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lion allotment or grant to a certain group in this country—it may be a good or bad thing; I am not disputing that—I should like to point out that I raised a question relating to a grant from the government on behalf of the black people involved in the Black United Front at Sydney, Nova Scotia, in order to set up a day-care centre, something they are working at very hard.

If Your Honour would explain to me why that question was out of order and a reply not allowed, I would appreciate it. Surely to heaven a small group like this can get a grant from the federal government, or are the black people different from other groups to which the government gives grants?

Mr. Speaker: Order, please. The hon. member will have noted that the Chair did not suggest that the matter was not important; it is obviously important. The hon. member has raised the question on previous occasions. I suggest to him that the question asked today was in the form of a representation. He subsequently raised a point of order and again I suggested he was making a representation. I would again suggest to him that the point of order he is now raising is in the form of a submission to the government.

I recognize the importance of this matter. If the question period was taken up to some extent with one particular subject matter, that cannot be the responsibility of the Chair. After a while I did try to suggest to hon. members that we might go on to another subject. If the hon. member has been penalized thereby, I am sorry. Perhaps the question might be raised tomorrow.

Mr. Muir: Thank you, Mr. Speaker. There is always another day.

• (3:00 p.m.)

GOVERNMENT ORDERS**GOVERNMENT ORGANIZATION ACT, 1970****PROVISIONS RESPECTING DEPARTMENTAL REORGANIZATION, MINISTRIES OF STATE, PARLIAMENTARY SECRETARIES, ETC.**

Hon. C. M. Drury (for the Prime Minister) moved that Bill C-207, respecting the organization of the government of Canada and matters related or incidental thereto, be read the second time and referred to the committee of the whole.

Mr. Robert McCleave (Halifax-East Hants): Mr. Speaker, I rise on a point of order.

Mr. Speaker: Order. The hon. member for Halifax-East Hants is rising on a point of order.

Mr. McCleave: Mr. Speaker, my point of order concerns the motion that this bill be read a second time and referred to committee of the whole. I suggest that the motion not be put because the bill contains at least seven distinct proposals or principles; at least, I will argue that

[Mr. Muir.]

it does, though the number may be less depending on one's attitude to the various sections of the bill. Be that as it may, I suggest to Your Honour that there is more than one proposal or principle involved in this bill, and therefore, having regard to the very ancient privilege of the House that members should not be asked to give simple answers to what are, in effect, several questions intermingled together, I ask Your Honour to take the position of ordering that the bill be divided when the vote comes so that hon. members have a chance to make a decision on each proposal.

To lay the foundation for my argument, may I first note that there are these separate provisions in Bill C-207. The first part, clauses 2 to 7, creates a Department of the Environment. The second part, clauses 8 to 11, amends two acts: the Government Organization Act of 1966, and the Resources and Technical Surveys Act. The third part, clause 12, amends the National Research Council Act. The fourth part, clauses 13 to 24, creates ministries and ministers of state. The fifth part of the bill, clause 25, amends the Parliamentary Secretaries Act, otherwise known as "answering the prayers of the hungry". The sixth part, clause 26, amends the Post Office Act. The seventh part, clause 27, amends the Public Service Superannuation Act. The eighth part, clause 28, amends the Salaries Act. Finally, part nine, clauses 29 to 34, contains general and transitional provisions, and these may be apportioned variously among the other parts.

If we were to pass Bill C-207 and it became an act of this parliament, there would have to be ten separate entries made in the index of statutes passed this session. There would have to be nine consequential amendments to seven additional statutes that are amended by schedule B of this measure, and these would also have to be indexed separately. I am suggesting we have a measure here that covers the waterfront.

To recapitulate in a slightly different way, we are being asked to create a new department; we are being asked to vary administrative duties of some existing departments; we are being asked to create ministers of the Crown who will formulate and develop government policy and, as well as providing for these salaried ministers, we are being asked to provide for additional salaried Parliamentary Secretaries. Distinct from those matters, we are also asked to vote yea or nay, without hearing witnesses, on behalf of those affected on the question of the retirement rights and obligations of public servants. I think you would agree that is a most unusual step.

These are propositions contained in the measure, some of which deal with people within my vision, or who would be within my vision if we had full attendance here, and others who are outside this House. I suggest that this does strike at the right of parliamentarians to decide questions with a simple yes or no, without having to consider very complicated questions which cannot be answered very simply. This is absolutely impossible. There is a solution which would enable us to avoid this situation. I suggest it is found in a precedent established in this House by a ruling of Mr. Speaker Macnaughton on the flag resolution and also in English practice. I will

refer briefly to both. Many members of the House are familiar with the ruling of Mr. Speaker Macnaughton. It is to be found in *Votes and Proceedings* of Monday, June 15, 1964, oddly enough, right after a return to a question asked by Mr. Fisher dealing with the future of the *Bonaventure*.

The future of the "Bonnie" has been decided, but we still have this ruling by Mr. Speaker Macnaughton which I think is a guide to us in respect of this difficult motion. I am sure Your Honour is familiar with this ruling which appears at pages 427 to 431 of the *Votes and Proceedings* of that date. The decision of Mr. Speaker Macnaughton reads:

I must come to the conclusion that the motion before the House contains two propositions—

The problem was relatively simple because there were only two, but I suggest there may be as many as seven involved here. Mr. Speaker Macnaughton went on to say:—and since strong objections have been made to the effect that these two propositions should not be considered together, it is my duty to divide them as follows:—

Then, he divided the two resolutions.

