1st Special Service Force made no distinctions when it went into battle. Its men had the common cause of freedom at their side and the common denominator of courage in their hearts. They were neither Canadian nor American. They were, in General Eisenhower's term, liberators.

So let's speak no more of differences today. Certainly your Ambassador, Ken Taylor, didn't when he first sheltered, and then spirited, six Americans out of the centre of Tehran and brought them to their freedom.

Some hon. Members: Hear, hear!

Mr. Reagan: Their daring escape worked not because of our differences but because of our shared likenesses.

A final word to the people of Canada.

We are happy to be your neighbour; we want to remain your friend; we are determined to be your partner; and we are intent on working closely with you in a spirit of co-operation. We are much more than an acquaintance.

Merci. Thank you.

Some hon. Members: Hear, hear!

Hon. Jean Marchand (The Speaker of the Senate): Mr. President, Mr. Prime Minister, Madam Speaker of the House of Commons:

To receive you in our capital and our Parliament represents for us, President and Mrs. Reagan, not only a great joy and

singular honour, but also the visible assurance that our traditional ties of friendship hold strong despite international upheavals whose shock waves have not spared our own continent, forced as we are to march more and more in step with even the most far-flung regions of an increasingly interdependent world.

On behalf of the Senate of Canada, I would like to transmit our heartfelt gratitude that you have chosen, at this very earliest stage of your mandate, to reinforce the foundation of a unique relationship based not just on a common interest shared by our two peoples, but also on a common spirit and aspiration. While recognizing our differences and respective sovereignty and in full appreciation of our respective stature and resources, we know that we are natural allies and that only blindness, or at least a lack of vision, can threaten this bond.

[*Translation*]

By seeking common ground in our national viewpoints, we will not only be doing ourselves a mutual service, but also contributing to the betterment of life among our brothers in other nations. If our roles are sometimes different, they are nonetheless complementary and our goals must be the same. To paraphrase an old maxim: "We who imagine we can do without the world deceive ourselves greatly; but those who fancy that the world cannot do without them deceive themselves even more." Long live the United States of America, long live Canada, long live peace between men and between nations.

[*English*]

Thank you, Mr. President.

Some hon. Members: Hear, hear!

Madam Speaker: Mr. President, you have accorded Canada the distinction of being the recipient of your first official visit as President of the United States. We are touched by this honour which strengthens our awareness of the long-standing ties which link us to those we call our neighbours to the South.

Our peoples, diverse in their origins, share a history which has brought us together on a vast continent, one which both your people and ours have explored and developed. Our cultural influences derive from the same sources and unite us in a common civilization. We have, since our beginnings, built on the strength inherited from our pioneers, who were led by many different circumstances, political and economic, to the North American continent.

It goes without saying that an unfailing friendship exists between us. We applied ourselves to the task of building a prosperous country, inviting those elsewhere who sought adventure or aspired to live in freedom to come and settle with us.

From such a sequence of events, varied and often dramatic, the United States and Canada were born. While many similarities unite us, the differences we manifest are the signs of the distinct personalities which finally gave our countries their identity.

[*Translation*]

When we look to the United States, we see a people that is industrious, dynamic, bold to the point of recklessness and that for a long time has been known for the scope of its discoveries and the uniqueness of its achievements. You explored space, walked on the moon and amazed the world by making dreams come true. This is proof of the spirit, enthusiasm, genius and perennial youth of America. Throughout the world, people look to you not only for inspiration but also for help and advice.

[*English*]

For our part, we have profited from your energy and dynamism. Our destiny, no matter how we view it, is closely tied to yours in our pursuit of individual freedom and the promotion of the social and economic betterment of our peoples. The contacts between us are many and varied. Both our countries wish to maintain their respective identities while working together, each in a different way, to build a universal civilization. Your culture, your arts, your literature, your science and your technology are marvellously impressive. Our lives have been enriched by them and they have inspired our own efforts. Your example is an encouragement to us, as Canadians, to marshal our physical and intellectual resources towards the creation of a society which reflects our essential Canadian character.

Mr. President, we have listened to you with great interest. We have paid close attention to your comments, mindful of the fact that you mean to lead your country along the paths which appear to you to be the best; and that you will do so with boldness, honesty and sincerity.

As has always been the case in the past, we shall be happy to find ourselves at your side in meeting the challenges which face us all. We shall co-operate with you, and with other countries, whenever the need arises, in promoting universal well-being and protecting the peace of the world.

Mr. President, Mrs. Reagan, in expressing our thanks and appreciation, we ask you also to accept our assurance of the respect and friendship which we feel for you and your country.

I now adjourn this meeting.

HOUSE OF COMMONS

Thursday, March 12, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

THE ECONOMY

SUGGESTED INTRODUCTION OF NEW BUDGET—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise under the provisions of Standing Order 43, on a matter of some urgency. President Reagan, in this chamber yesterday morning, drew attention to measures his government is taking to cut growth in federal spending, decrease personal income taxes, and eliminate unproductive and unnecessary regulatory structures which stifle economic growth. In light of the fact this country suffers from identical pressures to its economy, I move, seconded by the hon. member for Halton (Mr. Jelinek):

That this government take immediate steps to bring down a new budget to meet the same kind of urgent and pressing economic problems created by this government by reason of its profligate spending and total lack of control over the economy in general.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

MOTION UNDER S.O. 43

Mr. Otto Jelinek (Halton): Madam Speaker, I rise under the provisions of Standing Order 43. Recently the British Labour Party urged the parliamentary labour party to vote against the constitutional resolution in the British House of Commons. Whereas four members of the federal NDP have stated that they will not support the constitutional resolution in this House of Commons, along with NDP Premier Blakeney's opposition to the package as a whole, and because, on the other hand, the secretary of the federal New Democratic Party, Mr. Robin Sears, has urged the British Labour Party to support the constitutional resolution, I move, seconded by the hon. member for Etobicoke Centre (Mr. Wilson):

That this House urges that, prior to the NDP stating their final position on the constitutional resolution, Mr. Broadbent, the Leader of the NDP, convene a meeting of Socialist International to include "the four horsemen" from his own caucus, the Premier of Saskatchewan as well as himself, so that the position of Socialist International can be clarified in order to avoid any misunderstandings to the British and Canadian public.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BANKS AND BANKING

INCREASE IN PROFITS—MOTION UNDER S.O. 43

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that profits of eight major chartered banks soared to $459 million during the first quarter of 1981, with the Royal Bank pocketing a 76 per cent increase in profits, the Bank of Commerce 69 per cent, and the Bank of B.C. winning a 218 per cent bonanza, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That this House urge the government to stop this blatant profiteering by Canada's chartered banks and force them, as a condition of doing business, to allocate a significant portion of their profits for a mortgage assistance fund which will reduce mortgage interest rates to help young Canadians purchase a first home.

Madam Speaker: Such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

INDUSTRY

CALL FOR REDUCTION IN IMPORTS OF FOOTWEAR—MOTION UNDER S.O. 43

Mr. Normand Lapointe (Beauce): Madam Speaker, I rise under the provisions of Standing Order 43 in connection with an urgent matter. In view of the increased imports of footwear in Canada; in view of the conclusion of the Anti-dumping Tribunal to the effect that in the absence of quotas, the share

of the market taken by the domestic producers would have continued to decline, I move, seconded by the hon. member for Sherbrooke (Mr. Pelletier):

That the Minister of Industry, Trade and Commerce (Mr. Gray) look fully into the possibility of taking special steps to protect other than rubber footwear in countries with low salaries, in order to allow Canadian industries to proceed with their restructuring.

[*English*]

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

CREATION OF ECONOMIC SLACK—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, in view of the unprecedented and alarming numbers of bankruptcies and near bankruptcies among energy-related small businesses in western Canada, directly as a result of the federal government's energy policies, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That this House request a statement from the Prime Minister and the minister responsible for energy, confirming the policy of creating deliberate economic slack and uncertainty so as to place the federal government in a position of dominance in its avowed aims of socializing the oil and gas industry.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

STATUS OF WOMEN

REVIEW OF COMPOSITION OF ADVISORY COUNCIL—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, the continuing internal conflict within the Advisory Council on the Status of Women was illustrated yesterday by the announcement of two more resignations and two transfers from the highly qualified research staff. It was also confirmed that a former employee will sue the council. At this very time groups representing women from all walks of Canadian life are calling for a constructive and objective review of the advisory council in order to restore its credibility. Therefore, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

● (1410)

That this House demand a full, external and independent review of the composition and function of the advisory council.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

METRIC CONVERSION

SUGGESTED POSTPONEMENT—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, the United States Congress has decided at this time to take the advice of the American Metric Commission not to proceed with metric conversion in retail stores in the United States.

The steering group for scale conversion in Canadian food stores met recently in Canada and they unanimously agreed that they should not proceed with metric in the retail food stores in Canada, not being in concert with the United States. Since the Metric Commission insists on full speed ahead and damning the torpedoes, under the provisions of Standing Order 43 I move, seconded by the hon. member for Capilano (Mr. Huntington):

That this government introduce at once legislation prohibiting the Metric Commission from proceeding with its course of forced metric conversion in the retail food sector without first obtaining either the consent of the retail merchants in Canada or the Canadian consumers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RIGHT TO LIFE OF UNBORN CHILDREN—MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. Recognizing that Clause 7 of the proposed charter of rights purports to guarantee "everyone the right to life" but that in the recent case of *Dehler v. Ottawa Civic Hospital*, on which leave to appeal to the Supreme Court of Canada has now been denied by that court, our courts have indicated that unborn persons are not recognized as protectable persons, and fearing that the entrenchment of the proposed wording would render it unconstitutional for the Parliament of Canada to enact legislation to protect unborn Canadians, I move, seconded by the hon. member for Grey-Simcoe (Mr. Mitges):

That Clause 7 be amended to read as follows:

Everyone, including unborn human beings, has the right to life. Everyone has the right to liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PETRO-CANADA

ACQUISITION OF PETROFINA—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, whereas it has come to light that in the takeover of Petrofina by Petro-Canada the officers of Petrofina have made over $400,000 in share trading, so much money that one wag has called it the "lotofina" takeover; and whereas the insiders' report for the end of January will show that Mr. Dodd, a vice-president of Petrofina, made $40,000 two business days before the public announcement, bringing this total now close to $500,000, therefore under the provisions of Standing Order 43 I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That since the minister of energy will do nothing about this situation, this House refer the matter to the national resources committee to investigate so that we can see if this is just another case of getting lucky.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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DISARMAMENT

SUPPORT FOR WORLD REFERENDUM—MOTION UNDER S.O. 43

Mr. Paul E. McRae (Thunder Bay-Atikokan): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

In view of the unanimous agreement of UN member states in 1978 that mankind must "proceed to disarmament or face annihilation", and in view of the statement by Prime Minister Trudeau in the 1980 Speech from the Throne that "the issue of disarmament is no less than the survival of humanity on this planet", and in view of the fact that the arms race continues at a cost of $500 billion a year in spite of massive nuclear overkill potential, I move, seconded by the hon. member for Edmonton-Strathcona (Mr. Kilgour):

That this House support in principle the concept of a world referendum on balanced disarmament, so the people of all nations can express their support for the establishment of a concrete, gradual disarmament process.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

THE ENVIRONMENT

ACID RAIN—REPRESENTATIONS TO UNITED STATES GOVERNMENT—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. In view of the fact that the United States Congress is now considering sweeping changes to the U.S. clean air act—

Madam Speaker: Order, please. The Chair is unable to hear what the hon. member is proposing. Could we have order?

Mr. McMillan: In view of the fact that the United States Congress is now considering sweeping changes to the U.S. clean air act, some of which would drastically increase acid rain in Canada, I move, seconded by the hon. member for Parry Sound-Muskoka (Mr. Darling):

That this House urge the Canadian Minister of the Environment to make vigorous representations to the U.S. government, in particular the U.S. environmental protection agency, to protect Canada's interests in this vital area.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—REPORTED WINDFALL PROFITS

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is to the Minister of Energy, Mines and Resources. It relates to a double standard which the government is following in relation to oil profits and oil pricing. On January 1 the government introduced the petroleum compensation charge on all oil delivered to refineries after that date, but it did not apply the charge to the oil which the refineries had in inventory at that time. At the same time, the oil companies increased the prices equivalent to $2.50 a barrel. That resulted in an unearned windfall profit on 70 million barrels in inventory at that time at $2.50 a barrel for a total of $170 million. In view of the concern that consumers have about the cost of oil in this country and the profits made by

the oil companies, why did the Minister of Energy, Mines and Resources acquiesce in these windfall profits at the expense of consumers in this country?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I note with gratification the interest of the official opposition for the consumer rather than for the oil companies these days. I must tell the hon. member that I do not agree with his conclusion.

Mr. Wilson: Madam Speaker, that is the sort of answer I expect from the minister when he has not done his homework. I hope that the next time he is asked a question about a $170 million rip-off by the oil companies to which he has acquiesced, he will have a better answer than that. Let me draw his attention to the fact that in the wellhead increase in the price of oil, there is a delay of two months, in the last increase from January 1 to March 1. Surely the minister is able to exercise his moral suasion on the oil companies to enforce a delay with regard to implementation of the petroleum compensation charge. There will be two other examples of this kind in the next two years. The total amount will be some $350 million more if the minister does not take action now. May I ask the minister why he did not take action on January 1 to stop that rip-off?

Mr. Lalonde: I repeat, Madam Speaker, that I disagree with the hon. member's analysis. I will take note of his representation, but I must tell him that his analysis of the situation does not correspond to the one we have made.

Mr. Wilson: I would have thought that if the minister had a better explanation for it, he would have told it to us.

* * *

PETRO-CANADA

ACQUISITION OF MERIT PETROLEUM—REASON FOR CHANGE IN SERVICE STATION PRICES

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my supplementary question is in relation to another area where I believe the government has been delinquent in encouraging greater competition in the oil industry in this country. It relates to the purchase of Merit Petroleum by Petro-Canada. Petro-Canada was a supplier of product to Merit and, prior to the acquisition when Merit was cut off by a major supplier, Petro-Canada had the opportunity to keep that company in business by increasing its supply. Since then, Petro-Canada has announced it is going to convert the Merit discount stations to full price service stations. Can the minister explain why Petro-Canada did not increase the supply to Merit and why it is moving to convert these stations from discount stations to full price stations, both matters which will affect the consumer adversely?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I will certainly inquire of Petro-Canada, and I will be happy to report to the hon. member as soon as I receive their answer.

* * *

● (1420)

NATIONAL ENERGY PROGRAM

REQUEST FOR INTRODUCTION OF NEW POLICY

Mr. Bill Domm (Peterborough): Madam Speaker, my question is also for the Minister of Energy, Mines and Resources and it flows from the initial question.

The minister has continually referred to a Canadian-owned oil company, namely, Husky Oil Limited, as an example of one which supports our National Energy Program. I obtained the record of the minutes of a National Energy Board meeting of just last month, and I should like to bring this to the attention of the minister. The question asked of Husky Oil was:

> What is the impact of the present economic regime on the viability of development drilling?

The answer by Husky Oil was:

> The combination of the petroleum and gas revenues tax, PGRT, provincial royalties, and the wellhead pricing schedule has, for all practical purposes, eliminated any profit potential of these investments.

Who is telling the truth? Is the Minister of Energy, Mines and Resources prepared to stand up in this House and say that his energy policy does not need revamping? When will he introduce a new oil energy policy that will bring jobs, employment, and economic growth not only to the west and the east but to central Canada as well?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, what I have indicated in this House has been that Husky Oil indicated it was increasing its investment this year—exploration and development expenditures—compared to last year. The record will show what I said at that time, if my hon. friend wants to check.

As far as the energy program is concerned, some problems have been identified and we have made adjustments to take into account those problems, whether they relate to exploration expenses or the definition of Canadian owned and controlled corporations. These modifications and changes have meant significant improvements in the program in terms of advantages to Canadian owned and controlled companies.

We have indicated quite clearly at meetings with Canadian owned companies that aggressive investors are better off under the National Energy Program than they would have been under a continuation of the previous policy. That is what we want. We want a strong, aggressive and prosperous Canadian sector in the oil and gas industry of this country.

Mr. Domm: Madam Speaker, the minister is either intentionally or unintentionally misleading this House.

Some hon. Members: Order.

Mr. Domm: The fact is to the contrary.

Madam Speaker: Order, please. I think the hon. member would have some interest in rephrasing that question. He knows one cannot say that someone has intentionally tried to mislead the House.

An hon. Member: He said "either," "or".

Mr. Domm: Madam Speaker, the minister is unintentionally misleading this House. The fact of the matter is that Husky Oil qualifies its commitment for investment and growth in the future by saying, "if the energy policy was to change." Since the minister shows no evidence whatsoever of changing the energy policy, in view of the recent cuts in oil production in the west, and in view of the lack of revenue because of the Lalonde levy, as it is often referred to, will the minister advise this House whether he intends to offset this loss of revenue to cover the subsidy for imported oil by any other means than the one which is not working, and that is the Lalonde levy?

[*Translation*]

Mr. Lalonde: Madam Speaker, I will try to reply to the hon. member in French since he seems to have difficulty understanding English. Again I must repeat that several changes have been made to the National Energy Program so as to take into account the peculiar hardships which certain sectors of the industry may have been facing, and that those changes have been translated into sizeable improvements for that industry.

I am still holding discussions with the government of Saskatchewan, where Husky Oil Ltd. has major investments, with a view to concluding an agreement with the province under which Husky Oil Ltd. in particular and other companies operating in Saskatchewan will benefit from considerable incentives to pursue their objectives. As indicated by Husky Oil Ltd., one of several problems is the very high royalty rate levied by the Saskatchewan government. As a whole, however, the over-all parameters and the general trends that have been set in our National Energy Program are part and parcel of government policy, and we are convinced that once again they will enable Canada's petroleum industry to achieve all the objectives we expect from it in the coming years.

* * *

● (1425)

[*English*]

CORPORATE AFFAIRS

IMPERIAL OIL CORPORATION—QUERY RESPECTING TAX DEDUCTIBILITY OF ADVERTISING EXPENSES

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is to the Minister of Finance. Newspapers across Canada are today carrying full-page ads by the Imperial Oil Corporation, and I show one example to the minister here. The ads challenge the 12-year study which accumulated evidence demonstrating the oil companies have ripped off some $12 billion from Canadian consumers.

Would the minister confirm that these ads constitute another rip-off of the Canadian consumer, because they are deductible items from expenses the corporation can file, and therefore have to be made up by other Canadian taxpayers?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I am sure the hon. member would not want me to second-guess the conclusions he has drawn.

Mr. Broadbent: Madam Speaker, just for once we do not want second-guessing. We would like a straight answer from the Liberal minister. That is what we would like.

An hon. Member: Lots of luck.

Mr. Broadbent: The minister did not give us a straight answer because he knows that the ads can be deducted from the expenses.

Some hon. Members: Oh, oh!

An hon. Member: Criminal seduction.

Mr. Broadbent: Which means the people of Canada are being seduced by these companies. I would like to ask the minister, while making it clear that Imperial Oil or any other company should have the right to advertise, does he not agree that political advertising of this kind should not be underwritten by the taxpayers of Canada but should be paid completely and solely by the companies themselves?

Mr. MacEachen: Madam Speaker, I am rather enjoying the hon. member's effort to convey a point of view in question period but, as he knows, I do not engage in the kind of propaganda outburst that he is exploiting at the moment.

Mr. Broadbent: Madam Speaker, the minister runs a close second to that of the Secretary of State for External Affairs in not engaging in anything in the real world of politics.

PRICING PRACTICES OF OIL COMPANIES—CALL FOR ROLLBACK TO COMPENSATE CONSUMERS

Mr. Edward Broadbent (Oshawa): Madam Speaker, I would like to ask a question of the Minister of Consumer and Corporate Affairs.

Over a week ago this admirable minister, this outspoken advocate for consumers in Canada, said that he would investigate the 5-cent a gallon increase the oil companies piggybacked on March 1 onto other increases in the price of oil. Considering that after eight years of studying corporate rip-offs by the oil companies showing they took at least $12 billion more from Canadian consumers than they ought to have taken, and the only thing the government has done has been to set up another two-year study, would he, at least in the case of these rip-offs that came over a week ago, announce today that some justice is going to be restored to Canadian consumers by

the government ordering the oil companies to roll back that increase?

● (1430)

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, the hon. member asked that question last week. I would urge him to let the director of investigations complete his work. As soon as the director submits his report, I will be very glad to answer the hon. member in the House.

* * *

HOUSE OF COMMONS

PRESENCE IN SPEAKER'S GALLERY OF PRESIDENT OF THE PARLIAMENTARY ASSEMBLY OF EUROPE

Madam Speaker: I wish to draw the attention of the House to the presence in our gallery of Mr. Henri Johan de Koster, the President of the Parliamentary Assembly of the Council of Europe.

* * *

[*English*]

NATIONAL ENERGY PROGRAM

IMPACT ON PROVINCIAL REVENUES

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my question is also for the Minister of Energy, Mines and Resources. A budget was brought down in British Columbia on Monday. The price of gasoline was raised 1.6 cents per litre, or 7 cents per gallon, to compensate for the much diminished provincial revenues in the oil and natural gas sector due to increased federal intrusion. Is the minister aware of the secondary results of his National Energy Program? If so, does he intend to do anything about it?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I am only sorry that the hon. member believes the Socred propaganda of that particular government in its budget.

Mr. McKinnon: Madam Speaker, my supplementary question is for the same minister. It is now quite clear that the National Energy Program, which was announced as part of the federal budget, is really a grab for money by the federal government, which takes money away from provincial revenues. In this particular case British Columbia was forced to increase prices on the individuals in that province. Does the minister consider this new federal form of taxation, which taxes only one part of Canada, that is, British Columbia, Alberta and Saskatchewan, fair? Does he not realize how much this policy appears to contribute to alienation in western Canada?

Mr. Lalonde: Madam Speaker, what contributes most to alienation in this country is the type of total misrepresentation put forward by the hon. member.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Lalonde: Madam Speaker, every gas consumer in this country is paying the same amount of federal tax under the last budget. As the hon. member knows, there are many more consumers of natural gas in Ontario than there are in British Columbia. Those consumers pay the same federal tax that the people in British Columbia are paying. To stand up in this House and make the type of allegation that the hon. member has made is totally irresponsible. He should be ashamed of himself.

Some hon. Members: Hear, hear!

DEPARTMENTAL ADVERTISING EXPENDITURES

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, my question is also for the Minister of Energy, Mines and Resources. It relates to political energy advertising, although it is not the type referred to by the Leader of the NDP. My question involves the expenditure of tax dollars.

In view of press reports this week that the minister's department is authorizing a $3.25 million energy advertising campaign to sell the Liberal energy policies to Canadians, how can the minister justify that expenditure of tax dollars in light of the commitment made last fall by the Minister of State for Multiculturalism that the government would not use tax dollars to sell Liberal policies which have not been approved by Parliament? I ask this question particularly in view of the fact that elements of the national energy policy are before Parliament now, or have yet to be brought before Parliament.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member might have a case if the allegation he makes were true, but it is not.

My department has a budget for public information and advertising. There were a number of expenditures approved by this House at the time of the budget concerning programs which would be of great benefit to Canadians in terms of achieving conservation of energy and in terms of achieving energy self-sufficiency. Those programs have been approved. The expenditure of funds allocated under the estimates and under those programs will begin very soon, as soon as we can have the administrative machinery in place.

It is the duty of this House, and the duty of the government, to inform the Canadian public of the programs for which they are eligible in order to achieve the objectives of self-sufficiency and energy conservation. I certainly intend to fulfil my duty under the rules of this House and under the government's responsibility to inform Canadians of the programs for which they are eligible. I think that is my duty as minister of energy, and I intend to fulfil that duty.

Some hon. Members: Hear, hear!

Mr. Beatty: Madam Speaker, it is Liberal propaganda financed by Canadian taxpayers' dollars that we are talking about.

Some hon. Members: Oh, oh!

Mr. Beatty: Madam Speaker, the minister knows, and it is reported that Albertans may receive a highly political message from Ottawa in a brochure arguing Ottawa's energy case.

In view of the lack of concern by the Minister of Energy, Mines and Resources, I would like to put my supplementary question to the President of the Treasury Board, who is responsible for government spending. How does the minister justify the expenditure of $3.25 million worth of taxpayers' money on Liberal propaganda at a time when the government is telling Canadian pensioners that it does not have the money which is necessary to insulate them from higher prices?

[*Translation*]

Mr. Lalonde: Madam Speaker, once again I will reply in French. I have already said that the department advertising program has to do with the over-all objective of the government to conserve energy and achieve self-sufficiency in energy. The budget has been brought down and the estimates were tabled in the House to earmark huge amounts for ensuring that Canadians will have an opportunity to benefit from programs and grants which will make it possible for them to achieve those objectives of self-sufficiency and conservation.

Our advertising campaign will be aimed at making Canadians aware of those programs so they will be able to benefit from them. My colleague and friend is referring to a newspaper article, so I would urge him to check the facts instead. As for the possibility of a brochure being addressed to Alberta residents, it is clearly stated in that article that it is a suggestion which I am now studying. I would remind him that the Alberta government has sent to all residents of the province a brochure in which the federal policy is very harshly criticized. I have no hesitation whatsoever in arguing that indeed the government has every right to react to that kind of brochure should it so decide. However, I must also remind the hon. member that no such decision has yet been taken.

* * *

[*English*]

LABOUR RELATIONS

B.C. TELEPHONE COMPANY DISPUTE—SIGNING OF RETURN TO WORK AGREEMENT

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my question is to the Minister of Labour, or whomever is responding for him. It concerns the length of the deplorable British Columbia Telephone Company dispute. There has been a proposal by labour arbitrators in British Columbia that a return to work agreement be signed between the company and the union and that all outstanding issues, including the suspension of 24 employees, be settled through the efforts of a sole arbitrator, following the return to work of all employees, including the 24 who have been suspended. Last Monday there were 14 summonses issued by the attorney general's office of British Columbia. Although there have been no charges laid, to my knowledge, the disposition of any charges resulting from these summonses could delay the return to work for months. The sole arbitrator proposal has been accepted by the union. Can the Minister of Labour tell us whether he supports this idea of the sole arbitrator proposal, and would he back it?

Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour): Madam Speaker, as the hon. member knows, the labour dispute in British Columbia has been complicated by the inclusion of a clause which said that the whole agreement was subject to CRTC approval of a rate increase. That has now been dropped and federal meetings are under way in B.C. to settle the only outstanding issue in this dispute, which is the return to work agreement. The meetings began the day before yesterday. We are hopeful that an agreement will result very soon.

Some hon. Members: Hear, hear!

CALL FOR ROLLBACK OF RATE INCREASE

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my supplementary question is for the Prime Minister, if I could have his attention. The people of British Columbia are fed up with this dispute. They feel that it has gone on long enough. Unconscionable profits are being made because the phone bills continue while the wage package shrinks. There is no service; the service in British Columbia is deplorable. Will the Prime Minister consider positively a proposal to cabinet that the February CRTC rate increase be rolled back and that a rebate be given to the ill-served, ill-considered consumers or, better still, that B.C. Tel, like the telephone companies of Alberta, Saskatchewan and Manitoba, be brought under public ownership?

● (1440)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I would be happy to take notice of the question on behalf of the minister.

* * *

[*Translation*]

PUBLIC SERVICE

ALLEGED DISCRIMINATION AGAINST CERTAIN OFFICIALS IN QUEBEC

Mr. Gilles Marceau (Jonquière): Madam Speaker, my question is for the President of the Treasury Board. A few months ago, the clerical workers in the federal public service clamoured for the decent salaries and improved working condi-

tions they were entitled to. Following this dispute which was settled thanks to the understanding of the President of the Treasury Board, haphazard and erratic disciplinary action has just been taken against many workers, including 38 of the 50 employees of the Canada Manpower Centre in Jonquière. Can the Minister give us the assurance that he has assessed the situation and considered all the circumstances before this action was taken, and that the employees in Jonquière or in Quebec, who seem to have been hit harder than those elsewhere in the country, have not been discriminated against?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I want to thank the hon. member for Jonquière for his question. The Quebec clerks have not been dealt with more severely than those in other provinces. I can give this assurance to my colleague and to other members of the House.

* * *

[*English*]

STATUS OF WOMEN

REVIEW OF COMPOSITION OF ADVISORY COUNCIL

Mr. Walter McLean (Waterloo): Madam Speaker, my question is directed to the minister responsible for the status of women. As the minister will know, the council announced that it is ready to conduct an internal review of its operations, having failed to recognize that the capacity and the credibility of the council to review itself have been radically undermined by the resignation of its president and then five board members, by the loss of much of its excellent research staff, and by the launching of a $1.3 million lawsuit. In light of this evidence, and in light of the ongoing public discussion, will the minister agree to appeal again to his cabinet colleagues for an independent and external review of the advisory council?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, if the hon. member examines his statement he will realize that he is in danger of coming down with an acute case of hypercontradiction. On the one hand he previously suggested and argued that the advisory council should be allowed to maintain its independent status. Now he is asking whether we should try to interfere in the decisions of the council. He cannot have it both ways.

An hon. Member: Why not? You can.

Mr. Axworthy: We are trying to stay consistent on our position that the advisory council is an independent body.

Some hon. Members: Oh, oh!

Mr. Axworthy: It decides its own opinions on its own judgment, and we respect this.

Some hon. Members: Hear, hear!

Mr. McLean: Madam Speaker, where I come from if a doctor is sick he usually does not prescribe for himself; he gets another doctor to look at his illness.

I have a supplementary question for the minister. If he is not prepared to recognize the sickness surrounding the council at the moment, in light of the fact that six appointments were made to the advisory council last week, with very little consultation, and six more appointments will be made by June, will the minister assure the House that future nominations will be widely sought and that the review the council will do of itself will be made public before these three-year appointments are made?

