

HOUSING

EFFECT OF INFLATION ON INDUSTRY AND HOME OWNERS

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, my question is directed to the Minister of Public Works, the minister responsible for the housing crisis in the country. Inflation is now at 12.2 per cent, and with its accompanying ballooning of mortgage interest rates, obviously is causing severe financial distress and wreaking havoc with Canadians holding mortgages which must be renewed, and with the housing industry.

Will the minister confirm that the Canadian housing industry, on a yearly basis, is in the deepest slump since the 1930s? Will he agree that the inflation created by government deficits and oceans of new money being printed to cope with this deficit are the major cause of the housing disaster facing Canada?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, in so far as my ministry responds to the part of the question dealing with the condition of the housing industry in Canada, I might say that about a year ago some of the statistics might have been approximately accurate, that is, the slump of the industry and the difficulties of the industry. But I am sure the hon. member and many hon. members have seen in recent months, particularly in the first quarter of this year, improvement in the industry, as reflected by the increase in the number of starts. Indeed, according to industry spokesmen—I am thinking of the urban development industry and, for example, the HUDAC spokesman; leaders in the industry—obviously the record of the first quarter of this year shows an improvement in the industry and optimism in the industry which was not apparent, as I have indicated, 12 months previously.

Mr. Cook: Madam Speaker, in an effort to be sweetly reasonable—

Some hon. Members: Oh, oh!

Mr. Cook:—what new policy does the minister have to fight inflation as the main obstacle to expanding and building more houses? Will the minister try to persuade the government to get off its constitutional obsession, so that we can deal with both inflation and the housing problems?

Mr. Cosgrove: Madam Speaker, with some modesty, I might say that sweet reasonableness is one of the attributes I attempt to project and to apply to all my duties and responsibilities.

Some hon. Members: Hear, hear!

Mr. Cosgrove: I would think anyone applying those standards in any objective manner would have to agree that the signals in the industry are to an upturn, there is optimism in the industry and, in part, that reflects the previous action of the government in the last 12 months, for example, in increasing social housing starts, in the budget provisions with respect

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to MURBs, and in the better use of government machinery under the Canada Mortgage and Housing Corporation to be a more effective provider vis-à-vis the housing needs of Canadians generally.

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POINTS OF ORDER

MR. CLARK—THE CONSTITUTION—SUGGESTED PROCEDURE FOR AMENDING PROPOSED RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise on a point of order concerning House business and flowing from the fraternal discussions between the Leader of the New Democratic Party (Mr. Broadbent) and the Prime Minister (Mr. Trudeau). I want a little clarification on what exactly the Prime Minister indicated he would find acceptable, particularly since it was not clear to me in the statement of the Leader of the New Democratic Party whether or not he was talking about votes on amendments in the House prior to any package going to the Supreme Court of Canada.

Mr. Broadbent: Yes.

Mr. Clark: He now says, "Yes". To come back to the proposition I raised yesterday which caused discussions among House leaders that have now been carried on publicly—I must say it was somewhat to our surprise that those discussions should be carried on publicly on the floor of the House, but that process having been started, we will carry it on—let me ask the Prime Minister whether he would be prepared to accept a position which contained the following elements. First, there would be a grouping of a limited number of amendments agreed to among all parties in the House. Second, that the constitutionality of those amendments, as well as the constitutionality of the government's own resolution, would be determined by the Supreme Court of Canada before Parliament votes on any question relating to the constitutional resolution.

Some hon. Members: Oh, oh!

Mr. Clark: Third, that the debate in Parliament be adjourned until a decision by the Supreme Court of Canada to allow Parliament to get on with the other urgent business of the nation. Fourth, that no new amendments would be introduced to any resolution after the Supreme Court of Canada has rendered its decision on the legality of the government's position and on the legality of any amendments which might be proposed by other parties in the House.

Would the Prime Minister be prepared to respond positively to a proposal containing those elements?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, this is a rather strange point of order. It began with asking me to clarify the suggestion of the Leader of the New Democratic Party (Mr. Broadbent) that I accepted. I can only

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suggest, since we are on a point of order, that the Leader of the New Democratic Party answer that. I have answered his suggestion affirmatively. Let us deal with that; let us hear the point of view of the Leader of the Opposition (Mr. Clark) on that proposal. If it is accepted, it solves the matter; if it is not, then we will see if there is any further room for compromise.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, the Prime Minister has heard our proposal and the proposal of the New Democrats. He knows there is one fundamental area in which they disagree. The New Democrats and the Liberals, together again, appear to be prepared to have the House of Commons vote on a matter which the courts of Canada have declared illegal.

