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OFFICIAL REPORT
(HANSARD)

Tuesday, April 21, 1998

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, April 21, 1998

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to five petitions.

* * *

[*English*]

INCOME TAX ACT

Mr. Jason Kenney (Calgary Southeast, Ref.) moved for leave to introduce Bill C-390, an act to amend the Income Tax Act (allowances paid to elected officials).

He said: Mr. Speaker, I move first reading of this bill, an act to amend the Income Tax Act, which would have the effect of removing the special provisions in the income tax code which allow members of Parliament, members of provincial legislatures, members of municipal councils and elected members of school boards to exempt one-third of their regular indemnity or income from taxation.

This bill is being moved as I think it is completely inappropriate for politicians to exempt themselves from the tax laws that they impose on other Canadians.

(Motions deemed adopted, bill read the first time and printed)

• (1010)

PETITIONS

TAXATION

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present a petition signed by a number of Canadians, including from my riding of Mississauga South.

The petitioners draw to the attention of the House that managing the family home and caring for preschool children is a honourable profession which has not been recognized for its value to our society.

The petitioners also point out that the Income Tax Act discriminates against families that choose to provide direct parental care to their children in the home. This point is also raised in the national forum on health report of November 1996.

The petitioners therefore pray and call on Parliament to pursue initiatives to eliminate tax discrimination against families that decide to provide care in the home to preschool children.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I suggest that all questions be allowed to stand.

The Acting Speaker (Mr. McClelland): Agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

STANDING ORDERS AND PROCEDURE

The Acting Speaker (Mr. McClelland): Pursuant to Standing Order 51(1), the following motion is now deemed to have been proposed:

> That this House takes note of the standing orders and procedure of the House and its committees.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, when Standing Order 51 was

adopted some time ago, it was assumed that while party members would change from parliament to parliament one House of Commons would not differ much in structure and character from its predecessor, and that the rules followed in the previous parliament would not generally require change to be effective in the new parliament. Therefore about halfway through the first session, which is what we are doing now, would be the appropriate timing for a review of the standing orders.

First, there would be a debate on the rules of the House itself, followed by a more comprehensive review of specific rules by the Standing Committee of Procedure and House Affairs.

The last two elections have obviously not sustained that assumption. In 1993 there was an unprecedented turnover in the membership of the House of Commons. In 1997, after many years of functioning as a three official party chamber, the House returned to a five official party system. Consequently today we are not, as anticipated in the standing orders, commencing the process of the revision of the rules but are taking stock of a revision process that of necessity began virtually the day after the last election.

It is not my intention this morning to attempt a dissertation on parliamentary procedure, although I do have a vent for that every now and then, but merely to review for the House the ongoing situation regarding our rules and how these rules have been changing since the last election. I would like to propose a few further changes that the committee might want to consider.

I will attempt to put forward a few observations and I look forward to receiving views from all hon. members on the rules of the House.

My first observation is that so far the House has functioned very well. According to the pundits of last summer, this was not supposed to be the case. They called it the pizza parliament, a House divided in five parties. It was supposed to be chaotic. It was supposed to be unproductive. In fact, from the very first contacts I found that the House leaders of all parties would be willing to make this House function. I thank them for the attitude demonstrated to that effect thus far. They have demonstrated a sense of responsibility to the Canadian electorate which expects all of us on both sides of the House to do our work in an orderly and organized fashion.

The House of Commons is a partisan political cockpit. It is also a legislative workplace. The task of all House leaders has been to adapt its procedures and the composition of the House as chosen by the electorate so that both of these realities would be given expression.

● (1015)

The task of making a five party House of Commons function effectively was expedited by all House leaders. Their early acceptance of proportionality is one of the governing principles. This has led us to agreements on funding for various parties to operate research offices, party officials' offices and so on, as well as agreement on the composition of committees, rotation of speakers and the allocation of opposition days.

We even had to change the amount of time for speeches during private members' hour and opposition days in order to permit the free flow across the House of Commons. We have also made some suggestions to the Speaker on the operation of the daily question period.

The proportionality principle I have just referred to has led to an increase in the size of the standing committees. Since the membership of the House is after all finite, we were obliged to combine a number of committees in order to reduce the overall number recognizing the finite situation of the number of members available to do the work.

Perhaps the most immediate obvious change that was brought about was in the daily question period. At least it is the one which was noticed immediately by a large number of Canadians. It was clear to all House leaders that if the balance between the parties was to be maintained, the Speaker would have to govern the question period strictly, especially with regard to the length of the questions and answers. I am one who thought the answers were usually better than the questions but that is a matter for another time.

The result is a question period which moves along far more swiftly with more succinct questions and answers. More important, more members have the opportunity to participate. This has been very successful. I again congratulate the leadership of all parties, the Speaker and of course the table for having administered this program which has worked very well.

It is a bit early yet to tell how effective the operation of proportionality has been with regard to the standing committees. The principle has led to a 16 member committee which is a trifle large from the point of view of developing internal cohesiveness and rapport. Its application has also made it more difficult to use subcommittees. This has led to a rather heavy committee burden on individual members.

Anyone who has worked on a committee whether in this House or elsewhere recognizes that smaller and less formal groups have a greater possibility to conduct proceedings coherently and that a consensus is usually easier to achieve. Nevertheless the committee structure satisfies the partisan position of all parties. However we should give some thought in terms of how satisfactorily it is working given the large number of people who must sit on committees.

Speaking about committees, we should seriously consider improving the approval process for travel by committees. By and

large, bringing witnesses to Ottawa or alternatively using teleconferencing to permit the hearing of witnesses from other parts of Canada are more preferable than having committees travel. It is more cost effective and makes greater use of the members' limited time.

When there is a need for committees to travel, the structure by which we seek the permission of the House, the one which requires either unanimous consent or debate of a motion in order to arrive at the permission for a committee to travel, is somewhat cumbersome. Perhaps an easier and more flexible mechanism could be developed for us to achieve a condition whereby a committee would be able to travel on those limited occasions when there is such a need.

● (1020)

[*Translation*]

Proportionality worked well in allocating opposition days to the various parties, in spite of the fact that the number of days allocated to supply had to be changed. We will soon have to address the issue of the total number of days if the principle currently applied is approved and maintained in the fall.

As I said earlier, the five parliamentary leaders began their consultation process last summer, in the weeks following the election, and I want to thank them again. When the parliamentary session resumed, we found out that a policy of give and take based on mutual respect went a long way in resolving almost every problem both rationally and even amicably.

As a result, we wondered if the House would not benefit from long term planning of parliamentary business. Starting in the fall and continuing into the winter session, we looked at the time available, assessed the volume of parliamentary work for the government and decided on a plan for the current session. We wanted members from all parties to be able to plan their work and activities in their ridings and also to attend the House whenever a bill of particular interest to them is put forward.

The process I just described demanded openness and transparency on the part of the parliamentary leaders in their discussions, which in turn required a kind of self-discipline. Of course, there will always be times when, in spite of all our good intentions, we will not agree on the time to be allocated to debate on a given bill. When this occurs, the government must take the measures required to speed up the legislative process, if necessary.

The planning system also impacts on the committees' agenda, as we just saw. Pursuant to their general mandates under Standing Order 108, each of the standing committees may undertake specific studies, but they must also be aware of the business of the House, so as to be able to promptly deal with the legislation referred to them by this House. I believe this must be a priority for every committee.

I should point out that a review of our legislative procedures was undertaken during the previous Parliament and is still pending. I am referring to the report of the Standing Committee on Procedure and House Affairs dealing with private members' business. The report primarily seeks to provide the House with the flexibility required to increase the number of private members' proposals that can be put to a vote, and to speed up passage of votable items.

Some members are reluctant to endorse the report because government bills must meet all sorts of criteria, while private members' bills are not required to meet the same strict conditions. However, the good work that parliamentary committees do in conducting detailed reviews of these bills leads me to believe that private members' bills will be treated very seriously to make sure they are properly drafted.

Generally speaking, it is our intention to adopt the report of that committee.

● (1025)

However, I should point out with regard to the rules of the House and the committees that, in future sessions, should private member's bills be automatically reinstated from the previous session, the same should apply to government bills. I believe the same test should apply to both.

There are many other issues which hopefully could be reviewed by the Standing Committee on Procedure within the coming weeks and months, including our voting system, for instance. Should the committee be reluctant to support electronic voting, as I hoped it would, it might explore other ways to solve the recurring problem of delays in the taking of parliamentary votes. I understand the committee has already looked into the issue of days and hours of sitting, and I would welcome any proposal from the committee in this regard.

Some members have expressed concern regarding the language and procedures of this House, which I would qualify as sometimes esoteric. This issue is under review. In Great Britain, a reform to this effect is presently under way.

I will give you the following example.

[*English*]

When we table private members' bills in the House, we seek leave to introduce the bill and then we introduce the bill. Both motions are deemed to be adopted right away. If they are both deemed to be adopted right away, why have two separate motions? One motion to do both tasks would surely be sufficient. It sounds like a repetitive process and it confuses many people, not the least of whom are those watching the proceedings or listening to the debate in the House of Commons.

The other point I want to bring to the attention of the House is that of the tabling of estimates. Once the estimates are tabled in the House they require a motion to refer them to committee. If the House ever decided not to adopt that motion I guess it would mean that the House itself rather than the committee would be dealing with the estimates.

I cannot see why that motion is not deemed adopted, similar to the motion for first reading on private members' bills. Otherwise a House that would defeat the motion would be forced to deal with the estimates itself in the Chamber, which is a procedure we did away with.

[*Translation*]

The language used in House procedure could be changed. For instance, when we table a bill, and the Chair says it will be studied at the next sitting of the House, should it not rather be ''in the near future'' or some more realistic expression more in tune with reality, instead of this slightly outdated language?

[*English*]

The standing committee may well want to look critically at the rules and process of debate with a view toward maintaining a vigorous and meaningful exchange of views in the House while permitting the House in the end to articulate a clear and correctly nuanced conclusion.

Several years ago the House decided to remove the automatic definition of opposition motions on allotted days as non-confidence motions. The intention was to permit opposition parties to raise issues for decisions by the House. On many occasions since, such motions albeit sometimes with amendments, have actually been adopted.

This noble purpose however has been perverted. We have a condition now that when some party is proposing a motion it does so splitting its own opening round and proposing its own minor amendment which makes a substantive amendment to the motion in question impossible. That was not the purpose of the rule when it was put in place. Its purpose has been perverted and I suggest respectfully that the committee might want to look at this very seriously.

● (1030)

In my opinion this House, thus far, has worked well. It has worked well because the leadership in the House, and presumably the leadership overall of the respective parties, has wanted it to be that way. The opposite would be equally true. If the leadership of all parties did not want it to work they would have some responsibility for creating that condition, should it ever occur in the future.

For the time being, we have worked constructively and we have had vigorous exchanges. That is fine. Overall the House is discharging its function. Some of our processes can be improved and I am sure they will be with the good work of the committee.

Meanwhile the leadership of all parties has not waited for this day and for this debate. It could not. We have engaged very constructively since the days after the last election and we have provided and offered, and the House has accepted, a number of amendments which have made this parliament function better and which have made all parties participate. I am pleased that has been the case.

I congratulate all members. I congratulate the Speaker and all the occupants of the chair for their good work and the excellent support that has been provided to all of us by our table officers and our respective staff in the House leadership offices in making the changes that we have effected thus far.

I look forward to the contribution of all hon. members in this day's debate.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I am going to split my time with my colleague from Calgary Southwest, the Leader of the Official Opposition.

My colleagues take seriously today the debate and we have waited some time for it to come. The issues that are going to be placed before us in the House of Commons today concern the standing orders, which are basically the rules that members develop for this House to be used in this House. Members on all sides of this House have a vested interest in their improvement.

Whilst I would agree to some extent with the Government House leader that things have worked well, there is no doubt in my mind that things can work better. That is what we are about, the reform of this House of Commons. A part of that reform comes through changes to the standing orders.

My colleagues today are going to spend about 10 minutes each talking to these issues. We could probably spend a lot more time talking to each issue. However, we want to talk about a number of serious issues that have been around this House for some time. They concern the election of the Speaker, free votes, petitions, the Senate, operation of committees, private members' business, royal commissions, borrowing money, closure, time allocation and order in council appointments. These are all issues which affect members, not only the members on both sides of the House but the very constituents that we are here to represent.

I want to spend a few minutes talking about Standing Order 36 which deals with petitions. I have long since had a concern about petitions. Many times when we are in our ridings people who are looking to develop a petition will say ''Can I really effect change in the House of Commons through a petition?'' Most times we do not have the heart to say ''I do not think that is working all that well. Do not go around getting 30,000 names or 10,000 names because the petition goes into some black hole in the House of Commons

and you will get a letter back identifying the way things are, not the way things should be''.

Ironically enough, just before I stood up to speak, a response to a petition was delivered to me by one of our pages. It was a petition that I tabled in the House, but my colleagues on both sides of the House tabled petitions on this issue which is drunk driving. The response given by the House of Commons to the petition is what bothers me most. The response basically indicates that the Criminal Code provides that both impaired driving and driving with a blood alcohol content in excess of .08 are criminal offences. These people already knew that.

• (1035)

The third paragraph goes on to discuss what the Criminal Code says. It says that some provinces permit roadside suspensions. There are various paragraphs describing what the Criminal Code reflects.

That is nice, but the petitioners had expectations when they went across their communities, across the country in some cases. They wanted a change to be effected. They did not want a response to their petition saying ''This is the way it is''.

That is one of the problems with this House. The response to change is ''This is the way it is''. But these people want the House of Commons to say ''We understand your dilemma. We will try to effect a change''.

Therefore, Standing Order 36 basically covers the process of submitting a petition. We stand here without debating it, read what the people want and away it goes. Later there is a response. That is not good enough.

After all, that is the reason we are here. These people want something changed in this country. We must give them a fair idea that at least their ideas, their considerations, their petition material will be given consideration in the House of Commons.

They have an expectation. We should have an expectation. Therefore I think it behoves us, with respect to Standing Order 36, that we submit a recommendation to the Standing Committee on Procedure and House Affairs and ask the committee to consider, in cases where there is a significant number of signatures on a petition, giving that petition debate time in the House. The House would debate a motion referring that petition to a committee.

If the motion was adopted the committee would be required to report back to the House a bill or a motion that would give effect to the petitioners' prayer.

That is the recommendation I make on that. I do not think that in this House we would get opposition to that. Like many things that come into the House and go to committee it can be asked ''Why do they not come back here?'' ''Why do we not legislate it?'' ''Why do we not just make a simple standing order rule change?'' That is what we are asking for and that is what I expect to be done.

Mr. Speaker, I am going to speak about a topic which is near and dear to your heart. I want to talk about Standing Orders 2 through 6, which deal with the election of the Speaker.

The rules for the election of the Speaker are contained in these standing orders, but it is not really the process of electing the speaker that I am going to speak about, it is what happens prior to the election of the Speaker.

We have seen this for years in the House of Commons. I noticed it as a fledgling MP in 1993 on my arrival to the House. I did not know any of the individuals who we were supposed to elect as our Speaker. I did not know anything about them. There was one member of the Reform Party who had been here previously. I knew nothing about these individuals, about their skills, their beliefs, their positions on issues, their visions or their ideas for improving parliament, but I was expected to stand here and vote for these people. I think that is wrong.

After all, we came here as a result of going through nomination meetings, disclosing what we believe in, our own personal background, and our responses to issues which came up in candidates' debates. None of that happens when we come to the House of Commons to elect the Speaker.

I do not understand it. In other elections, whether they be municipal, hospital, school board, provincial or federal, we all insist on this democratic exercise, but when it gets down to the primary Standing Orders 2 through 6, the first objective, the first duty we have in the House of Commons is to elect a Speaker and we have no idea who the candidates are or what they stand for.

• (1040)

After the 1997 election, when we were electing a Speaker, we initiated an exercise. We asked all members from all parties to come to a meeting prior to the election of the Speaker to hear from the candidates. Some did not come because they thought it was inappropriate, that tradition prevailed. They said ''No, it is just going to be an election and I am not going to tell you what I stand for''.

That is going to change in this House. At that meeting were members virtually from most parties, if not all parties. They saw that the prerequisite for becoming the Speaker is some form of upfront accountability. Heaven forbid if we ever in this House elect a Speaker who is obviously biased, for instance. We would not want that. We would not want a Speaker who consistently rules with the government. We certainly would not want a Speaker who threatens contempt, for instance, if he wants to prevent exposure of his thoughts. We do not want those kinds of things in this House.

I am not saying that has occurred, but we want to make sure that the Speaker of the House is elected by members who have full knowledge of what that Speaker stands for.

I make the recommendation on Standing Orders 2 through 6 that a new practice be added to the standing orders to provide for all candidates for Speaker to openly address members of the House before the election of the Speaker.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, today we are debating the standing orders, the rules whereby this parliament governs itself. As I gaze about me at this great throng of members sitting dutifully at their desks after a two week recess, I perceive that some members are perhaps a little bored with this subject and perhaps distracted.

To provide a little stimulus I would like to start with a little story.

Once upon a time there was a king named Jean I, who presided over a castle surrounded by a moat with a drawbridge. The inhabitants of his castle were divided into two classes: lords and ladies who occupied the front benches of the royal throne room on state occasions and the peasants who occupied the back benches.

One day a group of peasants, or backbenchers as they were called, went out to toil in the fields. As they crossed the moat and started down the road they passed a cave from which emerged a great dragon breathing fire and smoke. The fire consumed 50 of the backbenchers and sent the rest scurrying back into the castle.

When King Jean was told of this terrible tragedy he resolved to investigate it himself. To help him, he took along two of his most trusted knights. They included Lord Bob, the keeper of the royal whip, and Lord Boudriavere who had once been a bus boy in the castle cafeteria but had risen to high rank through his faithful service to King Jean.

As they surveyed the scene of the tragedy they observed three things. They saw the 50 fried backbenchers and said that was too bad. They saw the dragon lying dead from overexertion. They also noticed that the dragon's fire had ignited a seam of coal in the cave from which smoke continued to billow.

Lord Bob, who was a straightforward fellow, and had been a sword fight referee in another life, said the obvious ''The dragon is dead. This is good news. Let's go tell the backbenchers''. But Lord Boudriavere, who had once been a bus boy in the castle cafeteria and had risen to high rank through faithful service to the king, said ''Not so fast''. Turning to King Jean he said ''I see an opportunity here to maintain and increase our control over the peasants. Let us imply, indirectly of course, that the fiery dragon still lives. We can point to the smoke belching from the cave as evidence of this. Let us tell the backbenchers that henceforth they can only go out of the castle with royal permission and under the supervision of myself and Lord Bob, for the safety and protection, of course, of themselves and the castle''.

King Jean thought this was a splendid idea and thus the myth of the fiery dragon was established. It was used to coerce and control the backbenchers of the kingdom until King Jean was defeated in battle by a knight from the west which is another story I will tell on some other occasion.

This is the point that I want to make.

• (1045)

There is a myth in the House that lurking out there somewhere is the fiery dragon of the confidence convention, the erroneous belief studiously cultivated by the government that if a government bill or motion is defeated, or an opposition bill, motion or amendment is passed, this obliges the government to resign. This myth is used to coerce government members, especially backbenchers, to vote for government bills and motions with which they and their constituents disagree and to vote against opposition bills, motions and amendments with which they substantially agree.

The reality is that the fiery dragon of the confidence convention in its traditional form is dead. The sooner the House officially recognizes that fact, the better for all. It is true that there was a time when the rules supported the traditional confidence convention but that is not the current situation. Our present practice is outlined in Beauchesne's sixth edition, citation 168(6):

> The determination of the issue of confidence in the government is not a question of procedure or order, and does not involve the interpretive responsibilities of the Speaker.

Following the recommendations of the Special Committee on Standing Orders and Procedure as well as those of the Special Committee on the Reform of the House of Commons, December 1984, the House removed references in the standing orders which described votable motions on allotted days as questions of confidence. The committee concluded that matters of confidence should at all times be clearly subject to political determination. Motions of non-confidence should not be prescribed in the rules.

The British parliament, the mother of all parliaments, has acknowledged the death of the traditional confidence convention. For example, in the British parliament of 1974 to 1979 the government was defeated 42 times, 23 times as the result of government MPs voting with the opposition and 19 times when the opposition parties combined against the government after it had slipped into a minority position in 1976.

Some of these defeats were on important issues such as economic policy and an important constitutional bill. Yet the British prime

minister neither resigned nor requested dissolution. Despite the current citation from Beauchesne's and these historical facts, the myth of the confidence convention still appears to live in this parliament.

It is in the interest of the majority of the members on both sides of the House to dispel the myth of the confidence convention and thereby permit freer voting. I therefore offer the following three challenges.

The first is to the Prime Minister. Will he please stand in his place in the House and declare his intention to allow government members to vote for or against all bills and motions and all amendments to bills and motions free of party discipline, and that no such vote other than the adoption by the House of an explicit motion of non-confidence in the government shall require the government to resign? All he has to do is stand up and make that statement. It would take about 20 seconds and it would change the character of this place overnight.

The second is to the Standing Committee on Procedure and House Affairs to study this issue and report to the House with a view to dispelling the myth of the traditional confidence convention once and for all.

The third is to government backbenchers to test my hypothesis for themselves that the fiery dragon of the confidence convention is indeed dead, even though with the help of Lord Bob and Lord Boudriavere the smoke still appears to be billowing from its cave. I suggest that someday during question period while they are awaiting their turn to ask a scripted question they should engage in a simple mathematical exercise: count the number of people on the front benches and include their parliamentary secretaries, and then count the number of backbenchers. I know this is a strenuous intellectual exercise, but if they could carry it off they would find there are more backbenchers than there are those on the front benches and parliamentary secretaries. Then on some future occasion they could vote down a government motion or bill or support an opposition motion or amendment.

What will happen? Will the earth open up and swallow government members and their political careers? Of course not. Will the government resign? Of course not. Instead the government will demand a vote of confidence and since government members ultimately outnumber opposition members the government will surely win and carry on; but it is possible to kill a bill or part of a bill or to change it without killing the government.

The government will do exactly the same thing as the Pearson government did in 1968 when it was defeated on Mitchell Sharp's budget resolution but then carried the confidence motion which immediately followed. After that incident, Anthony Westell of the *Globe and Mail* concluded:

> If the principle comes to be accepted that bills can be amended or rejected without forcing a change of government—the effective power of the opposition and of private members of the government party could be strengthened; the power of the cabinet to have its own way could be reduced.

● (1050)

In other words the House will have passed from the dark night of excessive party discipline into the bright sunshine of freer votes.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, there are three topics I would like to deal with today, and I will make recommendations to the House on all three.

First is the issue of the motions introduced on opposition days. The hon. leader of the government touched on this earlier in his speech, saying that the opposition had found a way around the Standing Orders by amending an opposition motion on an opposition day by introducing an amendment from the outset to split interventions into two 10-minute interventions.

The leader of the government said that, in a way, this changes the direction of debate, and uses the Standing Orders to prevent something from happening.

I would like to remind the leader of the government that I sent him a letter on this subject, requesting that no amendment whatsoever of opposition motions be allowed, except by the member who moved the motion in the event of a last-minute development, so that the essence of the proposed debate is not changed.

In fact, an opposition day is one of the rare days when an opposition party can control the debate. It picks the topic and makes major speeches, and this gives a party an opportunity to make its views known in the House of Commons and to promote a particular point of view.

The opportunity for other political parties, particularly the government, to change this motion through an amendment that, more often than not, will substantially alter the substance of the initial motion means that it is no longer an opposition day.

The instigator of the motion introduces it in the House but he can never be sure, unless he amends it himself or through a colleague, by splitting his time, that his motion will be debated as is by all the members of the House.

It is my sincere belief, and my first recommendation, that if we are to get back to what an opposition day really is, what it must do and what it must allow, we ought to ensure that motions are not amended except by the person who originated them, to reflect changes in the situation or the content of debates.

This would eliminate any possibility of manoeuvring to change motions or their nature, or to make the debate totally different from what it ought to have been initially.

For opposition days, therefore, I invite the Government Leader to at least acknowledge receipt of my letter to indicate ''We have decided that we can or cannot follow up on this, for this or that reason''. The government ought to specify this in the Standing Orders.

The second point I would like to raise is somewhat more delicate, the matter of the Joint Committee on Scrutiny of Regulations. Normally, two of the House of Commons committees are chaired by members of the official opposition.

The purpose of this is to give some kind of counterbalance to the power of the government. The Standing Committee on Public Accounts, which examines government expenditures, is chaired by a member of the official opposition, and this is normal. This allows the opposition to be extremely productive in these committees by initiating matters and by presiding over the work of these committees.

Having opposition members chair the Standing Committee on Public Accounts and the Joint Committee on Scrutiny of Regulations sort of counterbalances the immense power of the government and its team.

● (1055)

However, there is a problem. The Reform Party, the official opposition in this Parliament, decided to assume its responsibilities concerning public accounts, but at the same time decided not to assume its responsibilities as official opposition on the Committee on Scrutiny of Regulations. And yet, this is extremely important.

To those who follow our proceedings, the Committee on Scrutiny of Regulations may appear as something terribly technical, very boring, and very difficult to understand. But it should be pointed out that on this committee, members have the opportunity to examine the way bills passed by Parliament will be enforced in everyday life. The bills we pass are very broad and provide for various things. They are general policy statements with a number of specifics, but each law is accompanied by regulations stating how its provisions will be enforced, by whom, and how responsibilities will be shared. Regulations are an extremely important part of any bill.

When the Committee on Scrutiny of Regulations is chaired by a member of the official opposition, this intentionally gives the opposition an extremely important role in monitoring government action. This gives the opposition a lot of power to scrutinize regulations, which do not come to the attention of members of this House. People are entitled to know that MPs draft bills, but that once a bill is passed by Parliament, its enforcement is the government's responsibility. Regulations are made by senior officials, people who know how to do their job and do it very well, but who are accountable only to the government and the Committee on Scrutiny of Regulations.

Since the Reform Party refused to assume its responsibilities, we thought that, as the third party, we could legitimately chair the committee since the chairperson must be a member of the opposition. The Reform Party refused our request. It is its problem. It has the right to do so. It would then have made sense for another opposition party—there are four altogether, the Bloc Quebecois being the second largest—to chair the committee. We thought it was up to the Bloc Quebecois to chair this committee, which acts as a government watchdog.

But no. Being the great democrats that they are, the Liberals decided to appoint one of their members to chair the committee because, for the first time ever, the official opposition was refusing to assume its responsibilities. We now find ourselves in a situation where the Liberals took it upon themselves to appoint a Liberal chairperson to the Standing Committee on Scrutiny of Regulations, thus tipping the balance that must exist in the parliamentary system. By appropriating the committee chair, the Liberals gave themselves an additional power, at the expense of the opposition. They took advantage of the Reform Party's withdrawal. But this is wrong. It is unacceptable.

I call upon the democratic sense of the members of this House. Today's debate must be free of partisanship, since its purpose is to improve the Standing Orders of the House, so that Parliament can operate as smoothly as possible.

So, I urge the government to restore the situation and to give back to the opposition the chair of the Standing Committee on Scrutiny of Regulations. It can offer the position again to the Reformers—we do not particularly relish the idea, but the Liberals can do so if they wish—but if the Reformers continue to say no, it would make sense to offer that responsibility to the next party, that is the Bloc Quebecois.

By appointing one of its own members to the chair, the government just set a precedent. It increased its power over the committee's operations, and this is not right. It is not right because it affects the very fragile balance that we have here. They transferred to the government responsibilities that should be assumed by the opposition. Worse, they did not transfer them, they took them over.

Therefore—and this is my second recommendation—the Standing Committee on Scrutiny of Regulations should have as its chair a member of the opposition. If it is not a member of the official opposition, it should be a member of the Bloc Quebecois or of another opposition party. The Bloc Quebecois has always fulfilled that responsibility and would be very pleased to continue to do so. This would restore a balance. It would only be normal to do so.

● (1100)

I call on the government to correct this anomaly, which almost went unnoticed to outside observers, but which says a lot about the

will of the cabinet to take over more and more powers, thus leaving the opposition to fulfil an increasingly less meaningful role.

Let us not forget that a system such as ours works well when there is a balance between the opposition and the government, when the government is not free to do whatever it pleases, unimpeded, when the government must answer to other parliamentarians who do not share its point of view and who force it to improve its proposals and rules, to introduce better legislation. All citizens benefit.

The second recommendation is that the Liberal member who co-chairs the Standing Committee on Scrutiny of Regulations, which is an anomaly, step down and offer the position, as is only right, to a member of the official opposition or of the second opposition party.

The third point is an extremely serious one. It involves the Standing Committee on Procedure and House Affairs. A few weeks ago, during the so-called flag flap, the Standing Committee on Procedure and House Affairs was asked by the House of Commons to conduct a serious review of the behaviour of members of the House whose statements may have been an attack on the integrity of the Speaker. These statements were tantamount to threats. Members clearly said that, if the Speaker did not rule in a particular way, they would run riot, that he must resign, and that they would withdraw their confidence.

Make no mistake, this was the first time that such statements had been made about the Speaker so directly in all the media. The House decided to resort to an existing mechanism, the Standing Committee on Procedure and House Affairs, to investigate the behaviour of these members.

When members do not behave properly—a very rare occurrence, but not unheard of—the House may then, at leisure, turn to this committee. The member is therefore judged by his peers. A member whose conduct may have been questionable or was plainly reprehensible is therefore judged by his peers.

Since I have been a member, this is the second time this committee has been used. The first time, as members will recall, was in the case of Jean-Marc Jacob, the former member for Charlesbourg, who was accused of trying to corrupt the army, to get soldiers to transfer to Quebec after a winning referendum. It was quite a to-do, and Mr. Jacob was summoned before the committee.

A Reform motion was ruled in order in the House. It called on Mr. Jacob to explain his behaviour before the Standing Committee on Procedure and House Affairs. The Bloc Quebecois was in agreement and Mr. Jacob, a member of the Bloc Quebecois, appeared before the committee. He was questioned for six full hours on May 2 and 7. During these six hours, the committee had the opportunity to put questions to Mr. Jacob. Committee members asked as many questions as they wanted to, relating to every conceivable aspect of this matter in order to get to the bottom of it.

There was a lengthy debate. The committee was struck as a result of a motion passed by this House on March 18. It tabled its report three months later, on June 18. Many were called to testify before the committee and, as material witness, the member himself, Mr. Jacob, was grilled by parliamentarians for six full hours.

We thought nothing of it. We abide by procedure. We figured ''If you want to examine the conduct of Mr. Jacob, the MP, fine, so be it''. The hon. member appeared before the committee and answered its questions. In that, the Bloc Quebecois showed a great sense of responsibility. We abided by the House's standing orders.

● (1105)

When time came to examine the conduct of four other members, from the Reform Party and the Liberal Party, who had made rather surprising statements concerning the Speaker, we showed up at committee with questions to ask.

The committee chair decided that each witness should have 20 minutes, including five minutes for an opening statement. There was 15 minutes left for members to question the witnesses. Members of the Reform Party and of the Liberal Party, whose colleagues were involved, were entitled to ask questions, like everybody else. We have no problem with that.

But the fact remains that for the Bloc Quebecois only had five minutes to question these members who had threatened, so to speak, the Speaker of this House. How can any MP, regardless of how brilliant or effective he may be, manage to cast light on the unacceptable behavior of another MP in five minutes?

The Liberal chairman made use of his authority within the committee, with the support of his colleagues and the Reform MPs, who were in the same boat, having also made unfortunate statements. They came to an agreement among themselves, and they were the majority—imagine, the government and the official opposition—and they decided that there would be 20 minutes, no more.

We asked whether the questions could go on longer because we had things we wanted to ask. Jean-Marc Jacob was grilled for six hours. We were not asking for six hours per witness, but neither were we asking for five minutes. Such is the concept of justice in parliament and in committees, where the Liberals and the Reform Party are running the show. Five minutes to question them, but six hours when a Bloc MP is involved.

That is what justice is like in this Parliament. When a Bloc MP is in an awkward situation, he gets questioned for six hours, and three months are spent on it. When it is a Reform or Liberal MP, their

parties vote together, make use of their power, and allow us five minutes.

This is unacceptable, and the people have a right to know. I rose in the House to raise a point of order. It was an unusual situation. I brought the matter to the Speaker's attention and told him ''Mr. Speaker, this makes no sense. How can the work get done properly?'' His reply was ''Well now, generally things are done properly in committees. You will sort this out among yourselves, and big boys like you ought to be able to reach some agreement''. The committee chair, a Liberal, got up and said ''Mr. Speaker, the member for Roberval is barking up the wrong tree. The member for Roberval ought to know that we have reached agreement for witnesses to be able to be called back before the committee''.

I bought that, and I sat back down, telling my colleagues ''You will go back to the committee and ask for the witnesses to be recalled, even if it is only for five minutes a shot. You will call them back as often as necessary for there to be a proper examination''.

Do you know what happened? The Bloc went back again and called for the witnesses to be heard again, as the Liberal member had told us in the House. The Liberal chairman claimed he was not an undemocratic person by saying ''You can recall a witness as often as you want. It is provided for in the committee's rules''.

When the committee resumed its proceedings, we asked that the witnesses be recalled, but the Liberal and Reform majority refused. These Liberal and Reform committee members were in a conflict of interest. How can Parliament operate properly if special and ad hoc committees, whose role it is to review the behaviour of parliamentarians who did something wrong, are controlled by people who are in a conflict of interest?

If it is the behaviour of a Liberal member that is reviewed, the Liberal majority can of course allocate five minutes to the review, as opposed to six hours. The next time it could decide on two minutes or, for that matter, 30 seconds.

That is the way things work. However, Canadians have the right to know that one the most important tools in this Parliament, and in all the parliaments I know, is the special committee that reviews members' behaviour. Members are judged by their peers. However, that committee was manipulated by the Liberal and Reform majorities, with the result that it could not do the job that had to be done.

● (1110)

This is unacceptable and must be condemned. When it is a Bloc Quebecois member who appears before the committee, the proceedings last for six hours. It should be the same for a Liberal or Reform member, if necessary. It should not be six hours for a Bloc Quebecois member and five minutes for a Liberal member.

[*English*]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it is a pleasure to rise today to participate in this debate on the standing orders mandated under Standing Order 51. I had something to do with the creation of this standing order in the 1980s and I think it has proven itself to be a worthy recommendation to provide the House with this opportunity on a regular basis. This is an opportunity for the House to consider how it can improve on its procedures which are rooted in tradition and in history but which also must be responsive to changing political contexts.

I begin my remarks by considering two contexts that make the House of Commons unique. The first is the unusual fact that there are four opposition parties duly recognized by the Chair and the standing orders. Immediately following the last election there was considerable comment in the media about how such a parliament would function. I think it is worth pointing out, as the government House leader did, that this so-called pizza parliament, an institution for debating matters of public concern and for holding the government of the day accountable, has worked better than many commentators led us to believe it would.

It is true the government has continued to resort to time allocation and closure and each of the opposition parties has on occasion made full use of the rules of the House to provoke votes and debate issues more fully than the government would have liked. But when it has come to the practicalities of planning for the orderly consideration of parliamentary business, I think it is fair to say that the parties have managed to adopt an effective and pragmatic way of dealing with one another and have served the public well.

This has allowed for an unprecedented degree of forward planning of the parliamentary calendar, and the government House leader is to be commended for his efforts in this regard. The whole question of legislative planning is a matter which I consider to be important and which I regard as some of the unfinished business of the special committee of the reform of the House of Commons. I am glad to see we are making progress in that regard.

The election of a five party House of Commons did confront the House with the challenge of reconciling the new political context with the existing standing orders that in a number of ways have been designed for some time now around a House consisting of three parties.

The House has already dealt with one of the implications of five parties by amending the rules regarding speaking times for private members' business under Standing Order 95, ensuring that members of all parties can speak in each debate. We dealt with the matter of redesigning question period over the summer of 1997 after the election.

However, other difficulties remain and should be addressed. For instance, Standing Order 74(1) grants the first three speakers in a second reading debate 40 minutes of speaking time, a measure evidently and obviously designed to apply to a House that has three official parties. As it stands, this standing order gives an advantage to some opposition parties over others and increases the possibility that not all opposition parties will have their first speaker participate on the first day of debate.

This standing order should be amended to put all parties on an equal footing, a change that would have the added advantage of allowing for a question and comment period following the first speaker of all the parties. I think this would be a good thing. It is often the case that the leaders, the very people members might want to question, are exempted from this procedure.

More important, the current supply process does not allow for an allocation of debating opportunities that reflects the relative strength of the parties in the House. Standing Order 81(10)(a) and (16) set the number of allotted supply days at 20, 8 of which are votable. These numbers do not break down into an equitable distribution between the four opposition parties as they are now represented in the House.

The House leaders have agreed to improvise on the number of votable days in the current supply period in order to accommodate the current representation of the opposition parties in the House. However, the House should consider formalizing an appropriate formula for future supply periods.

The second unusual characteristic of this House is not only are there four opposition parties in the House but all four of them have in the recent past had members sitting in the House who were not recognized as belonging to a political party.

• (1115)

In the previous parliament the members of parliament elected as New Democrats and Progressive Conservatives by their constituents could not convince either the rest of the House or the Speaker to recognize their party status. In the parliament before that it was the turn of the Reform Party and the newly formed Bloc Quebecois to have their party status go unrecognized.

This is not the occasion to fight past battles for recognition of party status. However what the past disputes have shown is that there is no clear definition of party status in the standing orders themselves, only a loose and ambiguous series of precedents that are often in contradiction with one another.