Mr. Axworthy: Madam Speaker, again I suggest to the hon. member that if he is talking about sickness perhaps the worst problem is some of those people, including himself, who are surrounding this particular council with their own form of doomsaying and not letting it get on with its job to represent the points of view of women in this country—

Mr. Clark: And the point of view of the Liberal Party.

Mr. Axworthy: —and to deal with the substance of issues. The real heart of the matter is better equality for women. That council has had appointed to it some of the outstanding women of this country who are prepared to sit on that council at the present time.

Some hon. Members: Hear, hear!

* * *

NATIONAL ENERGY PROGRAM

QUERY RESPECTING INTRODUCTION OF RATIONING

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. It is with regard to the impact of the National Energy Program on Canadian oil production. Is the minister aware of the fact that by the end of April there will be 120 fewer oil rigs in Canada, that investment in Canadian oil production will be 30 per cent less than last year, and that in January and February of this year there was a 15 per cent increase in the amount of oil imports? According to the Canadian Petroleum Association this will amount to something like $182 billion extra over the next ten years to Canadian consumers. Does the minister understand the collision course the government is on, with the need of Canadians for oil? Does he have a rationing program in place now to take care of those needs, and how quickly can he implement it?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, as the hon. member knows, one of the main reasons for the increase in imports recently has been the cutback by the government of Alberta—

Some hon. Members: Oh, oh!

Mr. Lalonde: —by 60,000 barrels per day. This is regrettable, but it has taken place.

Mr. Clark: It is not true.

Mr. Lalonde: As far as the energy program is concerned, as I said we have made some adjustments to ensure that the industry will be in a position to make profits and that Canadian firms, in particular, will be able to grow much faster than in the past. We are convinced that this can be achieved.

Also I have indicated that we were willing to undertake further discussions with the producing provinces in order to arrive at a satisfactory arrangement.

Mr. Nielsen: What about rationing?

Mr. Lalonde: I hope these negotiations and discussions will take place.

Mr. Gurbin: Madam Speaker, the Minister of Energy, Mines and Resources will know that Alberta did not turn down the tap until at least the end of February of this year. The figures I gave him were for January and February of this year.

Some hon. Members: Hear, hear!

Mr. Gurbin: The real point that Canadians do not understand is that Alberta is running out of cheap conventional oil. It just simply is not there, and the National Energy Program is doing nothing to provide for its replacement.

ROLE OF POST OFFICE IN DISTRIBUTING RATIONING COUPONS

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, my supplementary question is directed to the Postmaster General. He will know that there is an ongoing survey in the Post Office which is looking at the ability of the post office network to provide for the distribution of gas rationing coupons. Will the minister table this survey, explain it to us now, and tell us how quickly he feels the Post Office will be able to implement gas rationing coupon distribution?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I should like to point out to the hon. member that we have included a complete program of self-sufficiency for this decade in the National Energy Program, and that self-sufficiency will be assured mainly by the production of the tar sands, heavy oils, and also offshore discoveries in the Arctic. The National Energy Program has all the necessary instruments to achieve that purpose.

As far as the question raised by the hon. member is concerned, I understand that it was raised in the House a couple of days ago. There is no foundation whatever to the notion that there will be a planning of a rationing scheme to be put into effect in this country in current circumstances. What is taking place is a review of the program under the Energy Supplies Allocation Board, which has been in operation for several years, to take care of emergencies, together with other member countries of the International Energy Agency.

What is taking place at the present time is a review of the system involving the Post Office to ensure that if an emergency hits the western world in particular, we as industrialized countries would be ready to face such an emergency. It is just an updating of the program in place under the Energy Supplies Allocation Board.

* * *

● (1450)

THE ECONOMY

FUTURE OF GEORGIA PACIFIC MILL IN NEW BRUNSWICK

Hon. J. Robert Howie (York-Sunbury): Madam Speaker, my question is directed to the Minister of Finance. I apologize for not being able to give him notice. In view of the economic chaos in the building trades created by the government's refusal or inability to combat high mortgage interest rates, will the government take any initiatives in the closing of mills making building products, such as the Georgia Pacific Mill in New Brunswick which is about to close and create very widespread unemployment in the area? This is the result of national government policies which, taken in the context of national interest, impact adversely on the fragile economies of the Atlantic provinces.

I would like to ask the minister if he would discuss the closing of this mill and the related building products trade problem with economic ministers such as the Minister of Industry, Trade and Commerce, the Minister of Regional Economic Expansion and, in this case, the minister from New Brunswick, and would he also address the question of the adverse impact some of our national policies such as tight money and high interest rates have on the fragile economies and businesses in the Atlantic provinces?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, as the hon. member knows, the interest rates which prevail in the country today are basically the result of the high inflation which besets not only Canada but other countries in the world as well. The best way to reduce interest rates over time is to attempt to reduce over-all inflation.

I will, as the hon. member suggests, be pleased to look at this particular problem which concerns him, and discuss it with my colleagues he has mentioned.

Mr. Howie: I thank the minister very much for his answer.

Oral Questions

ENERGY

NEW BRUNSWICK OIL SHALES DEVELOPMENT

Hon. J. Robert Howie (York-Sunbury): Madam Speaker, my supplementary question is directed to the Minister of Energy, Mines and Resources. I draw the minister's attention, as I attempted to do a week or so ago, to the large deposit of oil shales in the province of New Brunswick. As the minister is aware, only one square mile of the 2,500 square mile deposit has been investigated, but this square mile leads New Brunswick authorities to believe there could be as much as 15 billion barrels of oil in the shales. These shales are not part of our national energy inventory.

Has the minister received any representations from New Brunswick, has he discussed this with his colleagues or his counterparts there, and will the minister give serious consideration to having a detailed exploration to define and evaluate the oil shales in New Brunswick?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I have not received any representations from my New Brunswick colleague or from the government of New Brunswick. Perhaps a letter has been sent to my officials which I have not yet received, but nothing has been brought to my attention. I will certainly consider the representation made by the hon. member, with interest and sympathy.

* * *

THE DISABLED AND THE HANDICAPPED

EFFECT OF CRTC DECISION ON HARD OF HEARING TELEPHONE USERS

Mr. Neil Young (Beaches): Madam Speaker, my question is directed to the Minister of National Health and Welfare. As the minister is aware, hearing impairment is the largest handicap in Canada. It affects one million disabled persons. Access to telephones is more important to them than it is to the general public and affects their ability to hold jobs or to live independently.

Instead of removing obstacles for these people, the effect of a recent CRTC decision will be to allow the installation of new telephone equipment which is incompatible with hearing aids and further isolates these Canadians from the mainstream of Canadian life.

Considering the minister's obvious concern about the disabled and handicapped community in Canada, what action is the minister prepared to take to remove this obstacle which was not there before the CRTC made this decision?

Hon. Jim Fleming (Minister of State (Multiculturalism)): Madam Speaker, I would be pleased to bring the detailed question of the hon. member to the attention of the Minister of Communications as soon as he returns to Ottawa.

ESTABLISHMENT OF TELEPHONE EQUIPMENT STANDARDS

Mr. Neil Young (Beaches): Madam Speaker, my supplementary question is directed to the Minister of Consumer and Corporate Affairs. Since the minister is responsible to Canadian consumers generally and since disabled and handicapped people are also Canadian consumers, will the minister agree to establish a standard which would require that compatibility with hearing aids be mandatory for all telephones used in Canada so that all Canadians would have the right of universal access to telephone communications?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I shall be happy to look into the proposal made by the hon. member and to discuss it with my colleagues.

* * *

[*English*]

NATIONAL ENERGY PROGRAM

EXPANSION OF SERVICES OF NATURAL GAS DISTRIBUTION COMPANIES

Mr. Maurice Foster (Algoma): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. In view of the urgency of implementing the government's plan for oil substitution and the importance that natural gas will play in this program, can the minister say how soon financial assistance, as promised in the National Energy Program, will be made available to natural gas distribution companies to enable them to expand their services to areas in eastern Canada such as the communities along the north shore of Lake Huron not now served by a natural gas pipeline?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I would like to make a point of clarification with respect to the previous question by the hon. member from New Brunswick. I would like to advise him that I have been—

Mr. Nielsen: Order.

Some hon. Members: Oh, oh!

Mr. Lalonde: Then I will answer the question of the hon. member for Algoma if the House does not want me to clarify the previous question.

Under the National Energy Program, large amounts of money have been provided and set aside for the expansion of the distribution systems for natural gas, and also electricity, in cases where it would not be economic to do so purely on a financial basis because of lack of clientele. However, there may be instances where it would be very important to have that expansion of the system in order to achieve our goal of reducing oil consumption in this country.

The decision as to the expansion of the systems will be made by provincial government authorities, and we will be working

very closely with them. We have already had discussions with the government of Ontario. These discussions are quite advanced, and we will be quite happy to make our contribution to the expansion of the systems which will be recommended by the provincial authorities concerned.

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MARINE TRANSPORT

WITHDRAWAL OF DART CONTAINERLINE SERVICE FROM HALIFAX—HOLDING OF INQUIRY

Mr. Howard Crosby (Halifax West): Madam Speaker, I have a question for the Minister of Transport concerning the withdrawal of Dart container service from the port of Halifax. The minister met with the Premier of Nova Scotia this week and heard his concern about the future of container traffic in the port. Can the minister confirm published reports that he will direct the Canadian Transport Commission to conduct an inquiry into the withdrawal of the Dart container service from the port of Halifax, and will he also indicate when that inquiry may take place and what will be the terms of reference for the inquiry?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, it would take too long to report on everything which took place, though I think we agreed on most items. There still are difficulties respecting the assessment of freight rates. The Premier of Nova Scotia would like me to look into the way the rates are distributed on the road from Halifax going west. I will. Secondly, he would like me to look into the cost of icebreaking. I said I would. He would like me to cost recover that. I said I might in another cost recovery package.

The main item of discussion was the presence of CN in Cast. In this instance, we had a debate which was similar to a previous debate in this House on the role of Crown corporations. I defended the presence of CN in Cast, as in Halterm. The Premier asked me to start an inquiry. I did not agree to that, but I said that he would have an opportunity to present his case before the CTC because CP Ships must get authorization under section 27 of the act. The premier can present his case in that particular place.

QUERY RESPECTING WHARFAGE CHARGES

Mr. Howard Crosby (Halifax West): In a press release dated March 2, 1981, the minister indicated that he had assurances from the National Harbours Board that it would move very quickly to expand container facilities in the port of Montreal for both the Cast shipping group and CP Ships. Now there is a rumour in Halifax that the National Harbours Board will dramatically increase wharfage rates applicable to container traffic.

Will the minister indicate whether this increase in wharfage charges will take place, and will he give us some assurance that no further steps will be taken by the National Harbours Board or any other government agency to aid the port of Montreal in its competition for container traffic with the port of Halifax?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, like many other members of this House I do not like the tone of the question. The premier and I looked at the wharfage charges in Montreal and Halifax and found that they were the same in most instances. By the way, I will give this information to members and also to the press in the coming days so that they can see that there is no discrimination whatsoever against Halifax in the present system. With respect to the port of Montreal, I am on record as asking the province of Quebec to make the proper water lots and the land available to the port of Montreal so that it, too, can be more successful than it is at this time.

* * *

● (1500)

[*Translation*]

HOUSE OF COMMONS

TABLING OF EXTRACT OF MINUTES OF MEETING OF COMMISSIONERS OF INTERNAL ECONOMY RESPECTING SALARY REVISIONS

Madam Speaker: I am pleased to table excerpts from the minutes of a meeting of the Internal Economy Commission held on Monday, March 9, 1981, to deal with the salary review applicable to House of Commons staff as of April 1, 1981.

* * *

[*English*]

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Baker (Nepean-Carleton): Madam Speaker, I wonder if I could ask the government House leader about his intentions for tomorrow and next week with respect to government business.

While I am on my feet, may I ask him to designate March 18 as an allotted day.

Mr. Pinard: Madam Speaker, to the usual question, the usual answer—the Constitution. Next Wednesday will be an allotted day.

Mr. Knowles: Madam Speaker, I rise on a point of order. On March 4 Your Honour very kindly wrote me a letter with respect to the motion I introduced in the House on December 19 concerning extra pay for employees who worked extended hours during that all-night debate. You have made it clear, Your Honour, that we cannot question you from the floor or get answers from you in the House, but in view of the wide interest that there is in this matter, I wonder if arrangements could be made for a copy of the letter which you wrote to me, and maybe you wrote it to others as well, to be tabled or even

made an appendix to *Hansard* so that those who are interested will know the disposition of this matter.

[*Translation*]

Mr. Pinard: Madam Speaker, in addition to what I indicated a few moments ago to the House leader of the official opposition, we will, of course, proceed next week with the debate on the Constitution, except for Wednesday which will be an opposition day. The New Democratic Party will be sponsoring the motion. However, if we decide to deal with another matter, we will, of course, give the opposition advance notice.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, I do not believe my friend is correct with respect to the party that will have that particular day. I do appreciate and thank him for the day.

Mr. Knowles: Madam Speaker, it is true that we had the last one, but this is our other one, a short day. My friends in the official opposition have the final day in the semester. I believe the President of the Privy Council is correct in accordance with our agreement.

I wonder, Madam Speaker, whether you could respond to my request for the tabling of the letter to which I referred and that possibly it may be appended to *Hansard*?

Madam Speaker: Before doing that, I should like to consult with the Commissioners of Internal Economy to find out whether they agree. I will take the hon. member's suggestion and consider it.

* * *

POINT OF ORDER

MR. ELZINGA—S.O. 43 MOTION OF MR. SCHRODER

Mr. Peter Elzinga (Pembina): Madam Speaker, I rise on a point of order with regard to a motion proposed under Standing Order 43 on Tuesday, March 10. This is the first occasion I have had to bring it to the attention of the House. It was moved by the hon. member for Guelph (Mr. Schroder) and seconded by the hon. member for Sudbury (Mr. Frith). I should like to read the motion:

That this House condemn the three Alberta daily newspapers which are stirring up regional dissension in order to sell more copies—

I rise because I find that this motion in itself misleads the House, and the stupidity of the statement in the motion I object to—

Madam Speaker: Order, please. I do not know whether the hon. member was in the House at the time the motion was presented but that was the time he could have debated it. I am afraid he is now debating a motion on which the House has taken a position and that is not possible. One cannot go back on a decision made in the House of Commons. Furthermore, this is not the time to debate that kind of motion.

Mr. Elzinga: Madam Speaker, I explained in my opening remarks that I was not in the House when the motion was moved. I do not know if that would alter your ruling.

Madam Speaker: I am afraid it does not change the hon. member's problem. It could have been debated at that time but since the hon. member was not present in the House on that day I am afraid his chance of debating it has passed. He could use other procedures on other occasions to make the House aware of the problems that concern him.

Hon. Steven E. Paproski (Edmonton North): Madam Speaker, I rise on the same point of order. This motion could not be debated in the House at the time because it was turned down by the colleagues of the hon. member for Guelph (Mr. Schroder) in the Liberal Party.

Madam Speaker: Order, please. I just said that it was not a point of order, therefore I cannot accept the point of order of the hon. member for Edmonton North (Mr. Paproski) either.

ROUTINE PROCEEDINGS

[*English*]

AERONAUTICS ACT

AMENDMENT RESPECTING INCLUSIVE AIR CHARTER TOURS

Mr. Hal Herbert (Vaudreuil) moved for leave to introduce Bill C-633, respecting inclusive air charters.

Some hon. Members: Explain.

Mr. Herbert: Madam Speaker, the purpose of this bill is to discourage operators of inclusive air charter tours from overbooking or otherwise failing to provide the accommodation that is advertised as part of the tour.

At present, the customer is only reimbursed for the value of what he does not receive, not for any inconvenience that results from being stranded.

The bill would impose a penalty of five times the value of any part of the tour omitted, payable to the customer.

Motion agreed to, bill read the first time and ordered to be printed.

* * *

PETITIONS

MR. FULTON—DUMPING OF TOXIC MINE TAILINGS

Mr. Jim Fulton (Skeena): Madam Speaker, I wish to present to the House today a petition compiled by the Anglican Church of Canada. This petition has been signed by Canadians from all parts of the country. This petition calls on the government to withdraw special order in council SOR

379-345, which approves the dumping of toxic mine tailings into Alice Arm Inlet, in northern British Columbia, and calls for a full public inquiry into the issue.

Members know that I have raised this issue on previous occasions. Many groups are concerned about the possible effects these mine tailings will have on the environment and especially the damage the tailings will do to the Nishga's traditional fishing grounds. Five major church groups have endorsed this petition, as have labour unions, environmental groups and public representatives. The petition is 380 pages long and has been signed by 9,000 Canadians. This clearly reflects the concern Canadians have about this problem and I urge the government to respect the request and hold a full public inquiry into this issue.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,644, 1,746, 1,838, 1,878, 1,939, 1,984, 2,024, 2,026 and 2,041.

[*Text*]

DEPARTMENTS OF JUSTICE AND ENERGY, MINES AND RESOURCES ADVERTISING CAMPAIGNS

Question No. 1,644—**Mr. Thomson:**

1. What is the estimated cost of the advertising campaigns on the (a) Constitution (b) availability of energy, including agency fees, media fees, follow-up studies and all other related expenses?

2. What is the estimated expenditure, by province, for each campaign?

3. Are the campaigns being financed from funds voted under the 1980-81 main estimates, or will supplementary estimates be required?

4. What advertising agencies have been hired to manage the campaigns?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of Justice and Energy, Mines and Resources as follows: the Canadian Unity Information Office: 1. (a) The Constitution: $4,900,000.00.

2. British Columbia	$ 490,000	Quebec	$1,499,400
Alberta	343,000	New Brunswick	142,100
Saskatchewan	196,000	Prince Edward Island	24,500
Manitoba	196,000	Nova Scotia	171,500
Ontario	1,719,900	Newfoundland	117,600

3. The campaign was financed by supplementary estimates.

4. Planicom Inc.
Le Groupe de Communicateurs unis du Canada
MacLaren Advertising Limited
The Jerry Goodis Agency Inc.
Vickers & Benson Limited
West-Can Communications Ltd.

Energy, Mines and Resources Canada: 1. (b) Availability of Energy: $1,679,700, including follow-up studies.

2. British Columbia	$187,135	Quebec	$358,005
Alberta	175,588	New Brunswick	35,480
Saskatchewan	56,600	Prince Edward Island	6,845
Manitoba	55,363	Nova Scotia	48,234
Ontario	625,852	Newfoundland	22,930

3. Yes, this campaign is financed from funds voted under the 1980-81 main estimates.

4. (i) Ronalds-Reynolds Co. Ltd. (English)
(ii) Publithèque (Television and Print—French)
(iii) Publi-Media Inc. (Radio—French)

ADVERTISING EXPENDITURES

Question No. 1,746—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of Energy, Mines and Resources for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): The Department of Energy, Mines and Resources reports as follows: (a) media advertising—$4,120,820; (b) free or subsidized publications—$254,350 (includes estimated expenditure of $2,000 by EM&R on behalf of Uranium Canada Limited); (c) other information—$646,000.

CNR—CONSULTING AND ACTUARIAL SERVICES

Question No. 1,838—**Mr. McKenzie:**

In each year, 1960 to 1979, what was the total amount paid by CNR for consulting and actuarial services and, by year, to which firms was the money paid?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The management of Canadian National Railways advises as follows:

(i) Records of such payments for 1960 and 1961 are not available.

(ii) During the period 1962 to 1979 payments were made by CN for consulting and actuarial services related to the payment of benefits under its pension plans and studies related to the development of such plans to the following firms:

William M. Mercer Ltd.;

Turnbull and Turnbull; and

Towers, Perrin, Forster and Crosby;

and in the following aggregate amounts:

1962 to 1970—$ 82,638.00

1971 to 1979—$902,808.35

(iii) Any more detailed breakdown of particular amounts, annual periods, and payees would be contrary to CN's practice of respecting the confidentiality of transactions with other commercial enterprises.

Order Paper Questions

AUDIT OF CMHC

Question No. 1,878—**Mr. Lewis:**

Did the auditors Peat, Marwick, Mitchell & Company, agree with the Office of the Auditor General to undertake a comprehensive audit of the Canada Mortgage and Housing Corporation and, if so (a) on what date was the decision taken (b) for what reason was such an audit undertaken and what, if any, were the results?

Hon. Pierre Bussières (Minister of State (Finance)): 1. Yes, Peat, Marwick, Mitchell & Co. have initiated a comprehensive audit at the request of Canada Mortgage and Housing Corporation (CMHC).

2. This decision was taken on August 28, 1979.

3. Mr. R. Hession, president of CMHC, in consultation with the Auditor General, requested a comprehensive audit of the corporation. The corporation is participating with the office of the Auditor General in a project to develop comprehensive audit methodology for Crown corporations.

4. The audit is under way. Results will be reported to the board of directors of CMHC upon completion.

GOVERNMENT OWNED LAND EAST OF PRESCOTT, ONT.

Question No. 1,939—**Mr. Cossitt:**

1. Does the government own any land east of Prescott, Ontario, in the area administered by the National Harbours Board and, if so (a) how many acres (b) how many persons own cottages or other buildings within the area?

2. Has the government considered selling some of the land and, if so (a) for what reason (b) what protection will be received in regard to the interest of those presently owning cottages, etc. on the land and will such persons be given first choice to purchase at a reasonable price?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The National Harbours Board advises as follows: 1. Yes, (a) 66.18 acres, in addition to a waterlot area of some 289.64 acres, (b) Twenty-three.

2. (a) It is contemplating the transfer to Parks Canada of a historical site and is studying ways of improving its revenue position with respect to other lands not used for commercial purposes.

(b) Cottage owners would not be affected by the transfer of the historical site. Should the decision be made to sell the lots on which cottages are situated at some future date, existing lessees will be given opportunity to purchase them at a slightly below market value.

JUNE, 1940—CRASH OF GOVERNMENT AIRCRAFT

Question No. 1,984—**Mr. Cossitt:**

1. Did a government aircraft carrying the Honourable Norman McLeod Rogers and others crash on its way from Ottawa to Toronto, somewhere in the area of Newtonville, Ontario, on June 10, 1940, and, if so, what were the names of all persons on board at the time including members of the crew?

2. Were there any survivors of the crash and, if so, what were their names and any other available information concerning them?

3. (a) What inquiries were undertaken into the crash (b) what were the conclusions of such inquiries and where is the information located?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. Yes. The names of persons aboard were: Hon. Norman McLeod Rogers, F/O J. J. Cotter, AC 1 J. E. Nesbitt, AC 1 O. D. Brownfield.

2. No.

3. (a) The Chief of the Air Staff convened a court of inquiry which heard evidence from June 11 to 15, 1940, and rendered its finding on June 17, 1940.

(b) The court found the causes of the accident in its opinion to be as follows:

An error in judgment on the part of the pilot in that he continued the flight beyond Trenton toward Toronto in the face of increasingly low ceilings and poor visibility.

An error in judgment on the part of the pilot in that when he had lost or was losing visual contact with the ground he attempted a sharp turn towards rising ground without first gaining a safe altitude.

The characteristics of the aircraft which preclude sharp turns without some loss of control.

Contact with the ground whilst in full flight.

The information is on microfilm in Air Force Headquarter's file held by the National Personnel Records Centre, Public Archives.

Question No. 2,024—**Mr. Cossitt:**

Were all records, prior to May 1941, pertaining to Department of National Defence aircraft and, in particular, records pertaining to the investigation into the death of Norman McLeod Rogers, minister of national defence, in an airplane crash on June 10, 1940, lost or have they disappeared or in some other manner vanished from the Public Archives or the Department of National Defence and, if so, how does the government account for this and will it order an investigation?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): In so far as the Department of Communications is concerned: no. These records exist and are under the control of the Public Archives of Canada.

In so far as the Department of National Defence is concerned: no. See reply to question No. 1,984 answered this day.

NORMAN McLEOD ROGERS—COURT OF INQUIRY

Question No. 2,026—**Mr. Cossitt:**

1. Do the papers of the late Right Hon. William Lyon Mackenzie King state in part with reference to the death in an air crash in 1940 of Norman McLeod Rogers, minister of national defence: "A court of inquiry into the cause of the accident is being held" and, if so (a) to what specific inquiry does this refer (b) in what location and on what date was the inquiry held (c) what were the names of all persons involved in the inquiry or who appeared before the inquiry?

2. Are the papers of the late Right Hon. William Lyon Mackenzie King in the Public Archives and specifically does the reference to Mr. Norman McLeod Rogers bear the number MG 26 J4 Vol328?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of Communications and National Defence as follows:

1. The papers of the late Right Hon. William Lyon Mackenzie King do state in part with reference to the death in an air crash in 1940 of Norman Rogers, minister of national defence: "A court of inquiry into the cause of the accident is being held." (See copy below).

(a) Court of Inquiry

(b) Headquarters No. 1 Training Command, Toronto—June 14, 1940

(c) Group Captain A. T. Cowley—CAF Station Camp Borden

Group Captain R. J. Grant—No. 1 Training Command

Squadron Leader T. A. Critchley—No. 1 Training Command

Mr. C. J. Rowden—Port Hope

Mr. F. H. Hewson—Port Hope

Mr. V. R. Wakely—Port Hope

Mr. H. Rusk—Port Hope

Mr. J. A. Elliot—Newtonville

Mr. L. Moore—Newtonville

Dr. F. W. Diamond—Port Hope

Mr. H. J. Williamson—Department of Transport, Toronto

Mr. C. S. Baldwin—Department of Transport, Malton

Mr. E. L. Capreol—National Steel Car, Malton

Capt. B. A. Rawson—Trans Canada Airline, Toronto

Mr. H. L. Wade—Newtonville Station CPR

Mr. S. C. Hutchison—Newtonville Station CPR

Mrs. M. J. Holman—Newtonville

Mr. W. Robb—Department of Transport

Sqn Ldr F. L. Trethway—RCAF, Trenton

F/O N. E. Small—RCAF, Halifax

F/Lt R. C. Davis—RCAF, Ottawa

G/C R. L. MacLeod—RCAF, Ottawa

Cpl. J. L. Arnold—RCAF, Ottawa

Col C. R. Scott—Militiary Secretary, National Defence, Ottawa

2. Yes.

Ottawa, June 10, 1940

Honourable Norman McLeod Rogers, minister of national defence, was killed at 1.25 o'clock today in the crash of an RCAF Lockheed "Hudson" aircraft en route to Toronto. The plane crashed into the woods ten miles west of Port Hope, Ontario, and caught fire after the crash. The cause of the accident has not been determined.

The pilot of the aircraft, who was also killed, was Flying Officer John James Cotter, of Halifax, Nova Scotia, who entered the RCAF in January, 1935.

Two members also killed were AC1 Oscar David Brownfield (R-51048) of Ottawa, Ontario, a son of Mrs. Minna Brownfield, of Big River, Saskatchewan, and AC1 James Edward Nesbitt (R-51105) of Ottawa, Ontario, a son of Mrs. Hanna Nesbitt, of Saskatoon, Saskatchewan.

The aircraft left Ottawa at 12.03 p.m. for Malton Airport, Toronto.

A court of inquiry into the cause of the accident is being held.

AM FREQUENCY REALLOCATION

Question No. 2,041—**Mr. Beatty:**

What would be the anticipated costs, if any, to the CBC as a result of AM frequency reallocation that may result from discussions on a possible agreement on international frequency sharing and what would be the component portions of the projected costs?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the Canadian Broadcasting Corporation as follows: estimated costs involved in converting the CBC's facilities to the new frequencies would be $1,760,000 (in 1980 dollars), made up as follows:

Technical cost (conversion of transmitting facilities)	$530,000
Cost of new transmitting facilities	$320,000
Non-technical cost (direct costs, public information campaign)	$910,000

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 173 could be made an order for return, this return would be tabled immediately.

[*Text*]

AUDIO-VISUAL OPERATIONS WITHIN DEPARTMENTS

Question No. 173—**Mr. Friesen:**

1. Which departments have (a) video-tape equipment (b) video-tape editing machines (standard and computerized) (c) sound studies (d) sound mixing studies to produce their own audio-visual material?

2. In each case (a) how many persons are involved and what are their duties (b) what is the name of the director and assistant director of such facility?

3. With reference to Part 1, what is the estimated cost/value of each item of equipment?

4. With reference to Part 2, what was the estimated cost for the salaries of such personnel and what was the actual cost dispense after overtime in (a) 1976 (b) 1977 (c) 1978?

Return tabled.

[*Translation*]

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the

House that question No. 173 be deemed to have been made an order for return?

Some hon. Members: Agreed.

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

Madam Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

• (1510)

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

Mr. Gordon Gilchrist (Scarborough East): Mr. Speaker, when the House adjourned yesterday I had just made the point that Canadians have been listening to this constitutional debate with some reluctance, and I wanted to discuss some of the rights which would be lost in the course of the passing of a new Constitution in Canada.

One right in particular which Canadians hold dear and sacrosanct, the right to hold and enjoy property, will be lost. Imagine a government which professes to be that of a free and democratic country not protecting the right of its citizens to own a piece of land or a home. This is a country which has been an inspiration to citizens of the world. Estonians, Italians, Czechoslovakians, Japanese, Ukrainians, Germans, Chinese, citizens from all over the world have looked to Canada as a land to which they could come to join with the rest of us in working for and owning a home or a plot of land. In other words, a stake in Canada of their very own. They will have lost this right to enjoy property because it is just not in the Liberal charter and the present laws will not protect them. The present law will not afford protection because the Prime Minister (Mr. Trudeau) has seen to it that any law inconsistent with the new charter will be inoperative and of no effect.

Since Magna Carta, the common law has guaranteed the right to own property, as do the present laws of Canada. But the new charter does not convey that right. Therefore, since the one is inconsistent with the other, the new charter will prevail and the present right of Canadians to own property will have been lost.