I was not in the House at that time, but I gather that this method of dividing these important questions was satisfactory to the members who were here. They could at least make up their minds much more easily than we can when we are dealing with this omnibus measure. I hope it will not be argued that we are not dealing with the question of principle but with the question of whether the bill should go to the committee, because many members of this House regard the second reading stage as one involving the principle. We are going to be faced with a problem somewhere along the line as to how one can cast a simple yes or no vote on a bill containing as many as seven different and distinct propositions.

I should like also to refer Your Honour to the British Hansard, for June 6, 1917 when that House was dealing with a bill concerning the "Representation of the People". The Speaker of the British House was dealing with the question of whether or not a motion should be divided. He quoted earlier authorities. One of the latest references to earlier decisions in the British House seems to indicate that members were jealous of their tradition of ensuring that they were not faced with complicated questions. The Speaker in 1917 quoted an earlier ruling of Mr. Speaker Peel of July 26, 1894, who laid down the following principle:

—that an Instruction for the division of a Bill was only possible "when that Bill was divided into parts, or else, comprising more than one subject matter, lends itself to such division into parts."

I am suggesting, Sir, that the measure before us does lend itself to division into several parts. Which ones will be the subject of dispute during the debate that follows, I have no idea, but I suppose some people would like the setting up of the environmental department but might quarrel with the idea that the old Department of Fisheries be swallowed up by it. Some people might think there should be more Parliamentary Secretaries, and I know there are a number of members around with eyes shining

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with anticipation, but others may think this question should be thoroughly examined. If I had any very strong objection, I would say that the creation of these ministries for example, is very basic. Only time and the debate will tell which of these seven propositions we face will exercise members who will vote yes or no, and those which will not exercise the members. I could also mention the part in respect of civil servants, which is in my view a basic part. These are the things that bother me.

I gather from reading the ruling of Mr. Speaker Macnaughton, and the history of the rulings that led up to it, that the Speaker would be guided by a sizeable number of people voicing an objection to being presented with a simple yes or no vote on a complicated question. I want to make it clear in asking for your ruling that there be a division, that I am not voicing only my objection. I speak for the members of the Official Opposition. They endorse my position that there should be this division, and they ask you, through me, that when a disposition of this motion is made Your Honour divide the questions. Then, we will not be faced with the problem of going through intellectual gymnastics in trying to decide which parts to vote against because they are objectionable and which parts to support. I think the precedents I have pointed to are sufficient, so I rest my case. I would ask that Your Honour give it respectful consideration.

Hon. Allan J. MacEachen (President of the Privy Council): Mr. Speaker, I should like to make two comments on the argument which has been so ably made by the hon. member who has just taken his seat. It is true that he raises some issues which are relevant as we begin consideration of this bill. It may be of some assistance to the House to realize that the over-all theme of the bill is to improve and make more efficient the organization of government. All the propositions which are, in the words of my hon. friend, contained in the bill, are directed, at least in the mind of the government, to improving and making more efficient the organization of government. All the items the House is asked to deal with in the bill are relevant to the over-all theme.

• (3:10 p.m.)

I would argue that during this session we have dealt with bills which contained several propositions. We have dealt with bills in this session which have amended several other acts. One which comes to mind immediately is the omnibus loans bill which included loan guarantees for fishermen, farmers and others. Those three were dealt with at the same time. Yesterday, we dealt with the second reading of the textile legislation and I believe one could find quite a number of propositions in that particular bill. Mr. Speaker, I would also mention that on previous occasions we have had before us similar government organization bills in which new departments have been created, so at such times essentially the same kind of legislation has been considered. There is, therefore, ample precedent. I do not see any difficulty from that point of view, but I now come to the crux of the argument made by the hon. member, namely, that there are several principles in this bill.

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The authorities, of course, always refer to the principle of the bill on second reading. Presumably, one could argue that the over-all principle of this bill is to ask the House to approve a scheme of improved organization of government. That would be the single principle, but there are other principles as well. Mr. Speaker Michener did rule on this point at one time when he was confronted with a bill which made him ask the question, can a bill which raises several principles, come before the House for second reading. I recall very clearly the ruling but I have not had an opportunity to find it. He ruled that on second reading the House could indeed be involved with a bill which contained one or several principles. I would argue that this ruling is relevant here if my hon. friend's argument that there must be one principle and one proposition is to be pressed. I think that both precedent and that particular ruling would assist in clarifying the point.

I shall conclude by saying that the House, in looking at this bill on second reading, presumably must balance the principles and consider whether those principles each hon. member can support are more important than those he may not be able to support. In other words, we would have to be guided by that consideration as we all are in looking at any bill. An hon. member could give support over-all to the bill on second reading and then, when it reaches the committee of the whole stage, he would have an opportunity to say yes or no to each particular proposition. The House is not at any particular point being denied an opportunity to judge every single proposition in the bill, because that is the purpose of the committee stage. Hon. members will be able to determine their attitude in respect of the Department of the Environment, in respect of the Ministers and the Ministers of State and in respect of the Public Service Superannuation and they can say yes or no. So, no opportunity is denied members to decide on each of these so-called propositions.

I shall simply summarize, Mr. Speaker, by saying the over-all theme or over-all principle of the bill is the improved organization of the government and that each of these so-called propositions is directed to that policy objective. In the past, we have had bills which have included changes in various departments. We have had bills which included various propositions. Indeed, we have a ruling of Mr. Speaker Michener that on second reading the House could be asked to deal with a bill which contained several principles. Finally, the members of the House will be given an opportunity to say yes or no to each of the so-called propositions when each clause is called during the committee of the whole stage.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I should like to commend the hon. member for Halifax-East Hants (Mr. McCleave) for raising this point of order. It is one to which I believe Your Honour will have to give very serious consideration. I shall not have the time of the House to produce all the citations, partly because I do not have them in front of me and partly because I am sure I produced them all in the debate

[Mr. MacEachen.]

which led to the ruling of Mr. Speaker Macnaughton to which reference has already been made. At the outset I may say, in terms of dealing with precedents, that there is one difficulty we have in that the ruling of Mr. Speaker Macnaughton was in respect of a resolution, whereas this is in respect of the second reading of a bill. I admit that before we start. However, I believe the principle which has been enunciated by the hon. member for Halifax-East Hants still stands, namely, that Parliament should have the right to make a decision on a principle standing by itself.