Given the experience of each of the four opposition parties and given that there is not now a party seeking recognition in the House for which there would be a conflict of interest, it would be opportune for this parliament to carefully consider ways of clarifying the rules regarding the recognition of parties under the standing orders now that all the parties are on an equal footing.

The House may decide to formalize the most recent Speaker's rulings on the 12 member threshold, or it may choose to resurrect an earlier tradition of recognizing smaller parties. But the House itself should speak clearly on the matter animated by the most generous democratic outlook.

Apart from dealing with the presence of five parties in the House which is unique to this parliament, the House should also revisit the enduring questions of whether our current parliamentary practices give the fullest possible expression of the democracy Canadians rightly expect from this institution.

I think it is fair to say that those questions can be distilled to two basic issues. First, is there a proper balance between the ability of the government to govern and the ability of the opposition parties to hold the government accountable and offer alternatives to the government of the day? Second, is there a proper balance between the legitimate and necessary operations of party discipline and the opportunities of individual members of parliament either to dissent from the party line or to put before the House consideration of issues that concern them individually?

As the House considers how it might address these enduring questions there are a couple of historical precedents that should instruct us on how to proceed and how not to proceed with changes to the standing orders.

The example of the Special Committee on the Reform of the House of Commons which resulted in what is now called the June 1985 McGrath report after its chair, the Hon. Jim McGrath, a former member for St. John's East, should instruct us on how to proceed. The McGrath committee of which I had the honour to be a vice-chair offers the good examples of a consensus building process as well as a series of specific recommendations some of which remain to be implemented and still deserve the attention of the House.

The episode not to be repeated and indeed an episode some of the consequences of which should be undone was the unilateral imposition of major changes to the standing orders by the Mulroney government in June 1991 against the vigorous opposition of all of the opposition parties at the time. I urge members of the government not to repeat in any way the unilateralism of that regrettable episode and to be guided by their past opposition to those measures forced on the opposition parties on which there is no consensus.

Among the most undemocratic of the measures introduced at that time which offends the principle of striving for a due balance between the rights of the government and the opposition was what is now Standing Order 56.1. If the government has been denied unanimous consent on a particular course of action, this standing order gives the government the right to put the same question again

during routine proceedings without debate or amendment and deems the motion to have carried unless 25 members stand in their places to oppose it.

This measure was clearly designed for use against small parties or factions in situations where a government wanted to act quickly and override the required parliamentary process for consideration of a government bill or motion. In essence because it sets a threshold which some opposition parties can meet and others cannot, its effect is to allow the government to deprive a recognized party of party status in particular situations where it is convenient for the government to do so.

This is not to argue that the government should not have at its disposal in situations where it feels it must act quickly mechanisms to accelerate the parliamentary process. What makes Standing Order 56.1 intolerable is that the government already has a wide array of other tools at its disposal to do so.

The government can use time allocation, closure, and seek extended hours. All of these measures balance the right of the government to act quickly in particular situations with the rights of the opposition parties to insist on due process. Standing Order 56.1 removes that balance entirely and without such a balance, where a government can act as if it has the unanimous consent of the House when in fact it does not, the Canadian public remains vulnerable to a parliamentary dictatorship.

● (1120)

It is unfortunate that the government has seen fit to make use of Standing Order 56.1 two times in this parliament, even though the Liberals opposed and voted against such a change when they were in opposition in 1991. On the first of those occasions, the government used it as part of its parliamentary tactics in moving Bill C-24 through the House very quickly, the back to work legislation concerning the dispute between Canada Post and the Canadian Union of Postal Workers.

This brings me to the next point about achieving a greater balance between the rights of government and opposition. Whenever governments want to circumvent the normal proceedings on government bills, it is almost always to force back to work legislation through the House quickly. It is almost always a case of infringing on the collective bargaining rights of Canadian workers.

This pattern stands in stark contrast to the direction that has been taken in recent years regarding the rights of investors and corporations. In the NAFTA, the WTO and the embryonic MAI, the trend has been to put up more barriers to government actions that might impinge on the rights of corporations and to make these corporations almost immune to government action.

In the case of the draft MAI, the proposal is to put in place a series of hurdles to public action that would last up to 20 years, even if governments were elected to withdraw Canada from the agreement. This stands in stark contrast to the rules and practices of this House where labour rights can be compromised by the passage of back to work legislation in a matter of 20 hours, not 20 years.

Here is another area where our democratic practices must restore some balance. I point to Standing Order 71 which states:

> Every bill shall receive three several readings, on different days, previously to being passed. On urgent or extraordinary occasions, a bill may be read twice or thrice, or advanced two or more stages in one day.

This standing order is very vague about what procedures must be followed in order to read a bill at more than one stage in a day. It is therefore very vague about what must be legitimately done to circumvent one of the opposition parties' most important vehicles, which is time.

Time is not just time to be wasted; time is time to be used. Time to consult with interested parties. Time to make the opposing case to the public. Time to make sure that public policy is not conducted in a reckless manner. What has happened over the years is that delay has come to be seen as inefficient in a culture of efficiency, rather than seeing delay for what it is and can be, which is an integral part of a parliamentary process by which time is provided to the public and to opposition parties to make sure that a full and appropriate debate takes place.

I urge the House to consider ways of formalizing the procedures for allowing a bill to be read more than one time in a day in such a way that gives greater balance between the government's ability to act in a timely manner when there is a legitimate time constraint and the opposition's ability to do its job well.

Clearer rules would have the added benefit of creating a greater opportunity for constructive compromises to be arrived at as is often the case in back to work legislation, a process that in the past has shown parliamentary democracy to be working at its best as a vehicle for mediating between competing interests in society. When the government needs the opposition to get something through, we then have a meeting of the minds, genuine dialogue and genuine amendments to legislation. Things get done around here in a way that they should be conducted more often.

There are other standing orders giving power to the government to accelerate the consideration of government business which need some rebalancing. These are the standing orders governing time allocation and referral to committee before second reading.

In regard to time allocation governed by Standing Order 78, it is clear that time spent on a bill is a major source of conflict between governing and opposition parties. On most occasions when an opposition party makes deliberate use of a filibuster as a tactic, or the government resorts to time allocation, the parties will ultimate-

ly be guided by how the public judges their actions in the next election, or for that matter in the next poll, that is, such decisions are very often matters of political judgment.

However there have been and no doubt will be occasions when there will be a widespread and objectively arrived at concern that a government is resorting to time allocation too precipitously, and that there is a genuine public interest in a full debate in the House. For such a situation it is important that the standing orders vest in the Speaker the right to rule a government motion for time allocation out of order or inadmissible.

● (1125)

It is right and proper for the Speaker, especially now that the House has an elected Speaker, to have the authority to stand in the way of a government that was prepared to use time allocation to stifle debate when there was a widespread appetite for such a debate.

Giving the Speaker such an authority, even if he or she did not use it regularly, and I would not anticipate the regular use of such a power, would create the healthy habit of circumspection before the government resorted to time allocation. Perhaps then we could move away from the practice of the almost routine use of time allocation which really makes a mockery of the procedures of the House.

As regard referrals of bills to committee before second reading, it is sad to say that while this measure has the admirable intention of expanding the scope of a committee's ability to amend a government bill, in practice it has been used too often simply as a means to accelerate the passage of bills that the government clearly has no intention of allowing the committee to amend.

Standing Order 73(1) at present only requires the government to notify representatives of the opposition parties before proceeding with referral to committee before second reading. I urge the House to consider amending this standing order to require the agreement of at least some of the opposition parties before referral, perhaps along the lines of Standing Order 78(2)(a) which requires the agreement of a majority of the representatives of the several parties.

There is one further point I would like to raise under the heading of rebalancing the rights of the opposition and the ability of government to govern. That is the right of standing committees to scrutinize non-judicial order in council appointments. This process is governed by Standing Orders 110, 111 and 32(6), measures that resulted from recommendations of the McGrath report.

Although these standing orders are in place and empower committees to scrutinize a wide range of public appointments, committees are not making use of the powers available to them with any kind of regularity. I call on committee chairs and the government majorities that support them in committee to allow committees to make greater use of these standing orders in the spirit in which they were introduced. If they do not and the process withers on the vine, then the House should consider strengthening the rules requiring committees to fulfil this important function.

In the meantime the House should also consider extending the process of committee scrutiny to judicial as well as non-judicial appointments. I do not now wish to suggest a particular formula for the parliamentary scrutiny of judicial appointments but some form of scrutiny must be on the agenda for parliamentary reform.

The introduction of the charter of rights and freedoms fundamentally altered the role of the judiciary in our Constitution and its relationship to federal and provincial legislatures. As a country we are still in the process of assimilating the profound changes the charter has brought to the relative power and authority of the judiciary and the legislatures. The House of Commons must participate in that process by considering whether the new powers of the court must be met with a new level of parliamentary scrutiny.

I would now like to address some of the issues pertaining to the balance required between the requirements of party discipline and the rights of individual members of parliament. The main opportunity for individual members of parliament to play a meaningful role in the legislative process, or certainly one of the main opportunities, is in committee. It is in strengthening the independence of committees that this House can do the most to achieve a better balance between party discipline and the independence of individual MPs.

The McGrath committee recommended that alternate membership on committees be abolished and that members of committees themselves, not the party whip, have the responsibility of seeking their own replacements. The thinking behind this recommendation was to lead the House of Commons away ''from the concept that everything in the House of Commons is controlled by the whips, the House leaders and the prime minister''.

It borders on the tragic to watch situations develop where a committee is doing exactly what it is supposed to be doing, studying a bill or an issue carefully with the members developing an expertise and a collective sense of where policies should be headed, and to have the process cut off by a government whip who can stop such a process in its tracks. The current rules make it easy for whips to undermine the work of committees.

I urge the House to revisit this recommendation of the McGrath committee as well as the recommendation that parliamentary secretaries not be allowed to sit on committees. Too often we see

the parliamentary secretaries sitting there as a kind of censor or a government point man on the committee.

Another area where the effectiveness of committees could be enhanced would be in altering the concurrence process for committee reports.

• (1130)

At present any member of parliament may move concurrence during Routine Proceedings, but almost always the process results only in a single speech by the mover of the motion and the first government speaker moving that the House proceed to Government Orders. The current process then is useful only as a dilatory mechanism for the opposition with the government retaining full control over the debate and any subsequent vote on concurrence.

Committee reports are too important a part of the legislative process to be reduced to tactical footballs in the procedural wrangling between government and opposition. There must be some mechanism to allow for a full debate on important committee reports.

One possible mechanism would be to allow a committee that presents a unanimous report to recommend to the House that a concurrence debate and vote be held on the committee's report and that a fixed number of days be set aside each parliamentary year as with the supply process for holding such debates should committees request them. These debates could be time limited perhaps along the lines of the 180 minute debates with 10 minute speaking spots attached to the process of referring a bill to committee before second reading.

Another area relevant to the status of individual members of parliament is the whole question of Private Members' Business. This has been the subject of much parliamentary activity in this parliament with points of privilege being raised concerning the resources available to individual members of parliament for the purposes of drafting private members' bills and with the 13th report of the Standing Committee on Procedure and House Affairs proposing a new method for selecting votable items of Private Members' Business.

I just need a few more minutes, Mr. Speaker. I wonder, with unanimous consent of the House, if I could wind up my remarks.

The Acting Speaker (Mr. McClelland): The hon. member for Winnipeg—Transcona has asked for unanimous consent for a few more minutes to wind up his remarks. Is there consent?

Some hon. members: Agreed.

Mr. Bill Blaikie: Mr. Speaker, one thing would concern me which I know is not a part of the 13th report. There has been significant support expressed for this idea in some quarters of the House. It is the idea that somehow all private members' motions and bills should be made votable, uncritically so, that their very existence should render them votable.

I want to register my own concern about any proposal that would take away from the House's ability to filter what will actually become votable. If we do not have a system at the end, as we do now, for selecting what will become votable then we would have to have some kind of system at the beginning which would recreate what we now have at the end to make sure that the House is not put in a situation where it has to vote on private members' motions and bills, no matter what their content, no matter what the quality of their drafting and so on.

I have a final comment on another matter that has been raised by Reform Party members in the House and on which we have supported them. It is the fact that bills keep originating in the Senate. This is a practice that was questionable in the past but is even more questionable now, given that the Senate does not reflect the five party constitution of the House of Commons. It creates a new tension between the two chambers that I think the government should take into account when it considers whether or not it wants to continue with this practice of originating legislation in the Senate.

With respect to the election of the Speaker, I think it would be appropriate for the standing committee to consider what would be appropriate campaigning and what kind of structures the House might set up for candidates for the speakership to make known to members of parliament their views, their attitudes toward the House and so on. I think this has to be done very carefully.

The initial recommendation of the McGrath committee was that there be no campaigning at all because we did not want to bring the speakership into the disrepute that sometimes is associated with political campaigning. That spirit has to be respected. I hope we might be able to find a way to meet the needs of new members who feel that they do not have enough information about candidates for the speakership and at the same time respect the original spirit of the McGrath committee that we not have that kind of campaign.

My final comment, because I promised not to abuse the generosity of the House, is on the matter of free votes. All votes in the House are already free. This was achieved by the McGrath committee. The dragon to which the Leader of the Official Opposition referred, that is to say the confidence convention, is slain. What is not slain is the desire for uniformity and for obedience which exists within all political parties, including the Reform Party and including my own. That is what has to be slain if we are to have the kind of parliament the Leader of the Opposition called for. That is something that is the responsibility of political parties and not primarily the responsibility of the House of Commons.

● (1135)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, as a new member of the House I am extremely proud to take part in this important debate which focuses on the rules and practices of the House. This is one of the few occasions when the House is required to consider its practices. Parliamentary procedure is as much a part of the Constitution as are the written constitutional statutes.

The standing orders which govern the House, like all laws, should be pliable and flexible to adapt to changing times and circumstances.

As a member of the Progressive Conservative Party there is a proud history of our party to improve the House of Commons. In 1979 the Clark government put forward a white paper on the reform of parliament. Tabled by the late Walter Baker, this position paper offered as a thesis that ''the House of Commons should not govern but should poke and pry without hindrance into the activities of those who do''.

It was also the government of the Right Hon. Brian Mulroney which struck the McGrath committee to which the hon. member for Winnipeg—Transcona referred in his remarks. It was the same government which accepted most of the recommendations of that committee. Indeed I note that some of the reforms which were brought to this House have now been proposed by the modernization committee of the British House of Commons.

It was also the Mulroney government which agreed to the secret ballot for the election of the Speaker, a measure that Prime Minister Trudeau would not accept. Lest we forget, he was the man who characterized members of parliament as nobodies when they get 50 feet from the front door. Quite typical of his attitude.

It is obvious that some members may be feeling that they are being marginalized as demonstrated by yesterday's antics when one hon. member chose to retreat with his seat. There is a level of frustration that exists on the part of members of the House.

The hon. member for Winnipeg—Transcona also referred specifically to Standing Order 56.1. There is a legacy again of the Conservative government that has to be referred to here and one that we would acknowledge as perhaps being somewhat incorrect in this standing order. Recognizing one is wrong is certainly an important part of democracy. I note that the hon. member across, the Minister for International Trade, recently demonstrated that when he publicly agreed the Liberal government was wrong in opposing free trade some years ago.

I want to indicate that with Standing Order 56.1 there is the concept of unanimous consent as it should be restored to exactly that, unanimous consent. Under normal circumstances the request for unanimous consent to move a motion would be a prelude to a question being put to the House for division. The standing order now allows a minister to put forward a motion and if 25 members do not object then the motion is put and carried. The House does not get a chance to decide the matter. In this parliament the government has used the standing order to suspend the requirement for quorum despite the fact that quorum is prescribed by the Constitution.

Essentially this standing order allows the government to run roughshod over the opposition and the right to question and hold the government accountable is therefore curtailed. This can be an arbitrary exercise of power on the part of the government. It is something that the committee should look at very closely.

I want to turn my remarks next to Friday sittings. During this debate, particularly in the remarks of the government House leader, there was some suggestion that there may be a movement afoot to eliminate Friday sittings. I want to be very clear and unequivocal about my party's position on this point. We are completely opposed to any elimination of Friday sittings. We feel that the present arrangement of Fridays is an important and integral part of the process. Fridays can be as effective as any other day of the week. I would suggest that Canadians would take a very dim view if the committee were to do away with Friday sittings in the House.

The government House leader did speak in reference to the spirit of co-operation and the desire of those present to make this parliament work. I think that is an apt observation. However, as has been suggested by previous speakers, there is a great deal of room for improvement.

● (1140)

One area where I might suggest there is room for improvement is Private Members' Business. There are certainly historic reasons the private members' process is set up as it is, but I would suggest that some of the rules are unnecessarily complicated and, more important, costly to the general public.

There needs to be an avenue for members to raise an issue they wish to bring to the House on the part of their constituents, but they may not wish to pursue it further. They may wish to simply bring it forward at that time.

The government House leader spoke of the esoteric notions and traditions that evolved from Great Britain. These traditions are fine but as I said in my opening remarks we must strive to be effective. The public opinion demands this and we certainly owe this to Canadians.

One suggestion would be that there be an avenue for members to put forward items they do not wish necessarily to be brought to the House for decision but instead brought forward for simply airing of opinion. Instead of a lottery based on business items before the

House, a lottery of members' names would then entitle a member to put forward an item of business for complete consideration. This would therefore save a considerable amount of time and money wrapped up in the current system.

A possible suggestion would be that upon a member's name being drawn he could then decide whether it was for discussion purposes in the form of debate or simply to be brought forward as a motion. This would be a useful area the standing committee might take a look at.

Time allocation and closure have been touched upon as well by previous speakers. There is certainly a recognized need for the government to be able to move a motion for time allocation. That is acknowledged. However the Speaker, as suggested by the hon. member for Winnipeg—Transcona, should be empowered to disallow the government from invoking this quite draconian motion at times, in the event that the Chair is of the opinion that the closure motion being invoked is premature.

My next point concerns written questions and answers. The House has agreed to limit the number of written questions but the government is being extremely tardy in its answers.

Most questions can be answered within two weeks and three weeks at the most. That is a reasonable period of time. However, there is a major problem, I would suggest. Public accountability in the House should insist on prompt and complete answers from the government, particularly in light of the circumstances and the criticisms of the commissioner of freedom of information.

There needs to be some form of sanctions available to the Speaker when the government is not being responsive. I would suggest a form of a yellow card or a penalty box that can be imposed on the government when it is not responsive to these questions.

I will now turn my remarks to the estimates. There are few Westminster styles of parliament that have an adequate system for scrutiny of the estimates.

Yesterday I was at the justice committee where we were examining the estimates of the Minister of Justice. The meeting lasted for two hours and about 35 questions were posed to the minister and her staff. That is likely to be the only examination of her stewardship over this ministry which comprises several billion dollars in the present fiscal year. I suggest that is simply not enough. Two hours is not enough time to delve into very complicated and very crucial issues not only in justice but in all of the ministries in this parliament.

I would like to see some experimentation with bringing some departmental estimates to the floor of the House of Commons for supply, similar to the committee of the whole process that takes place at present.

This might mean that the House would have to meet during some evenings but a longer debate and examination of beneficial issues to the Canadian public, I would suggest, should be of primary concern and first on the agenda.

I would also suggest that ministers, above all members of the House, must be willing to subject themselves to the intense scrutiny that is required. It would also lead to a more rigorous debate in the House. The government has talked repeatedly of openness and transparency. These are the buzzwords of the nineties. However, it seems very reluctant to put that accountability into practice. It shies away from it.

• (1145)

There was mention of the Chair and of the selection of the Speaker of this House. I will add a few remarks to that. The present process allows for the selection of the Speaker through an election in which all members of the House have input. But subsequent to that, as Mr. Speaker is aware, the deputy Speakers are then selected at the whim or by the will of the prime minister. That is not to cast aspersions on the present occupant of the chair. There is certainly ample evidence of the brave, courageous and true nature of the present Deputy Speaker. As with the election of the Speaker, there should be a similar process of input from other members for the deputy Speakers who also occupy the Chair.

If a Speaker comes to the conclusion before the end of a Parliament that he or she may not reoffer, a common practice or courtesy might evolve, not necessarily a hard and fast rule, where that Speaker may choose to step down so that one of the deputy Speakers might receive the training necessary to assist Parliament in the subsequent convening of the House. The position of the Chair is very important to the ongoing success and spirit of co-operation mentioned by the government House leader.

I will discuss special or emergency debates. I began with a reference to the position paper which the Clark government placed before the House in 1979. I make reference to another document, a paper that was placed before the Canadian electorate in January 1993. It was endorsed by the now Prime Minister and was presented by David Dingwall, then opposition House leader, the then chief opposition whip who now sits in the House as minister of public works, and the two assistant opposition House leaders who are now respectively the Deputy Speaker of the House and the leader of the government in the House of Commons. That paper was entitled ''Reviving Parliamentary Democracy''.

Those four Liberals endorsed by their leader had this to say about special, urgent or emergency debates in the House of Commons:

> The granting of leave for special urgent or emergency debates under the present Standing Order 52 should become more generous, thus permitting the House to consider a greater variety of important issues that do not command the top of the national political agenda. If the House is to claim relevance to the interest of Canadians, it must make the most of its opportunities to debate issues of current significance. It is time for the rule to be restored to its original purpose of enabling the House to add important issues to the agenda at short notice. There is no change to any rule required for this step. The House only need make its general will on the question known to the Chair.

This is the suggestion in the paper that was tabled by the government House leader and endorsed by the opposition leader at that time, the current Prime Minister. In 1993 the Liberals were telling the electorate an idea that would be embraced by my party colleagues and by many members of the opposition, that we should have more time for special debates and more open discourse with the government. It was on the timeliness issue. When something arises that needs to be addressed on short notice, this House should be amenable and prepared to allow for that debate to occur.

In the past we have made requests. The Progressive Conservative Party has requested special debates on the disastrous conditions that exist in the fisheries on the east and west coasts. We also requested a special debate on the situation that was brewing in Iraq. Yesterday other members made application in this House for debates on the megabank mergers. All these applications were refused. I have had to assure my colleagues that the government does not instruct the Speaker on these matters. It is clear that the general will of the House should be conveyed to the Chair.

● (1150)

It is time the Deputy Speaker and others including the government House leader review the commitment they made while in opposition in 1993. Once again I suggest the present government be very wary of what it has said in the past and be prepared to live up to its words.

Previous speakers have had a great deal of experience and a wealth of knowledge they have put forward in this debate and the House has heard some extremely insightful and constructive suggestions. I am honoured to be able to partake in putting forward these suggestions.

Partisanship aside, the rules that govern all of us will continue to govern those who participate in this chamber in the future. We must always be aware of the shifting political signs and fortunes and the realignment of power that may some day occur because something that is said in this House is very important. It may come back again to be used either for or against you.

I want to conclude my remarks by referring once again to a policy paper. The Prime Minister had this to say: ''Canadians feel alienated from their political institutions and they want to restore integrity to them. That is why we are proposing reforms to make individual MPs more relevant, the House of Commons more open and responsive, and elections more fair''.

Those are noble ambitions and they call for action from the Liberal backbenchers. They hold the key. They must do their part. The solution to the hepatitis C problem does not lie with the Minister of Health, it now lies with the Liberal backbenches.

In the closing pages of his book *1867: How the Fathers Made a Deal*, Christopher Moore had this to say:

> If parliamentary democracy functioned in Canada, the future of Prime Minister Chretien would depend on the Liberal Party caucus. If the 301 men and women who Canadians elected in June 1997 recovered authority over their leaders, they would also recover power over the making and changing of party policy.
>
> No constitutional amendment, not even a legislative act, would be required to return a prime minister's tenure in office to the control of the parliamentary majority, or to make all the party leaders answerable to their caucuses. It would simply require an act of moral courage and a little organizing on the part of the backbenchers.

How we collectively write the internal constitution of this House does much to decide how courageous we are in the discharge of our responsibilities.

Members on both sides of this House must shoulder that responsibility, proudly and diligently. I suggest this is the forum and the place to make the necessary changes. Self-discipline and restraint when it comes to the use of our time are extremely important.

With that in mind, I will conclude my remarks with the hope and optimism that this will be a fruitful and useful debate and the necessary changes that can be brought about will be embraced by the government.

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, we are moving to 10 minute speeches now so I will have limited time and will briefly make a few comments on items that I hope the procedure and House affairs committee will look at in reviewing the standing orders for this parliament.

I want to make a few comments first on the importance of the standing orders. I think it is important for our constituents and for all Canadians to understand that the standing orders are the rules that parliament adopts for itself to govern and how we carry on the business of the House. They provide an important protection not only for the institution but for each and every one of us. They are an assurance that we can come into the House and freely speak on behalf of our constituents without fear of being insulted, cut off or treated less favourably than other members of the House of Commons.

These are rules which we as a parliament have accepted and we have also accepted the principle, certainly since I have been in parliament, that the rules change by consensus. When there is agreement among the parties that there is a need for changes to

make the House work better and allow each and every one of us to be more effective then those rules will change.

That is why I was particularly perturbed by the so-called flag flap a few weeks ago when one party chose to bring into the House a debate regarding the rules and to make it a partisan issue.

● (1155)

What has preserved civility and respect for one another in this House is that we have adopted rules by consensus, by agreement and not through partisan confrontation. That is why this debate today is so important. All members have the opportunity to put on record those things about the rules which they think will help make Parliament work better and help make their jobs more effective.

I want to mention a few items I hope will be addressed by the committee in its review of the standing orders. First, during the last Parliament we had the so-called Boudria solution, when the then whip of the government party brought in procedures which allowed us to more expeditiously take votes in this House without spending countless hours in standing up, being counted and sitting down, over and over again. It is time to look at incorporating those rules into the standing orders so they become part of the normal procedure of the House and the House can count on how they operate.

The issue of televising committees, in particular, is extremely important to how Canadians understand the work of their parliament and their parliamentarians. My experience is that the work of committees is carried out generally in a non-partisan way. Committees work on issues that the members have a common interest in and try to move forward the agenda of public policy in the public interest. It is extremely important that, as often as possible, Canadians have the opportunity to see their parliamentarians working in that collaborative way on issues that are important to them. Therefore I encourage the committee to look at expanding the use of televising committee meetings.

The other issue which the committee has dealt with in a small way, and I hope that we will continue, is the clean-up of the standing orders with respect to gender. I was very pleased to have the support of all parties in the House when we made a recent amendment to the standing orders to get rid of the ''he'' in reference to every person of importance or position who operates in parliament. I trust that in amending the standing orders further we will get rid of the archaic reference entirely in the standing orders to every important position in this House in male terms.

I want to also speak about members of parliament and the changes that have been made in how parliament functions, to better recognize that members of parliament have roles in their constituency, roles in parliament and also, however little, a personal life. Changes have been made in the procedures and in the schedule of the House to allow members of parliament to better plan their lives and have a better balance between those many different functions they perform. Again, I hope that the committee will look at the schedule of the House of Commons, the length of the week, the length of the days, to see whether there are further improvements that need to be made.

I briefly refer to the work done by the subcommittee on the business of supply which in the last parliament conducted a very thorough review of how to increase the effectiveness with which this parliament holds government accountable for and has some influence over the expenditure plans of government. A report was tabled in the last parliament and will be dealt with again by the Standing Committee on Procedure and House Affairs. I hope it will be tabled again with a request for a response from the government.

To implement its recommendations requires changes in the standing orders such as the establishment of a continuing standing committee on the estimates; various other measures to give committees the opportunity to amend the estimates, to improve the responsibility of the government to respond to the work of parliamentary committees that have an impact on the estimates; to request the finance committee to give priority in its prebudget consultations to those committees that have done reports on the plans of departments on the estimate and to take into consideration the report of those standing committees.

● (1200)

Dawson said in 1962 that there is no part or procedure in the Canadian House of Commons which is so universally acknowledged to be inadequate to modern needs as the control of the House over public expenditure. Yet this is the core function of parliament, to decide how much money the government may have, how it may raise it and how it may spend it.

I trust that the committee will spend some time on that report and incorporate its recommendations into its changes to the standing orders.

Finally, very briefly I want to speak on the issue of confidence. The official opposition in particular raised the issue of free votes. If anybody examines the records of voting in this House they will find that the government caucus, the government party, has more often expressed differences of opinion in its voting than any of the opposition parties. I urge them to examine their own consciences before they talk too stridently about party discipline.

It is also important for people to recognize that governments of whatever party run on making certain commitments to Canadians. While this is not directly related to the standing orders, it is important for parliament and for Canadians to recognize that some measure of solidarity behind those commitments made to the public during an election campaign is what allows a government to

keep its commitments. That is one of the most important things in restoring the confidence of people in their institutions.

I challenge all other parties to do as I believe my own party does, to have a very open and frank caucus process which allows legislation to come to this House having been thoroughly debated, discussed and influenced by all members of the caucus. I am not sure that happens in other parties.

The committee has important work before it. The procedures, the standing orders which we accept as parliamentarians, are what allows this institution to function in the interests of Canadians and in the interests of each and every one of us to be able to do our job of representing our constituents. This debate is an important contribution to the work of the committee and I look forward to what will be said during the rest of day.

Mr. John Williams (St. Albert, Ref.): Madam Speaker, I am pleased to participate in the debate regarding the standing orders which govern the rules of this House. I am sure there is some decorum in that we can continue to achieve the legislative agenda that is introduced by the government.

I will focus my remarks on the issue regarding the business of supply which, as the critic of the Treasury Board, tends to fall within my purview.

I would also like to acknowledge the work of the deputy whip of the government in the previous parliament where we as a committee, including members from the Bloc and others, tabled a document called ''The Business of Supply: Completing the Circle of Control''. That document contained many recommendations for changes to the standing orders. I would certainly like to see it examined in detail by the procedure and House affairs committee. The recommendations of this all party committee had full endorsation both by the government and by the opposition in making its report to improve the business of supply.

The business of supply deals with the way parliament approves or grants to the government the funding it requires to carry out its programs and to govern the country for the ensuing year.

● (1205)

I do not think there is any piece of legislation that goes through this House faster and with less scrutiny than the business of supply which accounts for $150-odd billion of spending each and every year. We go through the business of supply in one day's debate. We approve interim supply without any debate because the standing orders do not allow debate.

Can anyone imagine anything more fundamental and more central to government than the way government spends its money? This House has allowed, over many years, its authority to be eroded and stolen by the government to the point that we are now simply a rubber stamp. That should change.

I think of the ordinary course of business where a a bill is introduced and amendments and subamendments to the amendments may be introduced and we vote in the reverse order. We vote on the subamendment. If it carries it would amend the amendment. We then vote on the amendment. If it carries it changes the bill. We then vote on the bill. If it carries it becomes legislation. It is a fairly simple and normal process that is adopted not only by this House but by all houses. It is how committees work all over the world.

However, when it comes to the business of supply we reverse the process. When the opposition tables an amendment to the business of supply to reduce or to delete an expenditure proposed by the government, that causes the President of the Treasury Board to introduce a motion to concur with the expenditure as proposed. That vote comes first and this House then votes on the entire expenditure.

Let us talk about a simple program with which many people identify such as TAGS which helps the people in Atlantic Canada. No one has any difficulty in helping the people in Atlantic Canada through these difficult times. However, let us say that we as opposition would like to make some minor change to that expenditure. We are forced by the standing orders to vote and approve the entire expenditure or defeat it entirely before we come to the motion that may be to reduce or change it a small amount. After having voted to endorse the entire expenditure, how can we turn around and vote to change it?

The standing orders are designed to guarantee that this House votes the government's wishes on the business of supply. That cannot be. I sincerely hope that the procedure and House affairs committee looks at this issue very carefully.

The deputy House leader on the government side talked about confidence and how she felt that this was being dealt with in open debate in caucus. Open debate in caucus is an oxymoron because caucus, as we all know, is a secret debate where the votes are in secret and where parties do their own internal management in private so that they do not have to wash their dirty linen in public.

Therefore, this open debate in caucus is an oxymoron. If we are to have open debate, surely it should be on the floor of this House because that is why this House is here. That is why we have *Hansard*. That is why we have television. That is why we have recorded debates. That is why this House is for open debate. To take it from the floor of this place and put it into the caucus room where no one has any say, other than their own particular members, is an affront to democracy. We should be doing it right here on the floor of the House.

We have seen how confidence has applied. It is well recognized that confidence is rigid in this country. It is more rigid than in any other democracy in the world. If one person steps out of line they are subject to severe punishment for their misdemeanour or their perceived misdemeanour. When they stand up for what they believe in or for their constituents they are disciplined.

I think of the member for York South—Weston who now sits as an independent because he stood up and voted for what he believed in.

Therefore, confidence is a lever to guarantee that people fall in line regardless of their wishes and it must be relaxed.

● (1210)

I would like to turn to ''The Business of Supply: Completing the Circle of Control''. The procedure and House affairs committee has a road map to deal with the business of supply. Many hours went into preparing this document. It has been called the best document on the business of supply in 50 years. It deserves to be adopted. It has the full support of government members who sat on this committee. It has the full endorsation of the deputy whip on the government side who was the chairman of this committee. It was adopted by the procedure and House affairs committee in the last parliament and tabled in this House. It deserves serious consideration because it gives parliament more authority over the business of supply. It gives parliament some discretion to move the money around. It calls for the creation of an estimates committee to study the expenditures on an ongoing basis. It deals with things that we never have before us in the House of Commons today called tax expenditures.

The Minister of Finance will stand in this place and announce a change in the tax rules. Let us take a simple example that people can identify with, RRSP deductions. They are a good thing but we never have the opportunity to debate whether we are getting value for our money through the amount of taxes that are forgone. Does it provide the benefits that are equal to or greater than the taxes that are forgone? Surely we need some methodology to talk about tax expenditures.

We need to have some methodology to talk about crown corporations that suck up taxpayers' money by the millions of dollars, yet there is no formal mechanism for having a debate.

We need to talk about loan guarantees that show up in the estimates as a $1 item. They may be for a $100 million guarantee to a foreign country or for the sale of wheat or for whatever, but they show up as a $1 item. Only when the guarantee is called in and it is too late to do anything about it are we asked to approve the expenditure to fulfil our guarantee, again without debate.

There is great room for improvement in the business of supply. I hope that the procedure and House affairs committee will look at this document, ''Completing the Circle of Control'', recognize that it has all party endorsation, adopt it and amend the standing orders accordingly.

Ms. Carolyn Parrish (Mississauga Centre, Lib.): Madam Speaker, I rise in the House today to talk briefly about the business of private members and the recently filed report from the procedure and House affairs committee.

The current system of selecting votable motions and bills is based on a draw. Often there are up to 300 bills sitting in the bin and they are drawn for order of precedence. As all members know, they are then sent to a committee that is comprised of a chair from the government and one representative from each of the House parties. They decide which bills will be votable. At any given moment there will be five votable bills and five votable motions working their way through the House.

In 1985 the McGrath committee reviewed this business. It is an ongoing review. We continued it in the last parliament and we revised it in this parliament. It was referred to the House leader as a report, which went through the procedure and House affairs committee. It makes a few recommendations that I think are along the line of fine tuning or making the business of private members more reflective of what members of the House want.

Currently we separate the listings of motions and bills. As I said, we can select five of each to be votable and working through the business of the House. There is time allocated for the debate of Private Members' Business and private members' debates often result in a vote.

It is not a static system. As I have mentioned, it has evolved over the years as a response to the demands and concerns of members and it is continuously being improved and redefined.

The study that was undertaken in the last parliament was endorsed by this parliament. The recommendations include four or five quite different suggestions.

● (1215)

One is the concept of a maximum of five votable bills and motions. The committee decided this was an artificial separation. Given that they get the same amount of time for debate in the House, we would like to see that artificial separation removed. In other words any combination of 10 could come forward and be on the House agenda.

The second recommendation was to alternate the precedence order. Right now the bill is put into a draw and is selected literally through the luck of the draw. Sometimes there are 300 bills. A

private member's bill can stagnate for many years. Sometimes they are drawn on a regular basis. My colleague from Mississauga South is probably the champion having had more bills drawn. He probably has shamrocks hanging from both ears.

The system we recommend so that the bill could be pulled out of that lottery and brought before the private members committee much more quickly is that the bill could be jointly seconded by 100 members of the House represented by at least 10 members from each of the parties in the House. It is not an easy process but it is more orderly. A bill that is of great interest to a majority of the members of the House could then go through the seconding process with 100 signatures and go before the private members committee to decide on its votability. We consider this a rather strong departure from the lottery system that is currently in effect.

The third recommendation concerns when a draw is held before a deferred vote. Votes are deferred all the time and we defer private members' votes. The debate is finished in the House, the reading is finished, everybody has spoken on the bill and the vote is deferred to the following Tuesday for example. We would like it to be deemed off the list at that point, once it is deferred. When there is another draw we could then fill that space with a new private member's bill. This is a housekeeping rule which gives more bills the opportunity to be deemed votable.

Another recommendation concerns an issue on which a lot of concern was expressed by many private members who came before our committee. When a bill finishes its debate in the House it is referred to a committee for amendments and discussion. Sometimes because the committee is too busy or maybe because there is an ulterior motive that is implied, the bill dies there. We believe that once the bill has had second reading and it has been voted upon in the House it is no longer a private member's bill but is a bill of the House.

We recommend that after second reading when a bill is referred to a committee it becomes a bill of the House and the committee shall report within 60 sitting days. The committee can ask for one extension of 30 days if it is too busy to have considered the bill. If at the end of that period there are no amendments suggested, the bill should be deemed reported without amendments. That will cause all committees to make sure that a private member's bill is treated in the same fashion as a bill of the House.