Another serious concern is for the rights of unborn babies. The Supreme Court of Ontario has ruled that a person becomes a person roughly at the time of birth. Entrenching such existing law in this defective charter would deny the rights of unborn children, whose rights even today are jeopardized by far too promiscuous abortion laws. I say correct the law, do not protect bad law.

There are other rights presently enjoyed by Canadians which will be lost also, but time does not permit a long dissertation of lost rights. Some of these rights are very important ones which are supposed to be better safeguarded by the deceptive Liberal charter but which will actually be lost to Canadians.

Let me mention just one more upcoming injustice which could work against any group of Canadians. I refer here to equalization. Much has been said about the need for equalization. We have equalization now. Equalization payments are the means by which Canadians have shared equitably in the wealth of Canada. They are calculated on the basis of revenues and incomes of provinces, figures which can be examined and evaluated by the provinces and from which agreement can be reached as to how much money the provinces will get from the federal government. Under the "divine right of Trudeau" charter, this right will be exclusively that of the federal government, which will be able to distribute provincial revenues at will without disclosing reasons. That should allow even more funds to be channelled to Quebec from the rest of Canada or to any other Liberal provinces.

If hon. members think that such a thing would not happen, that responsible government in Canada would not do such a thing, let us dispel that illusion right here. This very deceptive, undemocratic government is doing that by ripping off fellow Canadians in Alberta and Saskatchewan to provide cheap fuel and fulfil election promises to eastern Canadians. If paying fellow Canadians 40 per cent of the world price of oil just to buy votes, while disregarding the real cost to Canada in lost jobs and foreign oil purchases costing multibillions of dollars a year, is this government's idea of equalization, it certainly is not mine.

What should this government be doing about our Constitution? For one thing, it should bring the Constitution home to Canada at once. None of us disagrees on that. Instead of trumped-up Brit-bashing, the government should simply petition Westminster to send the Constitution home. Instead of blaming the British for safeguarding the rights of the provincial and federal governments of Canada, a task which Canada asked Britain to do—someone back in 1931 was smart enough to think of that; they must have known what was coming—we should be applauding the British for taking their responsibility seriously, which they always do, and from which I suspect they would like to be released.

Second, the government should find an amending formula by which we can change our Constitution when the need arises. Obviously, the best suggestion to date is the formula we

call the Vancouver consensus because it gives every province the highest degree of equality, consistent with population. It does not give the power of veto to one province over another. In short, it does not create second-class status for all provinces other than Quebec and Ontario.

Furthermore, there is virtual agreement already among the provincial premiers for the Vancouver consensus. Any statesmanlike prime minister would not admit defeat now when agreement is so near. A truly worthy prime minister would drive hard to obtain provincial agreement in a process of nation building. In actual fact, the Prime Minister declared during the past election campaign that he would prefer to wait until Claude Ryan was elected premier of Quebec before resuming discussions on constitutional reform. Something has certainly rushed him forward. But as an architect and as a nation builder, we would not want to accuse our Prime Minister of that. Instead of being a house builder, he is a home wrecker.

For a few moments let us look at the real builders of Canada, including the Macdonalds, the Cartiers, the Browns and others. Let us look back on the events which brought together the founding provinces of this great country of ours. In the 20 years or so prior to confederation and following the Durham report, there existed a period of political instability. Canada came to the recognition that the world was changing and that she must become more self-reliant. In 1845, Great Britain had adopted a laissez-faire attitude and colonies were not being given the trade preferences they had had. Canada needed markets for her goods. In addition there was a growing desire to expand westward, not only for markets, but to cut off United States western expansion which would have turned northwest.

At the apex of this period of instability, George Brown, a Liberal of the day and a far different Liberal from those of today, made a deal which he considered to be in the best interests of Canada with Messrs. Macdonald and Cartier. He said he would support the Conservatives if they would attempt to combine with the maritime provinces of Prince Edward Island, Nova Scotia and New Brunswick to form a federated state which would be big and strong enough to survive against United States expansion.

The result of the 1864 Charlottetown meeting and subsequent Quebec resolutions was the British North America Act, designed in Canada and created by a process of consent. It was a contract, not a conquest. Canada was not born out of revolution or bloodshed. That has not been the Canadian way. It was a contract by consent. The great genius of Canada has always been consent. Even today, in my view, if Quebec or Newfoundland wanted to leave Canada by legitimate means, no one would take up arms against them. We have always agreed. We must always agree. We must not impose; we must have consent.

In 1867 Canadians created this country, this Canada of ours. In 1967 Canadians reaffirmed our confederation with the greatest public outpouring of emotion our country had ever seen. We believed in Canada, its beauty, its culture and its social values. A new Constitution was the furthest thing from our minds. Canadians from east and west only wanted to continue the building of a great nation and a great society entering its second century.

Many of us, in an attempt to aid further the improving bonds between Canadians and Quebecers, elected the present Prime Minister, a man we believed would provide the spiritual and emotional link that would further bond two diverse cultures. Many of us agonized through the Official Languages Act which followed and which time has shown has increased the two-language problem and exacerbated our differences. Many of us sat patiently by while Quebec continued to break out of its economic straitjacket with the help of massive federal funding through DREE programs, Hull and Mirabel, federal government multimillion dollar projects and overly large government purchasing programs from Quebec suppliers.

How has all of this paid off for the citizens of the other nine provinces? The solidly Quebec-based Liberal party, with the complicity of the other members who know which side their bread is buttered on, is continuing to create division in a country which should be coming together with a sense of unified purpose—the building of Canada, a unified people working toward a common goal. This Liberal government, not content that it has gained power on a mandate of deceptive energy pricing and control which has totally divided western Canada from the east, has now set about to divide province from province with a new Constitution.

● (1520)

This is not just the perception of one Canadian. If the Prime Minister would cease this haughty arrogance and pay attention to the views and legitimate aims of the provinces, perhaps we could forge a Constitution which would come from the people of Canada, not one imposed on them by a government which is reflecting the views of less than one quarter of Canadians. A majority of seats in this House is a far cry from a majority of the people of Canada. More people in the last election voted against this government than for it.

After all, it is the provinces which more closely represent the wishes, aspirations and hopes of their citizens. If the wishes of the people and the provinces which represent the diverse needs of Canadians are not represented, that is not diversity, that is simply reality and the reality of differing needs will continue even after a new Constitution has been imposed. In fact, the differences will be all the greater after an imposed Constitution than after a Constitution which has been created by the people through their provincial legislatures.

Canada has always had different economic and social conditions. In early times our maritime provinces, the cradle of confederation, also provided the jobs and livelihood of early Canadians. Later, many maritimers went west to Ontario for industrial and mining jobs, enriching the central part of Canada with their presence and their skills. Still later, many central Canadians moved west to seek opportunities provided there. Quebecers have found careers in all parts of Canada and, of course, many citizens from other lands have found

Canada to be a land rich in opportunity. They came from various backgrounds to seek various opportunities in various regions.

Did these citizens from other lands look at Canada and say, "No, I won't go there; my rights won't be protected by their laws"? Certainly not. They chose Canada because it provided not only opportunity but guaranteed their rights and their liberties under the finest written and unwritten combination of constitutional rights in the world.

I say to the Prime Minister through you, Mr. Speaker, "If your constitutional package, which Canadians say they do not want but which you say they do want, is a sound one, why not put it to the Canadian people in the form of a referendum?" In fact, this highly controversial package contains provision for a referendum as a "tie-breaking" mechanism for deadlocks between the provinces and the federal government, so why not use it? Why would the government not use the very device it is trying to impose on the democratic process in Canada today?

I will tell you, Mr. Speaker, why it should not be used, and why it must not be included in the proposed amending formula. First, it is totally one-sided. Only the federal government would have the right to call a referendum. In a situation where all ten provinces had agreed on an issue, but the federal government did not agree, one vote out of 11, the federal government, and only the federal government, could unfairly utilize the referendum to carry its way. The ten provinces would not have that right.

Second, a referendum can be written, perhaps I should say manipulated, in such a way as to virtually ensure the answer the writer wants. This is totally unfair to the provincial partners and is contrary to the principles of federation, not to mention the undermining of our democratic system of elected representation.

Earlier I said that Canada was built by and on consent—consent of the provinces to come together, to build together and to prosper together as a federation. Now that federation and that democratic process are to be cast aside by a government which does not reflect the wishes of the majority of Canadians, and even worse, which does not care that it does not reflect that majority.

Before democracy fails totally in Canada, I urge the Prime Minister to change his hard, unbending stance, to conduct himself and his office in the parliamentary and statesmanlike way of his predecessors, and try once more to find the magic of consent, the consent which is Canada. Bring the British North America Act home. Find an amending formula of consent. Take the time to devise a charter of basic rights and freedoms here in Canada, based on the intelligence, regional realities and good will of Canadians.

This is surely not too much to ask. It is surely not too great a task. It is the duty of government to find solutions no matter how difficult. The people expect this and would applaud it. If this government is not equal to the task, this most fundamental and important task of nation building, then it should give way to people who believe in Canada, all of Canada, and who can get agreement and consent among all the provinces, just as the original Conservative government of Macdonald and Cartier did, in 1867. I am sure I reflect the hopes of all Canadians.

Hon. Warren Allmand (Notre-Dame-de-Grâce-Lachine East): Mr. Speaker, I am pleased to enter this debate to support this resolution. I do so with enthusiasm. I do so because I believe it is a major achievement in fulfilling several of my long-standing political goals, goals which originally led me to enter active politics more than 15 years ago. First is the protection of minority rights through entrenchment, including the protection of minority language rights; and, finally, the movement to greater political independence and unity in Canada through patriation, the amending formula and entrenched rights.

While the original resolution tabled last October generally contained these important goals, I believed at that time that it was lacking and defective on several matters, to the extent that I felt obliged to press for amendments and even to vote for them if they were to be presented in this House. This included matters relating to aboriginal rights, language rights and anti-discrimination rights, among others.

I am pleased to say, however, that through the committee process, through lobbying inside and outside this House and through the work of many people, considerable improvement has been made to the resolution. Many amendments were agreed to and I at this time wish to congratulate the government and the Minister of Justice (Mr. Chrétien), who I believe was extremely flexible, extremely objective and who took the time to listen to our arguments and, when the arguments were sound, make the amendments that were necessary.

In the short time available to me today, I can deal with only a few of the many issues and questions relating to this resolution. Consequently, I will restrict my comments, first, to the meaning of entrenchment; second, aboriginal rights; third, language rights; and fourth, the political and legal justification for the process.

First, why entrenchment? Some people that I have spoken to in my riding and across the country do not seem to understand why we need an entrenched charter of rights in the Constitution when we already have a federal Bill of Rights, a Human Rights Act and many provincial laws on human rights. In answer to that question, I should point out with great emphasis that the difference between an ordinary bill of rights, a bill of rights that is incorporated in an ordinary law at the federal or provincial level, cannot prevail over other ordinary legislation, whereas a bill of rights entrenched in the Constitution, as this one is, does prevail over all other legislation, either at the federal or provincial level. I want to read from Section 58(1) because of its importance:

> The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

Therefore, a piece of legislation which is inconsistent with what is in the entrenched charter of rights or in the Constitution is ruled invalid.

The second important reason for having an entrenched bill of rights is that an entrenched bill of rights cannot be amended by the ordinary legislative process as other bills of rights can. In other words, it takes more than an ordinary bill with three readings in the House of Commons and the Senate or provincial legislatures to change rights that are entrenched. In order to remove these rights which will be entrenched in the Constitution we would require an amendment to the Constitution in accordance with the amending formula, which means we would need the agreement of the federal Parliament plus six of the provincial legislatures, including Quebec, Ontario, two western provinces and two Atlantic provinces.

● (1530)

Finally, we need an entrenched bill of rights because, despite our good record in Canada, there have been many bad examples of violation of human rights by individuals, by groups and even by governments. I cite again the example of the Japanese Canadians and their internment during the Second World War; the removal of French-language education rights in Ontario and Manitoba earlier in this century; the recent removal by Bills 101 and 22 of English-speaking rights in Quebec; the attempt by the Alberta government during the 1930s to control the press; and attempts by Premier Duplessis in Quebec to control Jehovah's Witnesses and minority political parties. These are examples of which we are not proud but which could never have happened had we had the entrenched bill of rights to which I referred.

Second, I want to deal with the aboriginal rights sections in the constitutional proposal and the significance of those sections. They are Sections 25, 33, 35 and parts of the schedule. Of all these sections, Section 33 is the most important. The provisions of Section 33 represent the first time in Canadian history that any government has fully recognized and affirmed aboriginal rights. This recognition and affirmation is not being made in a mere policy statement, or in an ordinary piece of legislation; it is being made in the Constitution where, according to Section 58 which I just read, these rights will prevail over all other legislation, federal and provincial. This recognition and affirmation of aboriginal rights will prevail over the Indian Act, over mining acts, over hunting and fishing acts, over expropriation acts, over the Migratory Birds Convention Act and over the Northwest Territories Act. As it says in the section, any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force and effect.

Some people have asked what are aboriginal rights. Most of the 19 or 20 aboriginal groups which appeared before the Constitution committee did not want a detailed definition of aboriginal rights in the Constitution, although they wanted them protected, because they felt a detailed definition might limit and restrict them further down the road. They did not know what might happen further down the road.

I can tell the House that in a general way aboriginal rights are all those rights which our aboriginal peoples held prior to the arrival of the Europeans and which they never willingly gave up. These are the rights to those social structures which they had before the arrival of the Europeans; their laws, their customs, their forms of government, their economies, their languages, their lands and their waters, not just their rights to hunt, fish and gather. While those are important, aboriginal rights are not restricted to those things, and not just surface rights to certain lands. Again, that is important; aboriginal rights are not restricted to those things.

With the inclusion of Section 33 in the Constitution, governments will now have to negotiate with the various Indian bands and Inuit communities regarding the specific content of their aboriginal rights in different parts of the country. The Nishga will have the right to force the British Columbia government and the Canadian government to sit down and consider their claims. The Inuit in the northeast and eastern Arctic, the Micmacs in New Brunswick in respect of their fishing rights in the rivers and off the coast, and the Dene in the Northwest Territories will have that right.

In my opinion, if a provincial or federal government refuses to sit down and discuss these matters with an aboriginal group, or refuses to negotiate, that group could go to court and force them to negotiate under this section in the Constitution. If they did negotiate and there was no agreement reached between the aboriginal group and the governments concerned, again the aboriginal group would have the right to go to court, present their evidence and, by virtue of this Section 33, get recognition of their aboriginal rights in specific places throughout the country.

Some of our Indian groups in this country have doubted this process because of their experience with our courts in the past. They have pointed to the many judgments of courts to which they went in good faith but lost their cases when the courts turned them down. Consequently they have some doubts about a constitutional provision whereby they may have to go to court to have their rights decided by judges, even though they be judges of the Supreme Court of Canada.

Let me say to them that there will be a significant difference now. In the past many of the precedents the judges had to use in deciding cases were precedents decided in the earlier part of this century between provincial or federal governments and companies and in which the Indians and Inuit themselves were not at all involved. They did not have the chance to argue their cases and the courts, of course, must decide in accordance with the law and cannot make judgments on the basis of what they perceive to be justice.

With this section in the Constitution I assure our Indian and Inuit people that things will no longer be the same. Every court will have to take notice of that Section 33 and could never render the types of judgments rendered in the past. In judging every case they will have to take recognition of the fact that the Constitution recognizes and affirms the aboriginal and treaty rights of the aboriginal peoples of Canada.

I have referred so far in this section only to aboriginal rights. It also states that the treaty rights of our aboriginal peoples are recognized and affirmed. This is also important because it puts the matters in those treaties over and above all

ordinary legislation. That means that when a treaty comes into conflict with an ordinary provincial or federal law, the constitutional provision and what is contained in the treaty will prevail. That is extremely important because our Indian people have gone to court time and time again in the past when their treaties came into conflict with provincial hunting and fishing laws, mining laws, oil and gas laws as well as federal laws, and the judges have always ruled that the law in question takes precedence over the treaty. This was, by the way, contrary to the experience in the United States. With rights under treaties recognized and guaranteed in the Constitution, they will now take precedence over ordinary legislation.

While Sections 25, 33 and 35 in this proposal represent a great achievement, in my opinion, for the aboriginal peoples of this country, they are not all that is required. In my own private member's bill, Bill C-212, I have presented several proposals for constitutional protection of Inuit, Indian and aboriginal rights.

One matter that is still left undone—this is not included but I think it should be—is an amending provision whereby we cannot remove these rights we are now putting in without the agreement of our Inuit, Indian and native people. That is very important. We are taking a big step. All political parties on the committee were in agreement with entrenching these rights, and it would be a sad day if, five or ten years from now, with a different composition in this House and with a different composition in provincial legislatures—although they are somewhat similar in provincial legislatures right now—the federal government got together with six provinces and removed those rights without the agreement of our aboriginal peoples.

I understand the national aboriginal associations are now formulating an amendment which would require that these rights could not be affected or removed without the agreement of the aboriginal peoples of Canada. I hope all parties, including the government, will be able to accept that amendment.

Next I want to deal with the language rights provisions in the Constitution. As an anglophone Quebecer, these are of special concern to me and my constituents. Section 133 of the BNA Act provides only minimal protection for language rights. It provides that Canadians can use English or French in the Parliament or courts of Canada, and in the legislature and courts of Quebec. That is all. Many of us believe that Section 93, which specifically protects minority religious education, implicitly protects minority language rights, but that has not yet been decided by the courts and remains unclear. I might say there is a case now before the courts in Quebec brought by the Quebec home and school association against the provisions of Bill 101 on that very issue, but it is not yet decided.

● (1540)

Consequently, with minimal protection for language rights in our present Constitution there is a strong need for the much broader protection the charter gives us. In addition to retaining Sections 133 and 93 of the BNA Act of 1867 and the provisions of the Manitoba Act of 1870, the charter also entrenches the main provisions of the federal Official Languages Act and all the provisions of the New Brunswick Official Languages Act.

Some people may say that since we have a federal Official Languages Act and one in New Brunswick, why bother to entrench these rights. Well, Mr. Speaker, I repeat we must entrench them because we do not know what government will come along in four, five or ten years and what the composition of this Parliament might be. We might get a group of people who are hostile to language rights and who could easily amend the Official Languages Act, or New Brunswick could easily amend theirs. However, by entrenching this provision no majority of this House could take away those rights, and that is why it is important.

The charter also provides for minority language education in all provinces, and some of our citizens do not realize that. That provision, section 23, applies to all provinces, including Ontario, and provides that where the number of children is sufficient to warrant such schools, then minority language education shall be given to all citizens whose mother tongue is English or French. Those whose mother tongue is not English or French but were educated in English or French schools can have their children educated in the minority language school in their province. In other words, a person in Quebec whose mother tongue is English can have his children educated in an English school; if his mother tongue is Italian but he went to an English school, he can have his child educated in an English school; if his mother tongue was German and he never had a chance to go to a school in Quebec but he has an older child who went to an English school in Quebec, he can have all his children educated in that English school.

Now, this guarantee in section 23 is a minimum guarantee. It does not prevent the province from giving additional language rights in education to their citizens or landed immigrants. They can if they wish go beyond this minimum guarantee. I also want to point out that while this is a good provision, it does not provide full freedom of choice. For example, it does not guarantee the right of the French-speaking majority in Quebec to attend English schools.

The reason for that, while we are all sympathetic to that proposition, is that we feel that the French-speaking people of Quebec have the majority in the legislature, and if they wish to give themselves the right to attend English schools, they have the political power to do so. This charter guarantees rights to minority groups, not necessarily to majorities.

Some people of my province have asked whether this charter will invalidate parts of Bill 101. Yes, Mr. Speaker, I am pleased to say it will, and a panel of lawyers advising the Quebec government said just last week that this charter will invalidate sections in over 100 Quebec bills. Let us make clear, however, that this charter will also invalidate many discriminatory sections of provincial and federal laws across this country. In addition, its provisions, while they might knock down some sections of Bill 101, will guarantee rights to the French-speaking minority groups in the other provinces.

Finally, I would like to deal with the legal and political justification for the process we are undertaking. The official opposition and some provinces say they support patriation, an amending formula and entrenched rights, but are opposed to the resolution because they say we should not approach the British parliament without the necessary support of the provinces. I have not heard any consistency in the speeches given by the opposition as to what that necessary support should be. Do they mean unanimous agreement of all the provinces, do they mean a majority of the provinces, or a consensus among the provinces based on population?

Because we do not have the support of all the provincial governments at present does not mean we do not have legislative support in all provinces. If we look at those who will vote for the resolution in this House, judging from the speeches that have been given there is support for the resolution in all provinces of Canada. Nine members of the NDP from British Columbia support the resolution, three from Saskatchewan and five from Manitoba, along with two Liberals, I understand one Conservative from Alberta, and a wide-ranging number from Ontario, Quebec and the Atlantic provinces. In addition to the official support of the federal government, there are two provincial governments supporting the resolution, including Ontario, the largest province. I want to make it clear that this is not a unilateral act. With that kind of support you cannot call it unilateralism. It is at least a troika and at best a quartet, perhaps a four-party initiative. You may accuse us of not having a majority of the provinces but it certainly is not a unilateral act.

With respect to the legality of the resolution, I want to repeat what many others have said, that all that is required to amend the Canadian Constitution is a joint resolution of the House of Commons and Senate. It is true that on many occasions the federal government consulted with the provinces and tried to get their agreement, and that sometimes they did not proceed without that agreement; but this was never the law and never became the law through custom or precedent. That has recently been decided by the Manitoba Court of Appeal and it is now before the courts in Quebec and Newfoundland.

Since 1867 there have been approximately 25 amendments to the BNA Act. In four of those amendments provincial consent was neither sought nor given. In three others the majority of provinces agreed but there was some significant provincial opposition. In two others there was a minority of provinces supporting the federal government. As far as I can see, in only three principal amendments were all the provinces behind the federal government, so the record is a very mixed one. It is clear, however, that the only legal requirement is a joint address of the Senate and House of Commons.

Now, the question remains whether a political, not a legal, requirement has developed over the years, or some kind of constitutional convention which demands the agreement of the federal government plus a number of provinces—and I say "plus a number" because it is so vague. If such a political requirement has developed, what is it? Is it that we must have unanimous agreement of all provinces? Must we have a majority or some kind of consensus? If the political requirement that might have developed is that we need the agreement of all provinces, I say that is unreasonable and wrong and should be discarded. Even if it is that we should have a majority of the provinces, it is wrong, unreasonable and should be discarded, because it would mean that a majority of the provinces from one part of the country could override the interests of another part of the country. For example, all the provinces east of Manitoba could get together and outvote, by their majority, the provinces of the west; or the provinces of the extremities could get together and pass an amendment against the wishes of Quebec. That is wrong.

• (1550)

Consequently, we have adopted an amending formula which appeared to be the best of all those proposed in recent years. One might say that what we are trying to do is revolutionary. It may not be a bloody revolution. It may not be a legal revolution. But, in a sense, it could be a political revolution. I say "in a sense" because it might be argued that we are going ahead with this resolution despite the fact that we do not have a consensus or agreement among all the provinces.

If that is the case, it does not bother me, Mr. Speaker. Revolutions, quiet and unquiet ones, have been necessary in the past to advance independence, national unity and the protection of human rights. It was necessary in the United States in the eighteenth century. It was necessary in the United Kingdom in the seventeenth century. It was necessary in France in the eighteenth century. History has judged many of these revolutions to be beneficial and necessary.

I will say, and I am willing to bet, that history will judge that the provisions of this resolution, even if they are deemed to be a revolution contrary to a developed custom, will have been beneficial and necessary for Canada and for the long-term good of the Canadian people. I believe that within a few years there will be unanimous agreement among our people that it was a good thing to do and it was important that it be done.

Mr. Mark Rose (Mission-Port Moody): Mr. Speaker, I, too, am proud to join with my colleagues and participate in this historic debate. I am also pleased and proud to support the joint resolution which is before us, although I must admit that I feel somewhat intimidated because of the immensity and complexity of the legal, political and social questions with which we are dealing.

I have never been much of a constitutional buff, Mr. Speaker. Constitutions are such difficult, abstract things that I doubt if debating them will ever become a national pastime. Despite efforts of the official opposition and the provinces to hype this matter up, I get as many letters complaining about poor postal service as I do about the so-called constitutional controversy. That is not to say that constitutional questions are unimportant. They are incredibly important.

My constitutional experiences, first here in this House, later in Room 200 and now back again in this chamber, have taught

me a number of valuable lessons, some of which I would like to talk about at this point. First, there exists a vast array of public groups who feel that their fundamental rights and freedoms have not always been protected by our present Constitution and that the Constitution needs to be amended in order to provide us with a charter of rights and freedoms. The groups ranged all the way from natives to Japanese Canadians, to the handicapped, women's groups and civil libertarians, to name only a few. Many of these people, and more, demand an entrenched charter, and they are opposed to waiting for one any longer. The hooker, though, is that a constitutional amendment is required to add such a charter to our Constitution. Unhappily, as everyone knows by now, the provinces will not agree on an amending formula and they have not been able to agree for over 50 years.

So here is our constitutional Catch-22—no provincial agreement, no amending formula; no amending formula, no charter; no charter, no unified protection of rights allowed to Canadians right across our nation.

For those who complain about the proposed amending formula giving regions unwarranted veto powers, what we now have, and have had, is a practice through federal-provincial conferences which permits every province, large or small, to have a veto—and that has been our problem. I believe those in the Conservative Party who counsel us to bring the BNA Act home as is and add a charter later with the help of the provinces are either mischievous, naive or stupid. The most effective way to deny Canadians a charter for another 50 years is to take that advice.

The second point which can perhaps be dealt with in fewer words but which is no less important, is that from some of the items we have read and heard, such as "Canadians should not be asking the British to amend our Constitution" and "Let us build our Constitution here", one would almost conclude that this whole debate is taking place thousands of miles away in far-off and mythical Albion. Before Christmas I asked myself, "Where am I?" I answered, "In Room 200." Then I asked myself, "Where is Room 200?" I answered, "On Parliament Hill." I said, "Well, where is Parliament Hill?" I answered, "In Canada." "What are we doing here?", I asked myself. I answered, "We are building a Constitution." Now again today I pinch myself and ask myself, "Where am I?"

Some hon. Members: In the House of Commons.

Mr. Rose: Where is the House of Commons?

Some hon. Members: On Parliament Hill.

Mr. Rose: Where is Parliament Hill?

Some hon. Members: In Canada.

Mr. Rose: What are we doing here?

Some hon. Members: We are building a Constitution.

Some hon. Members: Hear, hear!

Mr. Rose: So we are all engaged here in the very important work of building a Constitution by Canadians in Canada. There is no doubt about that.

Let us hear what former prime minister John G. Diefenbaker had to say with regard to Britain's role in constitutional amendments. I quote from Volume II of his book "One Canada":

> There are those who argue that the British North America Act and its amendments are a foreign piece of legislation. Nothing of the kind! All the terms of the BNA Act were determined in Canada by Canadians at one or other of the two conferences held in Charlottetown and Quebec. This was a statute of the British Parliament in 1867 because it involved a union of the British North American colonies. Its subsequent amendments were all made in Canada by Canadians, then perfunctorily passed by the Parliament at Westminster; British statesmen would be pleased if they could rid themselves of this obsolete responsibility.

When we have completed our work here I say: Let us help the British rid themselves of this "obsolete responsibility" by going to Britain one last time. The British government will pass this package and send it home unaltered—and no alliance of fox-hunting Tory peers and their colonial sycophants are going to stop us.

Some hon. Members: Hear, hear!

Mr. Rose: Emerging from both the first point concerning the intransigence of the premiers and the second point about the fact that Canadian MPs have spent months working on our new Constitution is another important point. It is one which concerns the shift away from the Prime Minister (Mr. Trudeau) and the provincial premiers as exclusive players in the constitutional drama to a widened stage including, for the first time since I have been active in politics, MPs and senators as crucial players.

As a member of Parliament I would like to say that I have grown both angry and impatient at watching endless federal-provincial conferences from the sidelines. Premiers have no cause, nor right, to claim that they, simply because they are premiers, represent the views of people or areas in some more superior, genuine or authoritative way than I or my colleagues do in the House of Commons.

I would like to quote the distinguished House leader of the opposition on this very point, as reported in "Parliamentary Government on the Subject of Proportional Representation as it Relates to Parliamentary Reform." The hon. member for Nepean-Carleton (Mr. Baker) had this to say regarding the appropriateness of an MP to speak for the area he represents:

> People pushing for proportional representation seem to be saying that an MP in an opposition party is not an appropriate spokesman for his province—whereas of course he is. I feel that we ought to put more emphasis on the abilities of MPs to speak for their areas, whether they sit on the government or the opposition side, and proportional representation simply does not address that problem.

The point here is not to debate the merits or disadvantages of proportional representation, but, more important, to debate the right and duty of an MP to appropriately represent a particular region. Therefore, I am pleased to have the support of the distinguished Conservative House leader when I assert that I, as the member for Mission-Port Moody, have not only

the right but the responsibility to work for the acceptance of the constitutional package before us, even though our "14-points-behind" Premier of B.C. opposes the move.

Similarly, the hon. member for Winnipeg North Centre (Mr. Knowles), who intends to vote in favour of the joint resolution, speaks as surely for Manitobans as does the erstwhile Premier Lyon who is fighting patriation. Or let us take the case of the hon. member for Nepean-Carleton, who fights this resolution with every means known to rules experts, despite the fact that his fellow Conservative, Ontario Premier Bill Davis, supports the constitutional package enthusiastically.