I should like to answer directly the main argument used by the President of the Privy Council (Mr. MacEachen). Before doing so, may I say that the reply of the President of the Privy Council to this point demonstrates how serious the matter is. The Government House Leader says we have often done this. He pointed out that a while ago we had before us a bill which amended three loans acts and that on various occasions we have had before us what are called omnibus bills. This is exactly the point. This is the reason I believe it is exceedingly important that this point of order has been raised at this time. In this bill I believe we have a glaring example of how far a government can go when it starts to operate under the umbrella of an omnibus bill. This bill not only has the nine or 10 parts, each of which is separate from the other, but also has schedules and in some of the items in the schedules there is not just a list of departments which have been moved around but actual amendments to statutes which are not referred to in any of the nine parts of the bill itself.

You know, Mr. Speaker, one must not place ideas in the government's head because those ideas might be picked up. However, it is not a very giant step from this to one bill which would include the work of the whole session. The government could bring us here and while we were debating the address in reply to the Speech from the Throne a huge omnibus bill could be brought in for the improvement of life in Canada. There would be about 14 parts in the bill covering the many things the government had in mind, as well as a schedule containing all the little details, and before we knew it we would have the work of a complete session introduced in one bill. Perhaps I am carrying this a little far, but of course one does this in making a point, and with this government even the absurd is not impossible. So, I say that in terms of the operation of Parliament this point of order is very important. How far can a government go in combining a host of different subjects into one bill and ask Parliament to vote on them en bloc without any regard for the individual points?

• (3:20 p.m.)

Now Sir, the chief argument that the President of the Privy Council used to try to offset the case made by the hon. member for Halifax-East Hants was that the House is not being denied the right to make a decision on each of the individual parts of the bill. I challenge that statement. The Committee of the Whole may have the chance to make a decision by a standing vote which is not recorded—no names are put down—on each individual

part of the bill. But the Committee of the Whole is not the House. In fact, Your Honour frequently has to draw our attention to that. You are not unaware, as the Hon. Lucien Lamoureux, of what goes on around here. However, as Mr. Speaker, you are aware only of what goes on in the House, not of what goes on in the Committee of the Whole.

Under our new rules, when a bill goes to a standing committee and comes back for the report stage, we can of course cope with this problem by putting down report stage amendments. In fact, I have frequently defended the establishing of that new process as one of the best things we have done around here. It is now possible for a bill that has gone to a standing committee to come back here and become subject to report stage amendments which are debated in the House with Mr. Speaker in the Chair and to have recorded votes on each amendment. As a result, the House can make a decision on every individual point. If this bill were being sent to a standing committee instead of being dealt with by Committee of the Whole House, that would apply. When the bill came back at the report stage, members could pick out the parts with which they disagreed and put down the appropriate amendment. The House could then make its decision.

However, the motion calls for this bill to go to Committee of the Whole House, and our rule is quite clear. When a bill is reported from Committee of the Whole House, there is no debate and no amendments are allowed at that point. So, the House itself will have no chance whatsoever, despite the assurance of the President of the Privy Council, to vote on the individual propositions either at second or third reading.

I submit that because of this situation, very serious consideration will have to be given to it. Your Honour has been working pretty diligently from your seat up there on high and you may have a ruling by the time this debate is over. On the other hand, you may like to take it under consideration. The point made by the hon. member for Halifax-East Hants carries weight when he says that a lot depends on how considerable the opposition is to this section or that. He quoted Mr. Speaker Macnaughton on that point, and it may be that Your Honour may wish to reserve your judgment.

The heart of the appeal that is being made is that the House should have the right to vote separately on these different individual propositions, and notwithstanding the assertion made by the President of the Privy Council, that right is not given to us on the one vote on second reading. It will not be given to us on the one vote on third reading, and we do not get a chance to vote at the report stage on this bill. Therefore, I say that this right is being denied.

Another argument of the President of the Privy Council is that there is one principle involved, that this bill is to improve the organization of the government of Canada. That is a nice play on words, and we have had a fair amount of that today. But in general terms, surely that principle applies only to the setting up of new departments and to shoving or pushing the ministers

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around a bit. When you get down to the question of Parliamentary Secretaries, to the amendment of the Members of Parliament Retiring Allowances Act, or to amendments to the Public Service Superannuation Act, surely you are getting a long way from the broad general principle of reorganizing the government of Canada. I do not think that a case can be made for the assertion that this is just one general proposition. It is a mixed bag of nine parts, with at least seven or eight different propositions in those nine parts, plus all the individual items that are set out in the schedules. I think this is a most unsatisfactory way to deal with the business before us.

[Translation]

Mr. André Fortin (Lotbinière): Mr. Speaker, I thank you for allowing me to take part in this most important debate.

I commend the hon. member for Halifax-East Hants (Mr. McCleave) for raising a point of order, so as to show, once more, the embarrassment where the hon. members find themselves.

Mr. Speaker, I have listened with a great deal of interest to the arguments of the President of the Privy Council (Mr. MacEachen) and, from the way he talks, one quickly understands that for the government it has become a matter of fact and that, more and more, motions or bills will be moved that will bear on a whole series of separate proposals.