The fifth recommendation appears on the surface to be a rather frivolous recommendation. Right now we like to separate private members' bills from government legislation. In the normal system of voting we start in the front rows and work our way back. We suggest for private members' bills on both sides of the House that the sponsor vote first and then the voting begin in the back rows and work its way forward. We think this would keep everyone honest. There would be no influence by the front rows on either side of the House. We thought this would be an interesting diversion and a way of keeping the thought processes involved with private members' bills totally independent.

Members may recall that the House was prorogued halfway through the 35th parliament. The House leader introduced a bill that said all bills, government legislation and private members' bills, would be reintroduced at exactly the same stage they were when the House prorogued. This is not from one parliament to another; it is when there is a prorogation in the middle of a parliament. We thought it worked well. It speeded up the process and it stopped private members' bills from dying and having to go back through the lottery. We recommend that be enshrined in the rules governing private members business.

Legal advice is very important to private members when drafting private members' bills. We want the bills to be as accurate as possible, as votable as possible and as realistic as possible. We suggest that the House appoint a law clerk and parliamentary counsel for the House of Commons who would be responsible for the provision of legislative drafting services specifically to members, who would give them unbiased advice and would be without any party affiliation.

● (1220)

The last recommendation of the report was to give priority to members who currently do not have a lot of bills being drafted. In other words a member who went to the clerk's office for a first effort in a session and did not have three or four other bills being drafted would be given priority. That encourages as many members as possible to get involved in the process.

When we held the review which came up with these recommendations a lot of people said that all private members' bills or motions should be made votable, that there should be no process to select votability. A lot of people gave us written submissions. A lot of people gave submissions in person.

It looks on the surface like a really great idea. Everybody's bill would be votable. It would cut down dramatically the number of bills that would have time to go through the House. It would make each of those bills less important. There would be no way of jockeying them into importance. Every bill would be voted on mechanically. The conclusion of the committee at that time was not to make every bill votable.

I just came out of a procedure and House affairs meeting where we are talking about it again. We are looking at the criteria. As I said initially in my remarks, it is an ongoing process. It is here to serve the backbenchers specifically. It is their opportunity to draft legislation and to have an impact on the country and the legislation of the country. We will again revisit this. It is one of those processes that never stops. We will be looking at the criteria. We will be looking again at the concept of making every bill votable.

Mr. John Bryden (Wentworth—Burlington, Lib.): Madam Speaker, I am delighted to follow the remarks of the member for Mississauga Centre. I too intend to speak on private members' business and I endorse many of the recommendations she made.

I begin by referring to the remarks of the member for Calgary Southwest in his speech a little earlier in this debate. He suggested that the government side could very easily have free votes. His proposal was that individual backbench MPs should always examine legislation and vote exactly according to their evaluation of that legislation and that it should not be a show of lack of confidence in the government.

The problem with that, as the member for Calgary Southwest should know, is that each one of us in the backbench does not have the resources of the government in examining all the legislation the government must put forward. We also have commitments to our ridings. We have commitments and interests and specializations.

No individual backbencher on the government side or on the opposition side for that matter can possibly hope to examine every bit of legislation with the kind of due diligence that is necessary to always vote independently. We have to trust our leadership. I do note on the other side that the opposition MPs also usually trust their leadership and vote with their leadership.

That is not to say however that there is not a need for more independence to be shown on behalf of backbench MPs. I think the solution for that is in improvements in private members' legislation.

One of the problems is that our role as backbench MPs is not seen very clearly by the public. What we actually do is work in committee. We adjust legislation in committee.

Members on the opposition side, and fortunately I am not on the opposition side, but the opposition MPs by their criticisms contribute in a major way to the progress of legislation. Their criticisms enable backbench government members to arm themselves in caucus to push the government in the direction they want to go.

For example, the fact that the Reform Party came to parliament in 1993 in such strength certainly gave some backing to those of us in the Liberal caucus who are fiscal conservatives and wanted to push the Minister of Finance in the direction of cutting back spending and bringing down the deficit. Now there are more members of the New Democratic Party. This gives, shall we say, ammunition to those members in the Liberal caucus who want to push the government in the direction of more social spending.

● (1225)

The opposition makes very important contributions to the progress of policy and legislation in the House. The problem is that the public does not see this. Some opposition members from time to time feel a sense of frustration, as we do occasionally in the backbench when we are not recognized for the efforts we make in committee.

We saw an example yesterday in the opposition benches. A member was terribly frustrated by not getting the attention he felt he deserved. I am referring to the member for Lac-Saint-Jean who felt it was necessary to take his seat out to the lobby before the press in order to get attention. I submit that this was extremely juvenile and a great disrespect to the rest of the MPs who do feel that we are contributing but do not have to pull pranks for the media.

That aside, what can we do as backbench MPs to make the public see that we do have an important role in this House, a role that they can see on a daily if not weekly basis? The solution is in private members' business. We have to expand the opportunities of meaningful private members' business in this House certainly to the extent that the member for Mississauga Centre mentioned but even more so.

There is a great opportunity for private members to engage in amending existing government legislation. One of the problems now in parliament is that when the government enacts legislation it does not come up for review again for approximately 10 years. This is a formula which exists. It is a tradition in this parliament.

The reason is that governments feel there would be a lack of confidence in the government if once the law was passed and went out and was tested in the field, in Canadian society it was found to be inadequate in certain ways. Past governments have been very reluctant to return to the legislation to make the adjustments that would make that law better.

We as parliamentarians cannot anticipate all the problems of legislation when we pass it. When legislation gets out into the community there are inconsistencies. Examples are the tobacco bill, the gun bill and the competition bill. The competition bill is 10 years old and we are only revisiting it now with amendments in Bill C-20.

Private members could play a vital and important role in the legislative life of this House and this nation by doing more to amend existing legislation, to fix it up and make it work better in society. For example the notorious gun bill did go through but is not working. We as members and the government should not be afraid if members on all sides of the House introduce an amendment to the gun bill and support that change. I would propose that we look in that direction to give backbench MPs a more meaningful role.

I would also suggest that we do good service to improve private members' business to take the monopoly of writing legislation away from the Department of Justice. Almost all meaningful legislation that comes into this House is written by the Department of Justice. It is not that the department does a bad job in general but the job is sometimes inconsistent. It is the old story that if there is

no competition in an endeavour then the quality of the product deteriorates. If we had better and more meaningful bills coming from private members through the legislative counsel rather than through the justice department maybe we would get an overall improvement in the quality of legislation that actually comes before this House.

How do we do this? The member for Mississauga Centre made one very good suggestion. This is a recommendation of the subcommittee of which she was the chair. She indicated that we ought to have a system whereby if an individual member has a very good bill and the member can obtain the support of 100 seconders on all sides of the House including the opposition benches, that bill should jump the lottery and should get on the order of precedence.

● (1230)

That is a way of getting quality bills introduced in the House by private members. It is a very good suggestion. I hope that the report which contains that recommendation is tabled by the government and I hope the government will show a certain amount of sympathy for doing so.

We also have to make more time for meaningful Private Members' Business. It is difficult to extend the hours of the House. I would suggest that we do away with private members' motions.

Private members' motions do not accomplish anything in the House and we all know it. It is an opportunity for partisan point scoring by the opposition. That is fine and so it should be. Sometimes it is an opportunity for partisan point scoring by members on the government backbenches. The reality is that private members' motions do not commit the government to do anything. It is a charade. I recommend very strongly that private members' motions be set aside in favour of more private members' bills. That is what we want.

There is one flaw in this scenario. It goes back to what the member for Calgary Southwest said. If we give this kind of initiative to backbench MPs will they use it wisely? Will backbench MPs on all sides of the House debate private members' legislation intelligently, coherently and with due diligence? We are all human on both sides of the House and sometimes we do not do our homework. One of the problems of giving a lot more power to private members to create legislation is that occasionally bad bills will slip through.

We have a new role for the Senate. The Senate is dying to have something more useful to do. If we improve the quality of legislation that comes from Private Members' Business and make it meaningful, the Senate will have the time to give it due diligence scrutiny. It would be a new role for the Senate. There would be more public confidence in the Senate. Improving private members' bills would improve public confidence in backbench MPs and in the Senate.

[*Translation*]

Mr. Stéphane Bergeron (Verchères, BQ): Madam Speaker, it is a pleasure to rise in this House today to discuss our Standing Orders to determine whether some changes may be warranted and also whether some of the existing provisions should be not only maintained but strengthened.

I salute the open-mindedness of the members of all political parties in this House, and particularly the government party, which has agreed to hold a debate on the Standing Orders in this House. I think it is rather unusual to have parliamentarians discuss the Standing Orders in this place to allow us to begin a review process that will no doubt be taken further by the Standing Committee on Procedure and House Affairs.

That having been said, while the open-mindedness of the members of this Parliament ought to be saluted, I must immediately express a concern. It is one thing to discuss the Standing Orders in this House, but it is another to take into account the recommendations, comments and concerns voiced in this place today.

Do government and other members of this House have any intention of following up on this debate? Will this not just be another of those sterile debates we have all too often in this place, debates that end up leading nowhere or to a unilateral decision by the government? I certainly hope not and I do hope the government will take note of what is said here today.

Right off, I would like to address the issue of the privilege of this House. The Standing Orders set out the procedure applicable when the privileges of this House have been breached. Parliamentary jurisprudence, customs and traditions and even the Parliament of Canada Act all show that there are, in this House, a number of privileges enjoyed not only by the House as a whole but also by individual members in the performance of their parliamentary duties here in this chamber.

● (1235)

We are told that for centuries these privileges have been sacred and carry with them certain safeguards. In the past, this House, members of this House and other parliaments in the British tradition have used provisions provided for in the Standing Orders, the legislation and case law to have their privileges upheld, privileges which, it must be pointed out, are considered sacred.

Unfortunately we cannot but notice that through the years, maybe as a result of changing political mores, maybe as a result of

expanding communications, who knows, the procedures to uphold these privileges have become increasingly toothless.

It has become increasingly difficult to have the Speaker of the House rule that, in a matter which, in the opinion of some members of this House, represents an obvious breach of the privileges of the House, there is indeed a prima facie case of privilege or even contempt of Parliament. Once we have gone successfully through this first screening, the assessment of the matter raised in the House by the Speaker in his wisdom, then we must debate a motion usually aimed at referring the matter to the Standing Committee on Procedure and House Affairs.

First I must point out that, over the years, there might have been, on the part of members of this House and the Speaker, regardless of the person who sits in the chair, a lack of political will not only to enforce procedures protecting parliamentary privilege in a concrete way, but also to consider any measure aimed at protecting it as being of the utmost importance.

When we debate privilege, which is often referred to the Committee on Procedure and House Affairs, we are faced with yet another problem. If the question involves in any way the government majority or a parliamentary majority made up sometimes of only the party in power or other times of the party in power and certain opposition parties, it becomes absolutely impossible to have it recognized that yes indeed there has been a breach of the House's privileges.

I am referring specifically to the case that has been before the Standing Committee on Procedure and House Affairs. The facts are as follows. We passed a motion in the House to refer to the Standing Committee on Procedure and House Affairs the matter of the statements made by certain MPs in the *Ottawa Sun* that, prima facie, constituted, or could constitute, breaches of the privileges of the House.

Obviously, an objective examination shows that these statements were made only by members of the government party or of the Reform party. Accordingly, when we examined the matter in committee, the chair and members did everything they could to squelch debate, to keep light from being shed on this very murky affair. The report is therefore very indulgent—I use the term deliberately—with respect to the members of the House who made these statements.

• (1240)

Traditionally, the Speaker of the House does not interfere in decisions taken in committee and in decisions taken by committee chairs.

This, I think, is an aspect of the Standing Orders that deserves closer examination because, although each one of us firmly believes that the person who occupies the chair in this House will act in an objective and impartial manner, so as to protect all members' individual rights, we do not, nor will we ever, feel this way about committee chairs. Why? For the simple reason that these chairs are partisan. For the most part, they are Liberal MPs with partisan interests to defend—which leads me to another question.

As I said, we do not have the absolute conviction that committee chairs will apply, not only the Standing Orders of the House, but also the spirit that lies behind them, which is protection of individual rights, the parliamentary rights of each and every member in this Parliament.

Unfortunately, we have had this unpleasant experience in the Standing Committee on Procedure and House Affairs in connection with the référence to committee of statements made by members of this House to a daily newspaper which, in the opinion of the Speaker, might constitute contempt of the House.

I shall return later to that question of contempt, if time allows, but I would like to take advantage of this debate to raise the question of committee chairs. Traditionally, at least two committees are headed by members of the opposition, the Standing Committee on Public Accounts, and the Standing Joint Committee on Scrutiny of Regulations. It stands to reason that this should be the case, since the very nature of the control Parliament must exercise over the government's actions is at stake.

It would appear that, in the case of the Standing Joint Committee on Scrutiny of Regulations, since the Reform Party refused to take the chair position, the Liberals decided that they would, thus usurping the tradition that this position is reserved for the opposition. In keeping with the very logic of this committee's serving as a control over government regulation through this Parliament, the position of chair ought to have gone to the next largest party in opposition after the official opposition.

We will also have to be looking very soon at the matter of the weekly timetable for House sittings, and I trust that changes will be made which will allow more freedom

[*English*]

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, it is interesting to hear members opposite speak about the need to show respect for this place. In a moment I want to get into some of that and some of what we might describe as antics that have occurred in the House which the House has no ability to deal with and that some members opposite have been perpetrating on the Canadian public.

I am a new member of the House of Commons since the last election but I have some comparisons that I would like to share between this place and the provincial legislature of Ontario.

We have heard speakers talk about the need to make Private Members' Business easier to deal with, the need to bring them forward and make them votable as they say. I certainly concur with all that.

While there is a lot to be said for our parliamentary democratic system, there is some frustration that members on all sides feel when it comes to putting forth ideas and making achievements.

• (1245)

To give an example, when I arrived here I noticed that we use analog clocks in this room. Our speeches are timed to a 10 minute timeframe. We share our time with other members. I suggested to the Speaker that it would be nice to have a digital clock, start at 10 minutes and have it count down to zero in order to avoid the Speaker's having to cut the member off at the end of debate. Interestingly enough, I received a letter from the Speaker saying they have adopted my suggestion. So my first great claim to fame in Ottawa is that we are going to have digital clocks installed.

An hon. member: What is the problem?

Mr. Steve Mahoney: The problem is it is going to probably take two years because we have to wait for the renovation. It is not as simple as taking a clock off the wall, but at least it is progress.

One of the things soon learned when becoming a parliamentarian at any level is that you have to be prepared to accept your achievements in small doses. I was pleased in my last session in the Ontario legislature to sponsor a private member's bill that would prohibit young people under the age of 18 from buying lottery tickets. At first blush this was questioned as can they do that now. People were stunned. I remember the premier of the day, Premier Rae, being astounded to find out that there were kids lined up in the corner store playing Pro Line sports. They were actually betting their lunch money on Monday night football or on the outcome of the NHL hockey game. Everyone was astounded to find out it was happening.

The subsequent investigation and publicity took it right across Canada and everyone said the kids should not be able to do that. I think our society really feels that we should not have kids gambling on pro sports in corner stores. That is certainly not the vision of the kind of Canada that I or members in this place would like to see.

That private member's bill was subsequently supported unanimously in the parliament of Ontario and it went through first, second, third reading and royal assent in 16 sessional days. This was a record in the province of Ontario and unheard of in Canada for any private member's bill to receive that kind of attention and success.

I recall as I walked out of the chamber everyone slapping me on the back and congratulating me and my colleagues. My comment to one of them was thank you, but the problem is this appears to be as good as it gets. I really think that is the issue. We come here in numbers of 301 with views, aspirations, goals, visions and with information from our ridings. Perhaps we have different political perspectives on issues of concern to our community but we come here looking for ways to make these issues reality. The system is such that in my respectful submission my experience here is that one can accomplish more through the caucus system than one can through the official system of committees and parliament. I think that is wrong.

The reality is that in the experience of the caucus that I am a part of the government listens to the people in the backbench who are bringing messages and information from their ridings. I have seen numerous examples where policy of this government has been changed by intervention from members in the House of Commons who sit on the backbenches. This is a very positive thing, something we can be proud of and something our constituents should know, but it should go beyond that. There should be an opportunity that goes beyond hoping your name gets pulled out of a drum to introduce private members' bills. If eliminating the motions which my colleague suggested earlier would provide more time for private members' bills then I think that is a very constructive suggestion.

I want to talk about some of the comments I have heard and that are heard from time to time about members suggesting we need to have more concern about member privileges. The word privileges tends to dominate the landscape here in Ottawa. Members are always concerned about their privileges. We had a huge debate because one of the members made disparaging remarks at the Olympics about our flag. We had a huge debate over whether her privileges had been violated. We have other members who stand up from time to time about comments made outside this place, concerned about their privileges.

• (1250)

There is another word that I do not hear enough members in this place talking about and that in my view the standing orders do not address. That word is responsibilities. Along with privileges come responsibilities. When we think of what is going on in Ireland, when we think of war torn countries where their solution is murder and mayhem to political differences, when we realize that the difference between the Prime Minister's desk and the Leader of the Opposition's desk is the distance of two people holding out extended swords and the tips simply touching, when we realize that our weapons are our minds and our ammunition is our words and that in this great country we simply use this institution to put forth those viewpoints, we realize what a cherished responsibility we all have.

I was very disappointed in light of that issue of being responsible to the House of Commons and responsible to the people of Canada

because I believe those two issues are intertwined; we cannot show disrespect in this place without showing disrespect for all Canadians.

The member for Beauharnois—Salaberry has made comments that were quoted when he was a parliamentary mission to justify his reasoning for the separation of the province of Quebec, saying that Quebec would be more democratic and more respectful of minority rights than under the Canadian federal system if it separated. That is contempt for this place. That is contempt for this country. It has no place in this chamber or in this great nation.

I think it is unfortunate that in this House our standing rules do not have a mechanism to call that member forward to stand up and be accountable for the remarks he made while on taxpayer expense travelling under the privilege of being a member of this House and denigrating this country and this House and everything we stand for.

Finally, the nonsense I saw yesterday of a 24 year old member of the Bloc standing up and taking his chair out of this place in some kind of a demonstration is just the silliest thing I have ever seen in my days of watching this place. I have a 27 year old who left home recently. He moved out on his own and he had the good sense not to steal the furniture. I would suggest that the member opposite was just grandstanding to try to make a point of some kind. He should realize that maybe in his case we should charge him with theft of chair and maybe we should change the locks. Once a young man leaves home it seems to me that young man should try to find it on his own.

I would hope that we could look at a way to put in place rules in the standing orders to hold all members of this House accountable for their actions, to make them respectful of this place both in the House of Commons and outside when they are on official duties. I would like to see that kind of amendment take place that would bring true dignity and responsibility to Canada's House of Commons.

[*Translation*]

Mr. André Harvey (Chicoutimi, PC): Mr. Speaker, I am pleased to take part in the debate to improve—and I know you personally care a lot about this issue, Mr. Speaker—the democratic process and respect for minority groups in every assembly, particularly here in the Parliament of Canada.

I did not much appreciate the comments made by the member who just spoke. He took advantage of an anecdotal situation that occurred yesterday and that involved one of our young colleagues, who is about the same age as our children. Our young colleague was making a statement, asking us to be more receptive, to pay more attention to members who do not necessarily belong to parties that are well represented here. Indeed, it must be understood that numbers, not substance, are what matters in this House.

• (1255)

In all assemblies, what people care about and what inspires them is ideas, not screams.

Over the years I noticed that, as a rule, it is those with the best and most inspiring ideas that we try to silence.

I do not intend to pass judgment on yesterday's incident in the House involving the member for Lac-Saint-Jean. Instead, I will try to be more open and receptive to the message from our fellow citizens, who want Parliament to be a place where the best ideas are often put forward by backbenchers or by members of small parties, and want these members to be heard.

I am pleased to sit with the hon. member for Shefford, who cares a great deal about young people, children and families. Just about all her comments in the House are aimed at improving the well-being of families that have problems.

We are here to promote our ideas. The message sent to us yesterday is that poverty is on the rise across the country. We have not even been here one year, and on two or three occasions, I had the opportunity to express my concern about the impoverishment of our society, even though economic indicators and figures may say that progress is being made. The fact is that poverty is very much on the rise.

I have risen in the House on two or three occasions to question the government with respect to the message we received from the Canadian Conference of Catholic Bishops about the disappearance of all social infrastructures. I would have liked a debate on that. I have put this question to various government members on two or three occasions. Yet, governments are no longer doing anything to remedy the lack of support for social agencies that help the most disadvantaged.

After I lost my seat in 1993, I had the opportunity to work as a volunteer with a national organization known as the United Way. This organization does extraordinary things to help the very agencies that help the most disadvantaged. I have not had much feedback or positive reaction indicating a new awareness of this gradual disappearance and weakening of the agencies there to help the most disadvantaged, there, in fact, to help the government ensure that the poorest members of society receive a fairer share.

We are here to convey both our party policies and our personal points of view on a variety of issues. There is not a lot of leeway. Things are improving, but too slowly for my taste.

I can give an example. The Parliament of Canada is not particularly accustomed to the presence of five parties here in the House. That is too bad because, with respect to policies that are very important for the future of our country, particularly everything

to do with the throne speech, the government's general policies are set out, not necessarily in any detail, but very clearly.

A party such as ours, a national party whose roots predate Confederation, has tried in vain to make it possible for its amendments to be put to a vote. It has been impossible. I think that, just because there are only 20 of us, and that will soon drop to 19, this is no reason why we should not have access to an amended parliamentary procedure allowing our amendments with respect to the throne speech to be voted on.

• (1300)

Sometimes, all it takes is one parliamentarian. It has happened in the past, and the history of the House of Commons shows that it is possible for one parliamentarian to push through measures that are extremely constructive and important for the future of the country. We were not given the opportunity to do so during the throne speech debate.

It happened again with the budget statement. We suggested directions we thought were interesting. I am not saying our ideas are better than those expressed by the other members of this House. All we wanted was to contribute in a constructive manner, but we were not allowed to. Because we are the fifth party in the House, we were unable to push through what we felt were very progressive measures and I will give you some examples.

It does not make sense for the government to hoard, keep in the bank, $19 billion this year in the employment insurance fund. This is absolutely crazy. At a time of high unemployment, when we need more money to invest in economic development, in SMBs or in training, the government is sitting on $19 billion. Moreover, we were unable to have the motion to drastically reduce employment insurance premiums, which are still way too high, put to a vote.

Tax cuts are another example. There is nothing like tax cuts to boost job creation or the economy. I realize that this government will argue that they had to reduce the deficit. It is always the same old song ''When the Conservatives were in office—''

When we were in office, we eliminated the $16 billion current account deficit. We took structural measures like free trade, which made our exports grow from $90 billion to $215 billion. All the Liberals are doing right now is pocketing money and covering the deficit. I think a more progressive approach is required and steps should be taken.

To this end, the House of Commons must be more responsive to initiatives from the NDP and the Progressive Conservative Party. It is odd that our motions relating to major bills are not considered votable.

The same is true of committees. We have to wait weeks or months to obtain committee reports. Yet we draw inspiration from these reports when we take part in the debates in this House.

With respect to private members' business, I think we will have to take a very close look at this to ensure greater responsiveness to such measures, so that as members of the third, fourth or fifth party represented in the House of Commons, we can try to put across our ideas, which, I am sure, would help give Canadian parliamentarians a slightly more positive image.

In this spirit, I thank you, Mr. Speaker, for granting me the privilege of expressing my views.

Mr. Paul DeVillers (Parliamentary Secretary to President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, I am pleased to comment on the motion on our standing orders, pursuant to S. O. 51(1).

I believe this is a worthwhile debate, even if some consider it a mere formality. The standing orders regulate almost every aspect of parliamentary procedure, and the legislative process could not function without them. Let us take the example of a debate that is still very fresh in our memories, and those of all Canadians, the flag flap. Without a concise set of standing orders, the House would find itself in a terrible mess from which no one would benefit.

In the time available to me I will not be able to address all questions surrounding the standing orders in any depth. I will therefore limit my comments to a few areas, and to some related issues of particular interest to me.

• (1305)

[*English*]

First I would like to turn to the issue of private members' bills, clearly a popular topic in today's debate. For many members, private members' bills are one of the most visible ways members can influence the debate of the House and reflect the particular concerns of their constituents. One current problem with private members' bills is the system of making bills votable or non-votable.

Currently a very limited number of private members' bills are deemed votable. This designation is decided unilaterally by a subcommittee of the House procedural committee. There is no appeal and no justification given for this decision.

The reasons for the designation of non-votable should be given to the MP sponsoring the bill. A right of appeal of the subcommittee's decision should be created. This right of appeal would be before the substantive committee most directly concerned by the subject matter of the bill. The committee would be asked to study the bill for a limited period of time to give the author of the bill a chance to present the problem and the context that gave rise to the legislation.

Without unduly tasking committee time this hearing would provide a more visible record of the myriad of concerns that members raise through private members' bills.

I understand that currently there is an examination of the legislative and procedural changes proposed in the last parliament by the House affairs and procedural committee. This report contained many suggestions designed to increase the number of private members' bills, to increase the number of bills that would be votable and to increase the number of those bills that could be adopted by the House.

As the government House leader mentioned in his presentation on this issue, any of these changes would require the House to perform the close scrutiny of private members' bills that currently occurs on government bills. It is clear that increased scrutiny would fall in many ways to committees. My suggestion about the right of appeal of votable designation would be a compromise between the present system and the proposals of the House affairs and procedural committee.

Committees and the House would not be overtaxed with frivolous legislation while private members' bills would get the hearing sponsoring MPs deserve and desire.

A related topic is the availability of legislative drafting counsel for private members' bills. Hon. members will be aware of the consternation expressed by some members during the previous parliament regarding the availability of legislative counsel for private members' bills. Essentially this problem arose as the private members' office lost legislative drafting advisers.

In my opinion the innovative project between the House and the legislative drafting masters program at the University of Ottawa should be attempted again. This kind of practical experience is essential for graduates. In addition, these students would provide an important service for members of parliament.

As lawyers, these masters students are well aware of the confidential relationship between the solicitor and their client. Furthermore, given the success of the policy in legal internships currently available to members' offices, I feel that a similar approach to legislative drafting would be welcome.

[*Translation*]

I would like to comment on the distinction to be made between bills that are financial in nature from those that are not. I feel, and I believe I am not the only one, that more and more private member's bills are financial in nature.

Subsequent to a reform to the standing orders in 1993, a member can, under certain circumstances, introduce a bill which involves public moneys, provide it obtains a royal recommendation before third reading. There is no provision, moreover, to prevent a member from introducing a bill which would reduce allocations of funds.

This raises matters of principle, however. The British parliamentary system has bequeathed us certain basic principles we have a duty to respect, including that of responsible government.

Canadians insist that their government be answerable to it for its decisions, particularly anything of a financial nature.

• (1310)

This can only be the case if we allow members of Parliament to introduce tax bills and if we pass these bills. We should probably review the related provisions of the standing orders, to ensure that the principle of government accountability is fully maintained.

[*English*]

Let me turn briefly to another issue that has been vigorously discussed in this parliament, that of electronic voting. Let me say from the outset that I do not support this initiative. Forcing all members to stand in their place and be counted is an important part of the job of a member of parliament. When sensitive issues are debated and decided members are forced to declare their vote or their lack of vote as the case may be. I feel strongly that electronic voting would remove some of the symbolic accountability from this place.

[*Translation*]

I have one last point before concluding. The standing orders provide that, during an opposition day, a member of the party tabling the opposition motion can amend the wording of the main motion. Since the standing orders also allow the member of the opposition party who begins the debate to share his or her time with another member, that second member has the first opportunity to propose an amendment to the wording of the motion.

However, this prevents any other member of the House from proposing an amendment to the main motion, and not only to the amendment to the motion. This procedural tactic is unfair, in my opinion, and the standing orders should be reviewed and amended accordingly.

I hope members of this House share my views on these issues relating to our rules. It is our responsibility to ensure the standing orders are as concise as possible, if this House is to operate effectively.

[*English*]

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, it is a pleasure to enter the debate today. It is an interesting debate because it is one of those occasions where we actually have a debate in the House of Commons. People come with ideas and exchange them. Far too often we see ourselves here with our set pieces and not listening, but I think the debates on the standing

order changes have been useful and helpful. Perhaps it is because they affect us all as parliamentarians.

In the brief time allotted to me I would like to talk about six different areas of the standing orders which I believe are in need of change. The first relates to the taking of votes and the practice of applying votes, the same practice we have been using since the start of the 35th parliament.

While every member of the House would agree that this practice has greatly reduced the time it takes to record votes, it is also true that this time and money saving measure can and has been denied by only a single voice. In other words, even though our vote is recorded in *Hansard* as having been cast, any one member can stand and say he or she wants everybody in the House to stand again, again and again, as many as 20 to 30 times in a single evening. Because what is most important is the vote itself that is a time waster.

My first recommendation would be that the procedure of applying votes by party should be institutionalized in our rules. Instead of requiring unanimous consent, what is now common practice, a minimum of five members would be required to force a traditional stand up vote. Such a standing order change would not infringe on the voting rights of anyone but would be consistent with the rule requiring five members to force a recorded vote. In that sense it is consistent, would speed things up and would make it a regular part of voting.

I would especially like to pay tribute to someone who works in our House leader's office, Mr. David Prest who first came up with this idea back in the last parliament and brought it forward as a time saver. One day, if we were ever to send to Mr. Prest the amount of money the House saved by using his original idea for applying votes, he could retire a very wealthy man. My hat goes off to him for that initiative.

The second issue I would like to address is that of House orders or motions which direct a standing committee on how to act. The problem I see is that the House may pass a motion, as it did in the last parliament, to create, for example, a victims bill of rights, or earlier in this parliament a motion to toughen up the drunk driving laws. Once that motion is passed by the House and sent to committee there is no guarantee that it will be dealt with or resolved in committee.

• (1315)

In both instances just mentioned, the motions were brought forward by the Reform Party and were supported by a majority of the members of the House. Yet no action was taken at committee. It is for this reason that I recommend that committees be required to report to the House on the progress of any order given to them by the House within a prescribed number of sitting days. There should not be any open endedness about these. When they are referred to committees, they should have to report back by a certain date.

Third, I would like to touch on a specific standing order which all parties in this House have spoken against at various times, Standing Order 56. Under this standing order when unanimous consent is denied, a minister can move a motion without notice, without debate or amendment to suspend the standing orders. While 25 members rising in their seats can have that motion withdrawn, 25 members is a far cry from unanimous consent. At any other time when someone asks for permission to table a piece of paper, to put a motion before the House, any one person can stop that by saying no to the unanimous consent.

Standing Order 56, which gives a minister special power to suspend the standing orders, is in my opinion dictatorial and an abusive rule. That is why I recommend that Standing Order 56 be deleted when we go through these standing orders.

The fourth item I want to address is Standing Order 73. It allows the government to designate that a bill be referred to committee before second reading. This process evolved, when I was first here, in the 35th parliament. It has evolved, I do not think intentionally, into a shortcut for the government which basically restricts one stage of the legislative process to 180 minutes of debate. The limiting of debate on any bill should be considered on a case by case basis which only the House collectively can decide. This should not be a decision left solely to the government which can unilaterally decide to limit debate on a bill. Therefore I recommend that Standing Order 73 be deleted.

During that debate on Standing Order 73 it may be that some people will say we need something in there to allow for the flexibility of amendments, in other words when amendments can come to the House. If this is the case, that is the only part of that standing order that should remain. If the House decides to amend rather than delete this standing order, I would recommend there be restrictions on the types of bills that are allowed to be considered by Standing Order 73. In other words, bills based on ways and means motions should not be allowed to proceed in this fashion. We do not want to see rules of the House used to limit debate. That is a decision for the House as a whole, not for the government side alone.

My fifth point relates to the question and comment period that follows most speeches in the House. Under the current rules the most important speakers—it could be argued the most important—cannot be questioned in debate. In other words, if the Prime Minister, the Leader of the Opposition or the minister sponsoring the bill speaks on the bill, we cannot as members of parliament question the minister, the Leader of the Opposition or the Prime Minister following their speech. What may be very intriguing or may set the agenda for the entire bill or the day's debate, instead of

a question and answer and a give and take on that very important speech, there is nothing. We are not allowed to have an exchange.

The few times that we have asked for unanimous consent to allow that exchange to take place have been some of the best debates in the House. It is between a very knowledgeable minister, a very concerned backbencher on one side of the House or the other. That give and take has made for some very good dynamics and interesting debate in the House. A provision should be introduced to allow for questions and comments for those people.

Finally, I would like to address the issue of committee reports tabled in this House. The vast majority of these reports are never adopted by the House let alone acted on. The accountability of the government with regard to its response to committee reports must be improved. I think of times when reports come from the procedure and House affairs committee, a committee I sit on. It may have to do with a question of supply. It is tabled in the House.

● (1320)

The House adopts that it be tabled but there is no vote on whether it is concurred in. In other words, for the folks who are watching on TV, if we put a concurrence motion forward, we start the debate. I say I would like to debate the tabling of that report and I would like to debate the contents of that report. Here is my motion and away we go. We can do that. We start the debate. We give our points of view and maybe one or two others do. The government inevitably and repeatedly will get up and say it is a nice little debate here, folks, but we move we return to the orders of the day. As soon as the government does that, the debate is finished. Instead of dealing with that report, the report instead of becoming a report of the House drops to the bottom of the government order paper, not the House's order paper.

I say those reports are the property of the House and should be dealt with by the House. It is not right when they are defeated like that or a motion to go to government orders occurs that the report becomes a government order itself. That is not a government order. I would argue that is a committee report and it is not the property of the government.

In other words, the procedure where a concurrence motion becomes a government order once debate on the motion is concluded should be disallowed. It should come back at another date for further debate and a decision by the House.

The government should not have control over this process. That is why the further recommendation on that is that the House always be permitted to have a free vote on a committee concurrence motion, if it is in the interest of the House. Many of those motions are adopted by unanimous consent. They are routine motions and we do not want to tie up the House or the voting time of the House.

We will be having a report soon from the procedure and House affairs committee again on the referral about the comments of some of the members of the House and whether they were contemptuous. That will come forward in a report. It will be tabled in the House. I would like the House to decide on that. The report from the committee is one thing but because that was a decision of the House to send that to committee there is no decision of the House to put it to bed once and for all.

We end up with a motion or a report and it just hangs there. There is no final determination of what to do with it, whether the House supports it or opposes it. It just sits there festering away, waiting for a nice day.

Those changes would make the House more responsive. It would make it fairer to the House as a whole and not just the government side. I think it would make things quicker and therefore cheaper. It would be better all around for both the government and the opposition benches.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, today's Order Paper provides that we should look at the Standing Orders and procedure of the House and its committees.

This is, in fact, a very important topic, given the government machinery and the legal and financial issues we look at here. I think it is extremely important that parliamentarians be able to say what they think about what is going on in the House, and especially outside it, in committee.

What I find unacceptable, however, is that no follow-up has been announced. Members talk, they talk for the sake of talking here, but I would love to see the government propose substantial amendments with respect to what goes on in the Parliament of Canada.

Some of the things that go on here are pretty strange. One example is how committees operate. Since I have only 10 minutes to speak, I would like to focus more specifically on the issue of committees.

Since 1993, I have had the opportunity to sit on various committees, including the Standing Committee on Justice, the Standing Committee on Finance, and the Standing Committee on Procedure and House Affairs. Each time, the drill is pretty much the same.

What is most disgraceful is that, when we look at committee minutes, we see that, when the Conservatives were in power, the Liberals made remarks about these committees, particularly about the way they operated. They were critical of the way committees operated, of the time allowed the opposition, of the way witnesses were questioned, and so on.

• (1325)

Now that the Liberals are on the other side of the House, they behave exactly the same way, and it is all right. This is the way it is supposed to be. Personally, I believe it should not be so.

Currently, the government has too much influence on directives and the way committees work. I believe it is bad, because MPs do not feel valued when doing very important work in committee, where they can have direct access to ministers and effect changes. This is the way it should be in a perfect world, but in actual fact this is not the case.

Also, I am taking this opportunity, the first I have had in the House, to draw the attention of the Chair to the issue of quorum and members who are late for committee sittings. I raised the issue this morning in committee because this happens all too often. Again this morning we had to wait for Liberal members who were late. A committee which was supposed to start at 9 o'clock started at 9.25 a.m.

As a Bloc Quebecois member from a riding in Quebec I have better things to do than wait for Liberals so we can have a quorum in committee. I know I am digressing a bit, but if we want to improve the way the House operates, government members should at least have the decency to arrive on time, especially when they have received proper notice.

This being said, I will return to the topic at hand, which is the recognition of the work done by committee members, among other things. Even though they do not talk about it any more—and I can understand why—the Liberals opposite will certainly remember the 1993 red book, which contained a whole chapter on giving MPs a greater role in the House and in committee.

In reality these red book promises were also broken. Do you know what is most frustrating for an MP who does his job as a committee member? I could give you several examples, but I will talk about a specific bill, the firearms bill.

The Standing Committee on Justice and Human Rights heard numerous experts and witnesses, worked hard and travelled across the country. Individual committee members travelled to various municipalities and regions to consult local people. We worked very hard to improve the bill. At the time, the Bloc Quebecois was the official opposition. This took place during the 35th Parliament, but I could also talk about the 36th Parliament. In this case, however, it was so obvious as to be a good example, in my opinion. The Bloc Quebecois worked like mad to propose a series of amendments to the government. During the hearings, which lasted not two or three days but entire weeks, the justice committee heard witnesses and experts of all kinds.