Essentially, what I am saying is that as an MP I welcome the opportunity to make a contribution to constitution building. For too long I think the House of Commons has been ignored, while year after year the premiers have fiddled and failed. Of course a provincial consensus of a positive kind from a great number of premiers would have been preferable to what has been described as unilateral patriation. Does anyone listening actually believe that an agreement among ten premiers and the Prime Minister is possible on this question or on many others? I do not.

● (1600)

If we want our Constitution brought home, I believe we in the federal Parliament are taking the only course left open under current conditions. Some people disagree and say that what we are doing is not only immoral but illegal. Some provinces will go, and have gone, to court in order to prove it. Before the Quebec Court of Appeal at this very moment is an action to prevent patriation of the Constitution on the ground that the charter of rights "interferes with provincial powers." Naturally I have no idea how the case will turn out, but it seems to me that it is the duty of a federal state to protect the rights of its citizens with a Charter of Rights and Freedoms, rights and freedoms which do not vary from province to province but apply equally in all parts of our federation.

I agree with the Minister of Justice (Mr. Chrétien) that is both inconceivable and unacceptable for native people, women or the handicapped to enjoy certain rights in one jurisdiction of our federation and be denied them in another. The charter must apply to all provinces and territories; it must protect all citizens in Canada. If the charter of rights is deemed an interference, then I think it is about time we interfered.

If we must wait for the provinces to bring in tough civil rights legislation, we will never get a charter because most provincial governments are so right-wing they spend most of their time talking about individual freedoms and have no time left to consider individual protections and rights. Most provincial rights codes are weak-kneed and toothless.

Mr. Friesen: Will the hon. member entertain a question? Is the British Columbia civil rights code toothless?

Mr. Rose: Mr. Speaker, I will entertain a question at the end of my speech.

The Constitution

I should like to refer again to the belief of the late Mr. John Diefenbaker in a charter of rights. Mr. Diefenbaker said:

> A bill of rights for Canada is the only way in which to stop the march on the part of the government toward arbitrary power, and to curb the arrogance of men "clad in a little brief authority"—

He continued:

> Some say that it is unnecessary and our unwritten constitutional rights protect us. They have not in the past. They cannot unless you and I have a right to the protection of law in the courts of the land. There are others who claim that the Parliament of Canada cannot pass laws to preserve the constitutional freedom of Canadians. If that be true, then Canadian citizenship is a provincial variable. There will be nine kinds of Canadians in Canada whose freedoms will be based on the home address of each of us. If that contention be true, Canadian unity is a meaningless term.

We Canadians have much to be proud of. We suffer from serious shortcomings when it comes to respecting individual rights, and we have done in the past. Of course we are far superior to the repressive regimes in many parts of the world, including South America, Eastern Europe and the Far East. We must remember that most Canadians applauded the deportation of the Japanese in 1941, even though at that time we were dispersing Canadian-born citizens who were charged with no crime. Most of us stayed silent while Jehovah's Witnesses were being hassled throughout Quebec under the Duplessis regime. As one of the 16 who voted against approval of the government's invocation of the War Measures Act in 1970, I received hundreds of letters following that vote condemning me for opposing a measure which, with the stroke of a pen, removed all civil rights not just of Montrealers but of Canadians right across the country.

Again some argue that when a crisis inflames passions no charter of rights, no matter how perfect, would have protected, for example, the west coast Japanese or prevented invocation of the War Measures Act of 1970. They would say that the panicky state of public opinion at the time would have overridden any written entrenchment of rights and freedoms. Perhaps this was so. However, along with the present entrenched rights comes an avenue of appeal and remedies available to those abused, if only after the fact.

Section 24(1) guarantees against infringement of individual rights and freedoms and offers the protection of the courts if such infringement occurs. This recourse to the courts is new and an important forward step.

Unfortunately, when the Japanese dispersal occurred in World War II, 20,000 of these people were stripped of their land and property. There existed no section 24 which would have guaranteed these Canadians of Japanese ancestry access to the courts to recover their stolen wealth and property. Back then, they had no recourse but to accept the thefts and try to forget them.

Similarly, the 500 or so Quebecers incarcerated in the October, 1970, round-up and who were never charged or convicted had no legal remedy against arbitrary arrest and imprisonment. We have it now in this charter.

When a long-time author and vice-president of the Canadian Civil Liberties Association, June Callwood, recently was

asked in *Maclean's* "How do you feel our rights have been abused?", she replied:

In its whole history, the Canadian Civil Liberties Association has only won one case—and it's being appealed. I maintain that the attitude of our Supreme Court puts us slightly to the right of Vlad the Impaler. Just in the past few years, they've eroded our right to be silent when arrested, upheld a municipality's right to forbid demonstrations that might lead to "tumult" and allowed illegally obtained evidence to be used against people. Their attitude generates a nourishing environment for the intimidation of writers, broadcasters, all kinds of journalism. It's very reactionary and it's nourished by acceptance at the bottom. We always talk about our traditional freedom of speech. But actually, through our history, anybody who demonstrates convictions about freedom of speech that are contrary to the established views is usually put in prison. So our tradition is really repression of speech.

It is clear, then, that many people who are concerned about civil liberties desperately want an entrenched charter of rights and freedoms, as it is equally clear that many of the provinces see such a federal charter as an infringement on provincial powers.

There may be a strong parallel between the drive for greater provincial rights here in Canada and the historical states' rights movement in the United States. United States author and historian Henry Steele Commager had this to say in a recent Los Angeles *Times* article:

"States' Rights" is both an anachronism and a conceptual illusion. States do not have rights; people have rights. In the United States people have all rights. In the exercise of those rights they have allocated to the national government whatever powers are essential to the conduct of the great affairs of the union, and to the general welfare and happiness of the people—

It was the states that repudiated and nullified the requirements of the 14th and 15th amendments and of many civil rights acts, and the national government that—eventually—enforced those. In the realm of civil liberties, it is the states, not the nation, that have been the most consistent offenders; it is the national government, chiefly through the federal courts, but substantially through a series of civil rights acts, that has expanded them. It would be asking a great deal to ask blacks to accept the argument that the states have been the guardians of their freedom and the national government the enemy.

Henry Commager went on to argue that it was the U.S. national government and not the states that proclaimed and protected women on matters ranging from universal suffrage to equal rights. Incidentally, that amendment, known as the ERA, has not gone through yet because of the opposition of many of the states. Commager went on to say:

So too with labour legislation from the Clayton Anti-trust Act to the Wagner Labour Act. It was the Congress which banned child labour and instituted medicare for the poor. Congress too established conservation and environmental ground rules. Through President Teddy Roosevelt to Franklin Delano it was the federal government which established national parks, limited strip mining and the reckless exploitation of fossil fuels—not the states.

● (1610)

While I know there is not complete congruity between the experiences of Canada and the U.S. in this issue of civil rights and protection of those rights, the parallel is certainly not a weak one. Ask an oriental citizen in Canada or the native peoples if a statement in the BNA Act would have been helpful in their achieving the right to vote much sooner than when it was finally accorded to these minorities as recently as the fifties and sixties. Ask Franco-Manitobans if a statement of linguistic rights would not have made some difference to their culture's survival in the long years between Laurier and Trudeau. We know the charter is far from perfect, but due to the diligence of committee members on all sides of the House it is a vast improvement from the first time we saw this charter.

Of course, some one of my political persuasion regrets the silence of the charter on certain matters. We would like to have seen statements about economic rights, such as the right to a job, a decent house, health, clean air or a clean environment. These rights are not included.

Having said that, I for one am not prepared to deny native Canadians of aboriginal background their rights as described in this charter, women their equal legal rights or the average citizen protection against arbitrary search and seizure, simply because my own personal pet interest is not part of this charter of rights. Without the inclusion of the charter of rights, it makes little difference to me whether we bring the BNA Act home this year or a hundred years from now. Maybe equalization or some such matter is important, but I think the charter of rights is vital.

I would like to deal with the amending formula for a moment. As we know, within the resolution the principle of unanimity applies for two years, within which time the first ministers will have the opportunity to find another formula. I wish them luck! Failing that, and after the prescribed time, the Victoria amending formula will come into force. In effect, this amending formula would require a resolution of support at the federal level and of the legislature of any province which, at the time of enactment of this formula, has 25 per cent of the nation's population within its borders. Further, the formula requires support for the resolution from two of the four Atlantic provinces and two western provinces whose populations total 50 per cent or more.

I would like this provision changed so that the 50 per cent of the population required by the western provinces is dropped. Does that surprise hon. members? This change would permit any two of the four western provinces to have veto power.

I am aware—and I am sure the hon. member for Crowfoot (Mr. Malone) will be pleased to hear this—that the present formula protects my province of British Columbia. But I think it is blatantly unfair to the three prairie provinces that a two-province, 50 per cent rule should apply in western Canada, while a simpler and easier two-province veto provision applies in Atlantic Canada without reference to population.

The Victoria formula is important because it will give Canada a reasonable amending mechanism and the freedom to abandon the hobbling unanimity rule which has so frustrated Canadians for years and prevented them from having their own Constitution. I believe a formula requiring a simple two-western province veto is fair to all regions of the country, particularly in light of the formula's flexibility, which provides veto power in future to any province which attains 25 per cent of the nation's population.

The so-called Vancouver consensus supported by the official opposition is unacceptable to me because it permits a province to opt out if it does not agree with some constitutional

amendment. Ultimately, we would not have a country at all but a checkerboard of jurisdictions, each with what would amount to its own constitution, which would make a mockery of the mobility rights and other rights which have been guaranteed in this charter. I am sure that if he were alive, the Right Hon. John George Diefenbaker would agree with me on this point.

Mr. Keeper: One Canada, not a two thirds Canada.

Mr. Rose: There are some who say, "What is all the rush? Why risk all this conflict and controversy? Why not take a little more time? Let's polish up the package into one more acceptable to more people."

To answer the last statement first, I believe that if we worked ten years more, we would never create a blue print for Canada that was perfect nor one which would avoid all criticism. Our country is too diverse for that to happen.

As a New Democrat I find the perpetuation of the powers of the Senate so intensely unpalatable that for that reason alone I am tempted to vote against the whole bundle. I will leave that to other members of my party because I am quite sure we will not hear much about Senate reform from either the Liberals or the Conservatives. I will leave it to others in my party to rage over the continued power and presence of that unelected Upper House made up largely of retired Liberal and Tory bagmen and political rejects. But I would like the House to know that the continuing presence of an archaic and unchanged Senate resting sheltered and snug in our brand new Constitution is, to me and many other people, both odious and unacceptable.

Mr. Blaikie: It is an affirmative action program for disabled Liberals.

Mr. Rose: In spite of the government cop-out which deleted Clause 44, which would have weakened the powers of the Senate, I feel that the gains obtained by my own leader in granting extended powers to the provinces in resource management and indirect taxation, plus improvements in the charter of rights for women, natives, the handicapped and for multiculturalism, do more than enough to justify my support for the package.

Some hon. Members: Hear, hear!

Mr. Rose: But what is this rush to patriate, anyway? Following on the heels of the Quebec referendum of May 20 last a follow through was promised on the commitments made by several political leaders and parties. They promised to renew our Constitution as a means of dealing with the particular needs of the province of Quebec. Beyond that, we are all aware of the strong expressions of deeply felt alienation by the people of western Canada toward the federal government, so that there is now at least a willingness, in some cases at least and in some provinces—and involving many people—to discuss our Constitution and to expect that there will be significant movement on this matter of constitutional change.

Should we falter and return to the interminable and boring rounds of federal-provincial conferences, whatever momentum has been built up among the people of Canada could well be lost. So the time is now. I disagree with those who strongly advocate that this is not the time. This is the time to act decisively with respect to the patriation of our Constitution. The mere transfer of a document from one country to another is not sufficient. We must show the people of Canada that we are prepared to change decision-making processes in order to correct these sources of alienation. I insist that nothing can be achieved by further foot-dragging or delay.

I have dealt with the features of the constitutional debate which are important to me. Admittedly, much more could be said, but I have commented on initiatives I support, such as the charter of rights and freedoms, MP participation in constitution building and added provincial resource protection. I admit I have said nothing about equalization or language rights and very little about legal rights. I have been sharply critical of perpetuating the Senate prerogatives, and in addition I have made suggestions about improving the amending formula to make it more fair and just to western provinces.

Symbols are very important to any nation. We have our own flag. We have our own national anthem. Soon, if we are statesmen instead of mere politicians, I think we will be able to boast of our own Constitution. A few members are still sitting among us who furiously and sincerely fought the new flag both inside and outside the House of Commons. Who today, however, would stand up and say we should rip up the Maple Leaf and unfurl the good old Red Ensign? Who are they? They are darned few.

The same is true with respect to the Constitution. Once we get it home and it becomes part of us, which politician will stand up during the next federal election campaign and say, "Vote for me and I will send our Constitution back to England"?

I recognize that there are some who oppose bitterly what we are doing here. That is inevitable. These things are never easy. Still, passions do cool eventually, and although it is trite but true, time is a great healer. Surely the glue holding Canada together is strong enough to resist our disintegration merely because the federal Parliament, in desperation, seized the initiative to bring our Constitution home.

● (1620)

The Tories are fond of repeating ad nauseam a Gallup poll published some weeks ago which reported that 64 per cent of Canadians opposed unilateral patriation. They use this as an argument for rejection of the package. I know that I have quoted the late John Diefenbaker a number of times but he said that polls were "only for dogs."

I think very few people are aware of what the former, fighting United States president, Harry Truman, had to say about using polls as a basis for political decision-making. In 1954 Mr. Truman is reported to have said:

I wonder how far Moses would have gone if he'd taken a poll in Egypt? What would Jesus Christ have preached if he'd taken a poll in Israel? Where would the

Reformation have gone if Martin Luther had taken a poll? It isn't polls or public opinion of the moment that counts. It is right and wrong and leadership—men with fortitude, honesty and a belief in the right that makes epochs in the history of the world.

Some hon. Members: Hear, hear!

Mr. Rose: I think Mr. Truman was right and I conclude by saying that I believe the Prime Minister and the leader of my party are right about this matter. The constitutional question comes down to leadership. My leader and members of my party on the committee and members of the official opposition worked hard. They did a great job. I feel that I, my colleagues and my party have done a great many things for Canadians in the past. This time we are going to help win a new Constitution for them.

The Acting Speaker (Mr. Corbin): The hon. member for Surrey-White Rock-North Delta (Mr. Friesen) on a point of order.

Mr. Friesen: Mr. Speaker, since the hon. member for Mission-Port Moody (Mr. Rose) was generous enough to allow a minute or two at the end of his speech for a question, I wonder if he would entertain it now?

Mr. Rose: Yes.

Mr. Friesen: In his speech he said that most provincial governments are so right-wing that they do not have time for bills of rights in their legislatures and that those bills are usually toothless. I wonder if he would give that description to the one in British Columbia.

Mr. Rose: Mr. Speaker, I do not think that is precisely what I said. I did not say they did not have bills of rights but I said that some of them are weak-kneed and toothless. I also said that most provincial governments are right-wing. If the codes are not toothless, surely the enforcement is toothless.

While I am on my feet, I wonder if I could ask a question since my time has not run out. It is very important that we finish debate on the amendment before us. There are other amendments to be dealt with dealing with native and civil rights, amending formulas and a number of other things.

I wonder where the hon. member for Provencher (Mr. Epp) is? When is he going to come back from his holiday in South Africa, where he is probably studying native rights? He should get back here and let us put an end to this part of the debate.

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, I wanted to take part in this debate because I share the general feeling of the members of this House concerning the undeniable importance this proposed resolution holds for the future of Canada. Mr. Speaker, this constitutionally significant action of patriating our Constitution should not be taken in isolation, but be part of the constitutional reform that a great many Canadians so dearly wish and to which the supporters of a renewed federalism, including the Prime Minister of Canada (Mr. Trudeau), committed themselves in the referendum debate last spring in Quebec.

Having said this I must add, I am extremely disappointed that the constitutional changes which a No at the referendum was supposed to bring about have been reduced to the bare minimum; all we are left with is a resolution proposal which further restricts the legislative powers of the Quebec's National Assembly. I wonder what would have been Quebec's answer last May 20 if it had been known renewed federalism would result in essentially two reforms: First, unilateral patriation, which is unacceptable to a majority of the provinces and to all political parties in Quebec; second, a charter of rights which, in its linguistic provisions, would significantly reduce Quebec jurisdiction over the language of instruction and compel the Quebec government to amend Bill 101, and this in exchange for the right entrenched in the Constitution for francophones outside Quebec to be educated in French within school systems that they will not control, and only where numbers justify it.

We would be justified in believing, Mr. Speaker, that under these conditions, many of us who, on May 20, trusted the federal authorities to renew Canadian federalism would rather have given the Quebec government a mandate to negotiate sovereignty-association, or at least would not have fought so vigorously for the No. If I may, I would like to recall what the chairman of the No committee in the county of Charlevoix, notary Paul-Émile Tremblay, wrote in this regard in the newspaper *Le Devoir* on March 2, and I quote:

If I had known what was to follow, I would never have accepted the presidency of the "No" committee in Charlevoix.

To this, some will probably reply that once the Constitution has been patriated, constitutional reform can be undertaken immediately and that agreement will be much easier to achieve as neither unanimity nor the agreement of the British parliament will be required to amend our Constitution. In fact, Mr. Speaker, this is an oversimplification because the procedure proposed in the resolution may make a permanent amending formula impossible until 1986. If this resolution is enacted on July 1, 1981, there would first of all be a period of two years during which the rule of unanimity would continue to apply.

On the other hand, if seven provinces representing 80 per cent of the population could agree on an amending formula after these two years, the federal government would have to hold a referendum within the next two years asking the people to choose between the provinces and the federal government's proposals. Finally, under Section 43 of the resolution, six additional months might elapse before the amending formula approved by a majority of voters is put into effect. We would be deluding ourselves, Mr. Speaker, if we expect to be in a position to address the constitutional reform before 1984,

assuming that no referendum is held to choose an amending formula, or before 1986, if such a referendum is held.

Mr. Speaker, if the Victoria formula under Section 45 of the resolution becomes the chosen procedure, it may seem a good idea at first to postpone any true constitutional reform by a few years so that it may be carried out accordingly by a seemingly more flexible approach than the rule of unanimity which has prevailed until now. In other words, is it not true that it would be easier to amend the Constitution with the agreement of only six, seven or eight provinces and the federal government, as advocated under the Victoria formula, instead of having to seek unanimity in keeping with the constitutional practice followed since 1931? It would seem that the need for unanimity is more restricting, but how does that stand up in light of the facts? As things are now the constitutional debate rests basically on a relationship between political forces of which none can invoke the Constitution to stop the constitutional reform process. But if we do entrench an amending formula such as the Victoria formula, then the veto of the four regional blocs—Quebec, Ontario, western Canada and the maritimes—will have been lawfully and formally recognized.

● (1630)

It is therefore not surprising, Mr. Speaker, that those provinces, with Quebec in the lead, which want to negotiate wider legislative powers in the course of the constitutional review are reluctant to accept new rules for the game which would give Ontario, for instance, a province which would find it advantageous to maintain the constitutional status quo, a power of veto with the full force of the law. Mr. Speaker, it is amazing to witness the self-confidence shown by some people who proclaim the uncontested and incontestable legality of the action of the central government in this matter. Yet they ought to know that the current constitutional debate raises many questions to which constitutional experts give conflicting answers and that, therefore, nothing can be stated with certainty by anyone whatsoever. Thus it is foolhardy, to say the least, to claim that the rule of unanimity is a red herring and that in the current state of our constitutional law the Canadian Parliament can unilaterally and in any circumstances amend our Constitution on the strength of the fact that in the past the British Parliament has always accepted the requests of the Canadian Parliament when it came to constitutional amendments, without even taking into account the objections raised now and then by the provinces.

Incidentally, Mr. Speaker, I would say that the real red herring is rather to make people believe, after it has been asserted that the federal Parliament has the unlimited power to amend alone the constitution, that the provinces will be in a better position after patriation since they will then have the formal right to object to any constitutional change. How can anyone take such an argument seriously, Mr. Speaker, when we know that a veto will be granted to the provinces only after the federal regime has been revamped, and that only in accordance with the views of the central government? Let us go back to the question of the rule of unanimity. First, one has to know that if the provinces were indeed ignored in many instances, it is because several of those constitutional amendments did not change in any way the basically federative elements of the 1867 Constitution. However, in its opinion of 1980 on the Senate, the Supreme Court of Canada pointed out, and I quote:

> The 1940, 1951, 1960 and 1964 amendments concerning unemployment insurance, old age pensions, the mandatory retirement of judges, and the old age supplementary benefits were all made with the unanimous consent of the provinces.

Indeed, in the same opinion the Supreme Court refers to a passage of the white paper on the amendment of the Constitution which the federal government itself made public in 1965. It goes like this, and I quote:

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

Now, then, no one can deny that the proposed resolution before the House substantially changes the rights, powers and privileges of the provinces, in short it changes the essentially federative elements of our Constitution. Indeed, not only does the proposed resolution contain a charter of rights and freedoms which considerably restricts the legislative powers of the provinces, particularly in the field of education with respect to Quebec, but it also includes constitutional amendment formulas which would dictate new rules of the game as regards federal-provincial relations, more particularly because of the fact that, under Section 46, the central government reserves the exclusive right to consult the people of Canada in a referendum should the two levels of government find themselves in a constitutional deadlock. That being said, Mr. Speaker, I for one refuse to go as far as to argue that the rule of unanimity is truly a principle of law to which the Supreme Court will refer when requested to rule on the constitutionality of this proposed resolution. But the spirit which prompted the 1980 advice concerning the Senate allows all kinds of expectations in this regard.

On the other hand, we must keep in mind that Section 91.1 of the B.N.A. Act specifically provides that the Government of Canada cannot unilaterally bring about constitutional amendments affecting provincial rights and powers, their jurisdiction in matters of education, the use of the French and English languages and the duration of the Parliament of Canada. If, under Section 91.1, these matters have been removed from the federal jurisdiction with respect to constitutional amendments, it is precisely because the federal Parliament was not to be allowed to unilaterally ask the British Parliament to amend the provisions of the British North America Act concerning these matters. And yet, this proposal clearly affects the legislative powers of the provinces and especially their jurisdiction in matters relating to the language of education.

Mr. Speaker, if only one or two provinces were opposing this proposal, we could at least argue over the legitimacy of the federal government's action. However, it is a fact that eight out of the ten provinces, representing a majority of Canadians, have publicly expressed their opposition to the federal proposal, and six of them are even protesting before the courts the constitutional legality of this resolution. Therefore, it is unfortunate that the government should resort to such an arbitrary process, especially in view of the fact, Mr. Speaker, that they cannot plead an election mandate, since the constitutional issue was noticeably overlooked during the last federal campaign, nor the referendum debate in Quebec, during which the issue of a unilateral patriation or the entrenchment of a charter of rights and freedoms was never mentioned, but rather a renewal of federalism designed to bring about a sharing of constitutional powers that would be more beneficial to Quebec.

Mr. Speaker, what should we conclude from all of this if not that this proposed resolution is both politically illegitimate and constitutionally very questionable? It is politically illegitimate because eight out of the ten provinces of Canada are opposed to it and the federal government was never given any specific mandate to that purpose, and constitutionally very questionable from a legal point of view, because it is contrary to the rule of unanimity which could be required to amend the sharing of the legislative powers or any other federating element of the Constitution of 1867, and especially because it goes against Section 91.1 of the British North American Act, which does not permit the federal Parliament, as stated in the opinion which the Supreme Court of Canada gave in 1980 concerning our Senate, and I quote:

—to amend in any way the provisions of Sections 91 and 92 concerning the distribution of legislative powers between the Canadian Parliament and the provincial legislatures.

Mr. Speaker, the proposed resolution being clearly questionable, to say the least, from a legal point of view, and its constitutionality running the very serious risk of being rejected by the Canadian courts, it is easily understood why the government will not only petition the British Parliament to transfer to the Canadian authorities the power to amend the Constitution, but will also insist that this foreign Parliament amend this same Constitution by entrenching into it a charter of rights and freedoms in spite of the opposition of a large majority of provinces. If it is true that it is legally necessary to forward an address to the British Parliament to obtain the patriation of our Constitution, it is not so in the case of the charter of rights and freedoms which does not need to be adopted by the parliament in London and which could simply be enacted as a Canadian statute.

What benefit is there in having the Charter of Rights and Freedoms included in the resolution which we will ask the British Parliament to adopt by way of a bill? What we should know, Mr. Speaker, is that in this way the government is actually asking the parliament of Westminster to legalize something which could be illegal from the start and which could have been declared unconstitutional by our Canadian courts had the government not resorted to such an exceptional measure as having a bill passed by the British parliament.

● (1640)

In other words, Mr. Speaker, in acting as it does, the federal government is placing itself beyond the reach of Canadian court intervention and can, strictly speaking, plead unquestionable legality, since an act of the parliament in London, passed pursuant to the Statute of Westminster, could hardly be challenged in our courts. Appearing on January 8 last before the Special Joint Committee on the Constitution of Canada, the distinguished constitutional expert from Laval University, Mr. Gil Rémillard, whose opinion has indeed been used by some in support of the federal government view, summing up the matter of the legality of the proposed resolution, stated, and I quote:

In conclusion, it therefore seems to us that the Trudeau resolution could be declared illegal by our courts. That illegality could, however, become legal through the legislative intervention of the British parliament.

And he added this, which is of great interest, and I quote him once more:

However, the federative elements of that British act could be denied application to the provinces if the latter were to reject them.

Mr. Speaker, what is one to conclude from all that, if not that our political leaders, in their search for solutions to the problems of our society, tend to favour unduly and almost exclusively the legal aspect of things, with the ensuing danger of misleading us and locking us up in a perpetual deadlock? For in all probability, if the federal government persists in proceeding as it has until now by invoking, and rightly so, Mr. Speaker, the strict legality of the process, we will see for many years to come a federal-provincial legal guerrilla to which the governments will have to devote the better part of their energy at the expense of the solution of the social and economic problems of the Canadian people.

It is inevitable, of course, that the provinces should in turn also resort to legalism to oppose the application of that British act in its federative elements, and that they should also be, legally speaking, on firm ground, according to Professor Rémillard. Our political leaders would do well to ponder over this thought of the Soviet dissident Solzhenitsyn who in 1978 wrote in his book "The Decline of Courage," and I quote:

A society that is set on the rule of law without aiming at something higher makes little use of the highest faculties of man. The rule of law in itself is too cold and too formal an instrument to exercise a beneficial influence on society. When life is wholly permeated with legal decision, an atmosphere of moral mediocrity is then created which stifles the best inspirations of man. And in the face of the trying times ahead of us legal crutches will be of no avail to make people stand upright.

Mr. Speaker, it is a rather subtle move on the part of the present government to change the nature of our federal system

through enshrining a charter of rights and freedoms. It then becomes possible to cast aspersion on avowed opponents of the proposed resolution by inferring they are opposed to giving a better protection to human rights and freedoms. We feel it is highly desirable that the basic freedoms listed in the United Nations Universal Declaration of Human Rights be constitutionally guaranteed all over the world. Yet let us not overrate the importance of the passing by the Canadian Parliament of a charter of rights and freedoms and make it at any cost an absolute prerequisite for the future happiness of our people, even if it means tampering with the basic principles of Canadian federation. The fact remains that in a federative system one level of government cannot compel the other to surrender part of its sovereignty even if it is to hand it over to the judiciary. Yet in many respects it is precisely what is being achieved by the Charter of Rights and Freedoms included in this proposed resolution. If the federal Parliament wants to hand over part of its own legislative powers to the courts, it certainly is its privilege but it is intolerable that it should try to force the provinces to cede part of their constitutional jurisdiction to the courts and more particularly to the Supreme Court of Canada whose judges are appointed exclusively by the federal government.

Does it mean, Mr. Speaker, that our country is condemned, because of its federal system, to never be able to entrench in its Constitution certain basic rights and freedoms which are in the Universal Declaration of Human Rights? I do not believe so, Mr. Speaker. And I should like to submit to the House some ideas how to go about patriating the Constitution, giving ourselves an amending formula and also a charter of rights and freedoms, while alleviating considerably the seriousness and the extent of the confrontations now taking place across Canada.

Mr. Speaker, the debate which has been raging since the introduction of this draft resolution in Parliament has seriously endangered Canadian unity, but it has also given rise to a show of solidarity among the provinces which was unheard of up to now in the history of federal-provincial relations. The solidarity of this interprovincial united front is particularly comforting for Quebec which, after being for so long the sole province to claim its rights from the federal government, may now view the future of the constitutional reform with optimism, a reform which is now in the nature of things and which will have to be started seriously under the pressure of the provinces. Therefore, I think that because of the new power struggle in federal-provincial relations, Quebec and its allies in other provinces can now consent to the patriation of the Constitution without jeopardizing the pursuit of the constitutional reform.

It is possible that for purely partisan reasons, the Parti Québécois government will maintain its traditional position on this matter, but there is good reason for supposing that the new Liberal government that Quebecers will give themselves in a few weeks might consent to such a patriation. In the circumstances, Mr. Speaker, the constitutional crisis we are going through could be resolved if the proposed resolution contained only the following items:

1. The immediate patriation of the Constitution.

2. The maintenance of the unanimity rule for the amending formula for 12 months following patriation.

3. A national referendum to be held subsequently in order to allow Canadians to choose between the so-called Victoria formula and an eventual formula agreed to by seven provinces comprising at least 80 per cent of the total population of Canada. Failing an agreement on this matter among the provinces within 12 months following patriation, the Victoria formula would automatically become the amending formula.

4. In case of a constitutional deadlock, a national referendum to be called either by the federal government or by seven provinces comprising more than 50 per cent of the total population of Canada, regional vetos being granted in such a referendum, as specified in Clause 46 of the present proposed resolution.