Mr. Speaker, I would like to discuss briefly a particular point. The President of the Privy Council bases himself on the principle that more and more, in the past, the Chair has accepted the principle of omnibus bills, that is bills which contained several different proposals.

Mr. Speaker, on behalf of my own group, I want to say that the principle of omnibus bills has become for the government a weapon which allows it to handle in its own way the vote of each and every government and opposition member. This principle has become a weapon against democracy and the voting freedom of Parliament members.

Mr. Speaker, one may wonder about the meaning of the vote cast by a member since the right to vote in this House is one of the reasons why we have been elected. Now, the basic quality of a member's vote is that it is freely cast.

Secondly, his vote must be enlightened, that is to say, the member must be in a position to understand easily what it is about.

Let us remember the last omnibus bill containing some hundred amendments to the Criminal Code, and which raised for us a problem of conscience. At that time we either had to vote for the whole bill or to reject it.

It will be alleged that it is still possible for a member to object to a part of the bill he does not approve at the report stage, at the second reading stage or at the committee stage. But, Mr. Speaker, on second reading, the vote is not taken on that, but on the principle of the bill. If the practice of introducing omnibus bills is carried

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on, members of Parliament will hardly have anything else to do but to press on a button to indicate whether they are for or against a bill depending on its title.

Mr. Speaker, the government thinks that because legislation is introduced it will succeed in solving a given problem. As far as the opposition is concerned, it does not seem a good way to do it. And the trouble does not come from the fact that sometimes the opposition will disagree with the government, but, as the hon. member for Halifax-East Hants said a while ago, from the fact that a member may be for five proposals and against the seven others, whereas another supports three proposals and opposes the nine others. A member be in favour of the 12 proposals and likewise he can be against them all.

If the Chair accepts the principle of omnibus bills, whatever their content, only members in favour of the whole bill or those opposed to the whole bill can truly exercise their right to vote in a free and enlightened way. This is riding rough-shod over the enlightened and free vote of all members in favour of some proposals and opposed to others.

If a thorough statistical study were to be undertaken, it would be found that throughout the House extremely few members are either in favour of or against the whole omnibus bill. I voice again our concern that omnibus bills, that I would term package deals and take it or leave it propositions, are used by the government to deprive members of their right to vote freely. Hence, a member is placed in such a position that he actually cannot vote according to his conscience. If he is in favour of certain social measures, it does not necessarily mean that he would be in favour of 50 other proposals included in the bill. Under this procedure, the member is forced to vote for or against a bill as a whole under the pretext of speeding up the proceedings.

• (3:30 p.m.)

I wonder, Mr. Speaker, if the time has not come to establish at this stage whether it is better to speed up the proceedings to the limit, or to respect the stand and the views of the various members on each proposal contained in a bill.

As far as we are concerned, we strongly object to the principle of omnibus bills which trample on the rights and freedom of members and also on the authority of Parliament, which can easily dispose of motions, as can often be seen.

Mr. Speaker, I wish to refer to page 56 of the Standing Orders of the House of Commons. I have little experience of parliamentary procedure, but nevertheless I wish to quote paragraph (10) of Standing Order 58, which reads in part as follows:

—the Speaker... shall put forthwith successively, without debate or amendment, every question necessary to dispose of any item of business relating to interim supply, main estimates, and supplementary of final estimates—

So, Mr. Speaker, I wonder why at this stage you could not raise and put all the questions contained in the
[Mr. Fortin.]

omnibus bill so that the business of the House might be expedited to the great satisfaction of the government.

Mr. Speaker, you may smile at this little example because it is so simple, but it certainly would be normal, especially as we are aware of your concern for the protection of members' rights. If it is abnormal to move a motion to cover all those financial matters, we suggest that a bad procedure is being perpetuated because then we keep supporting the government when it introduces omnibus bills that may contain from 10 to 200 different proposals.

Mr. Speaker, the argument of the President of the Privy Council has no validity whatever, for it is utterly preposterous to talk about a "reorganization of the government". If it had any validity, one could in the same bill introduce a motion on every department and Crown corporation and all the Chair would have to say is: "It is true, these various elements are related because they all have to do with the government."

Mr. Speaker, I maintain that this is an instrument in the hands of this government to trample democracy and participation, as well as the freedom of each member.

I hope to be forgiven for this argumentation which is more or less in order. I merely wanted to base it on good common sense which, I submit, is too often trampled on in this chamber.

[English]

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, some 15 or 20 minutes ago I thought I had a number of fresh arguments to advance, but the last two speakers have pretty well covered the ground which I had hoped to cover. Having listened to them, and more particularly to the President of the Privy Council (Mr. MacEachen), I am more than ever convinced that my colleague, the hon. member for Halifax-East Hants (Mr. McCleave) is correct.

It seems to me that the minister, in effect, is asking Parliament to say that the end justifies the means. He says that the purpose of this bill is the efficient re-organization of the government, and therefore everything can be locked into the same bag. I put it to him that his argument is ridiculous because we could take every measure that comes before the House dealing with matters of trade, whether sponsored by the Minister of Finance (Mr. Benson) or the Minister of Industry, Trade and Commerce (Mr. Pepin), lump them into one bill, and say that they were for the more efficient prosecution of the trade of Canada. In other words, during a whole session we might have perhaps only half a dozen omnibus bills. I see the President of the Treasury Board (Mr. Drury) benignly nodding his head. That is just the attitude I find so repugnant, the attitude that the end would justify the means.