When the time came to adopt this bill clause by clause and for the official opposition, which was the Bloc Quebecois at that time, to submit its amendments, what met our eyes on the other side? Liberals I had never seen hide nor hair of in the justice committee, who had no clue what they were doing there themselves.

They had been given a very precise mandate, however, which was to help defeat every opposition amendment, and to get the bill through without any changes. That bill, on firearms, was highly controversial in all Canadian provinces, Quebec included. The Minister of Justice of the day appeared before the committee and we reached agreement on a point or two.

• (1330)

But as for the rest, the 45 amendments proposed by the Bloc Quebecois, only two or three were accepted, not during the committee examination but in negotiations in the parliamentary corridors. The Liberals who came just to help push the bill through knew nothing about these negotiations.

This is most deplorable, if one wants to make the work of members more relevant. Members are not here just to say yes or no, or to do what a minister tells them to.

Speaking of ministers, another thing that is rather frustrating to committee members is what happens when the minister responsible for this or that department comes to visit. Just yesterday, we had the Minister of Justice come to the Committee on Justice and Human Rights to debate her department's budget. What was involved was not $200,000 but millions. For the Supreme Court alone, the budget is $14 million.

The minister comes, grants us a mere two hours, and we are supposed to be grateful. There we are, 15 or 16 MPs with some fairly precise rules to follow, and very few concrete answers forthcoming from the minister.

What is more, the minister can take up half of the time allocated to us, when we still have a question or two to ask her. We ask her to come back, but it is not known when she will be able to do so. The Minister of Justice is a busy woman, and all the other ministers are equally busy.

I see that my time is almost up, but I think that if we want to enhance the contribution made here by members while improving the parliamentary system, it is time the government took a good hard look at this issue.

I would have liked to say a few words about references made by this House in the past, like the last one, which concerned the Canadian flag. In that case, which was referred to the Standing Committee on Procedure and House Affairs, the decision made in this place had already been concocted by the Liberals and the Reformers outside this House to stifle the matter as quickly as possible. And then, to make themselves look good, they referred the matter to the committee, leaving the final decision up to members.

It does not work that way. There are things going on behind the scenes that the public does not see. To ensure that democracy is protected, time has come for government members opposite to take their responsibilities and perhaps to strike a real committee to look into this whole issue and improve the Canadian democratic system.

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, the purpose of today's debate seems to be the collective release of emotions, group therapy or the promotion of the existing system. As a young member whose experience is not as extensive as that of some of his colleagues, I will nonetheless offer a few suggestions or at least set forth a number of personal observations.

Of course, the purpose of today's debate is not to call the parliamentary system into question. One may not like it, complain about the government, and keep saying that committees do not operate as they should, but it is important to realize one thing: we must work together at enhancing the role of members of Parliament.

There is a price to pay for using British parliamentary rules and that is the fact that the government sits in this House, which is not the case in the American system. There are pros and cons. It only makes sense that when the government—that is the executive branch—sits in this House with the legislative branch, it must have some tools to work with. In politics, we use checks and balances.

I will not start moaning and say that the situation in committees is awful. Oddly enough, things work very well in the agriculture and agri-food committee, on which I sit, and in the official languages committee. We get along, there is no arm-twisting, contrary to what some members may claim, and the ministers do not come and tell us what to do. No, that is not the way we operate. We understand each other and we operate that way.

However, I want to deal with the role of a member of Parliament in the House of Commons. In my opinion, it is important to give a greater role to backbenchers, not only to members of the opposition parties, but also to government members.

• (1335)

Quite often, under the existing procedure on specific issues, there is a draw; we put members' names in a hat, and then there is a draw to determine which member can introduce a private member's bill, but it is a long and frustrating process. I understand that there used to be a fast track procedure in place.

I think that if at least 100 members support one of their colleagues who wants to introduce a private member's bill, this legislation should get priority. If several members representing all parties agree on a given bill and believe there is a consensus, but not necessarily unanimity, I think it would be appropriate to give back more power to the lawmakers.

All this would, of course, take place in the context of how parliament works. Earlier, someone alluded to back room dealings, saying how awful they are. We will not play holier than thou today, because there are some who can play that game really well.

If we asked members how many of them have read all the Standing Orders of the House of Commons, we might be very disappointed. I must candidly admit that I did not read them all. It is by working here that we learn how this place operates.

I remember the late Maurice Bellemare in the National Assembly, who became minister after Maurice Duplessis told him to learn the code of procedure. Those who know how to take advantage of the code of procedure can play a very important role. This is the way we should look at things.

Of course, the role of a member is to be efficient and responsible. However, this can be frustrating at times, especially when one feels that the government is taking too much space. But, as I mentioned earlier, that is the way the British parliamentary system works. We have to accept it and use the procedure to find ways to play a role.

In our system, the legislative and the executive are one. Therefore, to form the government, it takes a majority. A party must have a majority. Thus, Bloc members will always complain because they will never form the government. But one thing is certain: we are so democratic here that we let people say just about anything in the House, and we hear them often. Not only are the Bloc members allowed to say anything they want, but they leave with the furniture. Some are putting together a trousseau and taking the chairs. This is so democratic.

What is certain is that we have an important role to play. We must look into ways to improve operations. Earlier we talked about committees. I believe that when everybody is acting in good faith and interested in making things run smoothly, we can get along.

A case in point is the fisheries and oceans committee, which was supposed to enjoy greater autonomy. If there are people who still say that the government is twisting their arm, I think they should take another look at things, and rethink how it works.

When we listened to the chair, our friend from Newfoundland, it was very clear that he had done his homework. So, what am I saying today? If we all do our homework, if we learn our procedure and how things are supposed to be done, we can achieve our goals.

Now, it is clear that the member, despite everything, may feel undervalued. He feels that way because he sometimes has the impression that, as a backbencher or opposition member, he does not have direct access to certain things, or he feels that the

government in power can run the whole show. I must say that I completely disagree. A member who does his work well and learns all the basics can achieve his goals.

Undoubtedly, there are times when we are overloaded. I myself sit on three or four committees. It is clear that we cannot always delve deeper and keep up with everything. That is when it becomes necessary to help each other and to find the best way of doing things.

We have often, however, discussed the issue of how voting takes place.

• (1340)

I must admit that I find it a bit tiresome when one person rises and calls for a recorded vote. As long as we agree to either support or reject a motion, the whip usually says that, with the unanimous consent of the House, the members will vote for or against.

It is clear that a member is not most effective when he must rise each time. Furthermore, it is clear that the whole issue of electronic voting has been the subject of numerous discussions, but sight must not be lost of the role the member plays by taking part. Taking the floor time after time on the same subject, whether on the amendments or something else, is an enormous waste of very precious time. For us, time is precious, and I agree with the hon. member for Berthier—Montcalm on that. Our time is valuable, and sometimes there are other things we need to be doing.

Yet again, I am soft-pedalling it here because democracy is what this is all about. Respect for the institutions and traditions has made the country work. Compared to other countries, we probably have one of the best parliamentary systems in the world. That is why we need to be very prudent. We can make some improvements, adjust certain rules, but it is unthinkable to question the entire parliamentary system.

Our viewers must not be given the impression that it is not working, and that some shocking things are going on. On the contrary, I think we can give ourselves good marks. The MPs are doing a good job, and they have the capacity to assume a vital role and to represent their constituents well.

In terms of changes to the standing orders, as I have said, I do not have the experience my colleagues do, as I was elected less than a year ago, but it is clear from all of the debates that have gone on since the beginning, on all manner of subjects, that if MPs had more opportunity on the issue of bills, that might be worthwhile.

If we could enhance the role of members by improving certain aspects of private members' business, that might prove equally worthwhile. As for motions, if a little more time were available, not Friday afternoon or some evening in the week, and if we could address them in ''prime time'', as they say, that too might be worthwhile. I believe that in this context changes need to be made.

I am, however, offended that a good system continually in use is still constantly being questioned, so that once again the impression is given that the institution is being devalued. I am therefore calling upon my colleagues to be very prudent. The baby must not be thrown out with the bath water, nor the building demolished just because the roof leaks.

We have a good system and I think we can still do good work, with a proper knowledge of things and perhaps a few small improvements. But, please, let us not devalue the institution.

[*English*]

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I begin by apologizing for my voice. I became hoarse by attending a trade fair. I stood listening to the people of Elk Island for so many hours that at the end of the day, from listening so much, I was hoarse. However, I will try to do my best.

In the few minutes I have available I would like to address two items. I could probably go on for a whole hour if I were given the opportunity but I want to address but two items.

The first one has to do with standing orders regarding the elections of the chairman of a committee. On this item my issue is really quite short. It is very succinct. The way we elect the chairman and the vice-chairman of a committee right now is totally inadequate.

For those people in the gallery or watching on television who do not know how this works, most of the time when there is an election to a position we accept nominations.

• (1345)

For example, in an ordinary meeting one would ask if there are any nominations. Whoever is in that group can stand up and nominate whomever they want. When the list is complete, either by secret ballot, by show of hands or however it is decided, the people will choose from the list the candidates they want. However, it is just not done that way in the committees here in the House of Commons, but it ought to be.

The way it is done here is that a person proposes a motion and moves the name of a member to be the chairman. The motion is put to a vote and when it is decided that is the end of it. The other people do not even get a chance to have their names put on the list.

As I have observed, what happens is that normally the first person to be recognized is a person from the government side. That may be appropriate, but it does not allow for any other names to be on the list. Therefore, instead of having a true choice here, it looks as if this is all orchestrated in advance and members are merely going through a charade in order to confirm what has already been decided in the back rooms. This is not good enough.

What I would like to see happen is that the clerk, who is the temporary chairperson of the first meeting of a committee, would recognize whomever wants to make a nomination and then keep on going until all the nominations are in. I know that in any committee I have been in not everyone wants to accept the nomination. In this process they would have to be asked if they are ready to accept the nomination and, if they are, they are put on the list.

This list could be easily done by putting the names on a board or whatever and then everyone could just vote by number in a secret ballot. The ballots would be counted and the results would be announced. This, to me, is so simple. It would be the right way of doing it, as opposed to the way it is done here where, by and large, everybody gets herded into the corral and prodded with an electric prod as to what they should do or say. I think this method would offer a lot more freedom and would be a more democratic choice.

It could be that a government member will still win. I expect most of the time that would happen because by the composition of our committees the majority of the members of the committee are on the government side. However, sometimes we miss the use of the talent of very good people who happen to be in one of the opposition parties who would probably do a very good job.

Maybe it would not be such a bad idea to empower more members of parliament than just those who happen to be on that side who have more colleagues than the other guys. A party becomes government by having more of its colleagues win.

That is my first point. The second point that I want to address today is the issue of private members' business. I have really become distressed with private members' business. I will concede that government bills are not unimportant, many are very important. However, I have observed that some of the best ideas, those ideas which more accurately reflect the wishes of the constituents out there, come from the people who make us hoarse from listening to them at trade fairs and other places. These are the ideas which are brought to the House by a member of parliament.

The member of parliament may agree with his or her constituent's idea and decide to put it in a private member's bill. Lo and behold, the member does that and it now becomes a process almost as unlikely as that of winning the lottery in Canada: Will this bill ever get passed? A private member's bill has to pass many hurdles and some are formidable. I will admit, having a House with 301 members, that it is not practicable for each member to have a bill every session. It would take an awful lot of debating time.

● (1350)

However, I really believe that the standing orders should be changed so that much more of the grassroots work that comes from our ridings is at least considered in this place where we can debate the issues and actually vote on them.

I find it particularly offensive when I look at the way private members' business works now. I will accept the lottery draw. For those who may not be informed, when we have so many members of parliament, a large number of them choose to submit private members' business, either a bill or a motion, and that is figuratively put into a pail and then they draw the names of the people who have submitted bills and motions. It is a random draw. They choose 30 such items to start with and then replenish from time to time as the list is used up.

It may be a very good issue, but if it is not drawn it will never be debated. I do not really know a practical way of overcoming that, except that I would like to see the standing orders changed to provide more time for private members' business so that more of these issues can be brought to the House of Commons for debate and vote.

In any case, once they are drawn, that assures one hour of debate. If it is a very good issue and it is drawn, the member will say ''Whoopee, my bill got drawn. We get to debate it in the House of Commons''. They will stand in the House of Commons and some of their colleagues on both sides of the House will discuss the pros and cons and, in the end, they will say, ''That was a great time. Let's go home. It is the end of private members' business''. There is no vote on it. The only ones that get a vote are the ones which pass the next, almost impossible, hurdle and that is the hurdle of being approved by a so-called all party non-biased committee.

Here again many good motions and bills are passed over because the people on that committee, for whatever reason, think ''We should not really let the other members vote on this''. I know it is a time constraint because we do have a rule that there be two full hours of debate on a bill that is going to be voted on, but I would rather have half as many bills and have them come to a vote and at least give that individual member the pride of going back to his riding and saying, ''I really tried''. But to just come with that idea or notion, make it into a lottery, not even get it voted on, really gives an empty feeling to an important issue.

I am talking about important things like concurrent sentencing. I am talking about things like Income Tax Act revisions which are so important and which the government just never gets around to.

Mr. Speaker, not only have you given me the signal that my time is up, but as you can hear, my voice is starting to say it is time for me once again to listen. So I will sit down and do that.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, seeing the clock I assume I will deliver half of my speech before question period and the balance after.

In the 1985 report to the House with regard to reform there was a quote which I would like to read into the record. It states:

> The purpose of reform of the House of Commons in 1985 is to restore to private members an effective legislative function, to give them a meaningful role in the formation of public policy and, in so doing, to restore the House of Commons to its rightful place in the Canadian political process.

I believe that ideal, that objective, still is applicable today.

A number of members have commented on the process that private members' bills go through. I would like to deal with the issue of private members' bills in the time allotted to me.

I have had some success in terms of dealing with private members' bills. If I look back at the record of the 35th Parliament, I submitted eight bills, five of which made it through the lottery. One item was made votable and one in fact passed at second reading.

• (1355)

I also had four private member's motions, all of which were selected in the lottery. Two were made votable and both passed in this House. Based on that, I know that I have had more than my share of opportunity to bring issues before the House.

But there is the other side of the coin. There are many members of parliament who have worked many hours to bring forward issues that are important to themselves, to their constituents and, by and large, to Canadians as a whole. Many of those bills do not see the light of day.

The process that we have, a lottery, is basically a game of chance. I wonder in terms of the importance of issues of the day whether we should leave the fate of those issues simply to chance in a lottery. I am not a fan of the lottery process. In fact, I believe, as I see from the reform that has taken place in the House of Commons over the years, that a call for more efficiency within the House seems to be the order of the day. I for one, as a member of parliament, do not want to be in this place less. I want to be in this place more. I want to hear what members have to say. I want to hear their ideas. I want to hear what rationalization they have.

All of us cannot be up on all issues. All of us cannot be sensitive to the issues, regional issues and local issues. We learn from each other in this place. What has happened is that we have basically restricted the opportunities that members have to bring those issues forward.

All members of the House will know that when we go to committee there are witnesses who appear before us. The presentations of the witnesses are helpful and informative, but by far the most important part of those hearings is the question and answer period. That is where the dynamics take place. That is where we find out what the weaknesses are. That is where we find out where the strengths are. That is where we find out the most important information that we need to know to do our job.

I believe the same kind of principle should apply to private members' business. When I conclude my remarks after question period I am going to make a case as to why we should also have questions and comments on private members' business in the House of Commons.

The Speaker: I see, my colleague, that you received my signal for one minute left. You have approximately six minutes left in your discourse and you will have the floor when we resume debate.

It being almost two o'clock we will proceed to Statements by Members.

STATEMENTS BY MEMBERS

[*Translation*]

ARMENIAN PEOPLE

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, on April 24, Armenian Canadians and all Armenians will commemorate the 83rd anniversary of the genocide of 1.5 million victims perpetrated in 1915 by the Ottoman Turks.

Modern Turkey has yet to recognize this serious crime, which has already been recognized by the United Nations Commission on Human Rights, the European Parliament, the Permanent People's Tribunal, Argentina, Brazil, Cyprus, France, Greece, Israel, Lebanon, Russia, Syria, Uruguay, Venezuela and, just a week ago, Belgium.

Closer to home, this genocide has been formally recognized by the Quebec National Assembly and the Legislative Assembly of Ontario.

The Armenian genocide has been documented and its existence proven beyond any doubt. All unanimously agree that it should be recognized internationally.

I therefore urge the hon. members of this House to recognize the Armenian genocide and extend my most heartfelt wishes to the Armenian people, a building nation—

The Speaker: The hon. member for Edmonton—Strathcona.

* * *

[*English*]

HEPATITIS C

Mr. Rahim Jaffer (Edmonton—Strathcona, Ref.): Mr. Speaker, I stand in the House today to call on the government to end the suffering of two of my constituents, both of whom contracted hepatitis C as a result of government negligence and incompetence.

Allan Ordze contracted hepatitis C in 1975 and he wrote to me about his shattered dreams and his feelings of hopelessness. He fears every day for his family and wonders how he will care for them when his condition worsens.

Lisa Holtz contracted hepatitis C in 1985, just six months before the government accountants set their arbitrary date for compensation. Lisa too wonders how she will care for her three boys when she is sick and too tired to stand.

Allan and Lisa do not want the government's charity or apologies. They do not want to hear from any more government bureaucrats and accountants. They want justice and compensation for themselves and their children and they want it now.

* * *

• (1400)

WOBURN COLLEGIATE

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I rise today to congratulate a group of students from my riding of Scarborough Centre.

The Woburn Collegiate robotics team recently competed in the U.S. first robotics competition in Orlando, Florida. This competition is a national engineering contest that immerses thousands of high school students from over 150 schools in the exciting world of engineering and robotics. Woburn is the first and only Canadian team to ever compete at this competition and was very proud to carry the Canadian flag and represent our country.

The Woburn Collegiate robotics team produced an excellent robot for the competition and was awarded a prestigious judges award. Let me point out that only 15 of 166 teams received such an award, proving indeed that Canadian students are among the best in the world in science and technology.

I take this opportunity to congratulate the students and the teachers of Woburn CI on their hard work in reaching this terrific goal. I also thank the Secretary of State for Children and Youth and the Minister of Human Resources Development for their assistance with this worthwhile project.

* * *

CANADIAN NATIONAL INSTITUTE FOR THE BLIND

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker on March 30, 1918 Captain Edwin Baker, Dr. Sherman Swift and five other blind and sighted Canadians founded the Canadian National Institute for the Blind. For the last 80 years this private voluntary and non-profit organization has provided rehabilitation services for blind, visually impaired and deaf-blind Canadians across the country.

One of the CNIB's most important services is providing visually impaired Canadians with books, magazines, videos and other material in Braille and on audio cassette free of charge through the CNIB library. The library is the country's largest producer of Braille and audio materials.

The CNIB also offers educational scholarships to worthy clients. I congratulate one recent recipient, Kristy Kassie, a client at the CNIB Halton Peel district office who is pursuing post-secondary studies at York University.

I congratulate the CNIB on 80 years of dedicated service to Canadians.

* * *

[*Translation*]

QUEBEC MINISTER OF MUNICIPAL AFFAIRS

Mr. Guy St-Julien (Abitibi, Lib.): Mr. Speaker, there are still story tellers in the Quebec government.

After having accumulated a deficit in excess of $1.5 million as dean of the university in Rouyn-Noranda, running for the New Democratic Party of Canada in the 1988 election, having failed to deliver on promises made by Jacques Parizeau in the last provincial election campaign, Quebec municipal affairs minister Rémy Trudel soon found himself stuck, on April 7, in a meeting at his office in Rouyn-Noranda with people who had come to ask him for an explanation for his government's plans for social assistance reform.

In front of the cameras, Minister Trudel said there were thieves. If Minister Trudel has theft charges to lay against some individuals, Quebec has judges to hear his case. Otherwise, the citizens of his region are likely to think that his statement was off the mark.

Mr. Trudel, next time you find yourself in front of cameras, tell us a story about the Quebec mining fund promised by your government.

* * *

[*English*]

DRUNK DRIVING

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, I rise to remember a sad anniversary. One year ago on April 19, my very own son's birthday, three people were taken from the world in a head on collision between a pick-up truck and a Greyhound passenger bus on highway 43 just outside Fox Creek, Alberta. As is too often the case the driver of the pick-up truck was impaired.

On this anniversary a group of family, friends and Greyhound bus drivers gathered to remember. On behalf of the official opposition, and I am sure all members of the House, I extend our message of condolences to their families, friends and colleagues.

Let us remember their message: when you drink and drive someone is going to die.

* * *

BRAVERY

Mr. John Maloney (Erie—Lincoln, Lib.): Mr. Speaker, I take this opportunity to congratulate the 16 individuals recently awarded the medal of bravery for their acts of heroism.

The upcoming presentation ceremony holds special significance for Erie—Lincoln riding as two of my constituents will be decorated by the governor general in recognition of acts of bravery in hazardous circumstances.

The quick actions of William John Gordon of Dunnville saved several individuals from a burning automobile wreck. This gentleman acted without concern for his own safety to help in a situation that could have been fatal for all those involved.

I nominated Luis Rodriguez, a Honduran immigrant from Fort Erie, for the medal of bravery for saving the life of an American citizen who fell from his fishing boat in the frigid waters of the Niagara River. Mr. Rodriguez assisted the distressed gentleman into his boat and then swam to shore towing the boat behind him.

On behalf of my riding and all Canadians I thank Mr. Gordon, Mr. Rodriguez and all medal recipients for their selfless acts of bravery. They have our admiration and respect. They have made us proud.

* * *

● (1405)

HEPATITIS C

Mr. Grant McNally (Dewdney—Alouette, Ref.): Mr. Speaker, I would like the Minister of Health to listen to the human side of his hepatitis C decision.

One of my constituents, Mrs. Joyce Smith from Mission, B.C., writes:

> My three grown children are trying very hard to accept the fact mom is not the same. She does not smile or laugh as often as she used to. They do not want to talk about the fact that I am dying. I stare at our two beautiful grandchildren and wonder if I will live to see them grow up. I look into my husband's eyes and I know that he is afraid of the future. My husband and I have worked so hard, and raised our family, and now it was supposed to be our time together. But, the almost unbearable fatigue that I deal with prevents us from going very far or doing very much together.

Another one of my constituents, Mrs. Laura Stoll, urges me ''to do the right thing and support compensation for all victims''. I certainly support compensation for all victims. However, how much longer will the Minister of Health continue to say no to people like Mrs. Smith and Mrs. Stoll? Where is his sense of fairness, his sense of human compassion? My constituents and all other Canadians would like to know.

* * *

NATIONAL VOLUNTEER WEEK

Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.): Mr. Speaker, this week we celebrate National Volunteer Week, a time to thank and honour the many people who donate their time to fellow Canadians.

I thank the thousands of volunteers in Guelph—Wellington who generously donate their time to better our community.

Canadian volunteers in the recent past have been called upon more than ever to help communities in need. Thousands of volunteers aided the flood victims in the Saguenay region of Quebec and the Red River Valley in Manitoba, while others assisted in the recent ice storm. Guelph—Wellington's 11th Field Artillery Regiment helped in devastated areas in eastern Ontario.

Volunteers are very important in communities across our great country. Guelph—Wellington has many generous volunteers. I congratulate and thank them all for their time and dedication.

* * *

BETTYE HYDE

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, today we celebrate Bettye Hyde's nomination for the Royal Bank award for Canadian achievement. The Royal Bank will remember Bettye Hyde. When it tried to close her bank branch Bettye rallied the neighbourhood and won.

It has been a lifetime involvement for Bettye Hyde, mother, community volunteer, early childhood educator and environmentalist.

[*Translation*]

That is why we like Bettye and believe that her achievements and life meet the criteria set by the Royal Bank with respect to this award.

Bettye Hyde, who is 80 years of age, is still an active person. Just imagine what it would be like if there were more Bettye Hydes in Canada.

[*English*]

Bettye was big enough to keep her money in the Royal Bank as long as it keeps its branch in her neighbourhood. Is the Royal Bank big enough to honour someone who fights for the way things should be, not the way those in charge say things have to be?

Whether the Royal Bank chooses Bettye, she is a winner and that makes us all winners. It is called community. It is something even a bank should understand.

S. O. 31

NUNAVUT

Mrs. Nancy Karetak-Lindell (Nunavut, Lib.): Mr. Speaker, I rise this afternoon to convey a message from my constituents of Nunavut.

Yesterday was to be a crucial day for us. It was to mark the beginning of the last leg of a journey that began many years ago. Yesterday was supposed to be about Nunavut and its creation. It was supposed to be about the formation of our new government. Instead the people of Nunavut are left disappointed. They feel confused and robbed of their day.

It is our responsibility as parliamentarians to act in the best interest of all Canadians. It is important that we remain focused on the tasks at hand and not let our personal agendas interfere with progress.

I remind the hon. Leader of the Opposition, on behalf of the Inuit, that quick implementation of Bill C-39 is essential. Any delays could destroy the hopes, dreams and dedication of many generations of Inuit.

* * *

EDUCATION

Mr. Mark Muise (West Nova, PC): Mr. Speaker, federal cutbacks in provincial transfer payments have had a negative impact throughout Nova Scotia's educational system.

High schools and elementary schools have had to restrict the number and quality of programs being offered to their students. School board officials have increasingly had to rely on the dedication and devotion of our educators to devise new cost efficient programs to offer our students.

Such is the case at the Yarmouth Memorial High School where teacher Ken Langille has been instrumental in developing an award winning law program for his grade 12 students. A winner of four provincial, three national and one international awards for teaching, excellence and innovation, I would like to welcome Mr. Langille and his students who are seated in the gallery today, hoping to hear the government introduce positive solutions to the education crisis.

● (1410)

On their behalf and on behalf of all those concerned with education, we call upon the government to begin addressing the serious financial crisis facing education in the country.

* * *

[*Translation*]

QUEBEC FLOODS

Mr. Maurice Godin (Châteauguay, BQ): Mr. Speaker, only a few short months after the ice storm, several Quebec ridings, including mine, the riding of Châteauguay, were faced with yet another one of nature's vagaries, river flooding.

Thousands of homes were flooded and hundreds of families had to seek refuge with relatives, friends or in shelters. Municipal services, municipal councils and volunteers were stretched to the limit.

However, there were visible signs of solidarity, support and sympathy everywhere in Quebec, especially in Châteauguay. Thanks to the solidarity characteristic of Quebeckers, victims found comfort and support.

On behalf of my party, I would like to thank the many volunteers and those in charge of municipal services, and to the victims I say ''hang in there''.

* * *

[*English*]

PORT MOODY—COQUITLAM

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, today we welcome the newest member of the House in the government caucus, the member of parliament for Port Moody—Coquitlam. An eminent municipal leader in British Columbia for a quarter of a century prior to his election, the hon. member will share his wealth of experience with us as he takes his seat and represents the people of his constituency.

His byelection victory is even more impressive when one considers that governments seldom win in byelections, let alone safe opposition party seats. During the campaign the Leader of the Opposition said ''A lot of people are going to be watching this riding, not just in B.C. but across the country, because it is the first chance for the voters to say what they think of government policy''.

The voters of Port Moody—Coquitlam made known on March 30 their approval of the government's policies and accomplishments, all done for the well-being of our citizenry and country. I join others in welcoming our newest colleague and the newest member of the Liberal team, the member for Port Moody—Coquitlam.

* * *

HEARING AWARENESS MONTH

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the Canadian Hearing Society is once again proclaiming the month of May as Hearing Awareness Month. The regional office in Peterborough is enthusiastically participating in this initiative as a way of educating the citizens of Peterborough about hearing loss and raising awareness of the deaf and hard of hearing population in the community.

The theme this year is noise pollution. In May the mobile testing van will be travelling around Ontario offering free hearing tests at the regional offices. The Peterborough regional office is hosting an

open house on May 25 in conjunction with the arrival of the testing van.

During May I encourage all residents of Ontario and Peterborough who have concerns for themselves or a family member to take advantage of this opportunity provided by the Canadian Hearing Society and contact their regional office for further information.

Our best wishes to the Canadian Hearing Society and the people it serves. We hope Hearing Awareness Month goes well.

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[*Translation*]

SCIENCE AND TECHNOLOGY

Ms. Hélène Alarie (Louis-Hébert, BQ): Mr. Speaker, the industry minister wrote in the 1997 report on federal activities in science and technology: ''More than ever, people and innovation are key to growth and prosperity.—the life and work of every individual and business will be rooted in the new economy''.

Since it brought down its budget and announced a slight increase in funding for granting councils, the government thinks it will solve all the R&D problems.

However, the cuts imposed by the government have had a severe impact on the scientific and technological community. Since 1993, the number of federal employees working in the science and technology field has gone down by 5,400 person-years, a 15% decrease.

The government should realize there is still a lot to do to bring real stability back to research in Canada and to stop the hemorrhage caused by the drastic cuts it made in this area that is so important to our future.

* * *

[*English*]

NEW MEMBER

The Speaker: I have the honour to inform the House that the Clerk of the House has received from the Chief Electoral Officer a certificate of the election and return of the following member:

Mr. Lou Sekora, for the electoral district of Port Moody—Coquitlam.

* * *

● (1415)

NEW MEMBER INTRODUCED

Lou Sekora, member for the electoral district of Port Moody—Coquitlam, introduced by the Right Hon. Jean Chrétien and the Hon. David Anderson.

ORAL QUESTION PERIOD

[*English*]

CUBA

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, we join in welcoming the new member as he takes his seat. We just hope he will not take it literally.

If the Prime Minister is going to Cuba he should be going for the right reasons. He should be going for human rights reasons, not for a holiday.

According to Amnesty International political opponents of the Castro dictatorship are routinely tortured. Last year, for example, two dissidents were placed in a small storage cabinet by police and gassed with noxious fumes for over an hour just because they criticized the government.

When the Prime Minister is in Cuba will he publicly raise these human rights issues?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, of course we will raise the question of human rights and policy rights because we believe in a policy of engagement of dialogue and of conviction.

Isolation leads nowhere but if we are engaging with them in discussions and offering help as Canada has been able and willing to do, the people of Cuba and the president of Cuba will certainly be happy to have a dialogue. I am sure that it will create some positive results just as the Pope's visit did a few weeks ago.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, I remind the Prime Minister that he is not quite the pope yet.

That was a pretty weak and fuzzy answer from the Prime Minister on his reasons for going to Cuba.

If he is really going to Cuba on a human rights mission what concrete measures will he be asking for? Will he be asking for freedom of speech? Will he be asking for freedom of political association? Will he be asking for freedom of religion? What concrete human rights measures will he be asking for?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have had a dialogue with Cuba for some time. The minister of foreign affairs was there last year. We have developed a program of 14 points.

● (1420)

Among the points is the strengthening of an ombudsman in the national assembly in Cuba who looks at the political rights and civil rights of citizens. It is a positive engagement. In Chile over the weekend most of the leaders of the Americas were very pleased that the Canadian Prime Minister was willing and eager to go.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, a communist ombudsman is a contradiction in terms.

When the Pope went to Cuba earlier this year he was able to free some political prisoners because he talked publicly and openly and concretely about human rights abuses in that country. He brought up the subject publicly for all Cubans to hear. He was less concerned about embarrassing Castro than he was about freedom and human rights.

Will we see the Prime Minister on television, not glad handing with Castro to satisfy the anti-American component of his own caucus, but publicly raising human rights abuses in this harsh political dictatorship?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have supported a resolution at the UN asking the government of Cuba to protect the human rights of its people. We have been acting publicly on human rights with Cuba for a long time and everybody knows that the Prime Minister of Canada is not a very shy person.

* * *

HEPATITIS C

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the health minister is trying to compare the hepatitis C tragedy with another major tragedy in Canada by saying who would pay for breast implants. The answer of course is that the companies which made those breast implants will pay for them. There are ongoing lawsuits. We do not want to hear this foolish, feeble argument any longer.

Will the health minister admit publicly that this was a major public tragedy in Canada caused by the federal regulators who distributed poisonous blood?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member cannot escape the larger point. Whether it is breast implants, whether it is pharmaceutical products that caused death or other damage, the broader question is at what point does the state have a responsibility to pay cash compensation to those who are injured because of risks inherent in medical procedures or medical devices. That is a very large question.

The ministers of health of Canada, all of them from all governments of all stripes, in a very unusual move were unanimous in saying that in this particular tragedy in the years 1986 to 1990 when something could have been done, that is the period when compensation should be paid.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the minister says when should the government pay. The answer is when the government is responsible.

We have here a minister who is hanging on to this legal argument as though it were a thread, and that is all he has. The truth of the matter is insurance pays for medical mishaps, but this was no accident. There was incompetence and negligence on behalf of the federal regulators.

Will the minister just acknowledge that this was not a medical accident?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member belittles the legal analysis and then he proceeds to create it by talking about negligence and fault.

The member illustrates the difficulty of the question because if in fact governments are going to pay for that for which they are responsible through fault, then indeed the ministers of health are right in saying the period 1986 to 1990 is the period during which compensation should be offered.

Before that hepatitis non-A, non-B, which is what it was called, was a known risk in the blood system but the authorities agree that it was not until the early part of 1986 that Canada should have put the test—

The Speaker: The hon. leader of the Bloc Quebecois.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, yesterday I asked the Minister of Health to show greater compassion and to compensate all individuals infected with hepatitis C, and not just those infected between 1986 and 1990. Unfortunately, the minister did not follow up on my request. Therefore, my question today is for the Prime Minister.

Since the government is looking at a surplus of several billions of dollars for 1997-98, does the Prime Minister not think that it gives him more flexibility to show compassion and to compensate all victims infected with hepatitis C?

• (1425)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is an issue that we have been discussing for a long time in this House. The federal government and all the provincial health ministers, including the one from Quebec, came to the conclusion that, in terms of public interest, the period selected was the one for which the public sector had a responsibility. All the governments in Canada collectively decided to compensate victims, as advocated in the proposal that was approved by all health ministers.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, we are not criticizing the agreement reached with the provincial governments. Provincial governments will be responsible for health care services to these victims, and they have done more than their fair share, given the cuts made to transfer payments by the federal government.

A while ago, the government did not hesitate to compensate all those infected with the HIV virus as a result of blood transfusions. Now, it refuses to do the same for those infected with hepatitis C. Is it not eminently unfair and arbitrary to act like this? Is it because the number of HIV victims is much lower than the number of people infected with hepatitis C?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of Health has fully explained this matter on a number of occasions.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, my question is for the Prime Minister.

This government obviously has a problem. It cannot get its priorities straight and is short on compassion.

How can the Prime Minister justify his government's decision to hand out millennium scholarships that nobody wants, and to buy used submarines, just to keep the military happy, but not to compensate all hepatitis C victims? What sort of priorities are these, Prime Minister?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the 100,000 Canadians who, starting in the year 2000, will receive millennium scholarships to pursue their education and attend university will know that the Canadian government has very good priorities.

The Speaker: My dear colleagues, I would remind you that you must always address the chair.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, will the Prime Minister admit that he has the means to compensate all hepatitis C victims, since the billions he has cut the provinces are now in his pockets?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, our priorities in this matter are shared by Quebec's Minister of Health and the Government of Quebec. We shared the position expressed in the agreement. We agreed with all ministers, all provincial, territorial and federal governments that, for us, the priority is to maintain the public health system in Canada, and therefore to compensate only those who contracted the illness during the period between 1986 and 1990, during which time the governments were responsible.

* * *

[*English*]

BANKING

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the finance minister talked tough yesterday about bank mergers. ''Just watch us'' sounded like the minister might even consider for once putting public interests ahead of corporate interests.

But Liberal commitments are a bit like a mirage in the desert. As you get closer they vanish. Commitments to revisit NAFTA, vanished; to abolish the GST, vanished; to introduce national child care, vanished; to repeal drug patent legislation, vanished.

Why should we believe this finance minister when he says he is tough enough to take on the megabanks?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, commitments to invest in research and development, done; commitments to reduce unemployment, done; commitments to increase the child tax benefit, done; commitments to eliminate the deficit, done; commitments to put this country on the path to fiscal and human prosperity, done.

[*Translation*]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the nature of the debate has to understood.

The Minister of Finance says that he does not intend to be told what to do by the banks. He says: ''Just watch us''. Canadians have just watched this government once already, with the GST. And what happened? The GST is still with us, and one minister had to resign.

Does the Minister of Finance intend to resign if the mergers go ahead the way the banks want them to?

• (1430)

[*English*]

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, it is pretty clear that the leader of the NDP does not like Canadian banks. That is very clear.

I would like to ask a question. It occurred to me the other day, when the NDP government in British Columbia was the only government, either provincial or federal, to reduce the taxes imposed on the banks in its last budget, the question which crossed my mind was, is the NDP government in British Columbia of the same party that the one the leader heads?

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, the Minister of Finance said ''the decision on the bank mergers will be made by this government, by this Parliament and by the Canadian people''. It seems to the Canadian people that the Liberal lobbyists and the Liberal sheep over there will decide this issue.

If the minister is truly sincere, will he ask the finance committee to begin immediate hearings right now to give Canadians the access they deserve?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I would simply point out the difference between the Liberal members on this side and the Tory members on that side. The Liberal members on this side set up a caucus task force some time ago. They have gone from coast to coast. They have had hearings on the mergers. They are in the process of putting together a very insightful and important opinion. At the same time the members of the Conservative Party have sat there. They have made speeches but they have not done one darn thing.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, the PC caucus believes that all members in this House deserve access, that all Canadians deserve access and that it should not be discussed in the back rooms of the Liberal caucus behind closed doors.

Why will the Liberal Minister of Finance not bring this bank merger issue out of the Liberal back rooms and into the open? Will he ask the finance committee to study this issue beginning immediately before the House adjourns for the summer?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, those hearings by the Liberal caucus task force were in Vancouver and they were in public. They were in Peterborough and they were in public. They were in Winnipeg and they were in public.