And what about the charter of rights and freedoms? It would simply be the subject of a federal-provincial conference which would deal exclusively with this matter and would be called after the stumbling block of patriation of the Constitution had been removed and the sovereign people had chosen, if need be, an amending formula in a national referendum. And should this conference still fail to produce an agreement, then the federal government would be justified in calling on the Canadian people in a national referendum to be held under the rules specified in clause 46 of the proposed resolution, which grants regional vetos to the Atlantic provinces, Quebec, Ontario and the western provinces.

So here are, Mr. Speaker, the different stages of my proposal:

1. A federal-provincial conference in June, 1981, to deal only with the patriation of the Constitution.

2. The patriation of the Constitution in the fall of 1981, with the maintenance of the unanimity rule for the following 12 months.

3. A national referendum to choose an amending formula to be held in the fall of 1982.

4. A federal-provincial conference on the Charter of Rights and Freedoms, to be held early in 1983.

5. A national referendum, if need be, failing an agreement at federal-provincial conferences, to be held on the Charter of Rights and Freedoms in the fall of 1983.

Some will certainly say, Mr. Speaker, that since the past foreshadows the future, no agreement with the provinces will emerge from yet another federal-provincial conference on patriation of the Constitution. Yet, Mr. Speaker, one should

not minimize the positive psychological effect the victory of Mr. Claude Ryan's party in the next provincial election to be held very soon in Quebec will have on federal-provincial relations. As I said earlier, a Liberal government in Quebec might well agree to a simple patriation with the unanimity rule as a provisional amending formula and I think that a very small minority of provinces would object to patriation achieved under such conditions. With such a support from most provinces, if not from all of them, the federal government could then legitimately proceed with a simple patriation of the Constitution, and the British parliament would be only too happy to grant this request.

Mr. Speaker, I would also like to point out to the House the interesting suggestion put forward by a man who cannot be suspected of any hostility towards the federal government since he is the former clerk of the Privy Council and secretary of the cabinet, Mr. Gordon Robertson, who also has been a close adviser to the Prime Minister in constitutional matters. In a paper delivered before the Forum on Management of the Government Process, on February 10 last, Mr. Robertson, who admitted that he was drawing his inspiration from a former minister of transport, Mr. Jack Pickersgill, suggested that the Charter of Rights and Freedoms should only be binding on the provinces which would have specifically endorsed it by an act of their respective legislatures before the end of the four-year period following the passage of the resolution by the British Parliament or which would have implicitly accepted it by failing to denounce it by way of a resolution passed during the third or fourth year of that four-year period. If really, as it was stated by the Minister of Justice and Minister of State for Social Development (Mr. Chrétien), on January last, before the Special Joint Committee on the Constitution, 90 per cent of all Canadians are favourable to the entrenching of a charter of rights and freedoms in our Constitution, it should be expected that given nearly unanimous public opinion, no provincial legislature would dare denounce the charter. In addition, as stated by Mr. Robertson, and I quote:

● (1650)

[*English*]

Such a provision in the proposed amendment would remove the objection that the Parliament of Canada is seeking indirectly to impose its will on the legislatures of the provinces through the British Parliament because our Parliament could not do it directly in Canada.

[*Translation*]

Mr. Speaker, if either of the alternatives I have just described were followed to entrench a charter of rights and freedoms, and if the federal government agreed to share with the provinces the right to initiate a national referendum, the present constitutional upheaval would come to an end and the stated objectives could be achieved within a reasonable period of time.

Mr. Speaker, I would now like to address the House as a Quebecer and tell the government that in my view these compromises would only be acceptable to the majority of Quebecers if the Charter of Rights and Freedoms which would be submitted for their approval through a national referendum and which, if the Robertson solution were followed, would automatically be submitted for the approval of their National Assembly, were of much more limited scope and did not challenge the language policy which Quebec adopted in 1974. That clearly means that language of instruction must remain under provincial authority and that therefore Section 23 of the proposed resolution must be repealed. Since it is mainly because of Section 23, that I object to the proposed resolution I would like to make it clear why, in my view, it would be against the interests of Quebec to entrench minority language educational rights in the Constitution.

Mr. Speaker, just as I would like to see some amendments made by the National Assembly to Bill 101 in order, for example, to allow children of Canadian citizens from other provinces to attend English schools in Quebec, I think it is essential for the National Assembly to maintain the authority it was granted in 1867 to legislate freely in the field of language of instruction. In other words, even though I would like Quebec to be generous toward its English-speaking minority, I still think it is essential for the National Assembly to be able to legislate at any time in order to maintain a balance between its two language groups. In short, Mr. Speaker, the whole issue of language of instruction, which is so closely tied to the very existence and well-being of the French culture in Quebec, must continue to come under the exclusive authority of the only legislative body with a French-speaking majority in Canada, that is to say the Quebec National Assembly.

By entrenching in the Constitution minority language educational rights, as in Section 23, the government is restricting considerably the freedom of action of Quebec with respect to language of instruction. It amounts in fact to hamstringing it if the present economic conditions in Quebec were to change due to unexpected developments and if Quebec became, in ten or 20 years, an important centre of attraction for North-American workers or people from other Commonwealth countries who, of course, would be English speaking, much the same as has happened in Alberta in recent years. Indeed, nobody can foresee what the future has in store for Quebec economically speaking, as nobody had foreseen the energy crisis and the ensuing dramatic economic boom in Alberta. With its ground full of natural resources, it is not excluded that Quebec could somewhat become the Alberta of the year 2000.

Mr. Speaker, it would be unwise, to say the least, to entrench in our Constitution the minority language educational rights to which those new anglophone Quebecers could legally lay claim once they become Canadian citizens in order to compel the Quebec government to allow their children in English schools. That is not to say, Mr. Speaker, that such a

situation is bound to occur, but there is the risk of the balance between francophones and anglophones being changed to the detriment of the francophone majority, a risk I refuse to take and which is all the more serious that no increase in the natural population growth in Quebec is expected in the coming years.

Mr. Speaker, after considering carefully all the migratory movements to Quebec between 1969 and 1978, it is fair to say that the entrenchment in the Constitution of the minority language educational rights will open the doors of English schools to 75 per cent of the new Quebecers in the next few years. It is important to emphasize also that Section 23 would even be at variance with the language policy of the Quebec Liberal party which, according to the latest news, is about to advocate access to English schools only to children of parents who attended English primary schools anywhere in Canada, which would exclude children of all the future anglophone immigrants.

If only, Mr. Speaker, this threat to the future of French-speaking Quebec would improve considerably the lot of the francophone minorities in other provinces, the pill would be easier to swallow. Unfortunately, on the one hand, the government goes out of its way to give constitutional guarantees to Quebec anglophones who already have three universities, six CEGEPs, 410 primary and secondary schools financed by Quebec taxpayers and managed by 31 school boards under full control of the English minority, and on the other hand, it is very different when it comes to francophone minorities outside of Quebec who will not be able, under these constitutional proposals, to set up their own school boards and will most probably have to accept French classes in English schools, and only where numbers warrant it. Incidentally, this restriction will have little effect on Quebec anglophones since they are heavily concentrated in the Montreal area. It is a restriction which will have little effect on the English-speaking people in Quebec because of their large number in the Montreal area. But it will be a different thing for the French-speaking minorities in English Canada where in six provinces more than 45 per cent of people of French origin now declare English as their mother tongue and where francophones are very often scattered throughout the territory. Obviously, Mr. Speaker, this is asking Quebec to pay too high a price for their French-speaking brothers in other provinces to enjoy such limited rights.

Besides, I understand why the government is reluctant, even though it wishes strongly to do so, to subject Ontario to the provisions of Section 133 of the Constitution; what I cannot readily understand, however, is the fact that it does not show as much restraint toward Quebec which is as dead against Section 23 of the proposed resolution as Ontario is against being subject to Section 133 of the Constitution. Yet, that would only be fair and logical considering that in Quebec the judiciary and parliamentary institutions have been subject to bilingualism as provided for in Section 133, since 1867. Mr. Speaker, I am as happy to praise the openmindedness and generosity of Premier Hatfield of New Brunswick over institutional bilingualism, as I am sad when I see that Premier Davis of Ontario who after having courted Quebecers during the referendum campaign, has chosen to be narrow-minded which is no credit to his fellow citizens, a majority of whom, according to the latest polls, would favour enforcement of Section 133 in their province. We can only hope that the Leader of the Official Opposition (Mr. Clark) will try to convince his big brother in Ontario to take a more favourable stance concerning the rights of Franco-Ontarians. I even challenge the Leader of the Official Opposition to show by some concrete action that equality before the law of francophones and anglophones is dear to his heart, as he has so often stated, and to bring forward an amendment binding Ontario to Section 133. I am convinced that he would gain stature in the eyes of Quebecers, and that the party to which I belong would be pleased to support such an amendment.

• (1700)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Vegreville (Mr. Mazankowski)—Transport—Freight assistance program for rapeseed products; the hon. member for York North (Mr. Gamble)—Trade—Importation of Japanese automobiles—Inquiry respecting quotas; the hon. member for Vancouver East (Mrs. Mitchell)—Housing—Introduction of shelter allowance program.

* * *

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Pinard: Mr. Speaker, I have consulted with my colleagues opposite and we have come to an agreement concerning the dates of the last two allotted days for the present supply period. You will recall that, earlier today, I designated Wednesday of next week as an opposition day. However, since then we have had consultations and the following change should now be noted: the sixth allotted day of this supply period will be next Tuesday, March 17, and the seventh and last allotted day of the supply period will be Wednesday, March 25, 1981. As my colleagues are now present, I therefore state that this matter has been the subject of an agreement,

and I am today officially designating these two days as the last two opposition days for the present supply period.

[*English*]

Mr. Baker (Nepean-Carleton): Mr. Speaker, there have been consultations among the three House leaders. That is agreeable and I thank the hon. gentleman and my colleague, the hon. member for Winnipeg North Centre.

Mr. Knowles: Mr. Speaker, there seems to have been a bit of a misunderstanding, but we have straightened it out and what has now been proposed is agreeable to the three of us.

[*Translation*]

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely private bills, notices of motions (papers) and public bills. As there are no private bills under this heading in the Order Paper, the House will proceed to the consideration of notices of motions (papers).

[*English*]

Does the House agree to stand all items under the heading notices of motions (papers)?

Some hon. Members: Agreed.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Mr. Deputy Speaker: Shall all orders preceding No. 39 stand by unanimous consent?

Some hon. Members: Agreed.

* * *

SECTOR BARGAINING ACT

AMENDMENT RESPECTING UNION BARGAINING

Mr. Otto Jelinek (Halton) moved that Bill C-239, to amend the Public Service Staff Relations Act and the Canada Labour Code to provide for the establishment of sector bargaining, be read the second time and referred to the Standing Committee on Labour, Manpower and Immigration.

He said: Mr. Speaker, I will explain the purposes of the bill by quoting directly from its explanatory note:

> The purpose of this bill is to require union groups in a single public service sector to bargain with the Treasury Board simultaneously, and to negotiate contracts which would run for three years and expire at the same time. This would assure the taxpaying public that each essential public service sector would be strike free, except for the possibility of a walkout every three years.

The reason for the bill and its passage is very simple. It is the growing number of strikes to which Canada and Canadians have been subjected, particularly over the last five to six years. According to the International Labour Organization in Geneva, the countries with the highest number of man-hours lost in a five-year average are as follows. The country with the largest number of man-days lost as a result of strikes and walkouts is Canada, followed very closely, of course, by Italy. I will not dwell on them but the other statistics show that the number of public sector strikes in Canada in the last five years was 1,213, 229 in 1980 alone, affecting 717,853 employees. The number of person-days lost as a result of strikes in the last five years was 10,060,030. And we wonder why our productivity goes down year after year, affecting the economy and all operations, from the small businessman to our over-all economy!

Before hon. members opposite prepare themselves to talk this motion out, to speak against it, I would like to bring to their attention, in as non-partisan a way as I possibly can, in a sort of chronological order, the tremendous amount of support from all walks of life, all factions, including labour, management and government, in support of sector bargaining.

I go back to 1973 when the Liberal government commissioned the Finkelman report to look into labour relations. The report, released in 1974, strongly recommended sector bargaining. The then minister of labour, now Minister of Indian Affairs and Northern Development (Mr. Munro), presented a memorandum to cabinet on the subject of labour relations in Canada which I have here. It is marked "Confidential", but I will quote it because it is very pertinent to the bill before us. It reads in part:

> Some of the problems are of a structural nature in that there are too many bargaining points, too many bargaining agents and unions. The result, as any holiday traveller in Canada knows, is something as exciting as the Olympic lottery. As he embarks on his holiday, confident that the airline pilots are working and that the machinists are also on the job, there just may happen to be a walkout of ticket clerks and other personnel. And even if all of these private sector employees are on the job, the trip could still be placed in jeopardy by collective action taken by air traffic controllers, technicians, airport electricians or firefighters. There are similar difficulties in the movement of grain, with risk of its steady flow being halted, if in the long stream handling the commodity, there is labour peace on the dockside but not on the ships or the waterways.
>
> It is clear that the system today lacks coherence and has a great potential for conflict.

The same can be said for the Post Office which has no less than four unions. One day the sorting clerks can go on strike and shut down postal delivery, and when that dispute is solved, the next day a second union could go on strike, as it has in the past, and shut down the postal service. So all of these essential public service sectors with more than one union are clearly affected by this measure. For example, last year alone eight firemen closed down Toronto International Airport. I think the time has come for Parliament to make the necessary changes to make it impossible for eight firemen to close down Toronto International Airport.

In any event, the cabinet memorandum goes on to say:

> I am proposing, therefore, the establishment of the Canada Labour Relations Council as a mechanism that will go beyond one shot, crisis or ritual consultation.
>
> Our own objectives for the council would be:
>
> an alteration of bargaining structures so as to reduce the number of bargaining points,

That is the Liberals' own recommendation to cabinet after receiving that recommendation in the Finkelman report. The Canada Labour Relations Council was formed as a result of that recommendation. It was a tripartite committee composed of labour, government and industry. It began work in July, 1975 and unfortunately ended in March, 1976. I say "unfortunately" because labour decided to quit the council as a result of that same government's position on wage and price controls. No public reports ever issued from this council, but there were several confidential reports to the then minister of labour. I will get back to that in a while. These confidential reports again recommended very strongly the sector bargaining position.

● (1710)

I personally have had an interest in this subject since February 13, 1975, when I asked the then government to introduce legislation dealing with sector bargaining. I have a whole report in front of me with respect to every time I wrote on the subject, but I will not read it into the record since I do not have the time.

The first positive response from a Liberal cabinet minister to this recommendation was on April 16, 1975, when the then minister of labour, the hon. member for Hamilton East, said in response to my question on sector bargaining:

Certainly on the labour side I have been receiving considerable encouragement toward this end.

Then on July 17, 1975, I asked the minister whether he could advise the House if the government intended to look at the possibility of having union groups in a single public service sector bargaining with the government simultaneously in order to avoid the fragmentation of union power and, if so, when this House could expect an announcement. The then minister of labour replied:

There is a good deal of sympathy for this type of approach. There have been discussions toward this end with the chairman of the Canada Labour Relations Board and with the business community and with the labour movement itself. There is a general disposition to achieve this type of objective. I might say that we have achieved something along these lines already.

In response to another question from me the then minister of labour said:

I welcome the hon. member's enthusiasm for this approach.

Then on July 28, 1975, I asked the minister:

The first meetings of the Canada Relations Council are now over . . . Can the minister indicate whether the concept of single sector bargaining was discussed at these meetings? What was the result?

The minister's reply was this:

Yes, this issue was discussed. The council decided that both were desirable objectives. They agreed to form panels of management—labour—and government. They will meet several times again and hopefully will come up with some definite recommendations along these lines.

As I said earlier, because of the wage and price controls introduced by the Liberals, labour decided to quit that council, unfortunately, and therefore it was disbanded.

As if there were not enough studies already, the government then commissioned the Bairstow report in March of 1978. It is a very excellent report which took a short time to publish, and it was released in December of that same year. It supported this position. I would like to quote briefly from the Bairstow report:

Above all, it is our strong opinion that a wider-based bargaining structure in those industries within our terms of reference would be in the best socioeconomic interests of the Canadian public.

The key words there are "wider-based bargaining."

As a result of this, I asked the then minister of labour, Martin O'Connell, why he had not acted on the many recommendations dealing with sector bargaining, the most recent of which was the Bairstow report. Mr. O'Connell answered in the House on February 14, 1979:

I am waiting to discuss the recommendations of that committee with its members—I am waiting for a response to my invitation.

I have brought to the attention of hon. members what I think have been four or five years of positive comments from ministers, and reports and studies which made the suggestion of bringing in sector bargaining. As I said earlier, during those five years the number of strikes increased year after year. In 1977 there were 176 strikes affecting 54,000 employees. In 1980 there were 229 strikes affecting 230,000 employees. This took place during the years when this government and many reports were recommending sector bargaining. We have finally reached the number one position among countries having the most number of man-days lost as a result of strikes. That is a shame. This government has not been able to reach a decision on this most vital of issues.

As recently as November 12, 1980, the President of the Treasury Board (Mr. Johnston) spoke to the London Chamber of Commerce and said:

There is as I indicated growing concern or a shock, I think, at the capacity of even tiny groups of public servants to cause massive disruptions in our lives. And moreover there is a dismay at what appears to be growing disregard of the law governing the collective bargaining process in the federal public service. These are concerns which have been expressed to me and I must say to you that I share the concerns.

I agree with the President of the Treasury Board. Further on in his speech he gave specific support to sector bargaining. In fact, he went on to say:

The right to strike is not an inalienable right. Surely in the case of essential services, there is a greater public good to be served and the right to strike surely must be reviewed in that context.

I submit to you, Mr. Speaker, and I suggest to hon. members that Canada's economy has been hurt and damaged so much by strikes and walkouts, particularly within the public service sector, that the time has come to take one of two positions. That is to say, first, we could take away the right to strike within the public service sectors of our economy. I strongly recommend this, following on the words of the President of the Treasury Board in the speech he made to the London Chamber of Commerce. We no longer have a 14-hour working day, child labour or many of the other factors which gave rise to granting the right to strike. I believe some unions are now taking advantage of their powers.

Second, if the government is unwilling to take away the right to strike, which is particularly supported by the majority

of businessmen and Canadians in this country, as recent polls have indicated, then hon. members at least should very seriously consider introducing legislation such as the bill which is before us now. I do not care if it is my own personal bill, as long as something along those lines is introduced. I would like to see this bill go to committee. I hope that members opposite who have heard me explain to them the support of their ministers and the reports which have been made by their government supporting sector bargaining will not talk this bill out today. I hope it will at least be allowed to go to the committee stage where these reports can be dealt with in detail and looked at in a more serious and fundamental way.

In closing, I hope hon. members will see fit to support the bill before us. I again repeat very strongly that unless and until a similar piece of legislation is introduced, along with a provision for secret ballot votes on strikes based on the Taft-Hartley Act concept of the United States, which I happen to have on the Order Paper of May 2, 1980, in Bill C-472, then we should very seriously consider taking the right to strike away from essential services in the public sector. Positive steps must be taken now to assist industry and the small businessman, who is having enough troubles as it is with high interest rates and the like. I appeal to hon. members to let this bill at least pass on to committee stage.

Mr. Gilbert Parent (Welland): Mr. Speaker, I would like briefly to respond to the motion which is now before the House, namely, Bill C-239, to amend the Public Service Staff Relations Act and the Canada Labour Code to provide for the establishment of private sector bargaining.

The hon. member opposite mentioned some studies which have taken place. As members of the House will recall, on March 9, 1978 the then minister of labour, the hon. member for Hamilton East (Mr. Munro), appointed an industrial inquiry commission pursuant to Section 198 of the Canada Labour Code. This commission, chaired by Frances Bairstow, was charged with the responsibility of ascertaining the advantages and disadvantages of wider-based bargaining in federal industries, with particular emphasis on the transportation, grain handling and communication industries; any impediments, legislative or otherwise, to wider-based bargaining or the rationalization of bargaining units; any matters incidental or relating to any of the foregoing matters.

● (1720)

The commission began a comprehensive review of bargaining in the specified industries with 19 days of hearings in five cities throughout Canada. Many of the hearings were held in camera at the request of the parties appearing. Several of the groups which appeared before the commission returned for further appearances in exploration of some of the issues raised in earlier meetings. The commission also held frequent executive sessions and individual commission members interviewed representatives of interested organizations.

In addition to personal testimony, various briefs and correspondence were filed with the commission, both from groups and organizations which appeared and from some individuals and organizations who were unable to present their views personally.

Between hearings and executive sessions, the commission received correspondence from the public, press accounts, innumerable telephone requests for information and responses to newspaper advertisements announcing appearances in particular cities. Background materials and research analyses were scrutinized and considered. All major allegations made in hearings and in personal interviews were checked and investigated.

Bearing in mind the limited time frame for the submission of its report, the commission concluded that priority had to be given to those sectors containing the greatest potential for disruption of services. Thus, the commission decided it should restrict its inquiry to aviation, airport services and grain handling.

The railway industry is already deeply involved in its own form of wider-based bargaining. Indeed, the experience of the management and labour groups in the railways provided many witnesses with important background information for the commission.

In the shipping industry there also exist many coalitions of bargaining groups. The commission decided that to disturb these relationships until the parties have had a further opportunity to assess their experience would be injudicious, particularly since the record of work stoppages both in seafaring and in port facilities gives some basis for optimism for the future. This has not always been the case, but it seems to have been so in recent times.

In studying the record of work stoppages and other disruptions as well as the potential for damage to the public, the commission concluded that its limited time and resources would best be deployed in a search for improvements to the bargaining process in the high priority areas of air transportation, airport services and grainhandling. Their importance to the nation's economy and relationships to other industrial sectors is a barometer by which the Canadian economy is judged by other countries. In summary, the selection of problems for study was determined on a basis of priorities.

Early in the commission's deliberations the interrelationship with the public service became apparent. Key to the grain handling operations were those who are a vital part of that industry, but whose employer is the Government of Canada. In airport services virtually all job functions are performed by public sector employees, but their impact on the highly integrated field of commercial aviation is immense. This can be demonstrated by considering that no airline pilot, flight attendant, mechanic or ticket agent can continue working in the face of a work stoppage resulting from a dispute between airport firefighters and the Government of Canada. The reverse might not necessarily be true.

A similar dichotomy between the public and private sector exists in the grain-handling industry where integration of job functions is essential to productivity. While the commission's

treatment of the public service aspect of grain handling was national in scope due to the certification structures dictated by the Public Service Staff Relations Act, its approach to rationalization of bargaining points on an integrated industry basis was limited to the port of Vancouver for a variety of economic, market, industrial relations and collective bargaining reasons.

For the purposes of its investigations, the commission proceeded on the basis that "wider-based collective bargaining" is any restructuring or coalition of the present system of bargaining which assists in reducing the high degree of fragmentation of unions and/or management units, hence, the current proclivity for sequential work disturbances and shutdowns which exist within certain industries.

The motivation for this commission's inquiry was a consideration of the socioeconomic interest of the public as well as of the interests of employers and employees within the collective bargaining process. The commission endeavoured to identify those structural disabilities which may unnecessarily impede productive bargaining between the principal parties to the process. Its fundamental thrust was to obviate the damage which such inherent defects in the bargaining structure may inflict on members of the general public who are not otherwise involved in or parties to the process. I thank my hon. colleague for sending me a note so that I could outline that.

The paramountcy of the public interest and the legislatively enshrined commitment to the process of free collective bargaining do not exist in isolation. Recent and continued conflict between these principles can no longer be ignored or denigrated by the parties. There is no question that unresolved bargaining disputes in the key industries reviewed by the commission are injurious to the public and the economy. That is not the question here.

So too are the uncertainties of operating productively a public or private enterprise while the potential for perpetual bargaining disputes clouds rational planning. Canadian citizens have the inviolable right to be protected, not only in respect of their health, safety and general welfare, but as well against inconvenience and disadvantages of an economic and social nature.

It has become increasingly clear that the public interest depends greatly on the development of orderly and constructive relationships between employers and their employees. To the extent that existing bargaining structures require adjustment in order to facilitate such development, it is in the interest of all parties, including the public, that such changes be effected. It was to that end that the commission dedicated its energies.

It is the structure within which parties bargain collectively, and not the bargaining process itself, which is the key to the issue here. A major aspect of this structural component is the occupational interrelationship and the legislative duality that arises from the application of two federal labour jurisdictions, that is, the Canada Labour Code and the Public Service Staff Relations Act. To assist employer and employee groups in the voluntary resolution and adjustment of many of the dysfunctional elements of their relationship, the commission recommended the establishment of an independent mediation and conciliation agency that would be tailored to function in the entire federal sector. The commission subscribed unequivocally to the principle of free collective bargaining as the preferable method of resolving labour-management relations issues, as opposed to artificial solutions imposed by others.

Finally, the commission dismissed as impractical the belief, widely held in some quarters of Canadian society, that the right to strike or lockout, whether in public or private sectors, should be banned.

• (1730)

A little earlier the hon. member said the unions are starting to use their power—I believe his term was "out of proportion to what it should be".

Mr. Jelinek: Abuse.

Mr. Parent: The hon. member is correcting that now.

The unions have bargained for and gained the power they have, and in most cases their power is used judiciously. I would no more want to legislate unions and strikes out of existence per se than I would want to say private industry should not be making profits in excess of "X" amounts. I do not think it is the business of this legislative body to do that.

The commission also held such belief to be unworkable since evidence indicates that restrictive legislation does not in itself prevent strikes. Further, I feel it necessary to add that such proposals as Bill C-239 are simplistic because they make no attempt to address the fundamental realities of the bargaining process. I strongly and respectfully suggest that there is no point whatsoever in pursuing Bill-239 as it will not improve the climate of industrial relations in Canada.

I would like to make one more point before giving the floor to my colleagues. The hon. member stated that Canada led the world in the number of strike days lost. I suggest that if the figures were taken from the International Labour Organization, that organization does do not always use the same basis for counting the number of days lost. It is for that reason that Canada may indeed be faring much better than indicated a little while ago.

I hope all hon. members will consider my suggestions in their deliberations.

Mr. Rod Murphy (Churchill): Mr. Speaker, I am glad to have this opportunity to speak on this bill which, on its surface, appears to be good. It appears to be popular. Anyone involved in the grain trade, whether he be a farmer, someone working in a port facility or someone who derives his income from farms or port facilities, would like it because it seems to indicate there would be fewer strikes and less cost to the people involved in those sectors.

It is popular to refer to problems in the air travel industry and to suggest there should be fewer strikes and interruptions faced by consumers of air services. This bill is based on what I consider to be a false assumption that the unions of this

country are creating all the problems, or a substantial number of them. There is the suggestion that if we could get all the unions in a particular sector in line, that would somehow solve the problems.

Mr. Jelinek: The unions support this.

Mr. Murphy: I represent the constituency of Churchill, and I know that it is not just the unions which are not in line. When we talk about grain transportation, we are talking about a number of different government and non-government agencies which are involved, and this complicates the movement of grain in this country. The CNR makes certain decisions, the CPR makes certain decisions, and the Canadian Wheat Board also makes certain decisions. Anyone involved in the grain trade recognizes there is not always agreement as to what should or could be done. Port authorities and the government are involved in the movement, sale and transportation of grain in Canada. People who focus on only one item, quite often fail to recognize that this is not strictly a union problem; it is a problem relating to the whole structure of Canadian industries.

It is not easy to identify which unions belong in a particular sector. Some will say that the railway lines obviously belong in the grain transportation sector. Others will say railway unions have something to do with CN Express. Others might say that they belong in the sector occupied by VIA Rail because VIA Rail moves people from area to area. Others might say they belong in the sector transporting dairy products because that sector also uses rail lines. Those unions also belong in the sector transporting live or packaged beef to various parts of the country.

In what sector do railway unions belong? Human beings as well as goods are serviced by rail lines. It may be fine to say that they are all part of the grain-handling system and therefore belong in that particular sector, but that is very simplistic. I do not think this matter can be easily resolved.

Another problem may be the attitude of government. This bill suggests that the Public Service Staff Relations Act as well as the Canada Labour Code are involved, and this is correct. However, I cannot imagine this government, or any preceding government, giving the same rights to workers under the public service regime as those given to people under the Canada Labour Code because for a number of years unions whose workers came under the Public Service Staff Relations Act, have asked governments for the rights enjoyed by people working under the Canada Labour Code, and the government has always turned them down.

When this type of legislation is proposed, under what umbrella do people come? Do they come under the umbrella of the Canada Labour Code or the umbrella of the PSSRA? That has not been answered here.

Let us look at the situation on Parliament Hill. This government and previous governments have not given bargaining rights to people who work on Parliament Hill. How can we say all these different sectors should be under one umbrella when we cannot even determine the bargaining rights of people on this Hill? Certain events in the past few months would indicate that that is a necessary step for the government to take. A number of people, including members of this House, feel that unions are too powerful, yet this proposed legislation would put a number of weak unions into a combined bargaining unit which would probably be greater that the sum of its parts.

If there is one negotiating force with respect to grain handling, can hon. members imagine what strength that force would have in negotiations? Can hon. members imagine what strength they would have to hamper the movement of grain and other products across the country?

This bill will not resolve the problem which exists. This is not just a matter of regressive legislation which would solve the problems we face; it is a matter of an attitude on the part of the private sector and government in relation to how things should be operating.

The President of the Treasury Board (Mr. Johnston) went to London, as a previous speaker mentioned, to speak to a Chamber of Commerce, to denounce workers in the public sector and to say that they have too much strength, which must be taken away. It disturbs me that he should go to a conference and make that type of allegation. When I asked him in committee today if he was willing to bring legislation before the House, he said he was not; but he is ready to go out and attack the workers and their bargaining rights at meetings of chambers of commerce and conference board meetings. Yet he is not ready to make a statement in this House or to bring in legislation. I think that demonstrates a poor attitude.