I find it exceedingly difficult to see how one can ask the House to pronounce itself, on second reading, on a ministry to be set up to deal with environmental control, which I am sure meets with general approval in the

House, and at the same time on the question of the early retirement of certain civil servants, which happens to be fitted into this omnibus bill. The relationship between those two questions is absolutely non-existent. There is no connection between the early retirement of senior civil servants and the creation of this new ministry. Yet we are being asked to decide on these two questions in single recorded votes, both on second reading and third reading. That is a denial of fairness. I must add my voice to those who protest most vehemently against our being asked to consider second reading of a bill of this kind.

Mr. W. B. Nesbitt (Oxford): Mr. Speaker, I do not wish to take up the time of the House with arguments that have already been so well presented, particularly by my colleague the hon. member for Halifax-East Hants (Mr. McCleave), and by the hon. member for Winnipeg North Centre (Mr. Knowles). As a matter of fact, the latter advanced some arguments that I was going to present, and I agree thoroughly with what he said. I would just like to add that I do not think he went far enough.

The question of what items should be within a single piece of legislation, as Your Honour well knows, has been a problem for a great many years. Shortly after I first came to the House in 1954, the government of the day presented a series of amendments to the Criminal Code and, although contained in one bill, they seemed to involve a great many unrelated principles. Of course at that time there was an opportunity for a member to express his views in the House on second reading but there was no opportunity—and I think this is important—to have a recorded vote on specific amendments, as there is under our new procedures. At that time, technically speaking, while the proposed amendments came under the same umbrella, inasmuch as they dealt with the criminal law of Canada, I repeat that they dealt with a number of different principles.

• (3:40 p.m.)

When the latest amendments to the Criminal Code were considered a couple of years ago there was, of course, under our new rules an opportunity for hon. members on the report stage, after the bill had been referred to special committees of this House, to express their views on the different principles involved. These principles involved such things as gambling, lotteries, abortion, sex offences and the like. However, as has been pointed out, in with this bill we are dealing with a whole series of apparently unrelated principles. We are being asked at this time to vote on them en bloc. It is like saying to us, "Do not throw out the baby with the bath water; surely, you do not want to vote against the whole bill just because of one small objection you have to one aspect of the bill?" The implication in that argument is that every member of the House is in complete agreement with almost every clause of the bill, and that is manifestly not so. I am sure Your Honour recognizes that.

In that connection, Your Honour, may I say that I think it is the right and privilege of every member of this House to make known his position on certain matters.

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That is one of the reasons our constituents sent us down here. On matters of public importance, and particularly of moral importance, that come before this House, a member has the right to have his vote recorded. If this bill is considered in committee of the whole, there will be no opportunity whatsoever for a member's vote, to be recorded so that his constituents will know how he voted. Under those circumstances our parliamentary system provides no opportunity for recording the votes of elected representatives, on certain subjects. It has been said, "Of course, the people can read *Hansard*." It is not always easy for constituents to get hold of copies of *Hansard*, particularly since nowadays there are such large constituencies. I think it is only fair and proper that a member's position on any particular clause of the bill, especially a bill containing a number of unrelated items such as this bill, should be recorded.

This leads me to the final point I wish to make, Mr. Speaker. I have already indicated on many occasions in this House when successive governments have been in power, and when a question has arisen about the sort of legislation which may be presented to the House, that I object to an umbrella bill which introduces a whole lot of unrelated principles.

An hon. Member: The Tories did that.

Mr. Nesbitt: Arguments have been presented on this point. For instance, the President of the Privy Council (Mr. MacEachen) may express the view that this is really a bill to improve the organization of government. Yet, as the hon. member for Winnipeg North Centre (Mr. Knowles) so aptly put it, you could include almost everything in such a bill and call it an act to improve the quality of life in Canada. I submit that a set of principles or guidelines will have to be laid down. I do not think anyone in this House wants to place an unnecessary burden on Your Honour or whoever may in future succeed Your Honour. Nevertheless, somehow guidelines will have to be laid down. These matters have come before this House time and again. Unless guidelines are laid down to prevent governments, either the present government or any other, from trying to do this kind of thing, this House will become nothing but a mockery and a joke. I suggest, respectfully, that Your Honour might defer a decision in this matter for a day or so, and then lay down for the present occasion as well as for future occasions a set of guidelines that ought to be followed in such cases.

I realize, being a pragmatic person, that a certain amount of discretion must always be left to Your Honour, or to your eventual successor. That will be necessary. It seems to me that some sort of guidelines will have to be laid down to indicate that the parts, of any omnibus bill that is presented to the House must bear some closer relationships than is apparent in this case. In other words, the principles of the bill, to refer to Mr. Speaker Michener's decision alluded to by the President of the Privy Council, must themselves be related. I hope that to avoid difficulties not only on this occasion but in future, Your Honour will lay down some guide-

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lines. I hope, when this kind of legislation is presented to the House in future, it will be necessary for it to fall within the ambit of certain guidelines. I hope Your Honour might be able to do this.

Hon. H. A. Olson (Minister of Agriculture): Mr. Speaker, I have listened very carefully to the arguments which have been advanced. It seems to me that the main burden of the argument that has been made is that members of the House must, when the Speaker is in the chair, be provided with an opportunity of voting, if not on all the details, at least on all the separate propositions contained within any bill. If that is valid, Mr. Speaker, then I suggest there is no purpose for the committee of the whole; and, if you want to take the argument to ridiculous lengths, there is probably no purpose for the standing committees of the House, either. If hon. members opposite wish to argue that all the details or different propositions of any bill must be the subject of a separate vote, with Mr. Speaker in the chair—I am not arguing as to the purpose for which members might wish to have their votes recorded—then, of course, there would be no reason for the committee to take under consideration bills of this nature, or any other nature.