The fact is that the Liberal members of parliament are preparing themselves for the finance committee hearings which are going to be held in September. The only question is, what is the Tory party doing apart from speaking to a couple of its banking friends on Bay Street?

* * *

HEPATITIS C

Mr. Maurice Vellacott (Wanuskewin, Ref.): Mr. Speaker, a captain wanted to lighten his ship's load so on a stormy day he warned that the ship would sink unless some men were thrown overboard. Gripped with fear the crew turned on each other and as a result several were lost.

The health minister warns that compensating all hepatitis C victims will sink the entire medicare ship. He is deliberately creating fear in Canadians so they will be willing to sacrifice fellow Canadians who have hepatitis C. How can he use such an unethical public relations ploy? How can he sink so low?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, it is not very often that we find unanimity among all the governments in Canada on one issue, let alone an issue as difficult as this one. All the governments in Canada agreed on the public policy question of compensation for hepatitis C victims. It was not easy. It is a tough issue.

The hon. member does not paint it correctly when he describes it as he did. It is a very broad question of just where the state's role is in paying cash compensation to people who are harmed through the health system, through medical procedures which all inherently carry risk. I urge the hon. member—

The Speaker: The hon. member for Wanuskewin.

Mr. Maurice Vellacott (Wanuskewin, Ref.): There is a big difference, Mr. Speaker, between accidents, negligence and what has occurred in this particular instance.

The Liberal Party presents itself as the party that promotes Canadian unity and sharing and community, but that is not the truth. At the very first sight of choppy waters it is pitting the majority of Canadians against hepatitis C victims.

Why is this government attempting to orchestrate a second assault on these victims by trying to turn their own friends and neighbours against them?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the hon. member speaks as though this was a unilateral act by this government. In fact it was a decision shared in by all governments, indeed Progressive Conservative governments among them. The Government of Prince Edward Island, the Government of Ontario, the Government of Manitoba, the Progressive Conservative Government of Alberta all agreed that this is the appropriate approach.

• (1435)

I say to the hon. member, do not duck the tough question. Face the tough question of public policy. That is what the ministers of health did and we believe we have done the right thing in terms of public policy.

* * *

[*Translation*]

HUMAN RIGHTS

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, my question is for the Prime Minister.

For some time now, the Mexican government has been expelling all foreign observers from Chiapas, among them two Quebec women. As a result, the Minister of Foreign Affairs called for explanations from the Mexican government, and those explanations were totally unconvincing. For the Prime Minister, the incident is closed, but at the same time the Minister of Foreign Affairs is proposing the creation of an international commission of inquiry into the human rights situation in Chiapas.

Since the Prime Minister was insisting that human rights be on the agenda of the Summit of the Americas, can he tell us what exactly the Canadian position is on this matter?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have discussed this problem with the President of Mexico. He explained that the persons expelled had not complied with the laws of that country, and that all foreigners were obliged to leave under the circumstances.

The Minister of Foreign Affairs and myself insisted that work on this matter continue. We even offered the Mexicans the possibility of sending a delegation of Canadian parliamentarians, and we hope they will accept our proposal.

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, what is the logic behind the Minister of Foreign Affairs and the Canadian government's desire to create another commission of inquiry, when

the Canadian representatives on the international civilian commission dispatched to Chiapas have been trying to meet with him for more than a month now?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the logic is very evident. A group of parliamentarians representing the broad base of Canadian citizens would be able to provide this House and the government with an accurate and objective assessment of the conditions that are taking place in Mexico. It would be done in a way that would enable it to be shared entirely in an open public way without the kinds of question marks that relate to the past incident.

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BANKING

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, we have the very real spectre of less banking choices in the immediate future for Canadians. The finance minister is hiding behind his task force report hoping the whole issue will go away. It is not going to go away and frankly, Canadians deserve an answer.

Our position is very clear: no mergers without competition. What is the minister's position anyway? Does he even have one or do we have to wait for him to phone Matthew Barrett, John Cleghorn and Charlie Baillie to find out what the position is?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, it is very important to understand the role of the task force.

Essentially there are very great changes, globalization, technological changes affecting all of the financial services industry. The task force is looking at the evolution of that. It is also looking at the insurance industry. It is looking at the roles of credit unions. The task force is putting together the context within which the debate in this House and across the country will take place.

If what the hon. member really wants is to have competition and to have a public debate, what he should be prepared to do is support the submission of the task force and the debate that will follow therefrom.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the minister said watches, but they are doing nothing. It is like watching paint dry, frankly.

Ordinary Canadians are terrified of what these mergers will mean to them and their businesses. The banks have the shareholders speaking up for them, the lobbyists. They even have high profile Liberals speaking up for them, but it is a one-sided conversation. The Minister of Finance is mute on this. Why will he not stand up for Canadians and let them know that they are always going to have some options? Why will he not stand up for competition?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I have never watched paint dry, but then I have never been a member of the Reform Party caucus.

I would simply point out to the hon. member that while the banks and other interests may well have Reformers or NDPers standing up for them, the Canadian people have this government standing up for them.

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[*Translation*]

IMMIGRATION

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, on March 24, Ramon Mercedes, aged 23, of Dominica, who traveled to Canada on board the cargo ship *Eclipper*, had to have both his feet amputated because of frostbite and lack of adequate medical care.

• (1440)

How can the Minister of Citizenship and Immigration explain the inhumane treatment inflicted upon Ramon Mercedes, who was deported without treatment immediately after his feet were amputated?

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): As you know, Mr. Speaker, to protect the individual's privacy, I am not at leisure to give details about any case in particular.

I can however assure the members of this House that I have personally reviewed the facts of the case and that all procedures were applied in accordance with our obligations, responsibilities and the provisions of the law.

Like all Canadians, I care and am concerned about the fact that people may think that we acted less than compassionately in returning this individual to his country of origin. That is why I have asked that, in the future, officials of my department be more humane, show more compassion—

The Speaker: I am sorry to interrupt the hon. minister. The hon. member for Hochelaga—Maisonneuve.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, does the minister not consider that a full investigation would be in order and should include the medical care provided to Mr. Mercedes upon his return home?

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, as I said, all procedures followed in this case were in accordance with our obligations and responsibilities under the law, which did not stop me from asking that, in the future, our officials show greater compassion in such exceptional cases.

[*English*]

YOUNG OFFENDERS ACT

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, the justice minister must not hide behind the complexities of the Young Offenders Act any longer. The 10 year review is done and the recommendations are in. The minister has had 10 months yet she has accomplished absolutely nothing. If the justice minister is not up to the job, will she step aside and allow someone else to bring in the needed amendments to the Young Offenders Act?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I have indicated on a number of occasions in this House, unlike the hon. members on the other side, this government will not take a simplistic approach to the review and renewal of the youth justice system in this country. We will take an approach that reflects the values of rehabilitation and reintegration, of protection of society and of prevention.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, the justice minister has had 10 months to bring in amendments to the Young Offenders Act. She has read the report to parliament and its recommendations. She has heard from the provinces and their people. She has dozens of lawyers at her beck and call yet she has accomplished absolutely nothing.

The justice minister is either incompetent or paralyzed by the bleeding hearts in her own caucus. I ask her, which is it? Why the inaction?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I reiterate that far from being inactive, I, my department and other caucus members on this side of the House have been consulting, discussing and talking to people who live in our ridings. In fact I will table a response in this House in a timely fashion.

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[*Translation*]

ACCESS TO INFORMATION

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, during the election campaign, the leader of the Liberal Party went on and on about how his government would be transparent, once in office.

After four years, however, our experience confirms the view expressed yesterday by the information commissioner, John Grace: the Liberal government is no more transparent than Brian Mulroney's was.

This having been said, how can the Prime Minister stand behind the Minister of Canadian Heritage, who is systematically refusing to give us any information of interest with respect to the shady business of Option Canada? Does the Prime Minister not think it is now time to act in order to save his government's image?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, when it comes to transparency, we have nothing to learn from a party that deliberately loses the tapes when it finds itself in hot water.

* * *

[*English*]

CHILDREN

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, over the past 10 years the civil conflicts around the world have led to the disablement and death of an estimated two million children with over five million often separated from their parents. Can the Minister of Foreign Affairs tell us what this government is doing to protect the human rights of children caught in conflict areas?

• (1445)

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, clearly this is an issue which is becoming very much a priority on the international agenda.

About a month ago we convened a major international meeting of experts to look at how we could deal with the issue of children caught in conflict. With the co-operation of the Minister for International Co-operation and with the Minister of National Defence we are working on what we can do both domestically and internationally to provide direct assistance to children who are carrying arms and involved in conflict to give them the option to go back to their families and school.

We want concrete results on a number of major continents. We want to help form a coalition around the world that will address the problem.

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YOUNG OFFENDERS ACT

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, the Minister of Justice is having great difficulty in explaining her delay in introducing amendments to the Young Offenders Act.

I have a very straightforward question for her today. Will she introduce her legislation in time for parliament to properly review and consider it before the summer recess?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I have indicated before, I will table the government's response to the standing committee's report in a timely fashion.

Upon that tabling there will be ample opportunity for this House to consider its recommendations.

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, the minister has indicated that this is a complex issue and I would tend to agree.

We just witnessed her predecessor's overly simplistic fiasco with the 1995 amendments. But 10 months?

I ask the minister: How complicated is public safety and accountability?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as we have already indicated, the renewal of the youth justice system is a complex issue. It is one in which we must balance a number of competing values, values which I have identified before in this House.

Unfortunately, I am saddened by the fact that there are those on the other side of the House who do not appear to appreciate, one, the importance of this issue and, two, the complexity of this issue.

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BANKING

Hon. Lorne Nystrom (Qu'Appelle, NDP): Mr. Speaker, my question is to the Minister of Finance.

As the minister knows, about 30,000 people will lose their jobs if the two mega mergers go ahead. The MacKay task force is not looking specifically at jobs. The Competition Bureau is not looking specifically at jobs. About 30,000 jobs represents the size of a small city. It is no small matter.

I want to ask the minister, in light of that fact, that there is no consideration of job loss, is the minister not now convinced that we should start immediately with an all party parliamentary committee so that people can have their say about job losses in this country?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the government has made it very clear that it is very concerned about jobs. When the final decision is made that will certainly enter into the consideration, as well as a number of other issues, including competition, service to the consumers of urban and rural Canada and the overall state of the financial sector industry in this country.

Hon. Lorne Nystrom (Qu'Appelle, NDP): Mr. Speaker, the minister is just saying ''watch us''. I want to know whether or not the minister is really getting what I am getting at.

There will be about 30,000 jobs lost. What does he have against letting the people of this country have their say now? Give the people of this country a platform to speak through an all party parliamentary committee. That is what parliamentarians are elected for. That is what parliamentary democracy is about. Why is he afraid of doing that now? Give the people a chance to speak.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, it is certainly our intention to give this parliament and the Canadian people a chance to have their voices heard. In fact, we intend to do exactly what the hon. member suggests.

However, we will do it according to this government's and this country's timetable, not the timetable set by a couple of large financial institutions.

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THE ATLANTIC GROUNDFISH STRATEGY

Mr. Bill Matthews (Burin—St. George's, PC): Mr. Speaker, I have a question for the Minister of Natural Resources, who I understand chairs the cabinet committee on post-TAGS.

Thousands of TAGS recipients will have their benefits terminated on May 9. My question to the minister is: Will there be a post-TAGS announcement before May 9? If there is not an announcement by that time, will those individuals who are scheduled to have benefits terminated receive benefits from a new program?

Mr. Robert D. Nault (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, that is a very good question.

One of the issues which the member asks for is when there will be an announcement on the form of post-TAGS. As the member knows the Harrigan report has been submitted to the government. We have had negotiations and discussions with the provinces and the interested parties. When the time is right we will be making an announcement that the member would be glad to wait for.

● (1450)

Mr. Bill Matthews (Burin—St. George's, PC): Mr. Speaker, I would remind the member that May 9 is fast approaching and we have thousands of people whose benefits will be cut at that time.

Is the government considering dealing with the post-TAGS multicomponent TAGS program, consisting of early retirement, licensed buyout, an economic development program and continued income support?

Mr. Robert D. Nault (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, we have discussed the Harrigan report in this House on a number of occasions. As the member mentioned, those factors were discussed in the Harrigan report.

We are looking at all aspects in order to help people who are being moved out of an industry that is in grave danger and in distress. When we are ready to announce the details of it we will do so. It will certainly not be today by the parliamentary secretary.

CANADIAN SPACE AGENCY

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, as you know the Canadian Space Agency is participating in medical research being conducted onboard the space shuttle *Columbia.* I would like to hear what the Minister of Industry has to say about the practical benefit to Canadians of this medical research.

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I am sure all Canadians share with members of this House a great deal of pride in the fact that last Friday another outstanding young Canadian, Dr. Dave Williams, was launched on the space shuttle. He is our seventh astronaut to board the shuttle. He is participating in a very important mission. It is entirely a scientific mission involving a neurolab in which studies will be conducted to improve human understanding of the brain and nervous system. Dr. Williams is uniquely qualified for this task. As he accomplishes this task he will bring pride to all of us. He will give us a better understanding of a variety of neurological disabilities which face Canadians.

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YOUNG OFFENDERS ACT

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the official opposition would like a straight answer from the justice minister. We do not want to hear another lecture about the complexity of her department and we do not want to hear for the 400th time that she will bring forth YOA amendments in a timely fashion.

Will she introduce her legislation in time for parliament to consider it prior to the summer recess?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, again I can only reassure the hon. Leader of the Opposition that I will table the government's response in a timely fashion.

* * *

[*Translation*]

SOFTWOOD LUMBER

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, the Canada-U.S. softwood lumber dispute could heat up again, given the recent proposal by the U.S. customs department to modify the building lumber tariff rules.

My question is for the Minister for International Trade. As the passage of such a proposal would create a dangerous precedent for trade policy, can the minister tell us what his government is doing to protect the building lumber producers of Quebec and Canada?

Hon. Sergio Marchi (Minister for International Trade, Lib.): Mr. Speaker, I had an opportunity to discuss the importance of this issue with the American minister.

We said that the government would take the opportunity to speak with the industry. I met with Quebec industry representatives seven days ago. Last Friday, we held a teleconference with national industry representatives and my department and, after assessing the situation with them, we are prepared to share our reaction with the Americans.

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[*English*]

BANKING

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, my question is for the Minister of Finance who yesterday said ''just watch us''. He was implying that he and his government may not approve the megabank merger. We in the New Democratic Party caucus believe that in the end the Minister of Finance and his government will cave in to the banks.

The minister is a risk taker. I am prepared to bet $100 that in the end he and his government will cave in. Will he accept the bet?

● (1455)

The Speaker: Does the Minister of Finance want to answer that question?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, you cannot deprive me of the chance.

Double or nothing, we will do the right thing.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, the finance minister feels personally slighted that the banks made a business decision without consulting him first and that is why he is stalling. He is stalling while hundreds of thousands of Canadian jobs lie in uncertainty. The minister has the opportunity now to do the right thing and involve Canadians in this debate.

Will the Minister of Finance ask the finance committee to hold a non-partisan forum before which ordinary Canadians can appear to discuss this important issue of bank mergers in Canada and not discuss it as a partisan vehicle of the Liberal Party caucus?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the reason the MacKay task force was set up well over a year and a half ago was that when Canadians came to debate this very important issue they would have the best information available to them and they would understand not where the banking industry has been, but where it is going, where the insurance industry must go, where credit unions must go.

I fail to understand why the hon. member would deprive Canadians of the best information possible when that debate is going to occur. I do not understand why he would deprive this House of that information. We are going to make sure they have it.

HEPATITIS C

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, my question is to the Prime Minister. The ultimate decision on the hepatitis C question rests with him. He knows in his heart that this government has a moral obligation to compensate all hepatitis C victims.

Can he explain why there is a public obligation to unemployed fishermen in Atlantic Canada and not to innocent victims of hepatitis C whose lives are at risk?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, after many months of discussion with the provinces I came to the conclusion that the best way to deal with the problem was to make the offer that was made a few weeks ago. It was decided by ministers of health of all the provinces, representing all the political parties that exist in the land.

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, again the Minister of Health says that the government has no public obligation or legal obligation to the innocent victims of hepatitis C.

I would like the Prime Minister to explain why a profitable company like Bombardier is entitled to public funds when innocent victims whose lives are at risk are not entitled to any public funds.

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, that is not what the Minister of Health said at all. What the Minister of Health said is that if we look at the tough question of when should governments pay cash compensation to those who are injured by risks inherent in the medical system, then you are approaching a difficult question of public policy. Thirteen governments agreed on that question of public policy, that in this instance they should pay for the period during which governments could have done something to change the outcome. Governments could have acted and did not during those four years from 1986-1990. That is why we chose that period. It is a very broad question beyond that as to whether everyone harmed should be compensated.

We concluded that you cannot keep the public system of health care in this country if you are going to—

The Speaker: The hon. member for Victoria—Haliburton.

* * *

LAND MINES

Mr. John O'Reilly (Victoria—Haliburton, Lib.): Mr. Speaker, the Minister of Defence signed an agreement last December on the banning of land mines. Can the Minister of Defence update this House on the progress of Canada's participation in the summer de-mining program?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I have been pleased to work with my colleague the Minister of Foreign Affairs on this great Canadian initiative to try to rid the world of anti-personnel land mines.

Our own Canadian forces have seen much of the terrible incidents that occur as a result of land mines taking limb and life from many innocent victims in places like Bosnia. They have worked with the local forces. They have worked with the local police in de-mining activities. We are beginning again, as the summer approaches, to participate by assisting, by training and by giving information to these local forces so they can, in fact, protect the people in their communities.

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CIDA

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, the CIDA minister has allowed $815 million of CIDA money to be spent mostly on feasibility studies for projects that do not even get off the ground. There is no follow-up procedure to verify how the money is spent. Businesses take the money and run. The money does not reach the poor. There is no accountability.

• (1500)

Will the minister call in the auditor general because she failed to stop the waste of tax—

The Speaker: The hon. minister responsible for CIDA.

Hon. Diane Marleau (Minister for International Cooperation and Minister responsible for Francophonie, Lib.): Mr. Speaker, the basic solution to poverty in the developing world is no different from what it is in Canada. The need is to create jobs through private investment.

Indeed the hon. member, on February 6 in the House, said ''Private investment has proven itself to be the real answer to poverty, not aid''. Two months later he is criticizing a program that encourages private investment in the developing world. Why has he changed his tune?

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[*Translation*]

COAST GUARD

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

The radio communication centre of the Canadian Coast Guard in the Magdalen Islands is closing down today. Yet, stakeholders from everywhere urged the minister to reconsider this irresponsible decision. The last ones to do so are the 34 volunteers of the Coast Guard Auxiliary, who handed in their resignation to protest that closure.

Considering the closure of the station and the absence of volunteer auxiliary members, how does the minister intend to ensure the safety of the 430 fishing boats and the 100 or so pleasure craft that navigate around the islands?

[*English*]

Hon. David Anderson (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I assure the hon. member that the coast guard search and rescue vessel will remain at Cap-aux-Meules. We will have the capacity to handle search and rescue incidents from that station and of course others.

As he correctly indicated, some members of the volunteers, the auxiliary, have resigned. I regret that, but we will rebuild that force to make sure it too remains the effective force for search and rescue that it has been over the years.

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PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Mr. Ahmed Qurie, Speaker of the Palestinian Legislative Council, and fellow members of parliament.

Some hon. members: Hear, hear.

The Speaker: I would also like to draw attention to the presence in the gallery of Mr. Vitaliy Nikolaevich Klimov, Chair of the Leningrad Oblast Legislature, accompanied by members and staff of the various legislatures of the Northwest Economic Region of Russia.

Some hon. members: Hear, hear.

* * *

• (1505)

PRIVILEGE

MR. JUSTICE LOUIS MARCEL JOYAL—SPEAKER'S RULING

The Speaker: Further to the question of privilege raised by the hon. member for Wentworth—Burlington on February 3, 1998, I wish to inform the House that the Clerk has received from the Executive Director of the Canadian Judicial Council documentation in relation to comments made by Mr. Justice Marcel Joyal of the Federal Court of Canada. I am tabling these documents now and I consider this matter to be closed.

I have notice of a question of privilege by the hon. member for Fraser Valley.

INTERPARLIAMENTARY ASSOCIATIONS

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, I rise on a question of privilege with regard to a news release put out by the Minister for International Trade on March 30, 1998 entitled ''Marchi meets with Chinese leaders in Beijing and announces Canada-China Interparliamentary Group''.

The minister announced in his release:

> International Trade Minister today took part in a series of bilateral meetings with senior Chinese leaders and announced the establishment of the Canada-China Interparliamentary Group.

There is no Canada-China interparliamentary group. There has been an application to the joint interparliamentary council to establish such a group, but contrary to the minister's perceived powers and authority in these matters there is no such interparliamentary group until parliament grants such status to that group, and that has not happened to date.

I have made proposals in committee to revamp parliamentary associations to include a greater emphasis on the Asia-Pacific countries and on the Americas. However, none of the changes that the minister has proposed or that I might have proposed has ever come to pass.

For the Canada-China friendship group to advance to the status of interparliamentary group it must first apply to the Joint interparliamentary Council. It then must get approval from the House through the Board of Internal Economy and the internal economy committee of the Senate.

The minister has given the impression that this association will be sanctioned and funded by parliament. I find this to be a clear contempt of the House.

Just to go through a few precedents, Mr. Speaker, the member for Calgary—Nosehill brought a similar matter to your attention on February 26, 1998. She complained about an article in the Toronto *Star* naming the head of the Canadian millennium scholarship foundation. Her complaint was not who was named but the circumstances which led to the announcement.

In that case there was no legislation before the House setting up the said foundation. Nor was the budget statement containing the suggestion to set up the foundation adopted. She argued that the situation had brought the authority and dignity of the Speaker and the House into question.

The precedents are many regarding this issue. The government and its departments are continuously mocking the parliamentary system in this manner. The member for Prince George—Peace River raised a similar matter regarding the Canadian Wheat Board on February 3, 1998. During that discussion the member for Langley—Abbotsford pointed out that the Speaker was asked to rule on a similar complaint in March 1990 regarding a pamphlet about the GST.

I made a case on October 28, 1997. In that instance the Department of Finance started to take action before the bill authorizing the department to act was passed by the House. I was concerned at that time that these actions undercut the authority of parliament.

Your ruling on that question of privilege has been repeated time and time again, Mr. Speaker, and I will repeat it once more. The Chair said on November 6, 1997:

> —the Chair acknowledges that this matter is a matter of potential importance since it touches the role of members as legislators, a role which should not be trivialized. It is from this perspective that the actions of the Department are of some concern. The dismissive view of the legislative process, repeated often enough, makes a mockery of our parliamentary conventions and practices. I trust that today's decision at this early stage of the 36th Parliament will not be forgotten by the minister and his officials and that the department and agencies will be guided by it.

At page 250 of the second edition of Joseph Maingot's *Parliamentary Privilege in Canada* it states:

> —there are actions that, while not directly in a physical way obstructing the House of Commons or the Member, nevertheless obstruct the House in the performance of its functions by diminishing the respect due it.

How many times must parliament be mocked in this way? How often can we accept this disrepectful behaviour by ministers who continuously make announcements and pronouncements both here and internationally about what the House is to do when the House has not yet done it?

At page 225 of Joseph Maingot's *Parliamentary Privilege in Canada* contempt is described as ''an offence against the authority or dignity of the House''.

• (1510)

I would argue that these accumulated complaints, left unchallenged, will only continue to give the impression that parliament is irrelevant and that the cabinet and its bureaucrats run our lives. This I find to be an offence against our authority and dignity in the House.

Cabinet has no role to play in setting up interparliamentary groups. The process is clearly outlined in a document titled ''Parliamentary Exchanges Policy'' adopted by the Board of Internal Economy in January 1990. That document makes absolutely no reference to cabinet's authority in the matter of setting up interparliamentary groups.

Members of cabinet have no right to presuppose if parliament is to accept any suggestion put forward by them including legislation and the spending of taxpayers' money. Parliament must not be seen as some sort of obstacle that the bureaucrats must overcome. Parliament must be respected if we are to function in this place. Parliament must not be taken for granted by a minister who is looking for a press release or a headline in a foreign country.

I believe the House must conclude that the minister and his department are in contempt by their actions. Mr. Speaker, I ask that you rule this matter to be a prima facie question of privilege, at which time I will be prepared to move the appropriate motion.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I rise on the same question of privilege. I thank the hon. member for raising the matter. It is a serious matter that a minister of the crown should take it upon himself to announce the existence of an interparliamentary group.

This concern is twofold. First, there is the question of process and whether the minister has any right to do so. I would submit, along with the hon. Reform whip, that the minister had no right to do so. I was part of discussions prior to minister's departure for China, along with other parliamentarians from all parties, about the advisability of trying to go beyond what exists now in terms of the Canada-China friendship group and what that might be called.

I was concerned and I expressed my concern at the meeting I was invited to that not only might it be wrong for the minister to announce the existence of such a group, but it is obvious the concerns I expressed at that time about the appropriateness of calling it an interparliamentary group were also ignored.

One of the traditions of the House with respect to parliamentary associations is that parliamentary associations are associations between parliaments. There is no way whatever one thinks of communist China that one can maintain that it has a parliament in any sense of the word that we have a parliament. In fact in other parliamentary associations we have had countries expelled or temporarily suspended because they did not have a parliament that met Canadian standards of what a parliament was.

One of the concerns I expressed at the meeting to which I was invited was that we were to have some kind of elevated level of exchange with China, which I was not absolutely against but was concerned as to what we called it. I did not want it to be named in such a way as to call into question the very important tradition in the House of only having parliamentary associations between parliaments. We could call it legislative exchange or any number of things. Certainly there are legislators in China. How they are elected and whether it is a one party state and all those kinds of things do not take away from that fact, but whether or not we should call it an interparliamentary group is a very serious matter.

The minister is to be doubly condemned, first, for doing it without the permission of parliament and, second, for not having the sensitivity to call it something other than an interparliamentary group.

It just goes to show, Mr. Speaker, that it appears that they are willing to breach any principle, to destroy any tradition we might have had in the name of trade. It does not matter any more.

The communist Chinese leadership said it wanted an association, the equivalent of what we had with the United States. The old Canadian ministers were over there just doing exactly what was required of them. No matter what parliamentary process or traditions of parliamentary associations, if that is what the Chinese want they will just give it to them because they will do anything. They will kiss anything in order to get more trade. That is what this amounts to. The government will kiss anything, anywhere of anybody in order to get more trade and stomp all over parliamentary procedure and a strong parliamentary tradition about democracies and parliaments. What for? So they could please their masters in Beijing.

It is disgusting, Mr. Speaker, and I think you should rule it a contempt of parliament.

● (1515)

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I want to say a few words on this matter.

I was surprised to hear the statement involving this news story. I always regret it as a parliamentarian when matters are brought to my attention through the media as opposed to the usual procedures here in this House.

I want to say two things. First, if it is a fact that a minister or a ministry acted in a way that would pre-empt a decision of this House, prejudge what the House would wish to do, prejudge what our parliamentary associations would wish to do, then that would be wrong and it would be a matter for concern here.

As a member, I cannot tell for sure all of the precise facts. However I want to make it clear, and I hope all members feel the same way, that it is simply not the place of a ministry or a minister to pre-empt and prejudge this House. Not only is it disrespectful of the House but many members in this House are active in the trade and international relations envelope. I for one have an interest in the Pacific Rim as do many members in this House.

One runs the risk of embarrassing colleagues when things like this happen. If some of us happen to be out in the field and we hear that a ministry is doing something purporting to act for the House, this would be wrong if it has occurred in that way.

The second thing I would leave with you, Mr. Speaker, is that if the minister's or ministry's announcement in China was more to the effect that it was the intention of parliamentarians here to set up and create an association or group such as that noted in the article, that would not be quite so bad as announcing that in fact the thing was to be done or that it was already done.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I want to support the comments that have been made which came from three different parties basically.

The real question is how many times is this really going to go on. I want to remind you, Mr. Speaker, of your own words in this House. I am going to spend a little bit of time on this because there is a certain amount of frustration gathering among many members in this House on these types of decisions.

Mr. Speaker, I want to remind you of your own words on November 6. You said that this dismissive view repeated often enough makes a mockery of our parliamentary conventions and practices. You concluded by saying that you trusted that your decision at that early stage of this parliament would not be forgotten by ministers and their officials and that the departments and agencies will be guided by that.

I challenge you, Mr. Speaker, to determine how often is often enough in this House. Are you not as offended as we are that parliament is mocked in this way time and time again? This is at least the third time in this parliament that this has come up. My colleagues and I are getting a little tired of quoting these words because we are beginning to wonder if they mean anything at all to the government. After all, that is what we are all here for. Our words must count for something.

Having said that, I recognize that without the authority of this House, your words, Mr. Speaker, really do not have authority do they? Without our support the Speaker's power and authority are limited. I do not think we should let our institution and our Speaker twist in the wind on this issue any longer. I say let us back up the words of our Speaker this time with some teeth. Let us show those teeth and if necessary, let us bite a few bureaucrats and ministers with those teeth.

● (1520)

The last time I addressed this issue I quoted from Joseph Maingot's *Parliamentary Privilege in Canada*, page 221 and I wish to do so again. It describes a prima facie case of privilege in the parliamentary sense as one where the evidence on its face as outlined by the member is sufficiently strong for the House to be asked to debate the matter and to send it to a committee to investigate whether the privileges of the House have been breached or contempt has occurred.

I believe that the case brought forward by the member for Prince George—Peace River on February 3 represented another incremental affront on the House and the case for a prima facie contempt of parliament against the ministers and their departments had reached a flash point at that time. If the situation had reached a flash point on February 3, it caught fire on February 26 in the House when the member for Calgary—Nose Hill brought up another complaint regarding the millennium fund. Today if we do not take action we are at risk of being burnt to the ground and the mace melted into a pane of brass. The cabinet and its bureaucrats will have won and the members of this place will have lost the final battle.

Mr. Speaker, I sincerely urge you to allow the member to move his motion so we can end this mockery of parliament. This cannot go on any longer. If it continues to go like this, we will be up time and time again in the House. At some point the Speaker has got to put some teeth into this issue.

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, I want to put on the record that I understand that the minister of course was the author of the announcement in question. I will be brief and succinct. Whatever decision you deem would be the correct one, not having been the author of course I cannot be the person who would be somewhat admonished, but possibly I might be as responsible and maybe even more responsible than the author, the minister in question, on this particular issue.

As a member of that body, the Joint Interparliamentary Council, which deals with these issues, I am privy to the discussions. From time to time, as my colleagues probably do likewise, I make estimates, judgments as to where they might go.

I will have to stand on my record in terms of respect for the institution, the chair and for my individual colleagues. Whatever I might have contributed to this matter I will accept my responsibilities. However, I am certainly totally confident that there was never any intent, my own, the minister's or the government's, to be disrespectful in any way of this institution. If in fact I erred in my judgment, I will accept the responsibilities and the admonishment of the chair.

My peers, without commenting on the technical aspects of the issue raised by my esteemed colleague from the New Democratic Party, the member for Winnipeg Transcona, as to parliamentary associations and what that in itself can bring through a debate, that remains to be seen. Clearly, Mr. Speaker, to be quite frank and honest with you and with my peers and colleagues of the House, I could possibly be more responsible than the author himself on this issue.

Mr. Chuck Strahl: Mr. Speaker, on the same issue I could add to what I said earlier that I do have a copy of the press release of March 30. It is my first opportunity to go through the press release and bring a copy here today. I would be prepared to table it if you would like me to do so at this time.

● (1525)

The Speaker: My colleagues, as you know, I take all questions of privilege very seriously in this House.

I address myself specifically to the member for Fraser Valley. Did I understand the hon. member to say that this particular matter was to have gone through the JIC, the Joint Interparliamentary Council, and then it was to go to the Board of Internal Economy? Did I understand the hon. member to say that? Could he address himself just to those two questions I have.

Mr. Chuck Strahl: Mr. Speaker, the document that I have, which is the appendix from the Board of Internal Economy about how we establish these associations if we decide to establish a new one, is quite explicit. It does not include the cabinet in any way.

There are two things I would like to underline here, that after a probation period of at least two years an ad hoc parliamentary exchange group which has already been established be given the opportunity to become a friendship group, and after a further probationary period this friendship group be allowed to apply to the advisory council, which has now been updated to the Joint Interparliamentary Council, to become a parliamentary association, and that the proposal for the funding for that be submitted to the Board of Internal Economy. In other words, it has to go through that process, I believe. None of that has happened to date.

The Speaker: I thank the hon. member for that specific information.

He also said that he has in his possession a copy of the announcement itself. I would like him to table that today. I want to take this matter under advisement and I will get back to the House.

I do note that four members of the Board of Internal Economy have addressed this particular matter today. I do note that the Board of Internal Economy is going to be meeting next Tuesday, unless my information is wrong. I want to put that on the record because that to me has a bearing on what I am going to be doing.

Mr. Chuck Strahl: Mr. Speaker, in regard to that, you should also know that the issue will also be brought before the Joint Interparliamentary Council. It is on the agenda for the Joint Interparliamentary Council to address at its next meeting. The problem again is that it has not been addressed. I am not sure what the council may or may not do. My point of privilege is that that has been presupposed by the minister's announcement.

[*Translation*]

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, I would like to join the whip of the official opposition in saying how important it is for members of the Board of Internal Economy to express their views on this issue. I would like to briefly express, if I may, the views of my party.

The problem facing us at this time is a very complex one in that, theoretically, we should have a system in which, as Montesquieu would put it, the legislative, executive and judiciary powers must be separate.

This distribution of powers under the British parliamentary system exists only in theory, however, since what we have in fact is the legislative power, with the House of Commons and Senate that

ake up parliament, and the executive power, with cabinet, the government and its employees.

Furthermore, we well know that the executive power rests with the majority party in parliament, which makes this distinction rather moot, as I just said. The problem facing us, and the whip of the official opposition referred to it earlier, is the fact that, for the fourth or perhaps even the fifth time in this Parliament or the previous one, the government jumped the gun in announcing measures that had not yet been considered, let alone approved, by this parliament.

In this respect, I would just like to add my voice to that of the whip of the official opposition in expressing concern about this government's tendency to take parliamentarians and their support for granted.

• (1530)

In my humble opinion, the privilege of this House has indeed been breached, given that, in theory at least, this House can freely decide, and members of cabinet must not presuppose what this parliament's decision will be.

[*English*]

The Speaker: I thank you, my colleagues, for your interventions. I reiterate that I want to take this under advisement.

GOVERNMENT ORDERS

[*English*]

STANDING ORDERS AND PROCEDURE

The House resumed consideration of the motion.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, before question period I was discussing a recommendation that there ought to be questions and comments during debate in private members' business.

We just came through question period. The galleries were filled. People were watching the proceedings in the House. We covered at least 20 different areas of discussion on a sharp basis, with interesting insights on behalf of not only the questioners but the responders.

At committees we see the same thing. The interventions of the witnesses in committee are always interesting. There is no question in my mind or any members mind that the dialogue between the members of the committee and the witnesses is by far the most illuminating part of committee meetings. That is where we find out the strengths of arguments. That is where we find out the weaknesses. That is where we find out the raison d'être, for making decisions on interesting parts of bills, motions and other affairs that come before committees.

When we consider what happens when we debate government bills, during the 20 minute speeches with 10 minute comment, there is a lot of vibrancy in the House. There is a lot of interaction. There is a lot of information. When we get down to those 10 minute speeches with no questions and comments, the energy in this place goes away. Quite frankly it goes away because members can no longer participate. I suggest that the quality of speeches also deteriorates because there are no questions to be asked of that member. When someone says things which are very good, I want a chance to say they are very good and ask for elaboration. If they say things that are obviously off base or misinformed, I also want an opportunity to point this out so that is not going to be misinformation in the House.

Without questions and comments things can be said in this place which are not very helpful to any of the issues which come here. The situation is even worse when we get down to private members' business. In private members' business if issue is not votable, it is a 15 minute speech and a five minute wrap-up. One member from every other party gets a chance to speak for 10 minutes. Nobody else gets a chance to say anything. It is a tragedy.

The reason it is a tragedy is there are some very good bills which come here. Members should be told on the floor that they have a good bill but there is a problem here and here is what we think they should do. Members should be told they have a bad bill and here are the reasons. We need this interchange and this dialogue. That is when we find out what is good and what is not good. My recommendation to the House is that we do have Q and A during private members' business.

Earlier today I had an opportunity to meet with two constituents of mine, Gillian Barber and Laura Morris of Port Credit secondary school, who are here with the forum on young Canadians. One of the items on their agenda is the role of a member of parliament. I told them that today I was going to stand up in the House and try to do my best to raise some enthusiasm for private members' business. It is an area which I think is losing its impact in this place.

The issues of votability and the lottery are demeaning to members of parliament. I find it insulting that members of

parliament, who have worked hard to bring items forward, have to go through some arbitrary chance process to get on the order paper. They then have to go through some other virtually impossible process to become votable so their item has a chance to live. The probabilities of those things happening are so close to zero that there are members in the House who will never get an item on the order paper. This is not right. Now is the time for the House to deal with these things. Now is the time for members to say now is a good time to do something about this. Now is the time to say that private members have a role to play. Not only do we have a role to play, but we have to be seen to be playing a role by our constituents.