● (1740)

In committee today, the minister also said that the government is not willing to put government workers under the protection of Part IV of the Canada Labour Code which would bring them under the section that deals with occupational health and safety. The bill not only proposes to put the private sector and unions together but it seems to expect them to negotiate almost at the same time and almost on the same front.

Mr. Jelinek: Read the bill. It says "public sector."

Mr. Murphy: The government does not give even partial protection to workers who come under the jurisdiction, let alone the protection, of the Canada Labour Code. It will not even give them the protection of the occupational health and safety section. Instead, it takes the view that it can issue Treasury Board directives which will give the same protection. I do not think they are worth very much, Mr. Speaker. In 1972, Treasury Board issued directives to managers telling them to hire more women in the public service. An excellent report which was issued last year shows that this directive has not been followed. Treasury Board directives are not good enough in this area or in any other.

I wonder if it is possible for legislation of this type, whether it originates with the hon. member or with the government, to resolve the problems that exist in the areas of grain transportation, air travel and many other sectors of the economy. We certainly recognize the complaints as valid and honest.

If the government's motive is to try to designate employees, as it tried to designate the air controllers' union, how can it then expect co-operation? Can the Public Service Alliance, the Canadian Labour Congress or the various public service unions be expected to work toward solving problems with a government that is attacking them inside and outside this House?

Mr. Jelinek: They support sector bargaining.

Mr. Murphy: A voice in the wilderness says the government supports sector bargaining. That is true to some extent. The government's submission to the inquiry into wider-based bargaining indicates that it wants a lot of other changes made at the same time. It has proven unwilling to make modifications in the present act which would affect its treatment of people here on the Hill or people affected by the occupational health and safety section, those who do not come under Part IV of the labour code or anything else.

The danger of this bill is that it would take protection away from unions; it would not give them protections that are necessary to make it work.

I have to oppose the bill, Mr. Speaker. It is not practical and it is not complete. Considering the government's present attitude toward workers, it could never be successful.

Mr. Stan Darling (Parry Sound-Muskoka): Mr. Speaker, I am pleased to support the hon. member for Halton (Mr. Jelinek) regarding his private member's bill which is now before us.

As I have stated on many occasions, I share with him and other members of this House, a deep concern for the disruptive effects of public sector strikes on the economy and well-being of this nation.

It has been self-evident for years that no one really wins in a strike situation. There are not even any runners-up. Victories are often claimed by either management or the unions, and sometimes by both. But both sides can be classified as losers, as can those not directly involved in the disputes.

What angers me is that the situation has been allowed to continue and that no effective corrective action has been implemented.

To this government's shame, it has allowed public sector strikes, like death and taxes, to be considered inevitable. I vehemently disagree. How can we possibly accept as inevitable the repeated disruption of essential services which are so costly to individual Canadians and to the nation as a whole?

There comes a time, and that time has long past, when we must take rational measures to ensure that the effect of strikes is minimized.

A step forward in this regard would be the passage of this bill, an act to amend the existing Public Service Staff Relations Act and the Canada Labour Code to provide for the establishment of sector bargaining.

Madam Speaker, this makes a great deal of sense. As the hon. member for Halton has stated, the purpose of this bill is to require union groups in a single public service sector to bargain with the Treasury Board simultaneously and to negotiate contracts which would run for three years and expire at the same time.

This would assure the taxpaying public that each essential public service sector would be strike free, except for the possibility of a walkout every three years. Such a move would force bargaining units, which represent different job categories in a common service, to resolve their disputes with management at the same time.

This would effectively eliminate successive strikes in a particular sector, strikes that obviously disrupt the work of the entire common service. Thus, a small number of people would be prevented from using the power of intermittent and vitally-timed strikes to hold up for ransom the government and the country because an essential service is being denied. This is what is happening now and this is what must be stopped.

From 1975 to 1980 there were more than 1,200 strikes in the public sector in Canada. Almost one million people were directly involved in the strikes, with millions more affected, and these strikes resulted in about ten million lost working days. And, as the record shows, things are definitely not improving. The figures for 1980 were the highest for the previous six years. I repeat, this has to be stopped.

It would have been reasonable to assume that after the major postal strike in 1975, this government would have been seriously working to prevent these situations. That infamous strike involving the Post Office ran from October to December, a total of 45 days, involved nearly 1,800 workers, and cost the department a loss of 700,000 work days.

I am quite sure that instead of 1,800 workers, the figure involved was around 19,000, including the inside workers. Other postal workers had to give up their jobs because of the strike.

No one has ever been able to come up with that strike cost in real dollars to everyone of us not directly involved, but you can be sure it was in the millions of dollars. I think a ballpark figure was $50 million, and that probably was too low. A great many small businesses suffered seriously and some went bankrupt. That was the result of only one of the bargaining units within the common service. The others each had their day, and again Canadians were the ones to pay.

As I have said before in this House, I am not against the right of the labour force to strike. What I am opposed to is allowing a group of people working in essential services the right to tie up this country every few weeks or months in order to force their employers to award them sometimes unreasonable and excessive increases in pay and benefits. Through this bill, such blackmail would cease. By containing public sector bargaining within a specified three-year period, the issues could be resolved on a more stable pattern, and all at the same time.

• (1750)

The result of such government action would be to remove the burden of sporadic strikes from the economy. It could have a direct and helpful influence on strikes involving the private sector. The private sector could use a helping hand. Its strike record in the past six years is less enviable. From 1975 to 1980 there were close to 5,000 strikes in the private sector which involved more than 2.5 million people and cost the economy about 40 million lost working days. How anyone can claim there are winners in strikes is beyond me.

The adoption of the bill can only serve to ensure that there will be fewer losers and, if the system works as it should, possibly none. I would go further to suggest that, nearing the end of the proposed three-year period, if the two sides fail to reach agreement, binding arbitration be made mandatory.

If management and union representatives cannot, in three years, settle their differences, someone should have the authority to step in and do it for them and for the rest of us. I am well aware that there are dedicated people on both sides of the bargaining table who take their responsibilities very seriously and work to achieve a fair and equitable settlement. I know also there are people in those chairs who relish and seek to perpetuate the role of adversary. If these people knew there was a mechanism in place, such as binding arbitration to override such posturings, things would probably change. We have to let them know we are serious. We should lock the representatives of management and union in a room, give them only bread and water, and not allow them any dinner breaks until they come to terms, and I am quite sure within a week or so they would be able to hammer out a settlement. For example, the union which affects most Canadians is the postal union, it is usually CUPW, so we would have the Postmaster General (Mr. Ouellet) and Mr. Jean Claude Parrot locked in a room. Then we would be able to see which one has the staying power. I am sure it would not be too long—four or five days—before they would be out.

Some hon. Members: Hear, hear!

Mr. Darling: Canadians need a halt put to the chaos of strikes, especially when it involves essential services.

We have to put a halt to transportation strikes during those times when Canadians traditionally travel home, such as at Christmas and in school breaks. We have to put a halt to the disruption of mail services which affects the delivery of government cheques to those in need and affects the commerce of thousands of firms, large and small. We have to halt communication strikes which deprive large segments of the population of their right to know what is happening in the world. Year after year we fumble around with these issues, and year after year nothing happens. Why not? It cannot be that difficult to get our act together. It cannot be that difficult to put the good of the country ahead of the demands of the minority. People have been fed up with the situation for a long time. Now is the time for us to act on their behalf. All the talking in the world does not seem to have done a bit of good. The message we must deliver to the unions and to management obviously has to come in the form of legislation, a law to show both sides just how serious we are.

Therefore, I urge prompt passage of this bill before us. I hope those of us assembled here will vote to have this bill go to committee. I am quite sure the bill would get a positive response, particularly if we were all given a free vote, because I think deep down members on all sides of the House are fed up with strikes. I guess I am one of the minority here, but I have said it time and again that there should be no strikes in essential services. There should be binding arbitration on the bases I have suggested. I think people who take jobs in the post office, the fire department or the police department should take those jobs knowing they will not have the opportunity to strike. If they want the privilege to strike, let them go to work for General Motors or Ford, in the private sector or elsewhere in the public sector. But it should be a privilege to work in an essential service. Other countries do not seem to have nearly as many labour problems as we do here.

Again, I hope that serious consideration will be given to having this bill passed today and referred to the committee.

Mr. Jim Peterson (Willowdale): Mr. Speaker, I would like to come to the same conclusion as the hon. member for Churchill (Mr. Murphy), namely, that I cannot support this bill because it is impractical, but I cannot associate with the remarks he made about the record of performance of the President of the Treasury Board (Mr. Johnston). For example, we have no less an authority than the young—although he is quite perceptive—hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) who sits in this House and contemplates with envy the record performance of the responsible President of the Treasury Board.

Mr. Beatty: It is nice to see you have a sense of humour.

Mr. Peterson: I share, with hon. members opposite, the concern about what strikes of any kind do to members of unions, management and to the productivity of Canadians. This is a major problem we all have to face. I can think of five reasons why this bill does not address the issue.

First, in requiring the sectoral approach, and dealing with the Treasury Board only, it ignores the fundamental reality of our present system. We have two groups which deal with labour problems under our present regime. We have two different acts. The jurisdictions are separate. We have to deal with both of those before we can come to grips with this issue. This bill contemplates dealing with only one of them.

Second, and briefly, because time is running out, this bill fails to recognize the way in which the Public Service Staff Relations Act Structures our present bargaining unit. We are not organized along sectoral lines at present. For example, a person who is a clerical worker can move from any department to another within government. This privilege is designed to ensure job security and equality. A person should not lose his or her job if a particular department is abolished. A person should have the opportunity to move from department to department.

Mr. Jelinek: What has that got to do with the bill?

Mr. Peterson: We believe that is the way we should continue, and we will continue.

I would like to talk about the three-year mandatory term which this bill contemplates for all collective agreements. It is customary in North America, in Canada and the United States, to have far less than a three-year term in the private sector. There is a minimum one-year term, but it is not customary to impose a three-year term in a collective agreement. Why is it not customary? It is not customary because we have volatile economic circumstances. Conditions change. Labour and management need the opportunity to readjust their priorities to changing circumstances. We do not want to create a climate of hostility and lack of trust.

Fourth, the reason why this bill does not address the problem with which we should be dealing, that of labour unrest, is that it would deny employees in certain areas the right to strike.

Mr. Jelinek: That is not true.

Mr. Peterson: If you deny people in certain areas the right to strike, you would not be able to stop them. If hon. members think for one moment that they can stop a strike by making it illegal, I ask them to look at the recent example of what has happened in Poland. There, the full authority of the state was unable to overcome the indignation—

Mr. McKnight: The only comparison is between the two governments.

[*Translation*]

Mr. Deputy Speaker: Order, please. The hour provided for the consideration of private members' business having expired, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The house resumed at 8 p.m.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

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

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

The Acting Speaker (Mr. Corbin): Order, please. When the debate was interrupted at five o'clock, the hon. Parliamentary Secretary to the Secretary of State for External Affairs had the floor.

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, in the few minutes I have left I would like to speak briefly to the issue of resorting to a national referendum. I have already indicated that I agree with the idea of seeking the opinion of the sovereign people in the case of a constitutional deadlock. I believe, however, that it would be contrary to the very nature of federalism if the federal government alone had the right to consult the sovereign people to break out of a constitutional deadlock which might develop between Ottawa and the provinces. The fact that one of the two levels of government unilaterally would assume the right and the twofold privilege of deciding when a national referendum will be held, and of drafting as it sees fit the question to be put to the people, can only create such an imbalance between the two levels of government that the spirit of Canadian federalism will be basically altered to the benefit of the federal government.

I would like at this point to make a distinction between the referendum held in Quebec and the referendum possibilities legislated by the Alberta government, and the referendum process provided in this proposed resolution, because the Quebec referendum, for instance, was only for consultation purposes, that is it did not bind anyone either constitutionally or legally, and only had a certain moral value. This is why I believe that Section 46 of the proposed resolution should be amended to allow the provinces, providing that seven of them representing more than 50 per cent of their total population agree to it, to initiate a popular vote across Canada in order to break a constitutional deadlock.

Mr. Speaker, I would like to complete my remarks by quoting, without comments, from a statement on the constitutional issue published last January 29 by the Assembly of Quebec bishops:

> We do not see how social peace can be built on a Constitution which has not been agreed to by the contracting parties and the major partners of public authority. The possibility of achieving this peace would be even more remote in Canada since, according to the spirit of confederation and our legal tradition, any substantial amendment to the Constitution requires the agreement of Quebec for reasons which are deeply rooted in the basic duality of our country.

Mr. Speaker, because in its fundamental aspects this proposed resolution represents a step backward for Quebec, which expected a very different aftermath to the referendum, as clearly evidenced by the unanimous opposition to this proposed resolution of all provincial political parties in Quebec, whether

federalist or independentist, I shall unfortunately have to oppose it in the forthcoming vote.

Mr. Speaker, when I reflect deeply on the implications of this proposed resolution for the future of Quebec and of Canadian federalism, I cannot help thinking that the constitutional status quo before the referendum was not so bad after all.

[*English*]

Hon. Don Mazankowski (Vegreville): Mr. Speaker, at the outset I want to commend the hon. member for Montmorency, the Parliamentary Secretary to the Secretary of State for External Affairs (Mr. Duclos) for his very fine and eloquent speech. I was most impressed with his frankness, sincerity, the depth of his feeling and indeed the courage with which he placed on the record his genuine feeling about this constitutional package.

He identified a number of serious flaws. I must say it was most refreshing for a man of his stature to stand in this House of Commons, and I am sure it was not easy for him, and speak with such deep feeling.

I want to say as well that I found his approach very reasonable. I think it is fair to say that many of us on this side share some of the feelings he expressed in his comments today. He not only pointed out some of the deficiencies and inadequacies in the resolution before us, but coupled it with a number of constructive suggestions which I hope his leader and members of his caucus will seriously consider. In many respects some of the reservations he has expressed here tonight are reservations which we in this party share.

● (2010)

I suspect there are a number of Canadians and, indeed, some members of this House who are torn sometimes between a compelling obligation on the one hand to get involved in this debate and an obvious reservation on the other over the fact that there is a perception that this constitutional debate has gone on too long. Many Canadians are undoubtedly becoming weary and bored with what appears to be an endless constitutional debate. I am sure there are a number of Canadians who are saying: whatever it is, let us get it over with, let us pass it and go on to some of the more important issues before us such as the economy, energy, jobs, transportation and agricultural matters.

I suspect it is fair to say, in talking to people in my constituency and across the land, that the Constitution is not all that appealing, at least to the vast majority of Canadians, nor is it considered a priority item.

Regardless of whether it is boring and somewhat incomprehensible to many Canadians and whether or not it should be of major priority, we have this resolution before us with which we have to deal. We have a responsibility and an obligation as members of this House to attempt to explain the contents of this resolution to Canadians. Our duty on this side is, of course, to draw attention to some of the weaknesses and try to warn about imminent dangers as a result of the passage of this package.

I must say—and I am sure you will share this view—there have been some excellent speeches. This has been an excellent debate. There has been a tremendous amount of work put into the speeches made in this House of Commons, and it is important that we consider them.

The importance of this measure has to be considered in the context that it will form the basic ground rules by which our country is to be governed economically, politically, culturally and socially. It also should be borne in mind that constitutions do not operate by themselves; they require people and institutions in order to work. Therefore, it requires a maximum amount of participation in the formulation of this basic structure, in addition to an eminent amount of good will, understanding and a solid commitment of the vast majority of Canadians, if the proposal is to work and provide that structural framework wherein our country can move ahead and function in a climate of harmony and fulfilment.

What I find most unfortunate and, indeed, disappointing is that this particular proposal is dividing our country as never before. The divisive and embittered environment within which this debate is being carried out is a result of the confrontationist tactics of this government. This has been brought about by the sleazy strategy outlined in that infamous leak of a cabinet document prior to the introduction of the resolution. This has been caused by lack of candour, and I refer here specifically to the exchange in this House about the government's relationship with representatives of the British government. This unfortunate situation is the result of unilateralism, to which the hon. member who just resumed his seat referred as well, and the result of ignoring the wishes of the provinces.

Thrown in with this proposal is a very discriminatory energy program which is the most destructive policy ever perpetrated on an industry in this country. This government—and this as well has been alluded to by the parliamentary secretary—did not receive a mandate for constitutional reform at the last election, just as it did not receive a mandate to take over the pricing of oil. That is a provincial responsibility and, indeed, it has been worked out in the past through federal and provincial co-operation. Nor did this government have a mandate to confiscate or nationalize, as is proposed, and as is being done, under the National Energy Program.

One finds it passing strange that a resolution, ostensibly designed to renew our federation, should be greeted with such concern. A resolution, if it was going to renew our federation and provide that new impetus for renewed nation building, should be received with joy, enthusiasm, excitement and great expectation. It should be a cause for celebration. It should be a mechanism which is seen and perceived as one that will unite rather than divide us.

I submit, as I did earlier, that this proposal is dividing our nation. That division, I submit, will continue if the proposal is passed and it will cause irreparable harm to our country. This proposal is challenged by more than half of our federation. Some eight provinces are now opposed, with more than two

thirds of Canadians in opposition to it. It is rejected by a total region, that region wherein there are no elected representatives in this government, the western region. It is met with apprehension and deep concern. There is concern about the federal structure being under attack, concern about resources, concern about a possibly unitary state, concern about property ownership and a concern that the traditions and roots on which this country was built are being subverted or ignored.

Yes, this measure, in my view, does violate the spirit of federalism and the integrity of the provincial domain. What is most sad is that, in the process, our nation, instead of being drawn together, is being driven apart.

The Prime Minister (Mr. Trudeau) and his Liberal caucus, together with what is left of his left-wing rump, may very well, in crass political terms, win this issue. They will ram it through, and legally they may even win. However, will Canada and Canadians be winners in the process? It will be some victory when you consider that, in addition to the provinces and growing numbers of Canadians, as the parliamentary secretary pointed out, all political parties in Quebec are opposed. The New Democratic Parties in the provinces of Saskatchewan, Manitoba, Alberta and Quebec have publicly spoken against the action.

We have a number of senators in the other place who are speaking out, including Jean Paul Deschatelets, Andrew Thompson, Eric Cook, and John Godfrey of Ontario who said he would hold his nose and vote for the package, notwithstanding the fact he has some very serious reservations. Maxwell Cohen, one of the Liberal government's expert witnesses before the committee, opposes the constitutional proposal. Gordon Robertson also is in opposition, and I could go on and on. This would be some victory.

One wonders, with a victory of this nature, how Canadians would respond in the final analysis to this constitutional package. Will there be a positive attitude? Will they feel comfortable with it? Will they feel a part of it, or will it perpetuate further bitterness and distrust? Attitude, in my view, is one of the most important elements that cannot be defined in words or in law. There must be a genuine sense that this law, which is not an ordinary one, will be respected and upheld voluntarily in spirit and, indeed, in fact. That can only happen if there is an attitude on the part of Canadians that this Constitution is a real, living, dynamic reflection of the Canadian way of life as interpreted through the individual eyes of Canadians.

There must be a sense of attachment, a sense of fulfilment and a sense of communion. There must be the assurance that one can preserve ones individuality within the oneness of a nation.

There are a number of other elements which are part and parcel of this resolution which are not defined in words. There must be trust, and trust must be fostered by actions, and by words. In order for unity to prevail, there must be trust and respect for the truth.

• (2020)

No community can survive, Mr. Speaker, unless there is a basic trust amongst its citizens. It is true of governments as it is of leaders, of business and indeed of the world of politics. The community must build on a foundation of trust so that co-operation and a sense of partnership can develop and indeed flourish, and that is the way it is in nation building, especially in our type of federation.

When we look at what has happened in this constitutional renewal process, we find that time and again we have witnessed the federal government and its spokesmen being less than candid. We have seen this government renege on its commitments, we have seen it withdraw and subvert; certainly their actions hardly create the climate of trust and confidence.

There is a deep feeling of mistrust in our nation today, a feeling that somehow someone is being had and is going to be had. There is anxiety where there should be confidence, goodwill and optimism, and when we look at the root of that problem, Mr. Speaker, we find it in the fact that this government is pushing through its constitutional reform proposals on the same platform of deception as it did in the last election campaign, as it is doing now with its imposition of the misleading fact of the National Energy Program which is confiscatory, which talks about Canadianization but in effect is nationalizing, pitting region against region, Canadian against Canadian, and singling out and attacking one industry in one particular region.

I repeat, this government has no mandate to do that. It did not receive one in the last election and does not have one now because it does not enjoy majority public support. Canadians are becoming increasingly suspicious and have serious doubts about this package.

The process, combined with other deliberate attacks upon the region of Canada from which I come, has caused bitterness and deep division, and I submit to you, Mr. Speaker, that this will escalate with the passage of this resolution.

Now, the hon. member for Provencher (Mr. Epp), our spokesman on this resolution, has outlined in fairly succinct terms the reservations that we as a party hold with respect to this measure. There are three fundamental objections with which I want to deal briefly. One is the amending formula, and as the hon. member for Provencher indicated, as far as we are concerned, the Victoria formula represents an outdated mechanism, which no longer corresponds to the reality of Canada and is rejected by the vast majority of provinces. It is unfair because it creates different classes of provinces. Quebec and Ontario have, and always will have, veto power, and with the amendments which were passed in the committee stage it looks as if we have different classes of provinces in western Canada and the Atlantic region, and I cannot accept the principle of inequality in the status of provinces.

I cannot accept that western provinces, my province, will be treated as a second or third-class province in Canada, while other provinces have a perpetual veto. We have political alienation, an unhealthy mood in western Canada right now,

and this proposal will further exacerbate that issue and will create a double form of discrimination. We can only suspect there will be further alienation and bitterness as a result.

The reasons that we in western Canada are opposed to the amending formula are summed up quite succinctly on page 11 of the submission of the Premier of Saskatchewan, and I would like to put it on the record. It reads:

> The proposed amending formula is the most unacceptable part of the federal resolution, the part which does most serious violence to the basic principles of federalism. Saskatchewan cannot endorse the resolution unless major changes are made in the amending formula.
>
> In a federal state, the procedure for amending the Constitution is the most important part of the fundamental law. And the amending formula proposed in the resolution is so weighted in favour of the central government, so biased against the interests of the provinces, that it threatens to destroy the balance that is crucial to the maintenance of Canada as we now know it.

I think that sums it up fairly well.

Dealing with the interim amending formula, I can only agree that it is nothing more than an illusion, as has been alluded to by the hon. member for Provencher. This party offered an alternative amending mechanism. It may not be perfect, but I believe it is an approach which more accurately reflects the reality of Canada and at the same time sustains the fundamental federalist structure. I believe it can provide a basis for a strong central government without limiting the cultural and regional characteristics of Canada and, above all, it will respect the equality of the provinces.

The referendum proposal is something to which I object as well. To me, the binding referendum is a radical departure from the principle of parliamentary democracy. This particular feature of the package has the potential of being the most divisive element in this resolution. We were told it was only going to be used as a deadlock-breaking mechanism, but the reality is that the federal government could trigger it at any time, and, in effect, it becomes a form of amending formula. It is a device which could circumvent provincial authority and thereby significantly alter our federal system. And we know what can be done in terms of manipulating public opinion, manipulating the rules and the question and, what is most important, and as has been alluded to by other speakers as well, only the federal government has the right to initiate a referendum. If you can manipulate the question and the kind of advertising for which this government is so famous, you can certainly receive the kind of answer they would naturally want.

The process is another issue to which I object and much has been said about it. I cannot accept unilateral action. It just does not work in this country and is not in keeping with the Canadian tradition. Asking Westminster to invoke changes without the consent of the provinces is certainly most unfair. We are asking Britain to do what we cannot do legally in this country.

There are other deficiencies and omissions. A lot has been said about the perfection of this package, there has been a lot of fanfare, but what I find, Mr. Speaker, is that when you sort out the rhetoric, you find that this resolution is deficient in many ways. What I find most unfortunate is that, throughout the process, some glaring inequities, which have been with us for many, many years, have been overlooked. They are inequities which have caused division in this country, which have caused alienation, and which have been ignored in the past and are being ignored in this measure as well. In many cases, those irritants are being exacerbated.

● (2030)

I give you as an example, Mr. Speaker, the matter of removing the equality of status of the provinces. The west is now, in effect, a minority. This measure will simply exacerbate that situation. Having total disregard for the provinces, in terms of its unilateralism is another measure. But what has been totally disregarded and ignored is the political inequality which exists in this country, inequality which shuts out one half of the country from the political process. To me, that is the number one issue in this country.

If it is language and cultural inequality which have caused the problems in Quebec, I say to you, Mr. Speaker, it is political inequality that is causing problems in western Canada today. That is what is at the root of the energy problem. It is at the root of western alienation. It is at the root and core of western separatism. Those irritants and those issues have not been addressed by this government, nor have they have been addressed in this resolution.

The west is dissatisfied because it is being ignored in the decision-making process. It is being left out. The west is a very dynamic and growing region, but it considers itself impotent because it does not have the political clout. That is why we have splinter groups and separatist movements springing up in the west. Unless there is some redress to this political inequality which will fester and continue to mount, it could be very detrimental to this country. We need electoral reform, be it Senate reform, be it proportional representation, or be it some other method. That balancing mechanism which was to be provided in the Senate has deteriorated to the extent where it is no longer useful.

I quote from page 41, of the Task Force on Canadian unity, which outlines the thought behind the Senate. It reads:

> The role of the Senate and the method of selection of its members were extensively debated at the time of confederation. The method adopted was meant to counterbalance the principle of "representation by population" applied in the House of Commons. The Senate was intended to act as a house of "sober second thought" in reconsidering the legislation of the more "radically democratic" lower house, to protect the interests of private property (hence, the property requirements for membership), and to reflect provincial and regional interests.

The task force goes on:

> Because of the method and the practice of appointment of its members which give the Senate at least the appearance of an institution rewarding friends of the government of the day, its credibility as a body representing regional interests and its general effectiveness have been undermined.

So we do not have that mechanism to provide for regional balance. The political inequality must be redressed. This is indispensable before the country can function harmoniously. All regions of Canada must be able to participate effectively in the decision-making process of our national government. If this is not done, tensions will build, divisions will grow and our federation will crumble.

As a westerner I can tell you very confidently, Mr. Speaker, that we as westerners want to build and not dismantle. But we as westerners must have an effective voice in the decision-making process. We must have a voice in plotting the direction and course of this nation.

I turn now to another major deficiency in this resolution, which is the failure of it and of the government to address the continuing erosion of our economic unity—this economic union called Canada.

I believe that in order for our country to be strong, the Canadian common market must be strong. Since we have been so preoccupied with issues that divide us, we overlook the fact that many of the factors which can unite us can also provide economic stability and growth and foster interdependence and opportunity.

We must not overlook the tremendous potential of our economic partnership in this country. The balkanization of our economy by provincial governments aided and abetted by federal policies—which are sometimes inward looking policies and sometimes very selfish—do not augur well for our national economic future. What is most unfortunate, given the kind of climate, the poisoned environment in which we find ourselves now, is that I do not hold out a great deal of optimism for that to improve. That is so because this government does not consult and co-operate. It employs the tactic of confrontation. And the situation is not improving; it is deteriorating. I must say that in the past 13 years, this Prime Minister has failed to address that very fundamental problem.

To emphasize the importance of the point I want to make, I would like to quote from a document entitled, "Interprovincial Economic Co-operation Towards the Development of a Canadian Common Market" issued by the minister of industry and tourism for the province of Ontario, the Hon. Larry Grossman. At page 6 it states:

> If we are to succeed in our quest for a strengthened nation and a renewed Canada, then we must in fact begin by making a commitment and a conscious decision not only to rework constitutional arrangements but to build solid economic relations among the regions of Canada.
>
> We need a new set of economic and political relationships that can accommodate our existing strengths across this country—in the maritimes, in Quebec, in Ontario, and in the west—in such a way that we reinforce each other in a genuine partnership that creates a stronger and more united whole.
>
> But the problem has been that in recent years the traditional economic links between the Canadian provinces have been eroding.
>
> And it is that erosion of economic links that could, if not reversed, threaten our very survival as a nation.

I say to you, Mr. Speaker, that if this nation is to survive, it must do so not only as a viable political unit but as a viable economic unit.

For my part, there are far too many impediments and far too many restrictions to the free movement of goods and services, labour and capital, in this country. We must start removing the barriers rather than constructing new ones. The same study cites another fact which I would find amusing if it were not true. It is stated at page 6 that:

> In fact, Canada's ambassador to the European Economic Community has stated "that there are now fewer barriers to trade among the countries of Europe than among the provinces of Canada."

What has been done in the last 13 years? There has been a build-up of barriers and impediments, not a removal of them. There has not been co-operation; there has not been a working together. All the fault does not lie with the provinces. It is stated in the same study:

> However, the "barriers to trade", issue is really only symptomatic of a broader and perhaps more important problem: that is, the lack of co-ordinated regional economic development strategies.
>
> In fact, it is the development of competitive rather than complementary regional economic development strategies that is threatening the very economic framework that is necessary to sustain us as a nation.

Barriers are not only frustrating, they are costly. They retard progress and create tension. The provinces have tended to internalize the economic benefits of their provincial economies. In so doing, they have borne a cost in terms of greater economic integration and specialization. As a result of this specialization, our import level of manufactured products is the highest of any nation in the world. Why? Because we have fragmented our own domestic market. We have failed to look at the whole, and have simply addressed the parts. We have adopted a tunnel vision approach. We have failed to recognize our own market potential. If we do not do something about this, our manufacturing sector will continue to flounder and we will fail to achieve a vibrant economy. There are many, many impediments: provincial procurement policies, the equivalent of many non-tariff barriers, the lack of uniform provincial standards, and liquor buying practices. In my province of Alberta there has been a beer strike for almost a year. Whom did it benefit? It benefited the Americans; there has been a real market for American beer. Also there are licensing and certification practices, barriers to capital and labour mobility, competition and land purchase policies, hiring practices, marketing boards, restrictions on the mobility of professionals, fiscal and non-fiscal measures, and so on. We forget that we are not only political partners; we are economic partners.