I suggest, Mr. Speaker, that it is competent for either standing committees of this House, or indeed, the committee of the whole of this House, to amend any clause of this or any other bill. To be more specific, Mr. Speaker, the amending capability enables such committees to delete completely any clause from this or any other bill. This has been the practice for a very long period of time, Mr. Speaker. So, when any member argues that he does not have an opportunity to disagree with this or that individual provision of this bill or indicate that he supports other parts of the bill, I submit that his argument is not valid.

Mr. Nesbitt: Nobody has argued that point.

Mr. Olson: I suggest, further, that every member of the House is also a member of the committee of the whole, and that the opportunity of disagreeing or agreeing is not denied to him. It is a novel argument, I suggest, that every disagreement with respect to certain provisions within a bill ought to be the subject of a recorded vote. The hon. member for Oxford (Mr. Nesbitt) supports that argument. He says he wants to advise his constituents how he voted on any of the separate propositions of the bill.

Mr. Nesbitt: My constituents want to know how you vote. I do not know if that holds true for the minister's constituents.

Mr. Olson: That has not been the practice of this House, either in the committee of the whole or with regard to standing committees. Hon. members have known for a long time that the total numbers of those for or against a proposition only have been recorded.

Mr. Alexander: Could the minister elaborate on that point?

[Mr. Nesbitt.]

Mr. Olson: Citation 389 of Beauchesne's Fourth Edition, page 279, reads in part:

A motion opposing the second reading of a Bill must not anticipate amendments which may be moved in Committee. Alterations which may be affected by amending the clauses of the Bill cannot be moved on the second reading.

I know that it is not intended to move amendments to the motion at present. I have quoted that citation only to give credence to our rules, and to the precedents for our rules, which provide that there is an opportunity in the committee of the whole and in standing committees for amendments of substance to be moved.

I think that if the arguments against our proceeding with the bill at this time hinge on the point that hon. members will not have an opportunity to vote on each separate proposition in the bill, I can only say that these arguments, if acceded to, would be a new departure and not in keeping with the practice over a long period.

Mr. Lincoln M. Alexander (Hamilton West): Mr. Speaker, even though I have sat in the House for a limited time, I have the nerve to say that I listened with amazement to the minister who just spoke. My first experience with an omnibus bill was the bill dealing with the Criminal Code amendments relating to homosexuality, abortion and other matters. I listened to that debate in my early days in this House. I sat here perplexed and frustrated because the procedure leaves individual members, particularly on the opposition side, in a precarious position. I am not too interested in members sitting on the government side because I know how they think and how they vote.

• (3:50 p.m.)

An hon. Member: How do you know?

Mr. Alexander: I know because of the pattern of the record. I hope the minister is not trying to convince me that this procedure is correct and that it is, in truth, participatory democracy. A member on this side may be in favour of some parts of the bill and unalterably opposed to others. Nevertheless, to be credible and to show involvement in the work of the House he has to vote either directly for or against the bill as a whole. I do not want the minister to shake his head when he knows what happened in connection with that omnibus bill. I hope he is not serious when he says it does not really matter. It is one thing for people over there, where members are like sheep who follow a leader, and another thing for those who sit on opposition benches and wish to become involved with certain principles which they find either offensive or in keeping with their own ideas.

[Translation]

Mr. Speaker: I note that the hon. member for Abitibi (Mr. Laprise) wishes to take part in the debate. Evidently, I will allow him to do so, but I would suggest to hon. members that I have heard the argument for and against the point of procedure raised by the hon. member for Halifax-East Hants (Mr. McCleave) a moment ago and I will soon be ready to make a ruling, taking into account all the points raised during the debate. Moreover, each of the members who wished to take part in the discussion

has had the opportunity to do so without any intervention from the Chair. I think that in all fairness, the hon. member for Abitibi should enjoy the same privilege. The House will be interested in hearing him, I am sure; but if hon. members agree with me, after having heard the hon. member for Abitibi, I will give hon. members an opportunity to hear my own views in this connection

Mr. Gérard Laprise (Abitibi): Mr. Speaker, I do not intend speaking at length on this matter. I know that many things have been said for and against omnibus bills. As far as I am concerned, I am opposed to this type of proceeding which places members in rather tricky situations. One part of an omnibus bill may be easily acceptable to us while another may leave doubts in our minds.

We can recall the omnibus bill to amend the Criminal Code and also a similar bill introduced in 1966 or 1967 concerning an increase in old age security pensions from \$65 to \$75. Everyone agreed on this point, but the bill also included a provision to increase taxes in order to replenish the old age security fund, which many opposed. It was therefore necessary to approve or reject both provisions as a whole. In consequence our position was untenable.

According to the government, this type of bill is introduced in order to facilitate consideration of it. I suggest that it is not so. If the bill on government re-organization had been studied in stages, if the case of each department had been examined, it could have been determined which ones need to be organized or re-organized. Certain provisions could have been adopted in five minutes, ten at the most. For the others, a little more time would have been needed, but on the whole all members would have been able to express their views on each provision, and that is not the case now.

I believe that the government should stop introducing bills of this sort and should instead submit very specific bills so that we may express our views clearly and frankly.

Mr. Speaker: I thank the hon. member for Abitibi (Mr. Laprise) as well as his colleagues who have wanted to make their views known and thus enable the Chair to benefit from their long experience in order to make a decision and to humbly express its opinion on the matter.

[English]

The point raised by the hon. member for Halifax-East Hants (Mr. McCleave) is one of very great importance. I think I may say that when this bill was introduced in the House and given first reading, I raised my eyebrows and wondered whether the established procedures were being followed. Because of that, I have been thinking about the situation, and even before the point was raised by the hon. member for Halifax-East Hants I gave the matter serious thought wondering whether we were proceeding in the right direction.