• (1535)

I want to come here to talk about the local issues and how federal legislation reflects things that happen at the federal, provincial, regional and local levels. I want to hear what other members have to say about that issue as well. I do not want to think there is a member over there who never had a chance to rise in this place to do the best that he or she can to say here is what I think, judge me on my ideas, judge me on the rational thinking I am putting forward and give me your best shot because I know I have done a good job.

Members of parliament are not afraid to rise in their places to say what they believe on issues of importance to them. We should respect that more and amend the rules of the House so private members' business is not given less time but rather more time. This place does not meet from 9:00 a.m. to 10:00 a.m. I would be happy to come here to listen to what other members have to say.

I have two final recommendations. When a member puts in a bill for drafting, that bill should be grandfathered so nobody else can submit a similar bill an usurp that spot. Once a member has reserved an issue, that member should have the courtesy of having that issue reserved. I have a recommendation with regard to the carry forward between sessions. When an item has already been picked we should carry forward at the same stage those items that have already passed at second reading. Anybody who is on the order paper who has passed the impossible test of going through the lottery and the votability thing should also be maintained and should also remain on the order paper.

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Madam Speaker, I rise on behalf of the people of Okanagan—Coquihalla to participate in this debate on the House of Commons standing orders. It is important not only for the members of this House but for the general public as well that we have the tools available to us to be able to act in a democratic fashion in the House of Commons. If it were not for the democratic tools, those rules and the standing orders, we would be at the mercy of a majority government that would impose its will on the people of Canada. That would leave us as members of parliament as nothing more than actors and the House of Commons as a mere stage.

I will devote my time today to a discussion of royal commissions and how they relate to the parliamentary system. Under the current standing orders, royal commissions are not included in the rules of the House. They are separate. We should review that. I hope the standing committee will look at some of the recommendations I bring forward today. In recent history we have witnessed some major commissions that have fallen short of what the public was hoping to see from them.

Commissions should be at arm's length from the government. They may have a fairly immediate impact on legislation that comes before the House. An example would be the Somalia inquiry. Now we have Bill C-25 which is supposed to address the changes in the National Defence Act in relation to the military justice system. However, the Somalia inquiry made it clear to many Canadians that royal commissions do not represent the unbiased and autonomous bodies they were intended to be.

It is with the Somalia commission in mind that I speak in the House today with the intent of establishing a practice where parliament is required to have input into the mandate of royal commissions. It should not just be the executive branch of government, but parliament would participate in the mandates of royal commissions. MPs would be active participants through the committee system in the appointments of the commissioners and they would be active in reviewing the recommendations of royal commissions as well. All such recommendations should be automatically referred to a standing committee. The committee would then be required to consider and report to the House. The House could then consider the report.

I will look at the Somalia inquiry which was established in March 1995. This government established the Somalia inquiry with pressure from opposition parties in the House of Commons. The commission's final report was cut short by the government.

• (1540)

As I mentioned, commissions of inquiry are to be at arm's length from the executive branch but in this particular instance the Government of Canada interfered with the commission and did not allow it to complete its report. That is interference. When a process where there is judicial independence is wanted, like a commission of inquiry, there must be that independence.

The incomplete report presented was comprised of five volumes and had 160 recommendations. The Prime Minister put the cost of the Somalia inquiry at some $30 million which in reality was closer to $13.8 million. I will get to that discrepancy a little later.

The minister of national defence stated that the government had created a commission with the most wide sweeping powers possible in Canadian history. That is a direct quote from the then minister of national defence.

The Somalia commission had the mandate to inquire into and report on the chain of command, leadership, discipline, operations, actions and decisions of the Canadian Armed Forces. It was to look at the predeployment of troops. It was to look at the deployment of troops and it was to look at the post-deployment of troops but it was

not able to do that because again we had interference by the executive branch of government.

In other words, what I am saying is that because of the process, because of the interference problem with royal commissions, we have a system where the executive branch can ask commissioners to look at this much information in this much time and with this much money to do it.

The system is set up now by design, by the government, to fail. I think there should be a process where parliamentarians have the ability to look into those problems.

From the beginning, the commission of inquiry into Somalia became a battle between the commissioners and the Department of National Defence over documentation, altered documents, government interference on the inquiry's work, the decision to halt the inquiry before the work was completed and the final recommendations that followed.

This government cut the documents short but yet it took almost a year for the commission of inquiry which did not even have anything to start with, not even a paper clip. It could not get the information required from the Department of National Defence. And then when that issue was raised all of a sudden the material flooded in. Some 600,000 pages were delivered to the commissioners.

I have a quote from one of the commissioners: ''These documents arrived in disarray, often without an explanation of their significance or context''. Questions arose about inconsistencies in the documentation. Logs were missing or they included entries that had no information in them. Entries were missing. They had duplicate serial numbers.

Commissioner Desbarats stated: ''Because attempts were made to destroy some documents within national defence headquarters we are now embroiled in a detailed inquiry into the whole question of cover-up''.

We never got to the question of cover-up. The commissioners at the start of the inquiry said there was a possibility of a cover-up but by the end of the inquiry, in the middle of their investigation, they said there were no allegations anymore. It was the issue of cover-up. There was a cover-up and this commission was not allowed to continue.

Parliament should have been able to intervene and give the direction and find out from departmental officials what was going on. But at the time I stood in this House as defence critic for the third party in the House of Commons and each and every day the minister of national defence would respond to my questions on Somalia by saying let the commission do its work.

The government would not even let the commission do its work. That is inexcusable and that is why there must be some controls, rules and regulations in place for this House of Commons when it comes to commissions of inquiry.

I would like to touch on costs. I did mention earlier that the Prime Minister put the cost of the Somalia inquiry at some $30 million when explaining why the government wanted the commission to finish its work. This is when it was wrapping it all up, when the commission had not even progressed half way through the mandate.

● (1545)

That $30 million figure was inflated. It was absolutely inflated. We know that. The day that figure came out, the day the Prime Minister made that comment, I contacted by phone the Somalia commissioners who told me the accurate figure was $13.8 million.

It was a PR campaign by this government to tell the Canadian public we have got to stop, we spent too much money. It was a PR tactic. Unfortunately it worked. It should not have happened and it is wrong.

Finally, the minister of national defence acknowledged that 132 of the 160 recommendations of the commission were supported while others were simply put on the shelf because they did not fit into the plans of the department.

This is not even the true picture of exactly what happened because, as I explained, the commissioners of inquiry only had the ability to look at the predeployment phase and a portion of the post-deployment phase, never got to the completion of the deployment phase or the post-deployment phase which would have looked at the issue of cover-up.

Mr. Peter Adams: Madam Speaker, I rise on a point of order. Members get only one opportunity for a full debate on the standing orders. There has been great interest in changes to the standing orders.

I have been listening very carefully to the hon. member and I understand I think at least one point that he has made with respect to the standing orders. But I feel that most of the member's remarks do not relate to this debate which is required in the standing orders on how this House functions.

I would be grateful if the member would keep to the topic.

The Acting Speaker (Ms. Thibeault): I remind the hon. member that he should keep to the debate as closely as possible. He has only 31 seconds left.

Mr. Jim Hart: Madam Speaker, I know how difficult it is to hear about how royal commissions relate to this parliament, but this is very much in the context of how royal commissions should relate.

In conclusion, I submit that the following be included in the standing orders of the House of Commons. One, that parliament is

required to have input into the mandate, appointment of commissioners and recommendations of royal commissions.

Two, all recommendations should be referred to a standing committee. Three, the standing committee will then consider the recommendations and report to the House. Four, the House will then consider the report.

It is our responsibility to ensure—

The Acting Speaker (Ms. Thibeault): I must interrupt the hon. member at this point. His time has expired.

Mrs. Karen Redman (Kitchener Centre, Lib.): Madam Speaker, I rise today to take part in the debate under Standing Order 51.

As a new member of Parliament, I will not delve into the history of parliamentary procedure. Instead I will provide insight into the practices that have proved their value to date in the 36th parliament and those which may require adjustments to further improve the operation and productivity of this House.

The structures which have been developed and put in place throughout the evolution of parliament serve as road signs for those of us within this House to do the business of parliament. They allow for an orderly progress of the business of the House.

One of the challenges facing parliament immediately following the last election was ensuring the equal opportunity of all parties represented in this House. Political commentators called it a pizza parliament and suggested it would have great difficulty in reaching a five party agreement as to party representation and participation in question period and on committees.

I would be remiss to portray this as an easy process. In reality, the whips and House leaders of all parties represented in parliament deserve recognition for endless meetings held prior to the commencement of the 36th parliament.

However, consensus was reached, basing representation on party proportionality, as explained by my colleague from Glengarry—Prescott—Russell earlier today. This consensus among all other tenants of parliamentary procedures and rules has laid a foundation for fairness. A demonstration of this fairness is evidenced by the election of the Speaker of this House, which included members of all political stripes, including an independent representative.

● (1550)

Party whips are key to the evaluation of fairness in negotiating all party agreement. A team is an apt analogy for the business of this House. A team relies on the input of all members in order to play the game. This House requires the work and participation of every member in it to carry out its daily business.

[*Translation*]

Yesterday, the member for Lac-Saint-Jean made a statement of sorts by walking out of the House of Commons with his seat.

[*English*]

Yesterday's event was an example of a member of this House dissatisfied with his ability to represent his constituents in order to feel he makes a difference. While it is unfortunate that personal frustration occurs, there are avenues where members can express their views. They can offer to enlighten their colleagues in this House. They can bring the concerns of their constituents forward to this legislative body and they can institute change.

There is always room for improvement through the use of standing committees, question period, members' statements, votes and private members' business as well as House debates. There are many routes with which members of parliament of any political view can move their envelopes forward.

Our current voting structure balances the philosophical overarching decisions with political reality. Regardless of the ongoing debate of our system that voting is archaic and that we should move to an electronic method, discarding our treasured tradition of rising at our seat, the act of voting will continue to be a blending of constituent concerns, party values as well as personal points of view.

The current committee structure is key to all party consideration and examination of a multitude of facets of any given issue or any piece of legislation. This forum is used for reviewing, discussing and amending legislation. In my estimation it is an incredibly valuable process. The procedure and subsequent ability of committees to hold public consultations across the country serves to provide Parliament with a regionally specific concerns on many key issues.

As a member of the Standing Committee on Finance I saw the importance of this consultation firsthand during last fall's prebudget hearings. It is a huge task to consider and incorporate the competing needs of Canadians in submitting budget recommendations. There is a great variance whether it is rural and urban needs, regional differences, the social demand for reinvestment as well as the realization of fiscal responsibility, the overall need for budgetary accountability.

The system of consultations worked and it worked well. The budget introduced by the Minister of Finance earlier this year reflected the needs of Canadians, the concerns of committee members, the input of cabinet and the calculated fiscal accounting of the Department of Finance. Members who feel they have no avenue for change need only to review the minutes of the finance committee's prebudget hearings and compare them with the budget documents to see the correlation that exists.

As for improvements to the operation and work done by standing committees there is room for more exploratory work, aiming at the proactive development of legislation rather than the reactive review of legislation once it has been introduced.

The nature of debate in Parliament is to bring together diverse views, both political and ideological, and find consensus or majority of opinion. The process is necessary in the evolution of legislation. Although government bills dominate the legislative landscape private members' bills allow individuals to lift personal causes or local ideas to a national stage in order to receive debate. Not all private members' bills become votable. In reality during the entire 35th parliament out of 408 private members' bills introduced in this House 119 were debated, 47 were deemed votable, while a total of 9 passed.

While on the surface this ratio may seem less than impressive, and I am not about to say that it does not need improvement because I believe it does, private members' bills bring issues to the attention of all members of this House, including the government. In some cases over time the issues percolate into government policy and although it may not be under the exact terms of the private member's bill the issue does get addressed.

• (1555)

Earlier in this debate the Reform whip suggested that the justice committee failed to report during the 35th parliament on an issue of the rights of victims of crime. This issue originated as a private member's bill. In fact, this is untrue. The justice committee tabled a report in the House last April. That report is available to all members of the House. The real truth is that Reform members present walked out of the committee just as the motion to approve the report was being brought forward.

A new committee has undertaken a national consultative process on victims rights. It will be held in June of this year and a further report will be tabled in September 1998. I appreciate the opportunity to set the record straight.

As my colleague from Mississauga Centre pointed out, change is needed in moving private members' issues forward. I listened with interest to her recommendation and also urge the committee to carefully consider an alternate means of dealing with private members' bills.

Of particular interest is the bringing forward of bills based on signatures of support versus the current lottery system. Through collecting support of at least 10 members of each party for a total of 100 members, private members' bills would have the opportunity to be debated based on their perceived importance to parliament and Canadians rather than merely left to the luck of the draw.

The structured and strict running of question period has allowed more effective use of the allotted time. Throughout the week it allows questions of importance to be raised with the appropriate minister.

A recommendation which has been made in the past and which I support is weekly in-depth question and answer periods involving a designated minister. I suggest that Friday question periods be scheduled with regional ministers on a rotating basis, allowing greater debate on issues affecting each region or, in a related vein, that each Friday an assigned minister would be available for in-depth debate on specific issues relating to their portfolios.

This would provide both members of parliament and their constituents the opportunity to have local concerns raised in a focused forum where the minister will, based on the region or portfolio chosen, provide regionally specific responses to the questions posed.

While much more can be done to improve the accountability and the procedure of parliament, I feel it is necessary that we continue to adapt parliament to the changing environment. We must safeguard democracy and preserve the valuable traditions of this institution.

Mr. Robert D. Nault (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Madam Speaker, it gives me great pleasure this afternoon to talk about the standing orders and procedures of the House and its committees.

I have been a member of parliament now for 10 years coming up in November. Having come here in 1988 as a member of the opposition and now a member of the government, that should give me some insight at this point from an individual's perspective as to whether the House of Commons as I know it does work.

There are a couple of concerns that I have as an individual member I want to bring forward this afternoon. Before I do I want to talk about the obvious function of parliament itself. Parliament has two major functions. One is legislative and the other is accountability.

We should always keep in mind when we are having discussions in this place whether those two functions are being adhered to closely so that no matter what the government decides to do, the legislative agenda of the party in power is brought forward. That is obviously the wish of the people, having voted for that party to be their government for a period of time. I think it is also very important that there is an accountability process built into that program.

In the last 10 years one of the things that has interested me most about parliament is the issue of accountability. If there is anything that irks the people back home in Kenora—Rainy River, it is the fact that they always want to feel that members of parliament are

being accountable to them the taxpayers. This brings me to the first issue which is very obvious to all of us in this place.

• (1600)

The standing rules and procedures of this House in the last number of years have changed dramatically. When I first came to this place a member could speak for 20 minutes as a backbencher. We could speak freely for 20 minutes on any particular topic. The lead speaker could speak for a very long time if he or she wished. Now under the procedures they have made it 10 minutes.

I bring to the attention of the House the unfortunate belief that we are going backward by restricting the freedom of speech in the House of Commons. We should be allowed to speak, within reason obviously, for as long as we would like to speak, as long as the government's agenda, the government's program is allowed to go forward by all parties in the House.

We seem to place restrictions on ourselves. The thrust of what we believe and what we hear from our constituents in the ridings is not brought forward in debate in the House of Commons because of the restrictions of time limitations which are put on us. For example, in the short time that I have, 10 minutes, it is very difficult to put a comprehensive argument together about what the House of Commons should and should not be doing. I will leave that for a moment.

The other issue is the one of accountability. I wanted to speak very strongly about accountability because it has two facets. Accountability to my constituents means the ability for me to stand up in the House of Commons as often as I possibly can to defend in this case the program of the government, the party I represent. I explain why we have chosen a particular program, a particular initiative for the good of the people as we see it. If I cannot do that because there are restrictions, because there are agreements between House leaders and between parties which restrict the amount of time we can have on a particular bill, I do not think it does anyone any good. It is one of the problems we need to look at very seriously.

The other is the issue of accountability in the committees. I want to speak specifically about committees. As a member of parliament for the last 10 years I have noticed that in committee even though the opposition likes to promote, as I did in opposition between 1988 and 1993, the importance of committees as it relates to accountability, whenever we decide we want to look at the estimates it is the least important thing to the opposition members. They will not say that publicly but in fact it is true.

It is not something which generates a lot of excitement by members of parliament in committee. They continue, as the opposition is now doing, to say we should look at the whole issue of the estimates for the human resources development department, which is the department I am presently on the committee with. There are huge amounts of dollars involved in human resources development, close to $60 billion. How often do we look at the estimates of human resources development in committee? So far this year, not at all.

There is now a filibuster in the human resources development committee on a piece of labour legislation because members of the opposition would like to delay the bill. They have been sitting on the same clause all morning. That will delay the ability of the committee to look at the estimates.

We need to seriously look at the importance of accountability in committees and give members of parliament the opportunity to reflect on those estimates. As boring as they may seem to people on this side or that side, it is one of the major functions of a member of parliament.

If we can get agreement by members of all parties on all sides of the House that they will allow the program of the government to go forward, we could then open the rules of this place. We could on the one hand speak on behalf of our constituents as a member of parliament and on the other hand make sure that the program we ran on as a party and as a politician is moved forward in the weeks and months we sit in this place.

• (1605)

That brings me to the third and I think the most disturbing issue of this parliament and other parliaments as I have seen it. It is the issue of private members' bills. For the sake of argument there is very little attention or care taken on private members' bills and private members' business. In fact it is non-existent if people in this place wanted to be very blunt and frank about it.

We will never get a good system for private members' business and for the bills that come to this place until there is an acceptance by the Canadian people first and by the members of parliament that private members' business is very separate from the government's business from the parties they work for and the business they believe in.

Even though we continue to stand up row by row, individual by individual, the fact remains that private members' bills are not looked at by the government or by the opposition as private and on which they can vote whichever way they choose. I have seen on numerous occasions in this place since 1988 not only the government but the opposition using private members' bills as an opportunity to send a signal to the Canadian people. Let me give one example.

It is well known to all of us that if we voted for a Reform private members' bill as a private member on the government side, they would take the opportunity to use that private members' bill and the fact that we supported it to try to embarrass the government and the member in the member's constituency. Because of this, there is

no ability for members of parliament to feel free to support individual private members' bills.

If in fact we were to open up the process and if the Reform Party were to stop pretending that they do believe in private members' business and that they vote independently, then we could get on with the very important work of putting together a private members' process, one which would allow us to put forward our constituents' points of view. In rural ridings such as mine we do not have the opportunity to debate rural issues as often as we would like to do so.

As I mentioned earlier, the 10 minutes, the short time I had is finished, which does not allow me to elaborate on a number of other points.

Mr. Norman Doyle (St. John's East, PC): Madam Speaker, listening to this debate today I have to say I was impressed that there have been so many positive references to the Special Committee on the Reform of the House of Commons.

I would like to make all hon. members aware that many, many years ago this committee was chaired by the former member for St. John's East, the Hon. James McGrath. He represented St. John's East for many, many years. I think he was in this House for roughly 21 or 22 years. It is rare in my experience at least that a report which is 13 years old still maintains a certain amount of relevance here in parliament. It says a great deal about the quality of work that was done at that time by the Hon. James McGrath.

This morning the member for Pictou—Antigonish—Guysborough referred to the Liberal position paper on parliamentary reform which was published back in 1993. It was published at that time under the signature of the prime minister.

One of the changes the Liberals promised was for the opportunity for MPs to present their grievances here in the House of Commons. After all, this is what the people of Canada, our constituents, sent us here for. One of the changes they promised was the opportunity to present grievances here in the House of Commons.

• (1610)

The Liberals said that members of the House and more importantly the people they represent have to have the fullest opportunity available to place problems and grievances before parliament. The rules providing the vehicle for that, such as presentation of petitions and members statements, must be revised to facilitate that process. We do not have too many opportunities here in the House of Commons to present our grievances.

To give one example, a very important thing happened in Newfoundland recently. It affected the member for St. John's West, the member for St. John's East and the member for Burin—St. George's. It was the moving of the Marine Atlantic headquarters from Moncton to North Sydney in Nova Scotia. The member for St. John's West, the member for Burin—St. George's and myself wanted the opportunity over the last week or so to present our views here on that very important matter. However there was no opportunity for us to do so.

Statements by members are only one minute long. It is very difficult indeed to make a case on a very important issue in one's province in one minute. Even in petitions we can only speak for 45 seconds to a minute. It is very difficult to make one's case in that period of time.

The Liberals went on to promise that they would increase the time available for members statements but it has not happened. To date there has been no effort to do that and no dialogue on that issue.

I encourage the House to make more time available for members to raise many of these very important grievances which Canadians have against the treatment they receive from their government.

Earlier this year the House was asked to approve changes to the Constitution regarding the provinces of Quebec and Newfoundland, another very important issue. As the House knows, there are no special provisions in the rules regarding the consideration of constitutional amendments and there should be. Since it requires only the passage of a single question for the adoption of a constitutional resolution, there should be some protection and procedures laid out in the standing orders. There should be a mandatory committee procedure and a guarantee that local hearings will be held so that Canadians can have access to the members of the House of Commons.

Finally in the limited time I have available to me, I want to offer an observation about the way the House considers the important business of supply and estimates.

I spent many years in the Newfoundland House of Assembly as did my colleague, the member for St. John's West. It is a small house with 48 members but that house demanded a much higher level of scrutiny and debate before money was appropriated and expenditures authorized.

This House needs to look seriously at the estimates process. We owe that to Canadian taxpayers. We are spending their money. This will mean that ministers will have to be more available to committees. There will have to be less game playing on the part of witnesses. There will also have to be more time spent and more time made available for the very important business we have to conduct here.

I would like to endorse the feeling of the House leader who spoke this morning concerning the need to simplify private members' business. If there are ways that changes can be made and rules changed, then we on this side of the House, if it is to give additional time to members to make their constituents' cases, would support them.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, it is a pleasure for me to join in this debate this afternoon. Hopefully this debate will move the government to make some much needed changes to the procedures of this place, to the standing orders and to the way in which we conduct business in the House of Commons.

● (1615)

I note that a number of those preceding me in the debate this afternoon referred to private members' business, among other issues. Certainly that is a very important issue for every member, regardless of which party they happen to represent in this place. Whether they are opposition members or government members, private members' business is a very important issue. In fairness, I think even the backbench members on the government side have seen the inherent problems in the process.

On a number of occasions when I have written newspaper columns at home, done interviews and held meetings in consultation with the constituents of Prince George—Peace River I have referred to the lottery system of private members' business. We have to be lucky in order to have our bills chosen. I think this is true of all members, or the vast majority of members. They put a lot of time, effort and thought into drafting their private members' bills. In many cases the bills address a specific need that they see is lacking in legislation. Perhaps it has to do with something specific to their particular riding or their area of the country. They put a lot of time into drafting their private members' bills, introducing them in this place and then they sit and wait, and wait, with the slim hope that they might be fortunate enough to win the lotto 649 and have their name drawn.

Then when they have their name drawn they go to the next step, which unfortunately is to go before a supposedly non-partisan all party committee to plead their case. They go on bended knee after they have been fortunate enough to be one of the ones to have their name drawn. They go before this committee to try to convince it that of the 15 drawn theirs should be one of the 5 that are fortunate enough to have their bill made votable. It is a process that I have been critical of, as I think a great many members have been on both sides of the House.

Reformers are system changers. Those of us who were elected in the first go around back in the fall of 1993 were sent to Ottawa to change the system, to change the way that governance is done in Canada. It is one of the prime reasons for which the people of Prince George—Peace River supported me as a Reform candidate back in 1993. They said ''We want you to go down there, Jay, and try to change the system''.

Certainly Reform has been criticized many times over the past four and a half years for running up against the wall, the wall of the old traditional ways, the old system. We are constantly pushing the envelope and saying that we were sent here to change the system.

Yes, there are a lot of traditions that we respect in this place as very loyal, patriotic Canadians, but there are a lot that we question. We say ''Just because it has been done that way for 130-some years, does that make it right? Does it make it the most efficient and the most effective way in which to govern a country as large and as diverse as Canada?'' There are many areas where change is needed.

We were sent to Ottawa to change the system, to change the way in which Canada is governed. Of course, ever since our party was formed back in 1987 we had our blue book of principles and policies which contain sections about democratic reform. These were things that we felt, in broad consultation with Canadians, should be changed to make parliament more responsive to what I call the real world outside these hallowed halls, the real world in which the vast majority of Canadians live and work each day.

● (1620)

Therefore, this debate today is particularly appropriate for Reformers. We are talking about the standing orders, the procedures, the traditions and certain things that require reform and change.

Hopefully what we viewed yesterday we will not have to view again. A member of this place became so frustrated with the process and felt he was failing his constituents and all Canadians that he resorted to the atrocious stunt of stealing his chair and rushing out of the House of Commons to try to make the point to the government that the system needs some serious changes, that it is in serious need of a major overhaul. We are not talking about tinkering.

I would like to speak briefly to order in council appointments, the system whereby the government makes appointments. This process was widely criticized long before I ever decided to run for politics. I think it is high time we had a different process in place for the appointment of individuals to a lot of these boards.

As the agricultural critic for the official opposition I am very aware of this at the moment. Bill C-4 is currently being debated in the Senate. It has already passed this House. The bill calls for a board of directors to be set up in order to govern the Canadian Wheat Board. Of that board of directors, which will consist of 15 individuals, the government, in its infinite wisdom, only decided to have the farmers elect 10 of them. Five of the directors will continue to be appointed.

I think a lot of my colleagues, as well as myself, hear a growing resentment from Canadians about a lot of these appointments as we travel in our ridings and across Canada. I could run down a long list of some of the ones who are the most questionable, individuals who have been appointed to particular boards, many of them very highly paid. In fact, many of them are much more highly paid than

you and I, Madam Speaker. They have been appointed to these boards with very high salaries and very questionable attributes. It seems that many times, at least on the surface, it is more likely because of party affiliation or who they supported that they get these jobs, not because of what they know or do.

Ironically, there is another bill which was being considered this morning in the standing committee on agriculture, which is Bill C-26. It also calls for the possibility of a board. In fact it states in the legislation that the minister for agriculture may set up an advisory board consisting of up to nine individuals, all appointed. A number of witnesses appeared before the committee this morning who raised questions about how the individuals will be selected and whether they will necessarily be the best people for the job.

I could have gone into a lot of other issues that are important. Time allocation and closure come to mind, as well as questions on the Order Paper. There are so many issues that on the surface seem dry and somewhat mundane. People probably do not have a lot of interest in them. But, in reality, once they are explained to the viewing public, they show a great deal of interest in them because they affect the way in which our country is governed.

• (1625)

[*Translation*]

The Acting Speaker (Ms. Thibeault): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Waterloo—Wellington—Prisons.

[*English*]

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, I am pleased to participate in this debate on the motion deemed to be put according to Standing Order 51, namely that this House takes note of the standing orders and procedures of the House and its committees.

In this brief period I would like to address two points, the first perhaps broad and general in terms of the work of members of committees, and the second being a specific recommendation to add a new standing order following Standing Order 98 in order to correct an obvious problem that continues to sit on the books.

Individuals come to this place with firm convictions that they can contribute and can add something to the big picture and, most importantly, they can make a difference on issues and matters that are of concern to their constituents. Members come here to serve their constituents. Members come here also as part of a political team, a party which reflects in a general way their beliefs, their values and their collective attitudes. An election result is the combination of the presentation of the individual candidate and the party that the individual represents.

A member's arrival in the House of Commons is an experience which I would suggest flattens the idealistic to the more pragmatic because this is, after all, a place of government by ministerial responsibility and it is through the ministerial system that one must work to see a result or an influence on policy and ultimately on decisions. Through the 18 standing committees an individual member of Parliament has an opportunity to directly influence decision making in the broadest sense of the word.

On October 22 of last year the Ottawa *Citizen* published a column by a writer known as Susan Riley in which she noted:

> Everyone knows that the ordinary member of Parliament is a pitiful creature, shut out of important decision-making,—ignored by the media and ranked below lawyers in public esteem. Everyone has remedies for this sorry situation including more free votes, a higher profile and more travel for Parliamentary Committees, better decorum in the House and more opportunity for private members to introduce their own legislation. But nobody, including MPs themselves is willing to do anything other than complain.

In that column she addresses the role of committees.

In my experience the 18 standing committees of this House have little or no relationship with the minister responsible for the department. In a parliamentary ministerial government it is astounding to me that ministers only appear for perhaps two hours before a committee to explain why draft legislation is necessary. Is it not equally unbelievable that a minister will appear for a couple of hours to explain or defend the estimates of an entire department involving perhaps billions of dollars?

This is pro forma ministerial involvement in the workings of committees. It is an absurd method of paying lip service to committees, yet there is no real interchange between the minister on the one hand and the committee on the other.

Our system of ministerial democratic government is looking for change. As collectives, committees have seen less resources devoted to them in terms of support, staffing, travel allowance, access to the minister and freedom to travel. This skewers the function of this place. The executive and the legislative function of each department, which is vested in the minister, grows more powerful while the counterbalance, which is vested in the committee, continues to shrink.

The time has arrived for every member of this House to get serious about what this place is and what it might be. As my friend and colleague, the member from Rosedale was quoted as saying last year: ''Valuable work is still done in committees. It is as if you're dropping a pebble into a deep well''.

Perhaps members of this House would like to give themselves something larger than pebbles to deal with. This is an issue which does not fall along partisan political lines. This is an issue which speaks to the office of member of Parliament and to the very institution itself. This is an issue on which we as members can agree to move back to committees a meaningful role for members.

● (1630)

We need to move the role of committees to a level of greater importance, and this can be done in a number of ways. We can allow some free elections of chairs or we can allow votes in committees as are conducted in the British parliamentary system. Most important, give back to committees the resources and support staff such as researchers and legislative counsel, in order that all committee members can receive objective, impartial and expert advice in the course of deliberations.

Standing committees are not intended to be puppets or extensions of the department with which they are aligned. They are to examine, test and recommend improvements in what ministers propose. Yes, there are political and philosophical differences in committees but at the same time one cannot assume that any department as represented by its minister is always correct or always perfect.

Yet committees have been disempowered. The Standing Committee on Procedure and House Affairs should be looking at ways to return some modicum of real control. It is easy to say that committees are masters of their own destiny. Destiny I would suggest will always be an abstract idea without the supporting rules and resources to give that cliche meaning.

The other issue to which I wish to speak specifically involves the standing orders surrounding private members' bills, namely Standing Orders 98 and 99.

[*Translation*]

In fact, these private members' bills, after a review by a standing committee of this House and third reading, are sent to the Senate.

There, these bills must be treated like public bills. As we know, the Senate committee can take several initiatives. However, if an amendment is made during the review by the Senate committee and is approved at third reading, the bill will come back to the House, which must then reconsider the bill.

In fact, the House can accept or reject the Senate amendment. It is time we recognize that this is a major problem. It is simple: there is no means, no process to conclude debate on an amendment made by senators.

[*English*]

This is the ultimate catch-22. This is the treadmill that never stops yet moves nowhere. The fact is the rules are silent on this point with the end result being every time the bill, as amended by the Senate, comes before this House, there is no end to the process.

A private member's bill which has received the approval of this House and is amended, however slightly in the other place, can come back here and be hijacked forever. We know there are specific rules for debate, namely three hours at second reading and two hours at third reading. Yet when a private member's bill returns from the Senate amended, the rules say nothing. The end result is that private members' legislation can be debated forever without the closure that a vote on legislation as amended by the other place will bring. We can say this will never happen but it has happened.

In conclusion, this is a simple, pragmatic, easily accomplished change to the standing orders specifically which can be made to correct this obvious shortcoming. By adding after Standing Order 98 a new standing order, a limit of two or three hours can be imposed and a vote be required after the period of debate.

I hope the Standing Committee on Procedure and House Affairs will move to add this section and to correct this obvious problem.

Mr. Bill Gilmour (Nanaimo—Alberni, Ref.): Mr. Speaker, I would like to comment on the Senate. Bills should originate in this House and only in this House. It is we, the elected members, who should originate bills. They can go to the Senate afterwards. That is the way it is meant to be. However, bills should not originate in the unelected, unaccountable Senate and then come to this House. They should originate in this House.

The standing orders should be amended to say all bills ought to begin in the House of Commons.

● (1635)

My second point deals with the estimates. Normally it is the practice with the estimates to bring the government department before committee. However, in the Senate this does not happen. In the 35th parliament it was the first time ever in parliament that it started in committee. I was on the public works committee. We passed a motion within our committee to ask the Senate to appear before our committee. That in turn required the unanimous consent of the House of Commons.

The chair of our committee brought that motion forward. There was unanimous consent of this House to send a letter to the Senate to appear before the committee to justify the estimates. The Senate refused. That is the crux of the problem. There is no vehicle available to Canadians to have the Senate appear before any body to justify the money being allotted to it. This is not a witch hunt. This is simply accountability. We are asking the Senate to be accountable.

The practice that sets a deadline to have the main estimates put to a vote in the House is practical when committees have the time and authority to summon departments and agencies to appear before them to justify their spending. That is the normal route with the estimates. As I said earlier, considering that the Senate is not bound by an order of the House of Commons or its committees,

Senate estimates should be allowed to stand over and be considered on a day after the last allotted day. The estimates of the Senate would only be considered after the Senate has had an opportunity to send a representative to appear before a House standing committee.

At present, the only threat the Commons can make is to vote down or reduce the estimates of the Senate. A hold over might be less confrontational and would add another option to bring some accountability to the Senate.

Those sum up my two points. First, all bills should originate in the House. Second, there should be some vehicle for the Senate estimates to come before a body of this House for scrutiny.

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, tomorrow I will have been elected 10 years. I was first elected to the provincial legislature in Manitoba on April 22, 1988 and spent five years there before being elected here in 1993.

I can recall on more than one occasion standing in the loges in the house talking to other members and collectively wondering what we were doing much of the time. We found ourselves involved in a series of activities, routines and rituals that grew out of the traditions of the house that left a lot of us feeling that they were simply a diversion from the work that brought us here in the first place. They were an impediment to doing what we thought we were elected to do.

Tactically it became important if we wanted to change the course of a bill to put pressure on the government by delaying the passage of bill through the house. We had a rule that allowed us to speak for 40 minutes. We had members getting up making speech after speech for 40 minutes at a time on subjects that they had no passion about, no feeling about, but simply because it was necessary to occupy that portion of time.

We would organize hundreds of witnesses to come before the house committees on bills simply to delay, not to add to the debate, not to add to the quality of the work that was being done, but to play the tactical games that dominated the activities of the house. However, there were some things in the provincial house that I rather liked when I contrast them with what I am doing here. I want to focus a bit on that. First I want to compare some of my experiences in the provincial house with the ones I had when I came here.

● (1640)

I find this place, strangely enough, even though it is almost six times the size of the provincial legislature, a more accessible place when I wish to speak. The work I do is no different from the work that everybody in the House does. I represent a number of Canadians. I spend as much time as I can in my home community working with people, meeting with them, hearing what concerns they have, asking them questions about things the House is seized with, taking their opinions and bringing them back into this place. It comes back in a number of ways.

Compared to the provincial legislature I was in, I find there is more accessibility to the floor of the House through S. O. 31s, through the question and answer period after speeches in most debates and through the late show. There are opportunities for me to rise in the House on a regular basis and put on public record the opinions, the feelings and the attitudes of the people I represent. For me it is a significant improvement.

I also note some changes that have taken place in the House over the last few years since I have come here relative to the work of committees that I think represent a first important step in what could be, not is, a substantial improvement in the functioning of committees.

The ability of committees to set their own agendas is an important power that committees could exercise more efficiently than perhaps they do at the present time.

Another is the lining up of committees with departments so that members of a committee are dealing not with just the legislation or just the estimates but with the whole picture of the department, the planning documents, the estimates, order in council appointments, all the legislation and the annual reports.

We begin to move in a cycle that allows a committee to really have input into the operations of a department throughout the course of a year. I think that is an extremely important structure and one that has come about in the last few years since I have come into this place in 1993.

However, it is a flawed process in two important ways. If we look at what happens in September with the consultations done by the finance committee there is a focusing of attention in the House on that process. A statement is made by the finance minister and the committee goes off to solicit opinion from Canadians that then gets reported back to the House and is reflected or not reflected, depending on the issue, in the budget that comes down a few months later. It is a process that receives a strong mandate from the House and a lot of attention from the House and produces a result that I think has grown in quality each year.

That process works because the finance minister takes it seriously. He pays attention to it. He works with it. He utilizes it as the tool it really is supposed to be. It is supposed to be all of us going off into our ridings, talking to people about the issues before the government at that point in time, and the finance minister works with the committee to frame those issues. We collect the opinion,

we discuss it, we debate it in communities all over the country, then we bring it back on to the floor of the House and it plays a part in the final document presented in February. That is a big part of what we are here to do.

There are two ways that process falls apart. I have chaired a committee. I am on my third minister and I have a terrific working relationship with the minister which is very solid and I feel we are able to do some good work, but that is not always the case.

• (1645)

As the member from our side who preceded me pointed out, if the minister does not choose to work with the committee, the process falls apart and is invalidated. It is a flaw in way the standing orders are structured to hold ministers and departments accountable to the committees structured for that purpose.

Committees first came into existence as part of the accountability structure. Members representing constituencies from all over the country sat on budget committees and reviewed the expenditures of departments because only the House of Commons could grant spending authority. We went through the expenditures line by line very carefully. We questioned them and held the departments and ministers to account.

That still goes on in provincial houses. Ministers sit before those committees hour after hour after hour, day after day, until answers are arrived at. Here, as was pointed out, ministers come to the committees, make their hour or hour and a half presentations, and that is the end of it. As a result committees largely spend no time on the estimates because they are a waste of time.