Some hon. Members: Oh, oh!

Mr. Clark: We are not prepared to have the House of Commons vote on a matter which has been declared illegal by the Supreme Court of Newfoundland.

An appreciable distinction between the two proposals concerns whether or not it is appropriate for Parliament to vote on matters which a court has found to be illegal. We believe it is not appropriate for Parliament to vote on a constitutional matter which has been found by a court of this country to be beyond the constitutional competence of Parliament. That is our position; that responds to the position put forward by the New Democratic Party.

I return to my question to the Prime Minister. Would he be prepared to accept a proposal such as the one I put forward yesterday and again today containing the elements I have enumerated, a proposal which would allow us to determine the question of legality, to consider the appropriateness of all important amendments, to adjourn this debate immediately so that we could get on with the important business of Canada, and to ensure that there was a Constitution in Canada which adhered to the constitutional law and practice of the country? Also, perhaps the adjournment would provide an opportunity for the first ministers of the nation to get together to see if there might be some greater room for agreement on the Constitution of Canada.

Some hon. Members: Hear, hear!

Mr. Edward Broadbent (Oshawa): Madam Speaker, neither the Hon. Leader of the Opposition (Mr. Clark) nor myself had the dubious pleasure, perhaps, of going to law school, but I would like to—

Some hon. Members: Oh, oh!

Mr. Clark: Thank you very much.

Mr. Broadbent: Well, I never went to law school, Madam Speaker. However, I want to say in all seriousness to the Leader of the Opposition that I was responding in my comments yesterday to the suggestions I heard for the first time from the Leader of the Opposition. The responses were made on the floor of the House immediately after I heard them.

There was no conspiracy either with members of his party or with the party opposite.

• (1510)

However, I would like to say, since he asked a question here on a point of order concerning our attitude with respect to voting on amendments, that the position I put forward on behalf of my colleagues was that, yes, there should be a vote on amendments. There are important matters affecting the native people of Canada; they want to know where we stand. There are important matters affecting the women of Canada; they want to know where we stand. There have been matters which my party have attempted to debate for six weeks in the House of Commons. We would like a vote taken on those. Presumably the official opposition, which has one amendment before the House, would like to have a vote on it or it would never have moved the amendment.

Mr. Clark: That was before the Supreme Court decision.

Mr. Broadbent: I want to come now to the final point of law. As I understand it, we are proposing to vote on the amendments but withholding the vote on the final resolution, as amended, precisely to deal with the point raised by the Leader of the Opposition, that at this point in our history, in the moral sense—

An hon. Member: What about the legal one?

Mr. Broadbent:—we should obtain the acceptance of the Supreme Court of the legitimacy of the way in which we are proceeding, given the fact that the court in Manitoba ruled one way and the court in Newfoundland ruled the other. We have made the proposal, although according to strict constitutional law I do not think it is necessary. But I think in terms of political and moral legitimacy it is necessary, which is the point the Leader of the Opposition is making.

Some hon. Members: Hear, hear!

Mr. Broadbent: All I am asking the Leader of the Opposition to do is to be logical on this issue and allow a vote on his amendment, a vote on our amendments—

Some hon. Members: Oh!

Mr. Broadbent:—and then suspend final judgment until we hear from the Supreme Court.

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the Leader of the Opposition motions for me to stand up. I will answer very clearly, Madam Speaker. I accept the proposal of the Leader of the New Democratic Party.

Some hon. Members: Hear, hear!

Mr. Trudeau: Can the Leader of the Opposition stand up and say, yes or no, whether he accepts it? Let us hear his answer.

Some hon. Members: Hear, hear!

Some hon. Members: Yes or no?

Mr. Clark: Madam Speaker, I regret that the Prime Minister missed my first answer. We cannot accept a proposal which would have the House of Commons voting on matters which the Supreme Court of Newfoundland has declared to be beyond the competence of this Parliament.

Some hon. Members: Hear, hear!

Mr. Blais: It's not so!

Madam Speaker: Order, please. Do I understand the Right Hon. Leader of the Opposition is asking for the floor again?