There is no doubt in my mind that there is considerable substance in the point raised by the hon. member in the first instance. I am also quite impressed by the argu-

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ment advanced by other hon. members in support of his objection. I think that, in a way, he has a legitimate grievance or complaint.

My problem is, of course, whether he can advance a legitimate procedural argument, and this is where I find some difficulty. As the House knows, the Chair has to be guided to a considerable extent by precedents established over a number of years. During the hour or so this debate has been going on, the learned gentlemen at the table have obtained for me, at my request, certain precedents showing that similar points have been raised in the past. This is not the first time we have had before us a measure of the kind which have been called omnibus bills. On many occasions objections have been raised very strongly by hon. members. I would not like to go into all the details but, briefly, if hon. members will allow me, on April 2, 1953 the House had before it an amendment to the National Defence Act. Mr. Brown of St. John's West raised the point:

I have no doubt the minister can explain why this resolution covers two or three acts. Is it customary to do that?

As members will see, the point was being raised in 1953, and I am sure it was raised even before that. The Minister of National Defence at that time, Mr. Brooke Claxton, claimed that this was what had been done in the past and, as was done today, suggested this had long been the practice of the House. In any event, nothing was done, and the bill was presented to the House unchanged. It was voted upon in its original form.

The question was brought up again; the same bill was subjected to the same objection. The objection of the hon. member for Winnipeg North Centre (Mr. Knowles) was reported at length in *Hansard* on December 10, 1953, at page 797. His words are preserved there for posterity and perhaps I should repeat them for the benefit of double posterity, if that exists.

This procedure places the members of the house in the situation of being faced with a resolution which deals with eight different matters. Naturally there are eight different principles involved under ordinary circumstances. As far as I can see from casual examination, most of these things are matters which perhaps everyone in the committee would agree with. When we hear more about them, that may not be so. In any event, it might very well be that amongst those eight amendments is one with which we would disagree violently and therefore feel called upon to vote against the resolution or particularly, after we have the bill and have the information, to vote against the bill because of that one matter.

This is the argument which was advanced in 1953 by the hon. member for Winnipeg North Centre.

Mr. Knowles (Winnipeg North Centre): Well put!

Mr. Speaker: The argument was well put, as it was well put today by the hon. member for Winnipeg North Centre and others. I said that I did not want to go into the details of the few precedents I have before me of more recent vintage. However, reference was made to the Veterans Benefit Act of 1954, and again the same argument was made by the hon. member for Winnipeg North Centre. Then, jumping a decade or so we go to 1964, when the late, respected and beloved member for Digby-

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Annapolis-Kings, the Hon. George C. Nowlan, raised the same point. He said, as reported at page 9086 of *Hansard* for October 15 of that year:

As the minister has told us, we are dealing here with the Canadian and British Insurance Companies Act, the Foreign Insurance Companies Act, the Trust Companies Act and the Loan Companies Act. Quite a mélange.

• (4:00 p.m.)

Perhaps hon. members might have wanted to say the same thing about the bill now before the House. There is no question, without going further into the details, that this is a long established practice. We have had this type of omnibus bill before the House on many occasions. The President of the Privy Council and the Minister of Agriculture have quite rightly argued their case that this is long established practice and that the government has followed past practice. That is their argument and it has to be respected. Certainly, the Chair must take that into account because of the importance of precedent in our system.

However, where do we stop? Where is the point of no return? The hon. member for Winnipeg North Centre, and I believe the hon. member for Edmonton West, said that we might reach the point where we would have only one bill, a bill at the start of the session for the improvement of the quality of life in Canada which would include every single proposed piece of legislation for the session. That would be an omnibus bill with a capital "O" and a capital "B". But would it be acceptable legislation? There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint.

At the same time, having now reached second reading and having had this bill before us for some time, I doubt whether we should take the very drastic and extreme position, as I suggest to hon. members it would be, of saying that this bill is not acceptable to the House, that it should not be put by the government and that it should not be considered by hon. members. In my view it should be the responsibility of the Chair, when such bill is introduced and given first reading, to take the initiative and raise the matter for consideration of the House by way of a point of order, as I have taken the liberty of doing with a number of private members' bills. When those bill came before the House for first reading I entered a caveat about them and gave hon. members an opportunity of expressing their views. At any rate, some of those bills were refused by the Chair.

At that point, it is much easier for the government to go back to the legislative mill, to the judicial luminaries of the Department of Justice, where these bills are prepared for the consideration of Parliament. If I may say so, I think that even those very learned gentlemen should take into account the fact that this aspect of legislation is of interest to all hon. members, of interest I am sure to the government, and certainly of interest to the Chair, namely, that there must be a point where an omnibus bill becomes more than an omnibus bill and is not acceptable from a procedural standpoint.

One or two hon. members have argued that there would not be an opportunity for members to express

[Mr. Speaker.]

their views by way of a vote on individual parts of the bill or individual clauses. That is perhaps not entirely correct. I am not here referring to the committee of the whole; I have made that distinction before now. For hon. members to express their view in committee of the whole on a particular clause of the bill is not the same as being given an opportunity to express their views on a clause of the bill by way of a recorded vote.

The House must note that there is a third reading stage of a bill. When a bill comes to the House for third reading, there is not one clause or one part of the bill that cannot be brought into question by way of an amendment proposing that the particular clause or section be referred back to committee. I think this gives every hon. member an opportunity to vote either for or against, or to express his views in the House either for or against, a particular clause or part of the bill, and to do so by way of a recorded vote. Accordingly there still is a measure of protection afforded hon. members.