One thing that frustrates me enormously is the attitude of the House toward new technologies. They are being taken up all over the world. We see all sorts of computers in all offices now. All sorts of technology are being used as productivity enhancements. They are used to automate routine tasks so people can focus their time and energies on those tasks where their expertise is most valuable. Yet in the House we refuse to adopt those same technologies.

How many times have members walked out of the House after spending three hours voting and asked ''what was that for''? In five minutes I could register my opinion on bills my constituents are interested in, so why am I wasting my time on activities that could be better done in a more efficient way, which would leave me free to do the things I theoretically have the skills to do? I could meet with my constituents, coalesce opinion, bring that opinion here, debate with members from the other side of the House and debate theoretically and hopefully toward some sort of improved conclusion on a solution to some issue that confronts the country. That is what we are theoretically here to do.

If we could get away from the attitude that somehow technology is an evil that should not be brought into the House and embrace it, we may find that it frees us to spend more of our time doing the things that we would all prefer to do.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I will speak to a couple of issues regarding the standing orders. The first is debates in the House and the second is Private Members' Business.

Shortly after I came here I made a very disappointing discovery. I suspected it to be true right from the beginning. It was confirmed on a number of occasions and is a sad situation. For example, I arrived here one Monday morning and it was announced on the board that there would be a debate that day on whether or not we should send troops to Bosnia. I remember that specific debate a few years back, the first time around.

The debate was put forward. Some people were speaking passionately for sending troops to Bosnia while others were speaking passionately against it. The debate was going back and forth, across and all around. It carried on until Tuesday night when the House took a vote.

We went through the process of a full two day debate. We went through the process of a 15 minute or 20 minute standing vote. I noticed in that vote that all government members supported the idea of sending troops to Bosnia, which is fine if that is the way they felt. Then we voted on this side of the House. The sad part of the whole thing was that the troops were already on their way on Thursday, before the debate even started.

Let us stop and think about that for a minute. We were here for two days. What did it cost—was it a million or $2 million dollars—to run this place, to be here debating an issue that was already decided? That to me was straight contempt of parliament.

• (1650)

In other words I have learned in the short four years I have been here that decisions are not made in the House as they ought to be made. They are made by the front row, the odd few. Chief bureaucrats could possibly be involved with a certain minister. Then they emerge from behind their closed doors and say what they will do with a particular issue, whether they will vote yes or no. It does not matter what kind of a debate takes place. Nothing will change their minds because they are members of the Liberal Party, are the government and will vote the way they are told. That is sad.

Then we get the courage and the conviction of some of them, one of them being the member from York South—Weston. He is now an independent member because he campaigned against an issue. During his campaign he strongly indicated to his constituents that

when he got to the House of Commons he would push hard for what they all said they believed in, scrapping the GST.

When the budget came out that year and did not do as he had promised his constituencies, his convictions were so strong he had to vote against the bill. Consequently he got fired. Now he sits as an independent on this side of the House. That is a disgrace. It is an absolute shame.

I wonder if the people of Canada who vote for these old line parties realize that they are operating and living under a dictatorship of a few who make all of the decisions on our behalf. Regardless of all the compassion we put into our debates, regardless of how hard we fight for an issue that we know our Canadian constituents want, it makes no difference; the decision is made by the mighty few.

The Conservatives of the Brian Mulroney and Michael Wilson era did the same thing. I cannot think of an issue that was more obvious Canadians did not want than the GST. The message was loud and clear by all constituents from all ridings in all parts of the country. However, when it came time to vote the mighty few said ''You will vote for this. If you do not you will be fired''.

Consequently we now have a member sitting in the Liberal government, the member of Edmonton Southeast. He voted against the government of the day because his constituents did not want it. I applaud him for having taken that decision. I do not know if he made the wise decision by moving to the Liberal Party because it is no different. It does the same thing. One day he will have to vote against the wishes of his people because his government will not let him vote otherwise. That is a shame.

Those kinds of things go on in the House far too often. Decisions are made daily by a few. We are here debating and it makes no difference. Consequently when the wishes of the Canadian people are not adhered to, we become about as popular as snake's tail in a wagon track. That is the opinion we will get from the people. How much lower can we get?

We are sent here by the people of Canada to represent them, to send their voice forward, hoping that it will have an impact. These people are our bosses. They are the ones who have the right to fire us, not the group sitting on that side of the House or any party. No people in Canada gave that authority to any party. They hired us through an election and they will get rid of us. Right now the only way they can do that is in the next election, and most of the time they will do that.

Let us look at what happened to the Mulroney government with the GST. No one will ever convince me that the reason the Conservatives went from the largest majority to a meagre two was nothing more than the pressure of voting for something the people did not want, the infamous GST.

● (1655)

I do not know what it would take to get rid of that kind of procedure, but it would be nice to tell members they have the freedom to vote in the House according to how the people want to be represented.

I heard a member on the other side talk about getting feedback from his constituents and coming here to represents their views. However it does not make any difference in that party because they have to vote according to the minister in charge of the particular bill and no ifs, ands or buts about it.

We live in a democratic country. Is that a democratic process? In a pig's eye. That has to change. I do not know what it takes to do it, but a free vote would be nice. We could legislate that. Maybe recall would even be better so the people of Canada decide whether a member belongs here rather than a government politician. That is not what they are here for.

Enough said about that. I want to move to Private Members' Business. A committee is struck to determine whether or not a private member's bill is votable. Even members of the government caucus have called a committee which makes a decision on whether or not something is votable a kangaroo court.

I will give an example. I presented a bill a couple of years ago that would simply give the police the authority to arrest upon sight, without a warrant, when people on parole were breaking the conditions of their parole. The committee in all its wisdom after debating it decided it was not votable.

A few months later one of my colleagues put forward the same bill with exactly the same contents. Guess what? That one was votable. I had spent a lot of time and money putting together a proposal that was denied, and one of my colleagues spent a whole lot of time and money putting together the same proposal that was accepted. I guess it is what mood they are in. I have no idea what helps them make their decisions, but that is wrong.

They set out the criteria for a private member's bill to be votable. If it meets the criteria that should be all it takes, but no. I have a hunch somebody over there is saying ''don't make that one votable''. They are taking their orders from somebody else. We do not even need that committee. If it meets the criteria let us put it forward.

In conclusion, I admire the work of individual MPs on all sides of the House who have strived hard to bring forward a piece of legislation that makes things good for the safety of Canadians, for their health and for their welfare. They are thinking of the people. It is too bad their leaders are not doing the same.

Mr. Jason Kenney (Calgary Southeast, Ref.): Madam Speaker, I am pleased to rise to debate the standing orders of the House.

I believe I am the first rookie member of the class of the 1997 election to speak to this debate. I am glad I have the opportunity to do so. One of the reasons I stood for election to this venerable institution was precisely because of my passionate concern about the state of democracy in Canada.

I would characterize the state of democracy in Canada as a crisis. Democracy in Canada, as democracy is conventionally understood, is imperilled not by any great spectre of tyranny or state totalitarianism but rather by the slow, creeping incremental gathering of power and authority by the executive and judicial branches of government at the expense of the legislative branch, the democratic branch, and particularly that branch of government as manifest in the House of Commons.

● (1700)

The history of parliament, the history of the development of this institution, reaches back over a millennium. The privileges which we here exercise, the right to speak on behalf of our constituents, on behalf of the subjects of the Queen, on behalf of the citizens of our country, are duties and privileges which people have shed blood to secure. Battles have been fought, wars have been waged and men and women have died in order to secure the liberties which this institution represents.

That conflict which has carried over a period of centuries was really a conflict between the authority of the executive branch of government and the democratic privileges and liberties of common people as represented in their democratic assembly.

As a first time member of this place, let me make it absolutely clear that I have enormous, inexpressible respect for the traditions this place represents. I am a traditionalist. I for instance am a strong supporter of our constitutional monarchy.

However, I support our constitutional monarchy, our institutions and our traditions as embodied in this parliament not for the sake of supporting tradition but because they embody something good. They embody a tradition of ordered liberty and democracy.

This unfortunately is a tradition which is imperilled by the fact that this legislature, a legislature which was created to provide a meaningful check and balance against the authority of the executive branch of government, effectively no longer does so.

As a member from the government said during his remarks, parliament essentially has two functions, that of a legislative body and the accountability function to hold the executive, the governor in council, the cabinet or the government accountable. I think on both those mandates of this place we no longer exercise the powers of an effective legislature.

I submit that the standing orders of this House have in a sense removed any meaningful role from this place and from members of Parliament as real legislators, people who can exercise the authority granted to us by our constituents within our constitutional framework to do the business of democracy here.

It has become a truism in this country to refer to our form of government as one of electing five year, temporary dictatorships. That is not just the words of partisans in the heat of debate, that is a sentiment expressed by many eminent political scientists, jurists and members of this place both now and in the past few decades.

What they see is essentially two devices of the standing orders of this place. The executive branch, the cabinet, the frontbenches, has managed to force members of parliament, essentially on the government side, to surrender any authority which they bring to this place from their constituents. The customs of this House do this by imposing a kind of party discipline unseen anywhere else in the democratic world, a party discipline predicated on the notion that if the government loses a vote on a question on a motion or a bill the government will somehow fall.

Therefore, as the hon. Leader of the Opposition said in debate this morning on this matter, we have created an impossible situation where government backbenchers are forced by their whips, their ministers, the Prime Minister and their government to vote with the government on every single conceivable matter except those occasionally designated to be free votes.

● (1705)

As we all know very well, there is never such a thing as a free vote for members of the government. There is always a party line with the government. Notes are always taken by the whip's office about how members vote. If they hope as a backbench rookie to become a parliamentary secretary or, heaven forbid, a minister, if they hope to get a fruitful position on a committee in which they have interest, then they must toe the party line. It need not be that way.

The other device used to impose this kind of outrageous party discipline is the failure of these standing orders in chapter 11 from sections 86 to 99 to permit private members to conduct legislative business here as legislators.

In a completely arbitrary system 30 bills and motions are drawn out of hundreds that are submitted for consideration. If they are lucky they get an hour of debate. If they are particularly lucky this star chamber of the private members' business committee will select five items to become votable.

So what happens is that very valuable legislative initiatives which are not on the agenda of the government and of the cabinet are almost from the outset given no chance of seeing the light of day. For instance, I have on the order paper a simple private member's bill which would recognize a period of two minutes of silence on Remembrance Day to commemorate our war dead. It is a motion supported by the Royal Canadian Legion and is a motion which I cannot imagine any member of this place in good conscience opposing.

If we amended the standing orders of this place to allow all private members' business to become votable, this motion I am sure would pass with unanimous or near unanimous support in the matter of a few minutes. I do not think it would require an enormous expenditure of the time and resources of this place to pass such a motion. All it takes is the will of the government to amend these standing orders to allow business like that, the business of democratically elected legislators to come before this legislature. That is all that it requires.

Indeed other jurisdictions have the flexibility to allow such business to come before their legislatures. The mother parliament in Westminster passed just such a motion because its private members are indeed legislators who can bring issues forward for consideration to be voted on.

The Queen's Park provincial legislature in Ontario passed a similar motion because its standing orders allow the same kind of flexibility.

We should take a close, long, hard look at our sister parliaments, at Westminster, at the Parliament of New Zealand, at the Parliament of Australia, at the the congressional system of the United States, and there we will see democratically elected representatives operating as representatives, operating as legislators, operating in the best interests of their constituents and not as voting flack for the executive branch of government.

I call on my colleagues opposite to put up or to shut up. We brought forward a concurrence motion in the fall which would have allowed them to make every private members' motion a votable motion. I am sure we will provide them with another opportunity to support that kind of fundamental reform so they can actually begin to represent their constituents.

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I am pleased that we are having this debate on the standing orders, the rules around which the House of Commons organizes itself.

The standing orders are one of the invisible building blocks upon which our society is built and too often we take those building blocks for granted.

The federal government's highly successful national infrastructure program sparked many discussions about the true nature of infrastructure in our communities. Some believe that the only real infrastructure is roads and sewers. Others said that theatres, arenas and municipal buildings are equally important.

This type of discussion is more important than it might appear at first since it encourages us to think about the truly important foundations of our communities.

● (1710)

''Infra'' of infrastructure simply means under. Therefore the term infrastructure means the underpinnings or foundations. If we go to the great abandoned cities of past civilizations like Pompeii in Italy or Machu Picchu in Peru we find that their physical infrastructure, roads, sewers, theatres, arenas, public buildings and houses, is still very much in evidence. Yet these are clearly no longer communities. They died as communities while their physical infrastructures, their physical foundations, were still in place. They ceased to exist because their real foundations, the critical underpinnings or infrastructures that made them communities, failed.

The fact is the real foundations of any community are the invisible systems around which people organize themselves, including their laws, customs, methods of education and beliefs. It is systems such as these that allow people to build and maintain the physical structures of their communities.

Here in the House of Commons we work in the midst of extraordinary physical infrastructure, a wonderful chamber in a wonderful building. Yet one day this chamber will be empty, and I am not speaking of the long term. I mean in a year or two. This House is going to be moved into the cafeteria of another building while this room is renovated. When that day comes the work of the House of Commons will continue as effectively as it does here in this wonderful place. One of the key reasons for this is the standing orders, arguably the most important facet of the invisible infrastructure on which our parliament is built.

With the standing orders intact we could move the House of Commons into a field or a tent and it would work. Without the standing orders we could not function in the most lavish or efficient architectural setting.

Parliamentary procedure is the set of rules governing the activities of a legislative assembly. In the Parliament of Canada some of these rules are provisions in the Constitution and acts of parliament. For example, the quorum in the House of Commons, 20 members, is set in section 48 of the Constitution Act, 1867.

Most of the rules are listed in the standing orders of the House of Commons, the subject of this debate. Far from being a series of unchanging rules, parliamentary procedure, particularly as set out in our standing orders, is constantly evolving to adapt the capacity of parliament to deal with constantly changing environments.

The set of rules we know as the standing orders has evolved over many centuries, particularly of course since 1867. Over the years this body of rules has had to be durable enough to survive the stresses of successive parliaments while being flexible enough to fit a great variety of parliamentary situations.

As the government House leader pointed out earlier in this debate, the 35th and 36th parliaments provide excellent examples of the strengths and flexibility of our standing orders. In 1993 one of the largest ever groups of new MPs arrived on Parliament Hill. They came from very diverse backgrounds. Some had previous elected experience at the municipal and provincial levels but many found themselves in a parliamentary forum for the first time. That is what democracy is all about.

These new members depended on the standing orders as they found them to get started with the nation's business. As the parliament unfolded, like parliamentarians before them, the new members guided by a minority of experienced members made their own adjustments to the standing orders as if they were putting their own stamp on them.

Amendments made in the 35th parliament are contained in a motion by the then government House leader, now Deputy Prime Minister, on February 2, 1994. Those changes included a change to Standing Order 73 so that a bill could be referred to committee before second reading. This allows for a form of prestudy of legislation. Another was a provision that allows a committee to propose and bring in a bill rather than simply dealing with legislation referred to it by the House of Commons. Both these changes were designed to strengthen the role of individual MPs.

There were also a change in the business of supply to improve the consideration of the estimates and a new standing order empowering the Standing Committee on Finance to conduct pre-budget studies each fall.

• (1715)

One of the purposes of these and other changes was to strengthen the role of individual MPs. The 1997 election produced a parliament with five official parties, most with a strong regional focus. This was a great challenge for the standing orders which were largely developed in two party or three party parliaments. The government House leader mentioned this in his speech earlier today. He pointed out what a great test the increase in the number of parties was of the strength and flexibility of the standing orders.

The number of MPs on each committee had to be changed to give full representation to the smaller parties. As this change created an increase in the size of each committee, it virtually required a decrease in the number of standing committees so that MPs and parties could cope with the increased workload.

The appearance of five parties required great change in the procedure of question period so that large and small opposition parties received their fair share of questions and supplementary questions. The five parties required changes in the operation of debates in the House, in the order and length of speeches and so on.

In general, all parties seem to agree that the changes made have been very effective. This parliament is working well for the people of Canada. Once again the House of Commons has adapted to a new national political pattern.

The trick with all adaptations of the standing orders is that they be effective for the particular parliamentary situation of the day without undermining the intrinsic long term strength of the standing orders, a foundation of our parliamentary system.

Standing Order 51(1) requires that a full scale public debate, like this debate, involving all MPs be held at a certain stage of each parliament. This is one of the checks built into the standing orders to ensure they cannot be harmed through neglect. This rule is a good example of the thought which has gone into our standing orders over the years. It encourages busy MPs to put their minds for one day to this important topic.

Over the generations each change in the standing orders has required the support of a majority of MPs. In this parliament the active co-operation of five parties was needed. While naturally there have been and still are disagreements among the parties and members about particular aspects of the standing orders, a feature of this parliament has been the active co-operation between the parties where the interests of the House of Commons are involved. Credit should go to the current House leaders of all parties. Most people would agree that particular credit should go to the Leader of the Government in the House of Commons.

Rules of procedure are only as good as the members of parliament and their leaders who use and amend them. The intrinsic strength of our standing orders is a reflection of the efforts of generations of parliamentarians in Canada and of generations of officers of the House of Commons who have watched over the standing orders like parents nurturing a child.

I am particularly pleased that the government House leader indicated that report No. 13 of the Standing Committee on Procedure and House Affairs proposing changes to the operation of private members' business will be acted upon soon. These changes will further strengthen the role of individual members of parliament which has been a continuing theme of the 35th and 36th parliaments. As chair of that committee I thank the standing committee and the subcommittee on private members' business for their fine work.

Mr. Mike Scott (Skeena, Ref.): Madam Speaker, I take the opportunity to speak to this motion very seriously. I begin by recognizing some of the things my colleagues said earlier this

afternoon, things which I think are very appropriate, particularly those by the member for Calgary Southeast.

I liken this House and this parliament to a situation I encountered not long ago in my riding. I was visiting a fellow in Smithers, British Columbia looking at his pasture and his horses. There was a beautiful horse running through the field. I told the fellow it was a beautiful horse. It was running free and the wind was blowing through its mane. It was obvious that it had a lot of spirit. He said there was a problem with that horse. He said he had to have it gelded so that it does not produce any offspring.

● (1720)

I look at this parliament. It has all the appearances of a fine institution but in fact it is like that horse. It is neutered. This parliament is neutered. MPs have no opportunity to really influence or affect what goes on in this House of Commons. We are, except for the executive branch, an impotent institution.

It has been said before and it is an often quoted parable by Lord Aitken that power corrupts and absolute power corrupts absolutely. It is easy to say that. Most of us probably agree that that is the case at least to a certain point. Let me give a graphic example of this truism in action.

What did members of the government on the other side, Liberal members, say in opposition in the 33rd and the 34th parliaments when the subject of private members' business came up? They fought and they argued and they said that private members' business ought to be votable, that when private members, backbenchers, take the time, the trouble and the initiative to come up with legislation they want to bring into the House that at the very least it should be votable. What did the members opposite say when they were in opposition in the 33rd and 34th parliaments when it came to the authority of committees?

What a joke it is being on a committee in this parliament. It is an absolute embarrassment to me as an MP. I sit on a committee as an opposition member. I go there with my ideas. I try to represent not only my party but my ideas and put the best that I can forward in that committee. Other members do that as well, including members of the Liberal Party. The committee attempts to decide for itself what it ought to do and ought not to do, what recommendations it should make to the minister and what recommendations ought to go forward, for example what changes ought to be made to legislation when we are dealing with legislation.

The parliamentary secretary to the minister sits on the committee and guess what. At the end of the day in that committee which is dominated by Liberals, and in the previous parliaments when the Tories were in power it would have been dominated by Tories, the Liberals do what the parliamentary secretary instructs them to do. It is an absolute sham. It is an absolute waste of taxpayers' money. It is an absolute waste of my time as a member of parliament. When I go to the committee I am wasting my time.

Why is it so difficult for the House leaders to get their respective members to show up for committee meetings? I will tell you why. It is because the people who show up are not doing anything useful and they know it. Most of the people in this room, whether they are on the government benches or in other opposition parties, I happen to believe have something to contribute, even if I do not agree with their particular philosophy. But we are not able to contribute. We are closed off.

Our parliament is neutered in a hundred different ways. It is designed that way and is kept that way to make sure that people like me, opposition members or Liberal backbenchers, cannot affect or influence the outcome of the government's decisions.

The only way I have any opportunity to influence what goes on here is to hope that in question period I will catch a minister off guard or catch a minister on a bad day and end up getting a newsclip that night on CTV or CBC or maybe in the *Globe and Mail*. That is going to be my one opportunity as a member in this House to achieve something. Other than that I have no opportunity. I have no avenues.

The prime minister and the cabinet do not want to hear from me. I am the last person they want to hear from. The committee system is just a way to keep us busy. It is a way to keep us tied up so that we are not actually doing something which might interfere with the operations of government, so that we are not actually doing something which might get in the way of the plans and the intentions of the various cabinet ministers. It is an absolute sham.

Canadians may not know every rule. They may not know everything that this House of Commons does. They may not know everything about the committee structure. They may not know everything about private members' business. Many of us had to learn a lot of that after we were elected. I submit to this House that Canadians by and large know that their parliament is a neutered and ineffective organization. It is incapable of operating properly under the present rules. That is why the issue of procedure is so important. It is one way of getting at the root cause and one way of making change.

● (1725)

I further submit that there must be a real intention to open up the doors and allow power to be shared in this House. If the intent on the part of the executive is to maintain control over power, then we are not going to achieve any forward progress on this matter. We can talk about rules, we can talk about procedures and we can talk

about all the wonderful niceties but it is not going anywhere. Again it is just a waste of our time.

If the House will bear with me for a minute, I would like to quote some of the things that members who are now cabinet ministers had to say while in opposition. This is what the Liberals said on time allocation when in opposition.

The member for Winnipeg South, who is now a cabinet minister, said while in opposition that using closure ''displays the utter disdain with which this government treats the Canadian people''.

The member for Glengarry—Prescott—Russell said ''I am shocked. This is just terrible. This time we are talking about a major piece of legislation. Shame on those Tories across the way''.

The member for Kingston and the Islands said ''What we have here is an absolute scandal in terms of the government's unwillingness to listen to the representatives of the people in this House. Never before have we had a government so reluctant to engage in public discussion on the bills brought before this House''.

I have another quote by the member for Kingston and the Islands. While in opposition and talking about the use of closure and time allocation he said ''I suggest that the government's approach to legislating is frankly a disgrace. It cuts back the time the House is available to sit and then it applies closure to cut off debate''. That is a quote from the member for Kingston and the Islands. He is still a member of the House but now he is on the government side and guess what? His opinion has changed. It is now fine to use time allocation.

That is what Lord Aitken meant when he said that power corrupts and absolute power corrupts absolutely. Once the Liberal Party became government and got its hands on the lever of power its principles changed. I do not believe it is the people. I believe it is the whole philosophy behind the government in this country going right back to 1867. It has to change. The people of this country are demanding that it change.

We can talk about changing the rules and procedures which is fine and well, but until we develop a real will to change the system we will not have MPs satisfied with the jobs they are doing in this House. We will not have a real sharing of power. We will not have legitimate debates that mean anything in this House that will actually change the course of legislation.

In the end what we will have is democratic dictatorships where we elect a new dictator once every four or five years. Frankly, I do not think going into the 21st century that Canadians are going to find that very acceptable.

The Acting Speaker (Ms. Thibeault): It being 5.30 p.m., it is my duty to inform the House that the time for the proceedings on the motion has expired.

The House will now proceed to the taking of several deferred recorded divisions.

Call in the members.

• (1750)

And the bells having rung:

Mr. Bob Kilger: Mr. Speaker, I believe you would find consent to proceed with the taking of the recorded divisions in the following order: the amendment of Saint-Hyacinthe—Bagot to third reading of Bill C-28, the motion for third reading of Bill C-28, the motion for second reading of Bill C-37, the motion for second reading of Bill C-208, and the motion for second reading of Bill C-223.

The Speaker: Is there agreement that we proceed in such a fashion?

Some hon. members: Agreed.

* * *

INCOME TAX AMENDMENTS ACT, 1997

The House resumed from April 2 consideration of the motion that Bill C-28, an act to amend the Income Tax Act, the Income Tax Application Rules, the Bankruptcy and Insolvency Act, the Canada Pension Plan, the Children's Special Allowances Act, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the Income Tax Conventions Interpretation Act, the Old Age Security Act, the Tax Court of Canada Act, the Tax Rebate Discounting Act, the Unemployment Insurance Act, the Western Grain Transition Payments Act and certain acts related to the Income Tax Act, be read the third time and passed; and of the amendment.

The Speaker: Pursuant to order made on Thursday, April 2, 1998, the House will now proceed to the taking of the deferred recorded division on the amendment to the motion at third reading stage of Bill C-28.

[*Translation*]

The vote is on the amendment.

• (1800)

[*English*]

(The House divided on the amendment, which was negatived on the following division:)

(*Division No. 124*)

YEAS

Members

Abbott	Anders
Asselin	Bachand (Richmond—Arthabaska)
Bailey	Bellehumeur
Benoit	Bergeron

Bernier (Tobique—Mactaquac)
Borotsik
Brien
Cadman
Chatters
Crête
Dalphond-Guiral
Desrochers
Dubé (Lévis)
Dumas
Earle
Forseth
Gauthier
Godin (Acadie—Bathurst)
Goldring
Grewal
Hanger
Harris
Harvey
Hill (Macleod)
Hoeppner
Johnston
Konrad
Laurin
Lill
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Manning
Marchand
Matthews
McDonough
Ménard
Muise
Nystrom
Pankiw
Perron
Plamondon
Price
Ramsay
Ritz
Sauvageau
Scott (Skeena)
Solomon
Stinson
Stoffer
Thompson (Charlotte)
Tremblay (Rimouski—Mitis)
Vautour
Wayne
Williams—107

Blaikie
Breitkreuz (Yorkton—Melville)
Brison
Casson
Chrétien (Frontenac—Mégantic)
Cummins
Debien
Doyle
Duceppe
Duncan
Epp
Gagnon
Gilmour
Godin (Châteauguay)
Gouk
Grey (Edmonton North)
Hardy
Hart
Herron
Hill (Prince George—Peace River)
Jaffer
Kenney (Calgary-Sud-Est)
Laliberte
Lebel
Loubier
Lunn
Mancini
Marceau
Martin (Winnipeg Centre)
Mayfield
McNally
Meredith
Nunziata
Obhrai
Penson
Picard (Drummond)
Power
Proctor
Riis
Rocheleau
Schmidt
Solberg
St-Hilaire
St-Jacques
Strahl
Thompson (Wild Rose)
Turp
Vellacott
White (Langley—Abbotsford)

NAYS

Members

Adams
Anderson
Assadourian
Axworthy (Winnipeg South Centre)
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Boudria
Brown
Bulte
Cannis
Catterall
Chamberlain
Clouthier
Cohen
Copps
Dhaliwal
Discepola
Duhamel
Eggleton
Folco
Gagliano
Godfrey
Graham
Grose
Harb

Alcock
Assad
Augustine
Baker
Barnes
Bélair
Bellemare
Bertrand
Blondin-Andrew
Bradshaw
Bryden
Byrne
Carroll
Cauchon
Chan
Coderre
Collenette
DeVillers
Dion
Dromisky
Easter
Finlay
Fry
Gallaway
Goodale
Gray (Windsor West)
Guarnieri
Harvard

Hubbard
Iftody
Jennings
Karetak-Lindell
Kilger (Stormont—Dundas)
Knutson
Lastewka
Longfield
Mahoney
Maloney
Marchi
Massé
McGuire
McLellan (Edmonton West)
McWhinney
Milliken
Minna
Murray
Nault
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Pettigrew
Pillitteri
Proud
Redman
Richardson
Rock
Scott (Fredericton)
Serré
Speller
Steckle
Stewart (Northumberland)
Szabo
Thibeault
Ur
Vanclief
Wilfert

Ianno
Jackson
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
Lee
MacAulay
Malhi
Manley
Marleau
McCormick
McKay (Scarborough East)
McTeague
Mifflin
Mills (Broadview—Greenwood)
Mitchell
Myers
Normand
O'Reilly
Paradis
Patry
Peterson
Pickard (Kent—Essex)
Pratt
Provenzano
Reed
Robillard
Saada
Sekora
Shepherd
St. Denis
Stewart (Brant)
St-Julien
Telegdi
Torsney
Valeri
Whelan
Wood —134

PAIRED MEMBERS

Alarie
Bigras
Bonwick
Calder
Caplan
de Savoye
Fontana
Girard-Bujold
Guimond
Lalonde
Lefebvre
Mercier

Bachand (Saint-Jean)
Bonin
Caccia
Canuel
Cullen
Finestone
Fournier
Guay
Keyes
Lavigne
Lincoln
Phinney

The Speaker: I declare the amendment defeated. The next question is on the main motion.

Mr. Bob Kilger: Mr. Speaker, I believe you would find consent to apply the results of the vote just taken to the main motion in reverse.

The Speaker: Is that agreed?

Some hon. members: Agreed.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 125*)

YEAS

Members

Adams
Alcock
Anderson
Assad
Assadourian
Augustine
Axworthy (Winnipeg South Centre)
Baker
Bakopanos
Barnes
Beaumier
Bélair
Bélanger
Bellemare
Bennett
Bertrand
Bevilacqua
Blondin-Andrew
Boudria
Bradshaw
Brown
Bryden
Bulte
Byrne
Cannis
Carroll
Catterall
Cauchon
Chamberlain
Chan
Clouthier
Coderre
Cohen
Collenette
Copps
DeVillers
Dhaliwal
Dion
Discepola
Dromisky
Duhamel
Easter
Eggleton
Finlay
Folco
Fry
Gagliano
Gallaway
Godfrey
Goodale
Graham
Gray (Windsor West)
Grose
Guarnieri
Harb
Harvard
Hubbard
Ianno
Iftody
Jackson
Jennings
Jordan
Karetak-Lindell
Karygiannis
Kilger (Stormont—Dundas)
Kilgour (Edmonton Southeast)
Knutson
Kraft Sloan
Lastewka
Lee
Longfield
MacAulay
Mahoney
Malhi
Maloney
Manley
Marchi
Marleau
Massé
McCormick
McGuire
McKay (Scarborough East)
McLellan (Edmonton West)
McTeague
McWhinney
Mifflin
Milliken
Mills (Broadview—Greenwood)
Minna
Mitchell
Murray
Myers
Nault
Normand
O'Brien (London—Fanshawe)
O'Reilly
Pagtakhan
Paradis
Parrish
Patry
Peric
Peterson
Pettigrew
Pickard (Kent—Essex)
Pillitteri
Pratt
Proud
Provenzano
Redman
Reed
Richardson
Robillard
Rock
Saada
Scott (Fredericton)
Sekora
Serré
Shepherd
Speller
St. Denis
Steckle
Stewart (Brant)
Stewart (Northumberland)
St-Julien
Szabo
Telegdi
Thibeault
Torsney
Ur
Valeri
Vanclief
Whelan
Wilfert
Wood —134

NAYS

Members

Abbott
Anders
Asselin
Bachand (Richmond—Arthabaska)
Bailey
Bellehumeur
Benoit
Bergeron
Bernier (Tobique—Mactaquac)
Blaikie
Borotsik
Breitkreuz (Yorkton—Melville)
Brien
Brison
Cadman
Casson
Chatters
Chrétien (Frontenac—Mégantic)
Crête
Cummins
Dalphond-Guiral
Debien
Desrochers
Doyle
Dubé (Lévis)
Duceppe
Dumas
Duncan
Earle
Epp
Forseth
Gagnon
Gauthier
Gilmour
Godin (Acadie—Bathurst)
Godin (Châteauguay)
Goldring
Gouk
Grewal
Grey (Edmonton North)
Hanger
Hardy
Harris
Hart
Harvey
Herron
Hill (Macleod)
Hill (Prince George—Peace River)
Hoeppner
Jaffer
Johnston
Kenney (Calgary-Sud-Est)
Konrad
Laliberte
Laurin
Lebel
Lill
Loubier
Lowther
Lunn
MacKay (Pictou—Antigonish—Guysborough)
Mancini
Manning
Marceau
Marchand
Martin (Winnipeg Centre)
Matthews
Mayfield
McDonough
McNally
Ménard
Meredith
Muise
Nunziata
Nystrom
Obhrai
Pankiw
Penson
Perron
Picard (Drummond)
Plamondon
Power
Price
Proctor
Ramsay
Riis
Ritz
Rocheleau
Sauvageau
Schmidt
Scott (Skeena)
Solberg
Solomon
St-Hilaire
Stinson
St-Jacques
Stoffer
Strahl
Thompson (Charlotte)
Thompson (Wild Rose)
Tremblay (Rimouski—Mitis)
Turp
Vautour
Vellacott
Wayne
White (Langley—Abbotsford)
Williams—107

PAIRED MEMBERS

Alarie
Bachand (Saint-Jean)
Bigras
Bonin
Bonwick
Caccia
Calder
Canuel
Caplan
Cullen
de Savoye
Finestone
Fontana
Fournier
Girard-Bujold
Guay
Guimond
Keyes
Lalonde
Lavigne
Lefebvre
Lincoln
Mercier
Phinney

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

* * *

JUDGES ACT

The House resumed from April 2 consideration of the motion that Bill C-37, an act to amend the Judges Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

The Speaker: Pursuant to order made on Thursday, April 2, the next recorded division is on the motion at the second stage of Bill C-37.

[*Translation*]

Mr. Bob Kilger: Mr. Speaker, I believe you will find unanimous consent to apply the results of the vote on the previous motion to the vote on the motion now before the House, with Liberal members voting yea.

[*English*]

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed

Mr. Chuck Strahl: Mr. Speaker, Reform Party members present will vote no to this motion.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, the Bloc Quebecois members will vote against the motion.

[*English*]

Mr. John Solomon: Mr. Speaker, members of the NDP present vote no on this motion.

[*Translation*]

Mr. André Harvey: Mr. Speaker, members of the Progressive Conservative Party will vote in favour of the motion.

[*English*]

Mr. John Nunziata: Mr. Speaker, those poor, impoverished judges deserve a raise. I will vote in favour.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 126*)

YEAS

Members

Adams
Anderson
Assadourian
Axworthy (Winnipeg South Centre)
Baker
Barnes
Bélair
Bellemare
Bernier (Tobique—Mactaquac)
Bevilacqua
Borotsik
Bradshaw
Brown
Bulte
Cannis
Catterall
Chamberlain
Clouthier
Cohen
Copps
Dhaliwal
Discepola
Dromisky
Easter
Finlay
Fry
Gallaway
Goodale
Gray (Windsor West)
Guarnieri
Harvard
Herron
Ianno
Jackson
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
Lee
MacAulay
Mahoney
Maloney
Marchi
Massé
McCormick
McKay (Scarborough East)
McTeague
Mifflin
Mills (Broadview—Greenwood)
Mitchell
Murray
Nault
Nunziata
O'Reilly
Paradis
Patry
Peterson
Pickard (Kent—Essex)
Power
Price
Provenzano
Reed
Robillard
Saada
Sekora
Shepherd
St. Denis
Stewart (Brant)
St-Jacques
Szabo
Thibeault
Torsney
Valeri
Wayne
Wilfert
Alcock
Assad
Augustine
Bachand (Richmond—Arthabaska)
Bakopanos
Beaumier
Bélanger
Bennett
Bertrand
Blondin-Andrew
Boudria
Brison
Bryden
Byrne
Carroll
Cauchon
Chan
Coderre
Collenette
DeVillers
Dion
Doyle
Duhamel
Eggleton
Folco
Gagliano
Godfrey
Graham
Grose
Harb
Harvey
Hubbard
Iftody
Jennings
Karetak-Lindell
Kilger (Stormont—Dundas)
Knutson
Lastewka
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Manley
Marleau
Matthews
McGuire
McLellan (Edmonton West)
McWhinney
Milliken
Minna
Muise
Myers
Normand
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Pettigrew
Pillitteri
Pratt
Proud
Redman
Richardson
Rock
Scott (Fredericton)
Serré
Speller
Steckle
Stewart (Northumberland)
St-Julien
Telegdi
Thompson (Charlotte)
Ur
Vanclief
Whelan
Wood—150

NAYS

Members

Abbott
Asselin
Bellehumeur
Bergeron
Breitkreuz (Yorkton—Melville)
Cadman
Chatters
Crête
Dalphond-Guiral
Desrochers
Duceppe
Anders
Bailey
Benoit
Blaikie
Brien
Casson
Chrétien (Frontenac—Mégantic)
Cummins
Debien
Dubé (Lévis)
Dumas

Duncan
Epp
Gagnon
Gilmour
Godin (Châteauguay)
Gouk
Grey (Edmonton North)
Hardy
Hart
Hill (Prince George—Peace River)
Jaffer
Kenney (Calgary-Sud-Est)
Laliberte
Lebel
Loubier
Lunn
Manning
Marchand
Mayfield
McNally
Meredith
Obhrai
Penson
Picard (Drummond)
Proctor
Riis
Rocheleau
Schmidt
Solberg
St-Hilaire
Stoffer
Thompson (Wild Rose)
Turp
Vellacott
Williams—91

Earle
Forseth
Gauthier
Godin (Acadie—Bathurst)
Goldring
Grewal
Hanger
Harris
Hill (Macleod)
Hoeppner
Johnston
Konrad
Laurin
Lill
Lowther
Mancini
Marceau
Martin (Winnipeg Centre)
McDonough
Ménard
Nystrom
Pankiw
Perron
Plamondon
Ramsay
Ritz
Sauvageau
Scott (Skeena)
Solomon
Stinson
Strahl
Tremblay (Rimouski—Mitis)
Vautour
White (Langley—Abbotsford)

PAIRED MEMBERS

Alarie
Bigras
Bonwick
Calder
Caplan
de Savoye
Fontana
Girard-Bujold
Guimond
Lalonde
Lefebvre
Mercier

Bachand (Saint-Jean)
Bonin
Caccia
Canuel
Cullen
Finestone
Fournier
Guay
Keyes
Lavigne
Lincoln
Phinney

The Speaker: I declare the motion carried.