Mr. Clark: Madam Speaker, I am asking for the floor simply because in these exchanges between the Leader of the New Democratic Party and the Prime Minister we have yet to receive an answer from the Prime Minister to the question I put to him in respect to the proposal, the elements of which I have outlined today. I would like to have that response from him.

Some hon. Members: Yes or no?

Mr. Trudeau: Madam Speaker, to look at things in order, I suppose that the Leader of the Opposition would require not only agreement from myself but agreement from the New Democratic Party.

Some hon. Members: Why?

Mr. Andre: He is in bed with you. He will do whatever you want.

Mr. Trudeau: I am asked why, Madam Speaker. Because if the New Democratic Party are not part of the deal, they can, if they wish, and if they are as destructive as the Tories, hold up the work of this House for weeks, just as the Tory party is.

Some hon. Members: Oh!

Mr. Trudeau: That is why we are looking for a compromise that everyone can agree to.

The Leader of the Opposition wants a yes or no answer. It would depend on what happened after the Supreme Court decided. The Leader of the Opposition has not dealt with that. Once the Supreme Court decides and if the decision is that the matter is legal, would he then agree to pass in the House the whole package within, say, 48 hours?

Some hon. Members: Hear, hear!

Some hon. Members: No!

Mr. Clark: Madam Speaker, I take it that is the only question in the Prime Minister's mind in relation to our package. Is that correct?

Some hon. Members: Answer the question! Yes or no?

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Mr. Clark: Could I have an indication from the Prime Minister whether that is the only reservation, the only question he has in relation to the proposition—the time element after the matter comes back from the Supreme Court?

An hon. Member: Up, Pierre!

Some hon. Members: Up, up!

Madam Speaker: Order, please. I want to point out to the House that the Chair is rather uneasy since these are the kind of negotiations that do not usually take place in the presence of the Chair. These are the kind of matters that are not usually conducted in open debate. I have tolerated it for a while in the hope that, perhaps, something speedy could be accomplished. It might be wiser to continue the negotiations in another place, but the House may do as it wishes.

Mr. Epp: I have a point of order, Madam Speaker.

Madam Speaker: The hon. member for Provencher on a point of order.

MR. EPP—DISALLOWANCE OF QUESTION ON CONSTITUTION
ADDRESSED TO MR. ROBERTS

Hon. Jake Epp (Provencher): Madam Speaker, my point of order arises out of the question period today. You will recall that I asked a question of the Minister of the Environment (Mr. Roberts) regarding the Constitution. Your Honour ruled that I was not in a position to ask that question of the Minister of the Environment in view of the fact that the Constitution does not fall within his area of ministerial responsibility.

Some hon. Members: Not again!

Mr. Epp: Madam Speaker, I direct the attention of the House to page 6224 of *Hansard* for January 15, 1981.

Some hon. Members: Oh!

Mr. Epp: Could I have order, please?

Madam Speaker: Order, please. Might we have some quiet in the House, please?

Mr. Epp: Madam Speaker, I refer you to page 6224 of *Hansard* for January 15, 1981. On that day the Right Hon. Leader of the Opposition (Mr. Clark) used the following words in his question:

This matter has been discussed between the prime ministers in June. Could the Minister of the Environment in his capacity as envoy on constitutional matters inform the House?

The Minister of the Environment then proceeded to answer the question, which was strictly on constitutional matters as they related to his duties, as given to him by the Prime Minister (Mr. Trudeau), and to his contacts in Great Britain.

My question today was exactly on that point, on the Constitution and the contacts the minister, as the envoy of the Prime Minister, had in Britain regarding the possible conversation

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between members of the British cabinet and the Minister of the Environment. On January 15 you allowed the minister to answer exactly with respect to that issue. Today you chose not to do so.

I would like the Chair to give me an indication whether I can ask the minister those questions in the future, in view of the fact that he has been able to answer them before, and it is public knowledge that the Prime Minister instructed the "Mark and John Show", the two apostles, to go to Britain.

• (1520)

Madam Speaker: Yes, I remember that incident, but I cannot call it a precedent because I did not make a ruling. These sort of things happen very quickly in the House of Commons, and having happened there is very little that the Speaker can do. However, the Speaker may not interfere if the minister chooses to answer the question. On this particular occasion, the minister rapidly answered that question; that was his choice. However, this point remains very clear in Beauséne, Citation 361:

A question may not be asked of a minister in another capacity, such as being responsible for a province—

That is a very clear rule. It is also up to the minister to decide whether he wants to answer a question.