● (2040)

Transportation is a subject which is very near and dear to me. I should like to refer to Part III of the National Transportation Act which was passed in 1967. It was to provide a framework for extra provincial trucking in Part III. It has never been passed or implemented. The federal government regulates rail, air and marine transportation through a system of regulations, and provides the mechanism for policing and enforcing. In the area of motor vehicle movement, there are ten different sets of regulations; there is no uniformity. It frustrates the orderly movement of interprovincial trade. It is costly and creates dead heading. At this time when we are looking at improving our energy efficiency, it is wasteful and, above all, it mitigates against establishing an integrated multi-modal national transportation system.

These impediments, restrictions and unco-ordinated approaches mean lost opportunities for Canada and for Canadi-

ans. Surely it is time to talk about regional co-operation in Canada. At page 9, the study concludes as follows:

> We have a clear choice: We can, at this critical time in our history as a nation, continue to balkanize our country's economy, or we can develop a unified Canadian Common Market, with combined interests, shared objectives, and mutually beneficial goals.
>
> We can use our differing strengths as a basis for building a strong Canadian whole. Or we can restructure the individual units, failing in the end to ensure a firm foundation upon which we can develop and strengthen as a nation.

This is the kind of impetus I would like to see not only in the resolution but, indeed, in action through federal-provincial co-operation. I have had some experience in this area; I know it can be done, but it depends upon the attitude of the federal government. Rather than confronting, if the government used a policy of consulting and co-operating, many of these issues would be overcome. The government has been an absolute failure over the last 13 years. It has further perpetuated the barriers and impediments to the free interprovincial movement of goods and services.

I should like to speak briefly about the charter of rights. Again, there are deficiencies. There has been much misleading rhetoric by members on the other side. If we listened to them, we would be led to believe that all of a sudden Canadians will receive a host of new freedoms and rights. That is nonsense. Quite the opposite is true. I submit that the charter will probably limit our freedoms. It will place a new emphasis on the courts, without any changes in the selection process, without any modification of the checks and balances. It will be the judiciary rather than the legislatures who will have the final say.

Mr. MacKay: Who has more compassion?

Mr. Mazankowski: Yes, who has more compassion? We have heard a lot said about multiculturalism. I welcome the incorporation of the spirit of multiculturalism in the Constitution, but when it comes to implementing the spirit of multiculturalism and adjudicating which institution is best qualified or has the most compassion to see that it is instituted in a human fashion, certainly it is not the courts. I would suggest that Parliament is more appropriate.

I should like to deal with the areas of property rights. I am appalled by the hypocrisy of the Liberal Party and the blatancy of the NDP. If ever there was a fundamental right and freedom near and dear to me and the people I represent, property rights are one of the most profound that westerners and all Canadians want preserved.

An hon. Member: What about P.E.I.?

Mr. Mazankowski: We have talked about P.E.I. I think there is a way around that. The right to own and enjoy property is very basic and fundamental. That right is denied as a condition of NDP support. The NDP members do not want it because they say it will impede the government's ability to expropriate, confiscate or nationalize. The right to own land, be it farmland, recreational or family residence, is enshrined in the constitutions of many western nations. It is protected by law and by custom. The right is as fundamental as the well-being of the society, a right we all know and share. It is as fundamental as freedom of speech, freedom of worship, freedom of assembly and freedom of the press. Many of our ancestors in western Canada were lured there by the thrill of owning their own land.

Finally, any charter which does not recognize the supremacy of God, the dignity and worth of the human person, or the pre-eminence of a family as a unit, is absolutely deficient. This is the foundation upon which our society was built, upon which our society rests. I could speak about this matter for quite a while, but it has been referred to by most Members of Parliament. Every day we open our proceedings here with a prayer and we swear our oath of allegiance on the Bible. At the end of each throne speech delivered at the opening of a session of Parliament, we ask Divine Providence for guidance in our deliberations. One wonders, when the supremacy of God is omitted, whether this package can be taken seriously. Obviously there must be some reason for the omission. Perhaps it was a condition of the NDP support. It looks as if this package were a package of convenience. When one looks at the dissenting views and the way in which the government has accommodated some and rejected others, one must question the seriousness and whether in fact this is a resolution of convenience.

If we choose to exclude the reference to the supremacy of God, where are we and where are we going? This hypocrisy is further evidenced in the government's refusal to entrench the right to life and to stop the legalized slaughter of the unborn. What could be more fundamental in a charter than the preservation of life itself? I see those as major deficiencies.

In conclusion, I reiterate that the government was not given a mandate to impose a unilateral constitutional package on this nation. It was not given a mandate to impose the degree of state intervention and domination that we see in selected areas of the economy.

It is this deceit, dishonesty and total lack of political integrity which are causing very serious problems and divisions in the country. I submit that the passage of this resolution will exacerbate, not ameliorate, those divisions and that bitterness.

Some hon. Members: Hear, hear!

• (2050)

Mr. Bill Domm (Peterborough): Mr. Speaker, on the occasion of this crucial debate on the future of our country, I would first like to pay tribute to all those hon. members and senators who devoted their time and their very best efforts to the work of the joint committee. I congratulate too the co-chairmen of the committee for their judicious and sober guidance. Most of all, I recognize and congratulate the many Canadians who travelled to Ottawa, many at their own expense, to exercise their right to be heard. This was perhaps the noblest act, for they are the Canadians participating directly in drawing the blueprint for the survival of Canada.

Just in the past month, the Prime Minister of Canada (Mr. Trudeau) said:

> The kind of opposition we bring against ourselves I find exhilarating.

He said this in the Liberal wilderness of British Columbia. This is perfectly in keeping with a man who would subscribe, in this day and age, to the manifesto of Machiavelli rather than to the supreme majesty of God. Nothing characterizes the spirit with which the Prime Minister entered into his latest attempt to change Canada through constitutional reform than that guiding epigram of the Italian manipulator. I quote from his epigram:

> There is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than the introduction of a new order of things.

The Prime Minister is fond of quoting classical dictums from sources as diverse as Shakespeare and Plato. Indeed, he values them not just rhetorically, but as matters of guiding principle. We saw this in his attitude at the first ministers' conference last summer. His being so keen a student of Machiavelli, I recommend this quotation to the Prime Minister and ask him to take heed:

> Many have imagined republics but he who abandons what is done for what ought to be done, will bring about his own ruin.

By the way, Machiavelli also remarked, with admirable relevance for today, that:

> When neither their property nor their honour is touched, the majority of men live content.

I suggest that the Prime Minister's greatest exhilaration—if, indeed, he is exhilarated by opposition—will come when the people of this country turf him and his party of sheep out of office for having impinged upon both their property, by failing to protect it, and their honour, by imposing closure on their elected representatives in this House. I might add that they are tarnishing the honour of all Canadians, as my friend, the hon. member for St. John's East (Mr. McGrath), said, by: shaming and embarrassing them all by having the Parliament of the United Kingdom reject a joint resolution of the Parliament of Canada.

The Prime Minister is the first to take the unprecedented steps. He is the first to move unilaterally on matters of Constitution. Why does he speak in such horrified tones? Why does he speak in veiled and threatening language when the possibility of the British parliament using unprecedented steps is raised?

We are playing under the rules of the Prime Minister. It is he who has dictated the length of the game and the object of its goals. He has appointed the referee and the place where it is to be played. Why does he squawk now and say that he will take his ball home if people who are not on his team realize that his game is rigged from start to finish?

Since 1979 members of the Liberal Party of Canada have enjoyed absolutely no power at the provincial level in the country. In 1980, they were brought back, led by the invisible man, a non-leader, on false promises and big carrots. They have absolutely no representation west of Winnipeg, and representation there, for a start, has, rightly, alientated 51 per cent of the population of Canada. More than half of their members are from the province of Quebec.

It is absolutely ludicrous that the Prime Minister even presumes to speak for Canada on a matter such as this, on the matter of our futures and on the matter of the futures of every single person in Canada now and who will arrive in the future. Does it have to be reiterated that fully eight of our provinces, two of them original partners in confederation, vehemently oppose both the matter and the manner of his initiative—or, should I say, his ambition? In the face of this, in Vancouver he said that he has managed, to use his words, to split both parties on this side of the House. He has the unmitigated gall to say such a thing when he alone is responsible for perhaps the biggest split and the gravest divisions which have confronted our country for generations.

How is it that the Canadian people, at least as far west as Winnipeg, allow themselves to suffer what has been termed, in philosophical studies by Lacan and others, as "charismatic abuse"? Why do they allow this same abuse to be brought down upon them to the extent that their Prime Minister, their political leader at home and abroad, feels that he can afford to provoke a confrontation between Canada and Britain for internal political gain which threatens to poison relations between our two countries for years and decades to come?

Is this the image they want abroad, the "tough-guy" Trudeau sneering behind his cloak of innuendo, misstatements and false report? His Secretary of State for External Affairs (Mr. MacGuigan) is the laughing stock of the diplomatic world, when the Department of External Affairs was the hero of the world a mere 14 months ago. His representative at the court of St. James consider themselves latter-day gumshoes—the James Bonds of the north—and make ridiculous suggestions and equally ridiculous recommendations as their strategy for the coming fray.

Good Lord, I daresay that Canada's image abroad has taken such a beating that the prestige gained from the great diplomatic triumphs of the fifties and the sixties have undoubtedly been lessened. This crew, this band of cowed and deluded people across the floor, presumes to carve out a new constitutional image of Canada, new rules of life and new rules of behaviour. It has the audacity to point to alleged splits in the opposition—especially with regard to members of the left—thereby demonstrating again its collective vanity and arrogance. At least in the socialist party there is some attempt to provide for sincere dissent in the ranks. At least in their position one can see some co-relation between party philosophy and party action.

What of the sheep opposite? What, in their constitutional manifesto, is markedly and specifically Liberal as opposed to Conservative or socialist? What separates them from other policies such as the National Energy Program, which confirmed them to be socialists in sheep's clothing?

I am sure that a classic and quite recent definition of political Liberalism would be instructive at this juncture in order to inform members opposite what it is they purport to be. Liberalism in politics, said Wayne Lyman Morse:

—can be defined in terms of objectives. A major objective is the protection of the economic weak within the framework of a private property economy. The Liberal . . . emphasizing the civil and property rights of the individual, insists that the individual must remain so supreme as to make the state his servant.

Indeed, just as the hon. member for Provencher (Mr. Epp) reminded the House last week, governments cannot be supreme. It is the people in a democracy who must be supreme. This is a principle which I and my colleagues on this side of the House, at least, heartily endorse.

Would any socialist Liberal opposite care to subscribe at this moment to that classic definition of Liberalism? Would the Prime Minister? At least the hon. member for York Centre (Mr. Kaplan), through a momentary aberration or "fit", no doubt, subscribed for a short time to the right to own property before being brought to heel by his master's voice and reversed his previous decision and voted against the right to own property.

Next to freedom from religious persecution, I doubt that any right has more respect in Canada than the right of the individual to own property. Many Canadians can say that is why they came to Canada. These Liberals, however—and I use the term loosely—did not allow the right to own property in their charter. Are they who control the state truly servants of the people, as their particular philosophy maintains, or at least should maintain? The three principles of federalism are: diversity, rights and consensus. What did the Prime Minister and his partisans make of these three principles? For diversity they substitute sameness; for rights they substitute prejudice and discrimination by omission, and for consensus they substitute confrontation and unilateral action.

● (2100)

I remind hon. members opposite of what the hon. member for Provencher so rightly stated, and I quote his words: "Governments cannot be supreme; it is the people in a democracy who must be supreme."

Professor Peter Russell of the University of Toronto said, and said very plainly, "I believe that this country is built on an understanding that the fundamental terms of our federation, particularly the powers of the respected levels of government, will not be altered by unilateral action—"

He added that "—there is a very strong, arguable case that, unless the statute of Westminster is amended there is a legal bar on the British parliament to go ahead without provincial consent for a resolution of this kind."

Professor Russell also pointed to the use of the word "dominion" in the constitutional arrangements between our two countries and noted, "Dominion might mean more than the dominion parliament."

This brings to mind the timely reminder to the House made by the hon. member for Provencher that the Fathers of Confederation themselves preferred, as a guiding passage, the spirit of divine majesty paramount in this country. "He shall have dominion also from sea to sea."

In his futile attempt to justify the government's attempt to change the nature of confederation according to its own wishes, the hon. member for Hochelega-Maisonneuve (Mr. Joyal) stated in his speech: "The level of government that is actually losing the most power in this process is the federal Parliament."

On the contrary, as Professor Russell pointed out, if this proposal should go through, "—it would seem . . . to . . . put the provincial legislators in a subordinate position in the Canadian constitutional structure." He also pointed out to the Canadian people as the co-chairman of the committee hoped he would, that if that proposal went through, "—it would mean that the British Parliament can reduce the powers of the provinces without their consent, which is not happening to the federal Parliament." Professor Russell concluded that this course of action will "—rearrange our federal system into a system of a hierarchy of power rather than a division of powers between sovereign legislative bodies."

I hope that I have impressed upon the House the clear fact that, try as the government might, to legitimize its proposed resolution by selective quotations from the past, in fact it is a bogus process and one that will simply reorganize the division of powers between the bilateral levels of government in this country without the consent of one side of that division.

Patriation, an amending formula and a charter of rights: these are the three elements in the resolution. The government wanders through a hall of mirrors in its priorities as it favours a charter of rights above the other two elements in the package that express contradiction to the polled will of the people whose primary concern is to patriate their Constitution. Let us discuss this step by step.

As we have repeated endlessly, Her Majesty's loyal opposition, as the Leader of the Opposition (Mr. Clark) stated on October 2, is entirely in favour of the principle that "the Constitution should be brought home to Canada without delay." We in the opposition and the people of Canada have absolutely no difficulty with this admirable aim, and the Prime Minister should be gracious enough to stop trying to suggest that somehow we are against this, because we are not.

Resistance to the government's proposal began to build when we encountered the amending formula which it has attached to patriation.

First and foremost, if the entire package came to the country under the very formula being proposed, the Victoria formula, it certainly would not pass. What is more, it would not pass at either stage—the consent of the provinces stage where Ontario, Quebec, two Atlantic provinces and two western provinces have to approve, or the referendum stage where it is put to the people.

This fact, above all, must condemn the resolution as it stands before this House; that under its own terms it would never be approved by the Canadian people. Resistance reaches a crescendo, however, when we come to the third element of the package, the charter of rights.

As the joint committee heard, and as the people of Canada should hear, for it bears any amount of repeating:

—the process of entrenching rights in the Constitution is about as serious a constitutional act as a nation can ever undertake for it means in theory that certain powers are to be withdrawn from the representatives elected from time to time by the people, and it establishes a new set of limitations on what elected legislatures can do for the people.

In that sense, it involves nothing more nor less than a change in the social contract between the governed and the government and it entrusts the judiciary with the task of interpreting the terms of that contract.

You will remember, Mr. Speaker, that I mentioned earlier the hon. member for Rosedale's (Mr. Crombie) three guiding principles of Confederation: diversity, rights and consensus. To these may be added three more from one of our leading constitutional authorities: that the process of constitutional change should be considered, that it should be popular, and that it should be unifying.

This brings us to the point where we can crystallize the essential difference between the government's proposal and the Conservative alternative. That crystallization is the matter of process, for it is here that we differ fundamentally; it is here that the government has departed from the will of the country; is here that it has affronted the rights and dignity of the provincial legislatures, and it is here that it threatens to provoke a bitter feud with the Parliament of Great Britain, perhaps our dearest and most amicable friend in the world.

Let us examine this point of process as it applies to both the amendment formula and the charter of rights. Under the proposed formula, any province attaining "a population of at least 25 per cent of the population of Canada" according to any census, past or present, would be forever armed with the power of veto over proposed amendments. The reasons for this clause, as it applies to Ontario and Quebec, are very clear. It implies that for a very long time to come, all the other provinces will be relegated to a second-class status, without having, singly, the power of veto.

However, it seems to have escaped the attention of this government and, indeed, of the entire country, that this veto power could be extended to a third province in the future by virtue of this entrenched requirement.

Could not Alberta or British Columbia, for example, be viewed as major contenders to become the third province in Canada to attain 25 per cent of the total population and thus acquire the power of veto over all parts, all regions, of the country, if it was in their interest to do so?

Let no member mistake my remarks that somehow they constitute an anti-provincial or an anti-western position; rather, they are meant to indicate a position of national democracy based on broad consensus and not on regional prejudice.

As an expert witness to the committee pointed out, the Victoria formula gives any province that acquires 25 per cent of the population the power of veto. In this regard, he said, "You must remember when you are talking about constitutions that you are not talking about a law for today or tomorrow or this decade. We are talking about a law for centuries ahead."

This is a point of view that I could heartily endorse. I encourage all members to realize that what we are debating will be conceivably a matter of importance for centuries, not just for the last year or two of the Prime Minister's tenure.

● (2110)

This describes just one example of the shortcomings of the amending formula. Another no less important weakness deals with the area of native and aboriginal rights, so hard fought for in the committee and over the years. It is instructive to look behind the highly publicized recognition of aboriginal rights which have been given recently.

In Section 35(2) of the present proposal, in Part IV which deals with constitutional conferences, provision is made to include in the agenda of the conference the following:

—an item respecting constitutional matters that directly affect the aboriginal peoples of Canada,—

Section 35(2) further on reads:

—and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on that item.

Who will the Prime Minister appoint to represent these people? Which representatives of the native people will the Prime Minister invite to attend? Who will decide the item on the agenda?

In the aftermath of all the delirious self-congratulation in the committee on the recognition of aboriginal rights, what has been the more sobre upshot of it all? What do the native peoples themselves say to the doubletalk of the Minister of Indian Affairs and Northern Development (Mr. Munro), the member for Hamilton East, who said that failure to entrench the charter of rights "would be an intolerable disappointment to the native people—" if aboriginal rights were not entrenched?

What are the native people saying to the Leader of the New Democratic Party (Mr. Broadbent) who said in his speech that "no one in Canada, no government or individual will again be able to disregard the rights of Canada's original people." In a word, they are saying "nonsense." These rights may be entrenched, but how will they be interpreted? They will be interpreted by the courts, by government appointed judges to the Supreme Court. They are the ones who will interpret difficulties or confrontation over aboriginal rights. That is the "government" and the "individuals" mentioned by the Leader of the New Democratic Party who, in the future, will decide native rights.

Del Riley, the President of the National Indian Brotherhood which consists of ten provincial and two territorial groups and represents 300,000 Indians, said he will resign over constitutional amendments that ultimately provide for the courts to define aboriginal rights. Indian provincial groups in British Columbia, Alberta, Manitoba and Quebec have threatened to withdraw from the National Indian Brotherhood unless these constitutional amendments are dropped. And I know that Indian groups in my own riding in Ontario, represented by the Union of Ontario Indians, are opposed to the government's constitutional amendments.

This is clear to the Indians and the native peoples of Canada. They know what the government is trying to do. They will not be fooled again. The native people realize that what these constitutional amendments really mean is that the government is seeking a cowardly and ignoble way out of fulfilling its responsibilities directly to the native peoples, as it is required to do by the BNA Act, and trying instead to devolve that power to the Supreme Court, an appointed, not an elected body. Where is the democratic representation in that move?

So much for the minister's intolerable disappointment. He either does not understand the implications of the charter of rights or he is in collusion with this infamous attempt to rob the Indians of their ancient rights.

I submit to you, Mr. Speaker, that indeed this proposal does not guarantee the continued participation of the native people of Canada in their own constitutional destiny; that it does not guarantee their rights, as alluded to in Section 33; and that it does not guarantee that fair and representative native counsel will be sought during the two-year interim period between passage of the act and the coming into force of Part VI of the act.

Briefly put, the amending provisions of this act do not accommodate, beyond the two-year interim period, any future participation, of the native peoples of Canada in any further constitutional change that may affect them, their treaty rights, or their aboriginal rights; none at all.

Furthermore, under Section 132 of the BNA Act and the natural resource transfer agreements, it is clear that Indian rights are the responsibility of the federal government, and the federal government alone. While there is provision in the amending formula for at least a measure of provincial participation in future constitutional change, there is absolutely none for aboriginal peoples. Clearly this gives rise to an obvious constitutional contradiction. It will be quite possible that in the future the provinces will be part of a decision-making process which might change the Constitution as it relates to native and aboriginal rights. Indian and native rights are exclusively and always have been the responsibility of the federal government.

As I mentioned before, these are the shortcomings in the amending formula before us. As if they were not bad enough, the greatest resistance to the package must be when it comes to the third part, the charter of rights. Resistance, the voice of reason, must be heard with respect to this part in two distinct ways: first, as a matter of principle, and second, as a matter of substance.

The Minister of Justice (Mr. Chrétien) has asked with passion how can we, the members of the opposition, "stand each in turn and move preposterous amendments to the charter of rights and then the next day . . . vote against it."

I am very happy to endorse the hon. member for Provencher's reply to this. He said that "—in order for the charter to find agreement among Canadians, it must be more than words—it must enjoy consensus and legitimacy—and—what Canadians want is a charter which is carefully considered and approved by Canadians in Canada!" And that is why I can approach the charter from two points of view, the point of principle and the point of substance.

Now, as far as the principle of a charter of rights is concerned, I agree entirely with the hon. member for Rosedale who said that one of the things "our forefathers learned about rights was their rights lay in the common law, that they did not need to have their rights listed; that the only listing came when those rights were reduced, that if they can write it down then they can take it away."

I also agree entirely with Professor Russell of the University of Toronto, who said in January that "I am not one that sees a need for a great deal of change, we have one of the oldest Constitutions in the world (dating back to 1215) and I think we have done pretty well by it—." As Professor Russell said later, "I have not heard any strong, good, clear reasons why the entrenchment of rights has to take place now and through the British Parliament."

I consider this to be very sound reasoning, notwithstanding the tedious and, at times, hysterical screams from across the floor about the need in Canada for a charter of rights. What members opposite constantly fail to point out in the midst of their high-blown speeches on equality and so on, is that it is not so much that these rights are new and will be newly protected on the passage of this charter, as that the process of interpreting these rights will be new. Make no mistake that in the aftermath of the passage of this bill, if it occurs, and for literally centuries afterwards, the Supreme Court of Canada will judge the validity and extent of these rights and will stamp their interpretation on them for all time. These rulings will be binding.

Now this means essentially that the function of interpreting human, civil and democratic freedoms in this country is to be taken out of the hands of the 282 elected representatives to the House of Commons and put in the hands of the government-appointed judges to the Supreme Court of Canada. This is the devolution, or should I say the centralization of power that we are talking about, and the people of Canada should make sure they are fully aware of this before this bill goes through.

• (2120)

What we are doing is Americanizing our judiciary and imposing upon the Supreme Court a political burden of great weight, one that they have never had before. Who knows how, in future decades, the Supreme Court will interpret these marvellous and noble rights that everyone is going on about?

As was said in committee, this charter does not guarantee rights or freedoms, what it does is guarantee a change, a very significant change, in the way in which decisions are made about rights and freedoms.

Can members on both sides of this House be assured that Canadians want to Americanize their system of government? Are they being given that clear choice? The Prime Minister, quite simply, is taking away from Parliament the power and the process of democratically discussing fundamental principles of freedom and is putting that power into the hands of a few, a very few, members of the judicial branch of govern-

ment, members who will be appointed by the government in power. I want to inform the people of Canada that their rights and freedoms presently protected and advanced by Parliament will in future be manipulated and interpreted for them by the imaginations of lawyers, as one expert witness said, and the size of an individual's bank account, for that shall be their only recourse.

This is the clear and simple fact of the case, and it is futile for members on the other side to try to attach some sort of anti-motherhood, anti-rights and freedoms bias on the voices of opposition here. They know that we speak the truth and the situation will be a I have described it. For the benefit of these true detractors of freedom opposite, I would like to acquaint them with the words of the eminent twentieth century philosopher, Hand, who addressed this question in 1942 in a far more eloquent and pertinent way than I have heard any hon. member opposite do. He said that a society so driven that the spirit of moderation is gone, no court can save; that a society where that spirit of moderation flourishes, no court need save; that a society which evades its responsibility by thrusting upon the courts the nurture of that spirit of moderation, in the end will perish.

The Progressive Conservatives want our Constitution brought home and we want it brought home immediately. Last October 2, that was made very clear in this House when the motion was moved by our leader. That motion was voted against by members of the government. The Progressive Conservative Party wants a fair and workable amending formula, arrived at by consensus. The Progressive Conservative party wants the rights and freedoms of Canadians guaranteed in our Constitution.

Our members on the constitutional committee worked effectively to improve the draft charter of rights and freedoms. Thanks to PC initiatives, significant improvements were made in provisions dealing with the handicapped, the deaf, the denominational schools, and the territorial representation at future constitutional conferences.

We would like to see more improvements, too. We believe our Constitution should acknowledge the ultimate supremacy of God, it should guarantee the right of individual Canadians to own property, and it should be strengthened to ensure the true equality of men and women. We want the best possible charter of rights and freedoms for Canadians. But we insist that our rights be approved in Canada, not finalized by the colonial act of another country.

We have proposed that kind of formula—the Vancouver consensus—which as late as last September was accepted in principle by all of the provinces. The Vancouver formula would require that any constitutional changes involving both levels of governement be approved by the federal government, plus at least seven provinces representing at least 50 per cent of the Canadian population. It would protect essential provincial interests involving the rights and powers of their legislatures and the ownership and control of their property and natural resources, all areas in which the provinces have been guaranteed protection since confederation began in 1867.

The Vancouver formula would allow constitutional changes to be approved by Ottawa plus a reasonable provincial majority. It would treat all provinces as equals. The Liberals want a very different kind of amending formula. Under their proposal, two provinces, Quebec and Ontario, would have a permanent veto over any constitutional change, regardless of whether or not they had at that time 25 percent of the population. There would be a different set of rules for Atlantic provinces, and still another set of rules for provinces in western Canada. Provinces would cease to be equals; instead, we would have first, second and even third-class members of the confederation.

The Prime Minister also wants to give Ottawa unilateral power to use a referendum to make constitutional changes without any reference whatsoever to the elected provincial governments and legislatures. That would end completely the partners of Canadian federalism.

There is no doubt in my mind that what this country is moving toward is a new type of government. Perhaps you can call it socialism, perhaps you can call it a republic, but the most important and most dangerous aspect of this move to a new form of government is that it is changing what we have grown to know, understand and appreciate as a group of equal partners coming together freely and willingly. It is changing it into a strong, central, unitary government and it is not going to be accepted by the majority of the people of Canada.

Mr. J. R. Ellis (Prince Edward-Hastings): Mr. Speaker, the Prime Minister (Mr. Trudeau) is fond of pointing out that the debate on the Constitution has been going on for almost 50 years. He has said that the consent of the provinces has been sought for 53 years and that for 53 years we have failed. Before I finish my remarks this evening, I intend to point out the fallacy of these statements together with a number of others.

To take part in this historic debate on the twelfth day of March in the year of our Lord 1981 is, of course, a privilege, a privilege that must be extended to every Member of Parliament. It may be difficult to place a different perspective or perhaps a perspective more meaningful to the area I represent in light of all those things that have already been said by those who have already spoken. However, to not enter into the debate and by my silence perhaps indicate, even directly, a support of the government action which is not there would be unthinkable.

I did not personally sit on the committee that undertook an extraordinarily heavy workload for some 14 weeks. Some might say because of that the voice of Prince Edward-Hastings was not properly heard on the committee and in the debate, and that my brief intervention here will not be sufficient. I suggest that I was well represented on the committee, as were the people of Prince Edward-Hastings.

I say with all the emphasis I can muster that on February 4 when the hon. member for Provencher (Mr. Epp) introduced an amendment to write into the Constitution that Her Majesty Queen Elizabeth of Canada is indeed the Queen of Canada

that my interests were being fully represented and properly expressed, as were the wishes of the majority of the people of Prince Edward-Hastings. That was not so when one of the Liberal members of the committee, Mr. Lapierre, stated that within two years we would be rid of the monarchy.

● (2130)

I believe in the rights we enjoy through the parliamentary system, the rights we enjoy through the common law, and the rights which are protected by the Crown. I believe it is important in our Constitution that we guarantee the role and the status of the monarchy, and I for one want to retain that heritage rather than have the republican system being forced upon us.

I was well represented on the committee, and so were the people of Prince Edward-Hastings, when the Hon. Perrin Beatty introduced, with great clarity and detail, an amendment having to do with the right to own property. The family farm, the family business and the family home represent some of the most fundamental elements of Canadian society. Yet, anyone who has ever dreamed of owning his home, farm or business will be disturbed by the fact that, while the Diefenbaker Bill of Rights included the right to enjoy property, the charter of rights proposed by this government in the Constitution is mute on the subject. I believe the right to own property is a fundamental right, a right which should be enjoyed by all Canadians, yet the government opposite with its majority voted down that right.

It is interesting to note that the particular amendment was supported by many organizations from all across Canada, including the Canadian Organization of Small Businesses, the Canadian Bar Association and many others, yet it was turned down. It is indeed frightening that a socialist Prime Minister, supported as he is by a supposedly socialist opposition, purposely wants to omit this right from his charter of rights.

Once again I was well represented on the committee, as were the beliefs of the people of Prince Edward-Hastings when the hon. member for Rosedale (Mr. Crombie) introduced an amendment having to do with the position of the family—and that is the belief of the people of Prince Edward-Hastings—affirming that the Canadian nation is founded upon principles, and acknowledging the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions; affirming also that those individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values under the rule of law.