(Bill read the second time and referred to a committee)

PRIVATE MEMBERS' BUSINESS

[*English*]

ACCESS TO INFORMATION ACT

The House resumed from April 2 consideration of the motion that Bill C-208, an act to amend the Access to Information Act, be read the second time and referred to a committee.

The Speaker: Pursuant to order made on Thursday, April 2, the House will now proceed to the taking of the deferred recorded divisions on the motion at the second reading stage of Bill C-208 under private members' business.

● (1805)

As is the practice, the division will be taken row by row, starting with the mover and then proceeding with those in favour of the motion sitting on the same side as the mover. Then those in favour of the motion sitting on the other side of the House will be called. Those opposed to the motion will be called in the same order. All those at my right in favour of the motion will please stand.

● (1810)

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 127*)

YEAS

Members

Abbott
Anders
Bachand (Richmond—Arthabaska)
Beaumier
Bennett
Bergeron
Bertrand
Borotsik
Brien
Brown
Bulte
Casson
Chrétien (Frontenac—Mégantic)
Crête
Dalphond-Guiral
Desrochers
Dubé (Lévis)
Dumas
Earle
Finlay
Gagnon
Gauthier
Godin (Acadie—Bathurst)
Goldring
Graham
Grey (Edmonton North)
Hanger
Harris
Harvey
Hill (Macleod)
Hoeppner
Ianno
Jaffer
Jordan
Kenney (Calgary-Sud-Est)
Konrad
Laurin
Lee
Longfield
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Manning
Marchand
Matthews
McDonough
McTeague
Ménard
Minna
Murray
Nystrom
O'Brien (London—Fanshawe)
Pankiw
Parrish
Peric
Picard (Drummond)
Power
Proctor
Redman

Alcock
Asselin
Bailey
Bellehumeur
Benoit
Bernier (Tobique—Mactaquac)
Blaikie
Breitkreuz (Yorkton—Melville)
Brison
Bryden
Cadman
Chatters
Cohen
Cummins
Debien
Doyle
Duceppe
Duncan
Epp
Forseth
Gallaway
Gilmour
Godin (Châteauguay)
Gouk
Grewal
Grose
Hardy
Hart
Herron
Hill (Prince George—Peace River)
Hubbard
Iftody
Johnston
Karygiannis
Knutson
Laliberte
Lebel
Lill
Loubier
Lunn
Mancini
Marceau
Martin (Winnipeg Centre)
Mayfield
McNally
McWhinney
Meredith
Muise
Nunziata
Obhrai
O'Reilly
Paradis
Penson
Perron
Plamondon
Price
Ramsay
Reed

Riis
Rocheleau
Schmidt
Shepherd
Solomon
St-Hilaire
St-Jacques
Strahl
Telegdi
Thompson (Wild Rose)
Turp
Vautour
Wayne
Williams—143

Ritz
Sauvageau
Scott (Skeena)
Solberg
Steckle
Stinson
Stoffer
Szabo
Thompson (Charlotte)
Tremblay (Rimouski—Mitis)
Ur
Vellacott
White (Langley—Abbotsford)

NAYS

Members

Adams
Assadourian
Baker
Barnes
Bélanger
Boudria
Byrne
Catterall
Chamberlain
Clouthier
Collenette
Dhaliwal
Discepola
Duhamel
Eggleton
Fry
Godfrey
Harvard
Jennings
Kilger (Stormont—Dundas)
Kraft Sloan
MacAulay
Malhi
Marchi
Massé
McGuire
McLellan (Edmonton West)
Mills (Broadview—Greenwood)
Myers
Normand
Patry
Pettigrew
Pillitteri
Proud
Richardson
Rock
Sekora
Speller
Stewart (Brant)
Thibeault
Vanclief
Wilfert—83

Anderson
Axworthy (Winnipeg South Centre)
Bakopanos
Bélair
Blondin-Andrew
Bradshaw
Cannis
Cauchon
Chan
Coderre
DeVillers
Dion
Dromisky
Easter
Folco
Gagliano
Harb
Jackson
Karetak-Lindell
Kilgour (Edmonton Southeast)
Lastewka
Mahoney
Maloney
Marleau
McCormick
McKay (Scarborough East)
Mifflin
Mitchell
Nault
Pagtakhan
Peterson
Pickard (Kent—Essex)
Pratt
Provenzano
Robillard
Scott (Fredericton)
Serré
St. Denis
Stewart (Northumberland)
Torsney
Whelan

PAIRED MEMBERS

Alarie
Bigras
Bonwick
Calder
Caplan
de Savoye
Fontana
Girard-Bujold
Guimond
Lalonde
Lefebvre
Mercier

Bachand (Saint-Jean)
Bonin
Caccia
Canuel
Cullen
Finestone
Fournier
Guay
Keyes
Lavigne
Lincoln
Phinney

The Speaker: I declare the motion carried.

(Bill read the second time and referred to a committee)

* * *

● (1815)

INCOME TAX ACT

The House resumed from March 31 consideration of the motion that Bill C-223, an act to amend the Income Tax Act (deduction of interest on mortgage loans), be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-223 under Private Members' Business.

We will follow the same procedure as we did before, with the mover of the motion voting first and then we will take those in favour of the motion in the first row to my left.

● (1820)

(The House divided on the motion, which was negatived on the following division:)

(*Division No. 128*)

YEAS

Members

Abbott
Asselin
Bailey
Benoit
Bernier (Tobique—Mactaquac)
Borotsik
Brien
Cadman
Chatters
Crête
Dalphond-Guiral
Desrochers
Dubé (Lévis)
Dumas
Earle
Forseth
Gauthier
Godin (Acadie—Bathurst)
Goldring
Grewal
Hanger
Harris
Harvey
Hill (Macleod)
Hoeppner
Jaffer
Konrad
Laurin
Lill
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Manning
Marchand
Matthews
McDonough
Ménard
Muise
Nystrom
Pankiw
Perron
Plamondon
Price
Ramsay

Anders
Bachand (Richmond—Arthabaska)
Bellehumeur
Bergeron
Blaikie
Breitkreuz (Yorkton—Melville)
Brison
Casson
Chrétien (Frontenac—Mégantic)
Cummins
Debien
Doyle
Duceppe
Duncan
Epp
Gagnon
Gilmour
Godin (Châteauguay)
Gouk
Grey (Edmonton North)
Hardy
Hart
Herron
Hill (Prince George—Peace River)
Iftody
Johnston
Laliberte
Lebel
Loubier
Lunn
Mancini
Marceau
Martin (Winnipeg Centre)
Mayfield
McNally
Meredith
Nunziata
Obhrai
Penson
Picard (Drummond)
Power
Proctor
Reed

Riis
Rocheleau
Schmidt
Solberg
St-Hilaire
St-Jacques
Strahl
Thompson (Wild Rose)
Turp
Vellacott
White (Langley—Abbotsford)
Ritz
Sauvageau
Scott (Skeena)
Solomon
Stinson
Stoffer
Thompson (Charlotte)
Tremblay (Rimouski—Mitis)
Vautour
Wayne
Williams—108

NAYS

Members

Adams
Anderson
Augustine
Baker
Barnes
Bélair
Bellemare
Bertrand
Blondin-Andrew
Bradshaw
Bulte
Cannis
Catterall
Chamberlain
Clouthier
Cohen
DeVillers
Dion
Dromisky
Easter
Finlay
Fry
Gallaway
Graham
Guarnieri
Harvard
Jackson
Jordan
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Longfield
Mahoney
Maloney
Marleau
McCormick
McKay (Scarborough East)
McTeague
Mifflin
Minna
Murray
Nault
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Pettigrew
Pillitteri
Proud
Redman
Robillard
Saada
Sekora
Shepherd
St. Denis
Stewart (Brant)
St-Julien
Telegdi
Torsney
Alcock
Assadourian
Axworthy (Winnipeg South Centre)
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Boudria
Brown
Byrne
Carroll
Cauchon
Chan
Coderre
Collenette
Dhaliwal
Discepola
Duhamel
Eggleton
Folco
Gagliano
Godfrey
Grose
Harb
Hubbard
Jennings
Karetak-Lindell
Kenney (Calgary-Sud-Est)
Kilgour (Edmonton Southeast)
Kraft Sloan
Lee
MacAulay
Malhi
Marchi
Massé
McGuire
McLellan (Edmonton West)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Myers
Normand
O'Reilly
Paradis
Patry
Peterson
Pickard (Kent—Essex)
Pratt
Provenzano
Richardson
Rock
Scott (Fredericton)
Serré
Speller
Steckle
Stewart (Northumberland)
Szabo
Thibeault
Ur
Valeri
Whelan
Wood —125
Vanclief
Wilfert

PAIRED MEMBERS

Alarie
Bigras
Bonwick
Calder
Caplan
de Savoye
Fontana
Girard-Bujold
Guimond
Lalonde
Lefebvre
Mercier
Bachand (Saint-Jean)
Bonin
Caccia
Canuel
Cullen
Finestone
Fournier
Guay
Keyes
Lavigne
Lincoln
Phinney

The Speaker: I declare the motion lost.

The House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

* * *

ACCESS TO INFORMATION ACT

The House resumed from March 13 consideration of the motion that Bill C-216, an act to amend the Access to Information Act, be read the second time and referred to a committee.

● (1825)

Mr. Bob Kilger (Stormont—Dundas, Lib.): Madam Speaker, discussions have taken place between all parties and the member for Nanaimo—Alberni concerning the taking of the division on Bill C-216, scheduled for today at the conclusion of Private Members' Business. I believe you would find consent for the following:

That, at the conclusion of today's debate on Bill C-216, all questions necessary to dispose of the said motion for second reading shall be deemed put, a recorded division deemed requested and deferred until Tuesday, April 28, 1998, at the expiry of the time provided for Government Orders.

The Acting Speaker (Ms. Thibeault): Is that agreed?

Some hon. members: Agreed.

(Motion agreed to)

* * *

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Bob Kilger (Stormont—Dundas, Lib.): Madam Speaker, discussions have also taken place with the member for Acadie—Bathurst concerning the recorded division on Motion M-85 scheduled for Wednesday, April 22, 1998 at the expiry of the time provided for Private Members' Business, and I believe that you will find consent for the following motion:

That, at the conclusion of tomorrow's debate on M-85, all questions necessary to dispose of the said motion shall be deemed put, a recorded division deemed requested

and deferred until Tuesday, April 28, 1998, at the expiry of the time provided for Government Orders.

The Acting Speaker (Ms. Thibeault): The House has heard the motion. Is is the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

[*English*]

ACCESS TO INFORMATION ACT

The House resumed consideration of the motion that Bill C-216, an act to amend the Access to Information Act, be read the second time and referred to a committee.

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Madam Speaker, I am pleased to be able to speak today to Bill C-216, an act to amend the Access to Information Act.

In 1981 when the bill which led to our existing Access to Information Act was passed, it was clear the legislators of the day had a strong desire to create a new era of government openness and accountability. Today there is no question that government is open, transparent and accountable to Canadians, thanks to the Access to Information Act.

While the legislators of 1981 saw fit to exclude a number of crown corporations, since making their information accessible would possibly harm the public interests, these excluded institutions nevertheless have managed to become open, transparent and accountable themselves through means other than the Access to Information Act. Our Access to Information Act deserves credit for creating a culture of openness which permeates the public sector regardless of whether this or that public corporation is subject to access laws.

All branches of government are aware of how highly valued openness and accountability have become. Their daily operations are guided by that awareness. Given the kind of public sector we have today, the proposed amendment looks like an excessive, unnecessary and possibly even hazardous venture.

Let us discuss Canada Post for the next few minutes, especially since the member opposite thinks it makes such a compelling argument for revising the act.

What do Canadians need to know about Canada Post? Do they need to know, for example, how federal assets are managed? Of course they do. However they already receive that information from sources such as the corporation's annual report and the corporate plan summary. They also receive this information when corporate officials are questioned by members of parliament from both sides of the House at their regular appearances before parliamentary committees.

The members who took part in the February 17 meeting of the natural resources and government operations committee can attest to the frankness of the discussion when the minister responsible for Canada Post and the president of Canada Post answered questions on a broad range of subjects.

Do they need to know whether Canada Post cross-subsidizes? Yes, but Canadians already have that answer after several independent audits have investigated the allegation. Most important, Canadians can count on getting an annual answer to that question not by virtue of new federal legislation but rather by virtue of Canada Post's decision to begin reporting its financial results on a segmented basis, product line by product line, beginning with its 1996-97 annual report.

● (1830)

Do they need to know if Canada Post is open about the handling of their complaints or concerns? Absolutely and certainly. It was for that very reason that the first Canada Post ombudsman was named last August. Thanks to this impartial public advocate Canadians will now have new recourse if they feel their complaints have not been adequately dealt with.

If the ombudsman's investigations find that further recourse is possible the individual will get a fair treatment, and rightly so, which he or she would deserve. If the opposite is found then the individual will be able to resist and rest assured that Canada Post did its utmost to accommodate them. I fail to see what the member's sweeping amendment would add to that process.

Frankly, I find it surprising that a party which has always proclaimed itself as wanting less rather than more should embark on a campaign now to create bureaucrat obstacles to the successful management of crown corporations. It is all the more surprising given the Reform Party's platform which advocates the privatization of Canada Post. Clearly, Reform thinks Canada Post should become less and not more of a concern to Canadians. So which is it? We have become used to hearing contradictions from the other side of the House and we have yet another example before us today on this matter.

When he spoke of Bill C-216 during the earlier debate my hon. colleague from Mississauga South warned us of the unintended consequences of the bill. I agree with him that we have to be very, very careful of there not being such consequences. Let me remind the member, as well as all members who may be enticed by the bill, that where Canada Post and other crown corporations are concerned Bill C-216 is a solution in search of a problem. We all know that a certain road to a certain place is paved with good intentions, but I would caution all members in the House against travelling down that road.

By enacting this sweeping amendment to the Access to Information Act I believe big business would profit long before ordinary

Canadians. In Canada Post's case the corporation would be placed at an obvious disadvantage while its competitors would be able to collect the information which would allow them to devise tailor-made competitive strategics against it.

Under the disclosure environment the member is proposing these competitors would be under no obligation and certainly no encouragement to release the same information about themselves. With this kind of inequality in the marketplace the demise of Canada Post would not be very far behind.

I wonder what favour the member thinks he would be doing Canadians by removing a key competitor in the area of message and parcel conveyance. I wonder how the member could explain to Canadians how less competition is a good thing, especially when no Canada Post competitor provides service from coast to coast to coast.

Canadians have a committed public corporation in Canada Post, a corporation dedicated to providing all Canadians with basic service whether they live in Tofino or Port Alberni. The member's bill does nothing but threaten the very foundation of that commitment.

What about the expense of managing the flood of requests that would confront any crown corporation operating in a competitive environment should the bill become law? Did the hon. member think about that when drafting his proposals? Is it true that Canadians have a vested interest in crown corporations since the government is the sole shareholder? That is true.

The time and expense of processing access to information requests and defending the application of exemptions to corporate records cannot be justified.

[*Translation*]

To amend a piece of legislation you need better reasons than to say that some crown corporations must comply with the Access to Information Act while others are exempt. Before considering such a drastic measure, the public interest would have to be in jeopardy.

I do not see any proof of that with regard to Canada Post and other crown corporations exempt from the Access to Information Act. I have heard no compelling argument to apply the act to corporations that are already open and transparent.

• (1835)

[*English*]

For these reasons I cannot support a bill that would cause more harm than good to these institutions and the Canadians they serve. I would ask that all members do likewise.

Ms. Wendy Lill (Dartmouth, NDP): Madam Speaker, I rise to speak today to Bill C-216, an act to amend the Access to Information Act. The amendment aims at changing the definition of government institutions in the Access to Information Act to include any department or ministry of the Government of Canada, any body or office listed or any crown corporation as defined in the Administration Act.

I support the spirit of the bill if the spirit is indeed to provide Canadians with greater access and knowledge about the operations of government. As a New Democrat I support greater access to information and greater accountability of government for spending decisions. I hope that everyone in the House feels the same.

However, I would like to see an amendment to the bill which would exclude the CBC from its jurisdiction. The reasons which make this exclusion necessary are obvious. If the CBC were to be subject to the Access to Information Act it would no longer be able to operate as a public broadcaster at arm's length from the government. This would undermine the legitimacy and credibility of the CBC which is mandated by parliament to provide a public broadcasting system pursuant to the Broadcasting Act.

If Bill C-216 defines the CBC as a government institution then any information the CBC has in its possession would be accessible to everyone. This could seriously hurt journalistic credibility and it would seriously hurt the public's access to important information which we depend on our public broadcaster to provide.

Let me make a case in point. Last month the CBC did an excellent series of radio documentaries on the growing influence of the Hells Angels in Canadian society. This program would not have seen the light of day if dozens of individuals had not been guaranteed anonymity. Their safety, their lives and the lives of their families depended on the anonymity provided by the corporation.

Current affairs and news programming depend on an intricate system of secure information, guaranteeing sources, building up contacts and guaranteeing confidentiality. All of these processes would be made impossible if the CBC became open to scrutiny under the Access to Information Act.

Under the bill in its present form, the CBC would no longer be able to protect its sources. All past, present and future records under all CBC departments would be subject to access applications. A public broadcaster cannot operate in this fashion.

This is not to say that the operations of the CBC should remain outside of public scrutiny. The CBC is fully accountable in terms of providing information to parliament and to the Canadian public. There are ways of holding the CBC accountable which do not undermine the very mandate with which it has been charged.

If adopted in its present form, Bill C-216 would substantially impede the CBC's journalistic and programming capabilities. I will therefore not be able to support it.

[*Translation*]

Mr. Antoine Dubé (Lévis, BQ): Madam Speaker, it is my turn to speak on this subject and, like the other Bloc MPs, I must say I am in favour of this bill because it is aimed at providing MPs and the general public with greater access to information.

This bill has only one clause, which extends it to all crown corporations, since a number of these are currently excluded, such as the CBC, to which my colleague has referred, the Canadian Wheat Board and Canada Post. It is intended to avoid any ambiguity.

• (1840)

For example, a schedule to the present act calls for the 20 departments currently in existence within the federal government to be listed specifically, along with 109 government organizations or agencies. In order to be really sure that some crown corporations are not left out, there is also the Financial Administration Act, which applies to all crown agencies reporting to the federal government.

It seems to me that this is a good idea. First of all, the present legislation has some things in it which reassure me. The desire is to extend it to all crown corporations, but it must be kept in mind that protection of personal information comes under another act. We know that act prevents the release of any kind of personal information, particularly in the case to which my colleague referred. The purpose is to protect any information concerning private citizens.

As far as businesses are concerned, as soon as there is a question of commercial relations, of competition, there are also provisions to protect companies, even the three crown corporations currently under discussion, which would now be subject to the act. The others are already covered and are protected in the event of business competition. I have trouble understanding the reservations some colleagues may have with this, as it is clear in the Privacy Act and the Access to Information Act that they are protected.

Another reason we are in favour of this bill is that a committee was struck to include all parties in the House, the Standing Committee on Justice. It began to study the whole matter in March 1987, at which time it was already recommending extension of the Access to Information Act to all crown corporations. So, this goes back a long way. And all parties were represented.

The CBC in particular argued in its brief to the committee that the corporation felt it was being targeted by the Access to Information Act and claimed to be restricted with respect to a number of programs it planned to broadcast. Arguments similar to those I mentioned earlier were put forward. The disclosure of any form of personal information was prohibited under the law. This meant that the CBC would be protected.

However, while in favour of extending the bill to all crown corporations, I have a number of concerns. As a member of Parliament, I asked several of my colleagues from different parties how long it takes to obtain information under the current access to information legislation. It depends on the subject of course. Those who managed to obtain information under this act in less than three weeks or 20 days were few and far between. Some said it could take as long as three months. That is quite a long time.

Often, while not refusing to provide the information requested, the access to information commission will ask for further details, thus delaying the process even further. I do not think it is in the public interest to allow this to go on any longer. However, the bill put forward by our colleague from the Reform Party does not go that far. It simply seeks to apply the bill to a few more corporations.

Let me give you another example. Given the time it takes the access to information commission to provide information—it can take up to three months, as I said—some government service policies were established. For instance, it is the policy of the former Federal Office of Regional Development for Quebec, or FORD-Q, now known as the Economic Development for Quebec Regions Agency, to wait three months before providing information like the name of companies benefiting from a government program. That is a very long time.

• (1845)

In many cases, the grant or loan is awarded. Even in the present situation this gives very little opportunity, for instance to an opposition MP or even the media, to acquire information, given the turnaround time. Since it takes so long, people are often going to give up trying to find out, and just let it go.

In my capacity as the member for Lévis, in the fall of 1996 I was involved with a subsidy for the building of a vessel for the Department of National Defence. The Lévis shipyard had made a tender but was not selected, it seems, as the top bidder. I tried to analyze their tender. I can tell you that this was back in August 1996 and at that time, because it was related to defence, we managed to get some of the information, but 85% of what I would have been interested in was deleted. They said that these parts revealed defence equipment specifications, or contained data that could be harmful to the competitive nature of a manufacturer.

At the present time, the system we have is far from perfectly accessible. On the contrary, because of the delays, the mechanisms, the exclusions set out in so many legal provisions, it is difficult to obtain all the information requested.

I would like to take advantage of the fact that there has just been a vote to state that it is most unacceptable for anyone in this House to want to vote against Bill C-208. It was finally adopted with the support of the majority, but this was a bill that called for penalties for falsifying or concealing official documents. I am somewhat concerned to see that some people would not want to see information as freely available as the public would like it to be. I am astonished that the NDP, a party I respect greatly for its defence of social causes in general, for its defence of citizens, would object to the public's having easier access to information.

[*English*]

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Madam Speaker, I am pleased to have the opportunity to rise today in the House and speak in favour of Bill C-216 which has been introduced by my colleague from Nanaimo—Alberni. Bill C-216 would make all crown corporations subject to the Access to Information Act.

As it now stands, some crown corporations are subject to the act while others are not. For instance while the ports of Halifax and Montreal are exempt from access to information, other ports are not. Canada Post, the CBC, the Export Development Corporation and the Canada Lands Company are also shielded from access to information requests.

What Bill C-216 does is bring some measure of public accountability to these crown corporations. While they receive taxpayers' dollars, taxpayers have no right to delve into particular aspects of the operation of those corporations. Surely everyone can recognize the unfairness of the present situation.

During the 1993 campaign the Liberals promised openness and transparency in government. However, five years later they have still kept this veil of secrecy over particular crown corporations. The Liberal cabinet has consistently argued that some organizations cannot be open to access to information because it would place them at a competitive disadvantage. They argue that their competitors could access sensitive information about their operations. This is simply not the case.

As was pointed out in December when Bill C-216 was in its first hour of debate, section 18 of the Access to Information Act allows the withholding of financial, commercial, scientific or technical information. Anything the corporation deems to be sensitive or of substantial value does not have to be disclosed.

• (1850)

Section 18(b) of the act specifically states that what does not have to be revealed is ''information the disclosure of which could reasonably be expected to prejudice the competitive position of a government institution''. I cannot see how this could be any clearer. I also cannot see how cabinet expects us to swallow its story about placing crown corporations at a competitive disadvantage.

Bill C-216 is about accountability and the public's right to know how their dollars are being spent. When Canada sold Candu reactors to China the financing was handled through the Export Development Corporation. The Export Development Corporation is a lending institution backed by taxpayers' dollars. Essentially we lent taxpayer money to China so that it could use it to buy Canadian reactors.

This unusual way of structuring foreign purchases of Canadian products raised concerns among many taxpayers. However, getting to the bottom of this deal and answering the legitimate concerns of taxpayers is impossible since the EDC is not subject to the Access to Information Act.

I have heard similar concerns in the west as it applies to the Canadian Wheat Board. While Bill C-4 will remove crown corporation status from the wheat board, the bill has yet to pass the Senate and so the board to this day remains a crown corporation and thereby is exempt from access to information requests.

Farmers cannot get any information relating to grain sales, sales contracts or administrative and general expenses. They cannot get any information as to why the board has been unable to collect some $7 billion in overdue payments from particular countries.

Canada Post has also come under fire because of its exemption from the Access to Information Act. Competitors have complained that the Canadian post office uses its mail monopoly to cross-subsidize its courier company Purolator. Canada Post denies that this is happening but it also refuses to completely open its books to public scrutiny. Canada Post is able to cross-subsidize and then deny it in the face of competitors' complaints.

The Radwanski report released in October 1996 did a complete mandate review of Canada Post. The report recommended that Canada Post be opened up to public scrutiny. Recommendation No. 30 of the Radwanski report reads ''that Canada Post Corporation be made subject to the freedom of information act and to annual audit by the auditor general''. As with many recommendations in that report, the Liberals simply ignored it.

I was pleased to note that during the first hour of debate on the bill, the bill received support from most parties in the House. Liberal backbenchers supported it, the Bloc Quebecois spoke in favour of it and the Conservatives offered support in principle. It is encouraging to see that parties in the House can support good legislation coming through private members' business.

The situation reminds me of a similar circumstance involving a bill from the member for Sarnia—Lambton. The member introduced a bill that would ban negative option marketing. It had

the support of the House but like C-216 it was denounced by cabinet. That is a strong statement in itself with respect to how government runs, its structure and the influence of individual MPs. That is a debate for another day.

I am just simply pleased that the majority of parties in this House can see the need for Bill C-216 and are prepared to support it.

John Grace, the information commissioner, said of Bill C-216 ''It will make citizens better able to judge the performance of their governments and more informed voters. The guarantee of public access to government documents is indispensable in the long run for any democratic society''.

In a democracy there can never be enough public scrutiny, never enough accountability. Bill C-216 provides more public scrutiny and more accountability. It can only serve to strengthen our democratic system and our institutions.

I am looking forward to the vote on this bill. I urge all members of the House to vote in favour of this very important piece of legislation.

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Madam Speaker, I am pleased to speak on this bill.

It is interesting that today as chair of the House of Commons Standing Committee on Justice and Human Rights I had the pleasure of receiving along with my colleagues, Mr. John Grace, the access to information commissioner. He will be leaving government service after nine years in this position. I know all of my colleagues on the committee and I am sure in parliament join me in wishing him well and thanking him for his many years of service. His service has been exemplary.

● (1855)

The Access to Information Act provides certain basic rights to Canadians. I am proud of the fact that Canada has been considered a world leader in this field since the act was proclaimed in July 1993.

Citizens have an unprecedented right of access to federal government records. Valuable concomitant privacy protection is afforded by the companion legislation, the Privacy Act. Government departments and agencies annually respond to between 12,000 and 13,000 requests under the Access to Information Act and to approximately 40,000 requests under the Privacy Act.

Canada now has about 15 years of experience with and scrutiny of the Access to Information Act. I welcome this opportunity to discuss means by which this legislation can be improved.

This private members' bill proposes to subject all federal crown corporations to the Access to Information Act and would accomplish this by changing the definition of government institution in section 3 of the present act. The present definition refers to ''any department or ministry of state of the Government of Canada listed in schedule I or any body or office listed in schedule I''. Bill C-216, which we are debating today, adds to the definition ''any crown corporation as defined in the Financial Administration Act''. The passage of this bill would summarily bring more than 20 additional federal institutions and agencies under access legislation.

I am convinced that the intent of this bill is laudable in that its objective is to enhance the accountability of government organizations. I also subscribe, as I know do all of my colleagues in the House, to more openness in government and to the opportunity for us as citizens to have more information. But I believe a negative impact on the commercial interests of crown corporations will result from this bill if it passes. This negative impact would largely outweigh any possible support in my mind.

We must remember that crown corporations have been created as the result of a deliberate choice of the Parliament of Canada to deliver particular programs and to deliver particular services by means of organizations other than the private sector or traditional departments and agencies of government. These corporations have a responsibility to serve the public interest but to do so within a commercial environment. This means that to the greatest extent possible they must be permitted to operate on a level playing field with their competitors, free from administrative burdens associated with other government bureaucracies.

In our previous debates on this matter, several issues have been raised. We have considered various exemptions within the current legislation that might provide adequate protection for the business interests of crown corporations. Section 18 has been cited by the proponents of this private members' bill as a possible means of protection, and I use the term possible advisedly.

I would suggest though that section 18 provides only a discretionary exemption. It allows federal institutions to withhold information, the release of which would be injurious to the commercial interests of those organizations and more importantly to the interests of Canada.

There appears though to be no agreement as to whether the act in its current form or even as amended by this bill offers the necessary protection to the commercial interests of various crown corporations. We therefore have to turn to the obvious questions.

Are we prepared to jeopardize the financial viability of these organizations by subjecting them to this legislation without first consulting to determine what unique factors exist within their market environments? Further, are we prepared to risk injury to the public interests that crown corporations serve by not first ensuring that we have adopted the appropriate protective mechanisms for

their operations? I am not certain we should be taking risks like these unnecessarily.

I wish to address the issue of the administrative burden and the concept of the level playing field.

The Access to Information Act imposes a costly administrative burden on institutions. It is one thing for a government department to assume these burdens. It is quite another thing for a venture that is supposed to be commercially viable to do so.

According to recent statistics it costs on average more than $1,000 to complete a request submitted under the current legislation. These same statistics show that federal departments and agencies recoup less than 1% of the cost of providing information to applicants.

● (1900)

In the commercial world this is not good business. In the context of overhead it automatically places crown corporations at a competitive disadvantage with their private sector counterparts.

When I refer to the level playing field, I am referring to the fact that providing a right of access to information held by crown corporations could make them vulnerable to unscrupulous competitors. Some could view this right as an opportunity to submit unreasonable and voluminous requests, as has been the experience of some government agencies, particularly in the provincial sphere. I am thinking now with respect to access to information requests.

Even if the corporation is ultimately able to protect its sensitive information, the processing activities associated with responding to a barrage of requests could be crippling. Processing charges for applicants, which are stipulated within the access to information regulations, are minimal. There are many private sector companies with very deep pockets. They could sustain a very long and costly campaign without fear of retribution.

The same problem would not happen with a private commercial venture. There is no Access to Information Act that would allow someone to harass them or to go after them for a prolonged period of time with voluminous requests.

In summary, I want to emphasize four points concerning crown corporations and the potential impact of Bill C-216.

First, crown corporations were created to serve the public interests in a commercial rather than in a bureaucratic or heavily regulated environment.

Second, at this time the provisions of the Access to Information Act as presently drafted would not guarantee adequate protection for the commercial interests of crown corporations if this amendment were to pass.

Third, subjecting corporations to access legislation could impose an undue and unfair administrative burden on their operations.

Finally, failing to consult crown corporations to determine their market environments in advance of scheduling them under this act would expose them, in my view, to unnecessary competitive risks.

We all appreciate the intent of Bill C-216. Although I favour more openness in government, I cannot accept this bill. I believe it is too simplistic a solution for a complicated problem.

I want to thank the hon. member for bringing this bill forward and giving us the opportunity to debate this issue. It is timely that he did so today because, by coincidence, the justice committee had an opportunity to meet with the commissioner. This bill, while it may be a good start, is too simplistic a solution. I think it was H.L. Mencken who said that for every complicated problem there is a simplistic solution and it usually does not work.

[*Translation*]

Mr. André Bachand (Richmond—Arthabaska, PC): Madam Speaker, first, let me say that we will support Bill C-216, since it is a step in the right direction. I was very surprised by the comments of the government member who just spoke, putting a price on democracy. There is indeed a price to be paid for democracy. However, it is not an expenditure, but an investment.

It is very surprising to see that Bill C-216 would not be supported for reasons of money. The government invests hundreds of millions in democracy, and it should fulfil that financial commitment to the end. I am extremely surprised that this bill will not be supported for financial reasons. I am surprised and very disappointed.

The other argument raised by the government is that the act may not be able to include all crown corporations. If so, why is the government not prepared to review the whole legislation? We must first include everyone, put everyone in the same boat. Everyone must be covered by the same act, the Access to Information Act. If sections 18, 19 and 20 are incomplete, then let us work on them.

We cannot oppose Bill C-216. It is simply not possible. The moment there is a link with the federal government—whether monetary or historical—it means there once was a financial link and we must be able to conduct some audits. Several sections of the Access to Information Act are complete, including those that protect individuals, competitiveness, trade secrets, and so on.

● (1905)

I think we can be very open, but the government should stop saying it is against Bill C-216 for whatever reason, such as the cost, the fact that sections of the act would have to be changed or that

crown corporations have not been consulted. Yet they know there are access-to-information changes in the works.

We could simply look at the whole picture, but I am convinced that we must support Bill C-216 before us.

What is also surprising about the Access to Information Act, to broaden the debate a bit, is that it is actually difficult to obtain information. The purpose of Bill C-216 is to increase the number of crown corporations in respect of which a request for information may be made. The fact remains that eventually the legislation will have to be amended, because information is very difficult to obtain.

The workings of justice in Canada are a little strange: one is innocent until proven guilty. Under the Access to Information Act, corporations interpret the act and rely on a particular section of it not to provide the information requested. Therefore, to prove a point, one must turn to the courts. The effect of this is to slow down the access-to-information process, meaning that the ordinary citizen who requests information stands a good chance of spending many years and incredible amounts of money to obtain a snippet of information.

At some point, the House is going to have to take a proper look at this, with a view to amending the Access to Information Act and making it complete. Naturally, with the globalization of markets, we must admittedly be careful, but Bill C-216 must under no circumstances jeopardize crown corporations.

However, what Bill C-216 is proposing is that Canadian taxpayers' money not be jeopardized. There must therefore be an audit system for going after information. We must ensure that the auditor can go after information without harming the competitiveness and profitability of corporations. So much the better if they are profitable, we all agree. However, let us hope for a little more leeway to go after information and pass it on to people.

In the House, members' expenses are a matter of public record. We pay attention to how we spend, because we know that the information in our budgets can be made public. You tend to be a little more careful.

This reaction is natural. A crown corporation which is not currently subject to the act might change the way it operates if it is included in the act. The $1,000 which was suggested does not mean you cannot get your money back.

I was mayor in a municipality, we were bound by the Access to Information Act and we complied with it. The act might be expensive for crown corporations, but private corporations also have publishing expenses related to their annual financial statements, shareholders meetings, and so on. There is no reason to get excited about that.

In conclusion, the Progressive Conservative Party will support Bill C-216. But again, we must go further. The context has changed a lot since the act was first introduced. Again, globalization should prompt Parliament to consider amendments to certain sections to better protect crown corporations, of course, but also the population as a whole.

The Acting Speaker (Ms. Thibeault): Pursuant to the order made earlier this day, the House is deemed to have divided on the motion and a recorded division is deemed to have been requested and deferred until Tuesday, April 28, 1988, at the expiry of the time provided for Government Orders.

ADJOURNMENT PROCEEDINGS

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

PRISONS

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, it appears that there is a growing movement both nationally and internationally to have jails and/or correctional facilities privatized. We see this happening more and more. I note, for example, that New Brunswick, Ontario and Nova Scotia are experimenting with jails planned, constructed and operated by private interests. Meanwhile I also note that the United States, Britain, Australia and New Zealand have more than 130 proposed or completed correctional facilities with varying degrees of private involvement.

• (1910)

Some advocates who favour privatization argue that privatization can result in significant cost savings, fewer problems with inmates and better rehabilitation and education programs. Opponents, on the other hand, contend that privatization benefits a handful of large companies at the expense of long term public safety. They argue that the private sector has an incentive to keep prisons full to gain maximum profit, reducing the incentive to reform offenders, seek alternatives to jail or support crime prevention programs.

There have been some studies done in this area and it is interesting to note that some evaluations indicate that private prisons can yield savings of between 5% and 30% largely through smaller payroll costs. However, other studies, including a 1996 report by the United States general accounting office, found conflicting evidence on what to expect from privatization in the way of costs and quality of service.

All this means that privatization is a contentious issue. It clearly needs to be weighed out carefully before proceeding. The pros and

cons must be carefully considered prior to any move to privatize prisons and/or correctional facilities.

My question to the solicitor general is quite simple. Is privatization worth trying or are prisons best left in the hands of the public sector?

Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.): Madam Speaker, I congratulate the member for Waterloo—Wellington. I have been parliamentary secretary for a little over two years and I have never had to replace the minister in the late show as often as I have in the past session. Both times have been because of the member's interest and I know he is very tenacious and I compliment him on this.

The member has made a very clear case and a lot of the concerns he has expressed I share and I know the minister shares. I want to reassure the member for Waterloo—Wellington that the ministry of the solicitor general is in no way considering privatizing correctional services. We have to date almost 12% of certain aspects of corrections being privatized. I do not think the hon. member would argue that maybe laundry facilities or fire protection equipment, services of that nature, might be privatized.

The examples he has cited, especially in the United States, of privatizing certain facilities have certainly not demonstrated that they are successful in actually reducing costs. I agree with him that we have to be very prudent.

There is one other point that has not been addressed. I would be very concerned if we are going to move and transfer the power to actually punish citizens in the hands of the private sector. That to me is a very serious concern, more than the actual cost factor.

I want to reassure the hon. member that there is no interest on behalf of the solicitor general to privatize correctional services facilities. If we were to do such a thing, I am sure there would be a full debate and an inquiry into the pros and cons of it. That would have to be done.

The Acting Speaker (Ms. Thibeault): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.12 p.m.)

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