Having said this, I would have to rule—if I must rule—that the government has followed the practice that has been accepted in the past, rightly or wrongly, but that we may have reached the point where we are going too far and that omnibus bills seek to take in too much. All hon. members should be alerted to this difficulty of which the Chair is fully conscious. When another omnibus bill is proposed to the House, it should be scrutinized at first reading stage, when hon. members will be given the opportunity of expressing their view, and the Chair can express its view, either that the bill goes too far or that it is acceptable from a procedural standpoint.

I think that this discussion has been a valuable one, certainly as far as the Chair is concerned, and I thank hon. members for the views that they have expressed. Certainly, I am very impressed by them and propose to take them into account when the circumstances warrant an examination of the point of order in the future.

Mr. Alexander: Mr. Speaker, on a point of order. I am always first to stand and say that I appreciate the wisdom and experience of the Speaker. In view of the preamble to your ruling, so properly given, and in view of the fact you have indicated that an omnibus bill might encompass all matters related to the improvement of the quality of life of all Canadians, it seems to me it would be proper and justifiable to reach the conclusion that Mr. Speaker has perhaps chastised the government lightly but firmly.

Mr. Speaker: I suggest that is hardly a point of order; it is more a point of disorder.

Mr. Nesbitt: Mr. Speaker, I have a brief point of order which is perhaps more in the nature of a question. At some future date, perhaps after this legislation has gone through the House with whatever the result, I wonder if Your Honour might give consideration to giving the House your views on the set of principles which should be applied to omnibus bills.

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Mr. Skoreyko: Mr. Speaker, I have the same point of order. I, too, entirely concur with the views expressed by members of the House and, indeed, with your ruling. I think it is important at this juncture to point out, if I may, that according to the precedents cited, at no time has an omnibus bill been presented to the House giving carte blanche to the government to appoint ministers, Parliamentary Secretaries and the like. That is an important point which I think should be taken into consideration in the future.

Mr. Speaker: It seems to me that at this point we are resuming the debate we were having a moment ago. Perhaps hon. members might have expressed these views while we were considering the point of order, so that additional arguments might have been advanced for the consideration of the government and the guidance of the Chair. However, the motion has now been put and the Chair recognizes the President of the Treasury Board.

• (4:10 p.m.)

[Translation]

Hon. C. M. Drury (President of the Treasury Board): Mr. Speaker, in moving second reading of the bill sponsored by the Prime Minister (Mr. Trudeau), I should like to make it clear that I do not intend to go into detail regarding each clause of this bill, because this can be done after the motion for second reading has been passed. Hon. members may wish to raise questions of a general nature relating to the bill; I shall try to answer them. It is my intention to deal with the principle on which the provisions of this bill are based.

In essence, the government organization bill deals with the constant challenge facing Parliament and the government to be as efficient as possible in doing those things which are in the interest of the Canadian people and society. This challenge is imposed upon us by the rapid changes taking place today, and our response in this regard must be positive. Both Parliament and the government must be flexible; both must adapt their procedures and structures; and in the final analysis, the test is whether they are continuing to respond effectively to the needs of the society and of the world with which they must deal.

The government is determined to meet the challenge of change by continually enhancing its capacity to deal effectively with all those matters that are vital to the welfare of Canadians. If enacted, the bill before us, will better equip the government to develop and implement new policies to serve Canadians in a variety of fields: amongst them, the fight against pollution. At the same time it will provide for greater accountability of the executive to Parliament.

Mr. Speaker, I should now like to turn to Part I of the government organization bill, the Department of the Environment Act.

I believe that very few Canadians need to be convinced that the challenge posed by a deteriorating environment, which faces all people and particularly those living in

industrialized nations such as Canada, is one that raises the very issue of human survival itself.

This fundamental issue was clearly recognized by hon. members through their initiative some months ago, to call for the establishment of a Special Committee on Environmental Pollution, which has been ably chaired by the member from Esquimalt-Saanich (Mr. Anderson). I have no doubt that if Parliament approves the proposal to establish a Department of the Environment, the new minister and his officials will follow with keen interest the proceedings of this Special Committee.

A principal objective of the proposed minister of the environment and of his department would be to ensure that Canadians, both now and in the future, would be able to enjoy a natural environment of high quality. It would be their task to see that acceptable levels of environmental quality are set and where they have been transgressed, that efforts are made to restore these levels and to prevent undesirable changes in the future.

These statements are easy to make, Mr. Speaker, but in a society where many have only recently become aware of and concerned about the problems of environmental quality, a new understanding of and new perspectives on these problems must be developed so that we can come to a general agreement on the sort of balance that should be struck between the quality of our natural environment and the pursuit of those activities which often result in pollution of the environment. The new minister must help Canadians understand the causes and effects of environmental change and their implications, so that the activities of our community can be directed to achieve desirable levels of environmental quality.

Part I of the Government Organization Bill outlines the powers, duties and functions of the Minister of the Environment and lists the statutes for which he is to be responsible. In addition to the minister's general responsibility for renewable resources and for environmental quality, his responsibilities will include those recently transferred to the Minister of Fisheries and Forestry by order in council pursuant to the Public Service Rearrangement and Transfer of Duties Act. While as a general rule it is important to separate within the administration of public affairs, the exploitation interest from the conservation interest, this rule should not apply in a strict sense—it is important to make a distinction particularly where the resources in question are renewable. Fish, wildlife, crops and trees must have a clean environment if they are to flourish, and they often provide our first indicators of environmental deterioration. Those who are involved in the field of renewable resources have a keen understanding of the importance of conservation and high levels of environmental quality.

In fisheries and forestry for example, there is a keen awareness of the importance of conservation and of the maintenance of environmental quality to continuing commercial success. Therefore, the addition of new emphasis on conservation will not detract from but augment the traditional role of the federal government in relation to those who are engaged in the fisheries business and forestry business. Accordingly, I am confident that the