While perhaps not as many people think about it as often, I know my interests and, therefore, the interests of the people of Prince Edward-Hastings, were being well served when the hon. member for St. John's East (Mr. McGrath) spoke on the clause dealing with the freedom of information. We all know the extent of government in Canada, the growth of the bureaucracy and the threat it imposes on the individual in terms of an individual's right to know what the government knows about him. With the computerization of information and the use of the SIN by the government and by institutions, wrong information and, in some cases, information no longer relevant, can plague a person for the rest of his or her life. Surely under these circumstances they should be entitled to know exactly what is in the file, and they should have that right under freedom of information.

To deal with a more technical aspect of the process, Senator Duff Roblin, on February 2, spoke eloquently on why the so-called Vancouver formula should be used rather than that proposed by the government. Senator Roblin is no stranger to Prince Edward-Hastings, having spoken there on a number of occasions, as indeed have all the other members of that committee.

Basically, what Mr. Roblin was proposing was that the provinces be consulted and given a far more equal chance to create the changes necessary in our Constitution rather than having the federal government do it alone.

So without being present at the committee hearings and without taking an active part in the committee itself, I am content that my interests and those of the people whom I represent were well cared for by that committee. It is indeed unfortunate that each of those rights I have just quoted were turned down by the Liberal majority.

It is my considered opinion that over the almost 114 years of our confederation, we have had very little to be concerned about by way of freedom. It seems to me we are more endangered now by the implementation of the Prime Minister's charter of rights than we ever were before. Not to have these various rights written down has never bothered me. I knew they were there. To write down only some of them indicates that the rest are not available to me, and that concerns me very much.

Why is it so necessary to force a charter of rights through the British parliament at Westminster? Why must we rely on another Parliament to do what we should be doing here at home? Before I answer that, I want to make a point which is particularly important to the people in my area.

The Prime Minister repeatedly and emphatically refers to Great Britain, the United Kingdom, as a foreign country. As one whose parents were born in that foreign country, I resent that allegation very deeply. I resent it more for the way in which it is said than the words themselves. I am confident the hon. member for Grey-Simcoe (Mr. Mitges) does not consider Greece a foreign country. I am confident the hon. member for Prince George-Peace River (Mr. Oberle) does not think of Germany as a foreign country, at least not in that context. These are the countries in which their parents were born. These are friendly nations, along with many others, which are the birthplaces of many Canadians. This does not make them foreign in the context the Prime Minister uses those words.

As a matter of fact, my father who came to this country in 1913 and voted in every election from the time he was old enough, now, of course, requires a citizenship in order to vote. He, like many others who thought of themselves as British

subjects, now must have that piece of paper before they can vote.

It is very obvious to me, and apparently a large number of Canadians, that it is not necessary to involve our friends at Westminster. We could and should do the job ourselves. The Prime Minister made it very clear in his statement of October 2, in his Regina speech of October 29, and at many other times and places, that he cannot achieve an agreement with the premiers of the provinces of Canada. I wonder perhaps if it is not possible that the fault is not all with the premiers. Let me review for a moment just who those ten men are.

The Premier of Quebec, a dynamic and controversial public figure in modern Quebec, was a war correspondent in battle torn Europe. The Hon. René Lévesque was one of the first western journalists to enter a concentration camp after the war. In political life he was, in part, responsible for Quebec Hydro, but he left the Liberal Party to become the leader of the Parti Québécois and a separatist government. He has no support for his actions in this House, but one wonders about the strain imposed by a former colleague on him, the present Prime Minister, perhaps causing such actions. It is interesting to note that another colleague, the Liberal leader of the opposition in Quebec disagrees just as fervently with the Prime Minister.

● (2140)

Premier William Bennett of British Columbia knows the world of family business, having operated his own furniture and retail appliance store in the interior of the province for many years. Could it be that the reason they cannot agree is that the Prime Minister has absolutely no knowledge of the working of private business and, frankly, has never had any interest in it?

The controversial Mr. Peter Lougheed, premier of the province of Alberta, has played football and climbed mountains and done those athletic things that the Prime Minister seems to revel in. In addition, he has a Master of Business Administration degree. Would that our present Prime Minister had any knowledge of administering a business! Perhaps we would not be in the trouble we are in today if he did.

Premier Allan Blakeney is an interesting comparison, a highly intelligent individual, as is the Prime Minister, a Rhodes Scholar and one who has socialized or nationalized, industry, whichever you prefer, in the province of Saskatchewan, just as the Prime Minister intends to nationalize the oil industry and perhaps others in Canada.

An hon. Member: What about PWA?

Mr. Ellis: Surely they should have much in common, yet Premier Blakeney cannot abide the plans of the Prime Minister. Not only has he withdrawn his support for the proposal but so have the federal Members of Parliament from this province.

Premier William Davis, one of the oldest in terms of length of service to his province, has agreed to support the package after receiving certain concessions from the Prime Minister.

Mr. Beatty: Order, order. Show some courtesy.

Mr. Deputy Speaker: Order, please. The hon. member for Prince Edward-Hastings (Mr. Ellis) has the floor.

Mr. Ellis: Thank you, Mr. Speaker. Their heckling does not bother me. It shows, as it did to others in this House, the respect they have for the Constitution.

I was saying, Mr. Speaker, that Premier Davis is philosophically opposed to many of the policies of the Prime Minister. Let me make the point here that Mr. Davis has spoken out strongly about entrenching the monarchy and those rights of which I spoke a moment ago. His support is therefore very important to the Prime Minister.

Mr. Hatfield, another Conservative premier, has also agreed to support the Prime Minister's package. Again philosophically opposed to the Prime Minister in many areas, he has seen fit to support his proposals without some of the concessions gained by Mr. Davis.

Premier Brian Peckford of Newfoundland, a former school teacher, some would say a brash young man, who sincerely and with tremendous spirit fights for the people of Newfoundland, wants for them a better way of life and sees the offshore oil as a way of achieving it. It seems to me that a common sense application of provincial rights, as has been proposed by the Right Hon. Leader of the Opposition (Mr. Clark), would make an ally of this man.

Premier John Buchanan of the province of Nova Scotia is a lawyer and the son of a coal company employee in Sydney. He worked in the blast furnaces of the Sydney Steel Corporation before entering university, and obviously knows what it is like to work, and work hard, for a living. Could one suppose that this is the reason why he and the Prime Minister disagree so strongly on this matter?

Premier Sterling Lyon, who grew up in the rural province of Manitoba, took over that province after the socialists had virtually bankrupted it. He found absolute chaos, and only by the toughest of legislation was he able to start turning the province around. Perhaps it is because he is so tough and so very Canadian that he is the leader of those who oppose the Prime Minister in his Constitution attempts.

Last, but certainly not least, our very, very good friend the Hon. Angus MacLean, Premier of the province of Prince Edward Island. There is so much that one can say about this quiet Canadian who has done so much for his province, both in the federal House and as premier. Perhaps when you understand that he was shot down as a bomber pilot over Germany during the Second World War, that he escaped from imprisonment and walked the length of Europe to escape from the Nazis and return to fight again, when you compare that with the picture of the present Prime Minister driving around Montreal on a motorcycle with his black leather jacket and his helmet with a swastika on it, perhaps you have some idea of the deep philosophical difference—

An hon. Member: I thought you had class.

Mr. Ellis: Of these two men, I leave you to judge who would carry the admiration of the majority of Canadians.

So that when the Prime Minister says it is not possible for him to achieve an agreement with the premiers of Canada to go to Westminster, as he should with their unanimous support for this package, maybe, just maybe, it is not the fault of the ten premiers. Maybe, just maybe, it is the fault of an arrogant Prime Minister who will not listen, who does not understand and cares little for the fabric of life of most Canadians, the same Prime Minister who for a number of years got away with arguing against wage and price controls and then put them into effect, who argued against an increase in gasoline prices and home oil costs and then implemented higher prices, who talked about free enterprise and now nationalizes the Canadian oil industry. Is it any wonder that a growing number of Canadians, some 64 per cent at last count and probably much higher now, want nothing to do with the Prime Minister and his package?

His Excellency, Jules Léger, in a speech to the Prime Minister at the time of his appointment as Governor General, finished with these words of Paul the Apostle:

> Who makes you, my friend, so important? What do you possess that was not given you? If then you really received it all as a gift, why take the credit to yourself?

How different, when on June 17, 1864, in order to gain co-operation for his dream of a new nation, John A. Macdonald went the extra mile and called on George Brown in his St. Louis Hotel to bring about the broad coalition that ultimately became the federation we call Canada. It was not the first time he had bent, had compromised and, through discussion and negotiation, brought about an agreement between opposing views. How different the persuasion by logic and reason to the confrontation tactics of our present administration.

His Grace, Archbishop Ted Scott appearing before the committee said:

> Governments have jurisdiction but they do not have rights in the same sense that people do—they are called to be servants of the people.

And I would quote, Mr. Speaker, the editor of the *Trentonian*, a small newspaper published three times a week in a town just adjacent to mine where my hon. friend, the hon. member for Northumberland (Mr. Hees) has his constituency, and distributed in my riding, who said this:

● (2150)

> Thus the problem which is the major one in what is now happening is one that has affected everything the Trudeau government has done since it first came to power. It tries to do essentially right things by wrong methods. In a true democracy, which is what we are supposed to be, the method is as important as the end in view. Trudeau's present course of action reveals an attitude on his part which we have seen all too often, which being spelled out, means that he seems to think the end justified the means. That is bad philosophy.

Finally, the last of my quotations, Mr. Speaker, is from my good friend, Phil Dodds, the sage and conscience of Cherry Valley. Writing in the Picton *Gazette* he said:

> The change will not mean a great deal to the majority of Canadians; it will not provide jobs and help the million unemployed; it will not reduce the crushing burden of debt; it will not reduce inflation, or in any general way make for a better life. One thing it is sure to do is to cause further disunity in a country that can only really progress if there is unity and co-operation.

Certainly there is need, and I think an expressed desire by many, perhaps the majority of Canadians, to have their own Constitution in Canada. I feel that way. Certainly it is time that it was done. But the reason for doing it should not be to satisfy one man's ego. It should be done by Canadians, for Canadians, with the help of all Canadians.

Some hon. Members: Hear, hear!

Mr. Ellis: Our party has offered an easy out for the Prime Minister, and that is to split the bill, bring back the Constitution with an amending formula that, while not entirely agreed upon, is very nearly so. It seems to me that the best thing the Prime Minister could do for his country would be to step down, retire and allow someone else who has the best interests of this country at heart to a far greater degree, rather than personal egotism. I am confident that those ten men, whose various backgrounds I described a few moments ago, would come together with someone of the right calibre and move ahead to make this a better Canada.

Hon. Erik Nielsen (Yukon): Mr. Speaker, at seven minutes to ten I am not about to embark on the substance of my remarks. But tonight I want to put in the right perspective what I will say tomorrow.

When I first came here, which is longer ago than I want to reflect upon, we in Yukon felt neglected. There was a sitting Liberal member at the time who had been here for eight years. We have had a member since 1903, which is before many of the provinces became provinces. We thought that perhaps a solution to assist in our economic ills, our lack of development and our lack of progress—since the Marshall Aid Plan was still in force at that time—was to declare war on the state of Alaska, lose it, and then apply for Marshall aid. This gives you some idea of the view which we in the north held with respect to the manner in which southern Canadians viewed themselves—their mentality reached to the sixtieth parallel and no further.

The other event that I wish to draw to the attention of hon. members, in order to put things in proper perspective for tomorrow, is with respect to a great deal of reading I did before I came here. To my shock and dismay I found that of the three districts in the Northwest Territories, the Mackenzie, Keewatin, and Franklin districts, there is only one which was represented in Parliament, namely, the Mackenzie District. The hon. member for Winnipeg North Centre (Mr. Knowles), who is entering the chamber now, was not here at the time I introduced my private bill. But I am sure he is aware of the fact that the Franklin and Keewatin districts of the Northwest Territories were not represented in Parliament. The Mackenzie District was. The member for Nunatsiaq (Mr. Ittinuar) now represents that area; but in 1957 there was no representation there.

At that time, I introduced a private member's bill which would have given the franchise, the vote, to those Canadians

who live in that part of Canada. There was some resistance to that bill. I wondered why and I made inquiries. When the answer to the question came forward from the Privy Council Office as to why there should be resistance to a measure which would give the franchise to these Canadians in these two districts of the Northwest Territories, the answer was that they were mainly Eskimos in that part of the country and they would be extremely susceptible to the views of the Anglican church, which dominated those two areas of Canada. Therefore, they said it would be too dangerous to give these people the franchise. That was the answer given to me. Of course, it was an answer which I rejected out of hand, which every fair-minded Canadian would reject. Eventually the measure was passed the same year it was introduced. Hence, we now have sitting in this place the hon. member for Nunatsiaq.

Those two illustrations might give hon. members some idea of the sense of isolation that we in the two northern territories have felt for a long time. It is what I often call the "southern mentality" or the "southern Canadian syndrome." So often in this debate, I have heard expressions like "federal-provincial", "across Canada" and "from sea to sea." There has been nothing said that takes the mental vision of Canada beyond the sixtieth parallel which, after all, composes some 40 per cent of our country in land and water mass. That is very difficult to understand for Canadians who have lived in the north. The only place I have heard the expression "from sea to sea to sea" has been on this side. The Leader of the Opposition (Mr. Clark) said it in his remarks, as did the hon. member for Provencher (Mr. Epp), and as did others from our party who have participated in this debate. They have mentioned the three seas of Canada. They have used the phrase "throughout Canada" instead of "across Canada."

At this time of one minute to ten o'clock I want to leave that thought with you, Mr. Speaker, before embarking tomorrow on the substance of my remarks as to how I feel about the fact that we in the north have been left out of these constitutional considerations and how, in all justice, we should fit into these constitutional considerations.

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

Some hon. Members: Hear, hear!

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

Adjournment Debate

[*English*]

TRANSPORT—FREIGHT ASSISTANCE PROGRAM FOR RAPESEED PRODUCTS

Hon. Don Mazankowski (Vegreville): Mr. Speaker, the question I wish to raise tonight was raised in the House on February 20, 1981, and can be found at page 7513 of *Hansard*. It was a question which was directed to the Minister of Transport (Mr. Pepin) asking him to give the House an assurance that the interim freight assistance program for rapeseed products, which expires on March 31, would be extended. I was also asking whether consideration would be given for allowing an increase in the amount of the subsidy to allow for inflation and the increase in the movement of rapeseed products.

● (2200)

I was very disappointed by the fact that the Minister of Transport sluffed off my question to the Minister of Industry, Trade and Commerce (Mr. Gray). Then I repeated my question to the Minister of Industry, Trade and Commerce, who indicated that the matter was under consideration. I find it strange that the Minister of Transport would not attempt to answer this question. He is well aware of the fact that numerous representations have been made to him directly by the rapeseed processing industry.

The name "rapeseed" has recently been changed to canola. Over the course of the next few months and years, I presume the term "rapeseed" will disappear and the term "canola" will take its place. So when we talk about rapeseed or canola, we are talking about one and the same thing.

The interim rate subsidy provided funds to meet the difference between the freight rate applied to the movement of raw rapeseed and that of processed rapeseed. Unprocessed rapeseed moves to export position under the statutory freight rate, which is roughly a half a cent a tonne mile. Prior to 1976, processed rapeseed products moved at the going commercial rate. Of course, this mitigated against the rapeseed crushing industry, which is simply after parity in terms of freight rates. In other words, it wants the freight rate on processed product to equal roughly that on unprocessed products.

Of course, the reason is very clear. The rapeseed crushing industry is perhaps one of the very few significant, indigenous, value-added, agriculturally-based industries in western Canada. Its growth and development has created a new market. It has provided a very valuable source of domestic vegetable oil. It has become a very major and important export market. Above all, it creates economic opportunities within the regions where rapeseed is produced. It creates jobs. It is an area wherein we can broaden the agricultural base by encouraging the further processing of agricultural products.

A minimum compensatory rate was established by order in council in 1976. Of course, there has been some question about the level of that rate. Certainly it is not a rate which only covers the variable fixed costs. It is a freight rate about which the rapeseed industry has some serious reservations. They asked the Minister of Transport to propose an independent

review. The freight rate was established by the Canadian Transport Commission, but it has never been totally accepted. Until such time as the whole question of the statutory freight rate would be resolved—and back in 1976, Mr. Otto Lang, the former minister, felt it would be resolved in due course—an interim freight subsidy was established to help processors defray the gap, so that there would be some semblance of parity between the two freight rates. It was established at $3 million. As one can appreciate, the amount of product moved has increased and the prescribed freight rates have increased.

• (2205)

As a matter of fact, on February 11, the existing minimum compensatory freight rate was increased by 10 per cent to 15 per cent. We are really looking at two issues. First, we are looking for assurance from the government that the interim freight subsidy will be renewed after its expiration on March 31 and, second, on behalf of the rapeseed industry, we are asking that consideration be given to increasing the level of that subsidy to cover more closely a sizeable portion of that gap.

I hope the parliamentary secretary who will be responding tonight will give the rapeseed crushing industry some assurance that that will be continued because I am sure he well appreciates that forward sales and markets are now being made, and the increase of 10 per cent to 15 per cent in the minimum compensatory rate has now already reduced the margin by $2.50 to $3 per tonne. So I hope the parliamentary secretary will give us a positive response because I can assure hon. members that it will be welcomed by the crushing industry and by producers of this very valuable product for western Canada and for all of Canada.

[*Translation*]

Mr. Gérald Laniel (Parliamentary Secretary to Minister of Industry, Trade and Commerce): Mr. Speaker, I am pleased to reply to the hon. member for Vegreville (Mr. Mazankowski), the former minister of transport for whom I have the highest esteem. Although he may regret that the Minister of Transport (Mr. Pepin) has referred his question to the Minister of Industry, Trade and Commerce (Mr. Gray), whose parliamentary secretary I am, it is with pleasure that I shall try to answer his question although I know in advance that I may very well be unable to meet his expectations since the hon. member wants to know definitely whether his requests or his recommendations will be accepted. Mr. Speaker, in my answer I will explain the program and at the same time try to convince the hon. member that his hopes may soon be fulfilled.

[*English*]

The freight assistance program was initiated by the federal government in December, 1976. As the hon. member said, it was meant to compensate the western processors by giving them an adjustment for higher freight rates for rapeseed oil and meal.

The hon. member seems to be interested in the prolongation of this program, and I agree with him. He referred to the need of the processors, but he forgot—and it would have been a good occasion at this time of night—to give detailed information to this assembly on the benefit this program has brought about. Since its inception, the program has given extensive assistance to processors. As much as $12.9 million has been given to the seven processing plants in western Canada. The program has been useful in contributing to the financial viability of the processors.

Since the 1970s—and, in fact, since the beginning of that decade—as hon. members will be aware, the rapeseed processing industry has demonstrated significant growth. Crushing capacity has expanded by more than 25 per cent over the past five years. This has been in line with rapeseed oil production in Canada, which has increased to a level where it now meets 50 per cent of the total domestic market requirement.

The hon. member spoke of exports. Our export performance has also been very impressive over the past five years. Rapeseed oil exports have increased from 20,000 tonnes to 120,000 tonnes. Our export performance for rapeseed meal—

Mr. Mazankowski: Answer the question.

Mr. Laniel: —over the past five years has been more spectacular and has increased from 21,000 tonnes to 162,000 tonnes.

Mr. Deputy Speaker: Order. I regret to interrupt the parliamentary secretary, but the time allotted to him has expired.

Mr. Laniel: The answer will come, Mr. Speaker, by the end of the month.

• (2210)

TRADE—IMPORTATION OF JAPANESE AUTOMOBILES—INQUIRY RESPECTING QUOTAS

Mr. John Gamble (York North): On February 9, I asked the Minister of Industry Trade and Commerce (Mr. Gray) whether, in light of his failure to secure concessions from Japanese automobile manufacturers to fabricate their vehicles in Canada and in light of Japan's establishment and maintenance of non-tariff barriers, it might not be prudent for this government to impose quotas on the importation into Canada of Japanese automobiles.

I expressed major concern at that time for the Canadian autoworkers who have been and will continue to be laid off if Japanese automobiles manufactured in Japan continue to flood the Canadian market. I drew the attention of the minister to actions that had been taken by the government of France and pending United States legislation which would enforce such quotas. The minister's response to me was to the effect that the Japanese automobile industry was privately-owned and was not government controlled. I recognize that fact, else how could it have been so successful?

What the minister did not say, although I am convinced he was so informed, is that there exists in Japan a close liaison between government and industry. The government of Japan is intent upon protecting its industrial base through the imposi-

tion of non-tariff barriers of the very kind that the minister acknowledged in his response to me. For years, the Japanese have skilfully managed to preclude entry into their markets of the products of foreign nations which have been manufactured while at the same time flooding other countries with their own finished products. Their chief tactics have been prolonged negotiations and substantial delay in the removal of the non-tariff barriers.

In the interval, their manufactured trade surpluses have soared, while ours have declined. As a specific illustration, in 1980, the importation of Japanese vehicles to Canada increased 151 per cent over the level established in 1979. Knowing these facts, the minister responded to my question with respect to quotas, as reported at page 7020 of *Hansard*, as follows:

> With respect to the matter of quotas, if the U.S. Congress legislates quotas, in my view it will be necessary for the Canadian authorities to consider taking parallel action within our own legal framework and in light of our own circumstances. That is why I said we are watching the Canadian situation and the American situation very closely. Because we have an integrated industry on a North American basis, I think we must be very careful about the timing and extent of our actions.
>
> At the present time I think our priorities, in the interests of Canadian workers, should be to strive to increase the level of Canadian content in Japanese vehicles sold in North America and around the world and, in the meantime, to keep in touch with the situation so that we are ready to take other action in the interests of Canadian workers and the Canadian economy should circumstances make that necessary.

I was troubled by that response, Mr. Speaker. What the minister is suggesting, in essence, is that the automobile industry in North America, between Canada and the United States, is integrated as a consequence of the Auto Pact. We may, because of that integration, consider following a policy established by the United States, but we must do so being careful to watch our timing and the extent of our actions. The one thing the minister has not suggested is that we do anything on our own.

Last weekend, the Secretary of Commerce in the United States commented that the United States administration intended to impose quotas on Japanese manufactured automobiles. The minister, who was in the House a moment ago, appeared on television that same evening and indicated that Canada would undoubtedly follow suit.

Why is it that if Canada and the U.S. are linked in an integrated automobile industry, the U.S. can take that initial necessary step but our country cannot? Why could Canada not have taken the lead for once in remedying a known ill? The answer lies in the administrations of both countries. In the U.S. we now have a government determined to force the hand of the Japanese by taking those aggressive steps necessary to convince them that now is the time for business. In Canada, on the other hand, we have a government which will wait, hope and pray that something is done to save the Canadian automobile industry and the employees who work for that industry.

● (2215)

I submit that the minister should spend less time, and I quote his words, "watching closely, keeping in touch and monitoring situations" and spend more time taking strong action and taking that action to determine that the present ill is remedied.

Unfortunately, under his tutelage, Industry, Trade and Commerce has become the department of indolence, timidity and cowardice, and I do not think that serves the people of Canada well.

Mr. Gérald Laniel (Parliamentary Secretary to Minister of Industry, Trade and Commerce): Mr. Speaker, in reply to the hon. member for York North (Mr. Gamble), I want to say that, to my mind, leadership means to achieve the achievable. It does not mean to dream about something that you cannot realize. Maybe you can base your life and day to day decisions on the ultimate solution and possibilities, but you do not always reach them.

As far as the automobile industry and its difficulties in our country are concerned, the Canadian government has been vigorously pursuing its interest in greater sourcing by Japanese companies of Canadian auto parts as well as in mutually beneficial investment in Canada, with the aim of achieving a significant Canadian content in Japanese cars sold in North America and in world markets. Anyone would hope that all of the Japanese cars sold in Canada would be made in Canada. One of these days we might reach that end, but let us do it one step at a time. To this end, the Minister of Industry, Trade and Commerce (Mr. Gray) visited Tokyo last year for high-level meetings with the Japanese government and the private sector automotive interests.

His visit has been followed up by exchanges of government and private sector missions between the two countries and a number of specific interests and opportunities have been identified and are being pursued, particularly in the auto parts area. Honda's purchasing activity in Canada has increased significantly. While the Canadian government would prefer to see current automotive trading problems resolved through a positive and faster approach, we are watching very closely developments related to the level of vehicle imports into Canada and the import-restrictive pressures which are building in other markets, including the United States and Europe. We have been keeping in close touch with the U.S. administration on further developments in this area—as the hon. member mentioned, but he does not seem to appreciate that—including recent Congressional initiatives, and we believe, particularly in the event of any U.S. action, that, Canadian authorities would need to consider parallel moves within our own legal framework and in the light of our own circumstances.

In the interim, we have formally expressed our concerns to the Japanese authorities regarding the question of vehicle imports and, as a result, the Japanese ministry of international trade and industry has requested that Japanese auto manufacturers exercise caution in exports to Canada.

Adjournment Debate

HOUSING—INTRODUCTION OF SHELTER ALLOWANCE PROGRAM

Mrs. Margaret Mitchell (Vancouver East): Mr. Speaker, on March 9, I directed several questions to the minister responsible for CMHC. I asked whether the minister intends to use shelter allowances as a means of doing away with rent controls since he was quoted on March 2 in the *Toronto Star* as advocating the lifting of rent controls as a means of holding down inflated house prices. This is a theory I cannot comprehend because I believe that shelter allowances without rent controls inevitably will inflate, not reduce, shelter costs.

The minister asked me to direct these questions to provincial ministers, despite his earlier outspoken statements opposing rent controls. Of course, we know that he was muzzled by the Ontario election. The minister also refused a direct answer to my question about who will benefit from shelter allowances and how the minister intends to prevent rent gouging by landlords when there are no rent controls.

I was even more concerned when the minister gave no reassurance that the $400 million required for shelter allowances would in no way limit the amount of CMHC funds which are urgently needed for non-profit housing and for community service grants required for municipal land banking programs.

● (2220)

My concern was based on the fact that CMHC capital funds recently were cut back by $2 million and allocations for non-profit housing were reduced by 5,000 units, very severe cutbacks when affordable housing is desperately needed throughout all regions of Canada.

I cannot agree with the minister's theory that housing allowances would be less effective where there are rent controls. Rent controls allow landlords annual increments based on the rate of inflation, and they can deduct their costs from their income tax. One cannot expect landlords to subsidize low-income tenants, but they must not also exploit tenants by raising rents, as they would be tempted to do if shelter allowances were provided. Therefore, we must also have fair rent controls.

In British Columbia, a single parent with two children on social assistance is allowed $325 maximum for shelter. Since most two bedroom apartments cost close to $500, the difference must be paid from food allowances. Rent controls are essential to ensure that any additional shelter allowance would go to help pay present rents and would not result in rent increases.

According to a CMHC background paper, shelter allowances could relieve the housing woes of more than 400,000 families who spend a disproportionate amount of their income on rent. This proposal would cost close to $400 million. I sincerely hope this is possible, but I am somewhat skeptical. In B.C. the SAFER program of shelter allowances for senior citizens costs approximately $9 million and covers only 30 per cent of those over age 65. Most of them pay close to 40 per cent of their incomes on rent, and only a small portion of this cost is covered by the SAFER allowance.

Although I support the concept of the shelter allowance, I would not want other social housing programs to suffer. In 1978, a report by the Canadian Council on Social Development contained the following statement:

> No one program can answer all needs. At best, housing allowances would be a suitable program response for 51 per cent of problem households. . . . Housing allowances will not and should not serve as a replacement for the direct provision of subsidized housing units. Housing allowances are not a panacea. They are at best stop-gap measures.

I had hoped the minister would answer my question by saying that shelter allowances are needed, perhaps administered provincially and with shared funding from the Canada Assistance Plan. They should be part of a multifaceted approach to solving Canada's housing problems. However, if there are not enough apartments to rent or if these are of poor quality, all the allowances in the world will not provide adequate affordable housing. Therefore, we must protect and increase CMHC dollars for non-profit housing units and affordable land. We must extend RRAP home repairs, especially in older parts of Canada, and we must return to improved public housing to house low-income Canadians who desperately need help.

● (2225)

[*Translation*]

Mr. Raymond Savard (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, in reply to the hon. member for Vancouver East (Mrs. Mitchell) concerning shelter allowances and rent controls, I would say her question is twofold. As regards the shelter allowances, the minister did not announce that he had the intention of establishing such a program. I insist on that. He simply said that it might be a good idea to examine the subject. Mr. Speaker, the shelter allowances would represent a significant and additional advantage of social housing programs. He mentioned this subject so it could be discussed at the national conference on housing. The hon. member is aware that a certain number of sessions during that conference were devoted to social housing. The minister delivered a speech on social housing and housing for native people. There again he wanted to launch a discussion on that issue. I might add that at the closing session all the experts who took part in the forum said that although the conference had been very productive, not enough attention had been paid to the question of native and rural housing. It has emerged from the discussions held during the conference that the shelter allowance program may replace the current social housing programs. It has also emerged that non-profit co-operative housing programs are fulfilling a serious need in a tight rental housing market. I share this point of view and I maintain that the shelter allowance program has the advantage of better conciliating the current programs with the needs of tight renting housing markets. Finally, Mr. Speaker, it should be clearly understood from what he said that the shelter allow-

ance program must not be considered as a substitute for the existing social housing programs. The non-profit co-operative housing programs would be maintained. As to the second part of the question, Mr. Speaker, dealing with rent control, I can only repeat what the minister has already said in this House, that it should be referred to the provincial ministers concerned.

Adjournment Debate

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 11 a.m.

At 10.26 p.m. the House adjourned, without question put, pursuant to Standing Order.

END OF VOLUME VII