What I did today was not to disallow the question put to the minister; I simply suggested that it might more properly be addressed to someone else. The hon. member received an answer to his question from another minister. But the rule is there for his guidance. The Chair cannot really prevent a minister from answering or force him to answer a question.

Mr. Epp: Madam Speaker, on the same point, if you could give me further instructions, are you saying that, despite the ruling in Beauséne if a minister chooses to answer, and if he is quickly enough on his feet, he can answer?

Madam Speaker: It is his own choice whether to answer. It is the minister's choice to answer a question or not to answer. It is very hard for me to determine all of the specific responsibilities of the minister. This particular question was long enough that I was able to react, and it seemed that it might more properly have been addressed to another minister. I simply suggested to the hon. member that he might address it to another minister.

In the particular circumstance of today, the Minister of the Environment chose not to answer the question I suppose, though I cannot answer for him, because he felt it was not within the realm of his specific ministerial responsibilities; but another minister took up the question.

Mr. Epp: Just one more point, Madam Speaker. If I interpret your ruling correctly, it is very difficult for an hon. member on this side of the House to ask a minister a question in an area in which he has answered before. The minister has made public statements which have been repudiated in this House by his colleague, the Secretary of State for External Affairs (Mr. MacGuigan). Therefore, it is impossible, in view

of that ruling—despite the fact that the minister has already answered once—to discover who is speaking for the government in this House and what communications have taken place. It is a ruling which places all of us in a Catch-22 situation.

Madam Speaker: I think the hon. member is more confused than he need be. He did occupy a cabinet post and he does know that ministers may make statements outside the House on any aspect of government policy, be it the Constitution or any other matter. Therefore, the Minister of the Environment may quite properly make statements on the Constitution outside the House, but it does not then necessarily follow that because the minister has made a statement outside the House, hon. members in the House may be allowed to ask questions on that statement if it is not within the realm of his ministerial responsibilities.

The rule is quite clear. If an hon. member asks a question, a minister may answer it. But ministers may answer only those questions which are within the realm of their responsibilities, and they are the judges of what matters fall within the realm of their responsibilities. I think that is quite clear.

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, on the same point of order, I believe this is important to what you said. I recall having asked questions of former solicitors general which they chose to answer despite the fact that they no longer occupied the portfolio.

I want to point out to Your Honour that while you were engaged in this interesting point of order with my colleague, the hon. member for Provencher (Mr. Epp), the Minister of the Environment (Mr. Roberts) was also listening very closely and he indicated, to me at least, that he did not agree with your interpretation that he did not want to answer the question. From his clear gesture, I understood—he is nodding his head now—that he really wished to respond to the question, which raises a whole new dimension here. Just as a former solicitor general responded to me when I was asking what I thought to be an important question, the Minister of the Environment indicated that he, too, wished to follow that precedent. It would appear that he was inadvertently prevented from having this opportunity.

Therefore, my point of order is that I believe the minister should now be given the opportunity to indicate to the House whether he does wish to exercise his option and answer the question.

Madam Speaker: Well, first of all, the question period is over. Secondly, to answer the hon. member's point of order, I suggested that the question might more properly have been addressed to another minister. If the Minister of the Environment had then risen in his place, I do not feel that I could have prevented him from answering the question; but he did not. Instead, the question was addressed to the Secretary of State for External Affairs (Mr. MacGuigan), and he chose to answer it.

If another question is posed in other circumstances, I might again point out to the House that that question could perhaps be more properly addressed to another minister. However, that does not preclude a certain minister from rising in his seat to answer the question. For the time being, we cannot come back to this question because question period has concluded.

I will hear the Minister of the Environment, but only on a point of order; I will not allow him to answer the question.

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): I understand, Madam Speaker. If I have caused any problem, I am sorry to have done so. I had no particular desire to answer the question, but I would have been quite happy and prepared to respond to it, as a matter of politeness to the hon. member opposite. There is really no need for me to do so since one of my colleagues gave the answer. However, if someone else wants to pose another question at some other time, I would be happy to hear it and possibly respond in a way which might be helpful.

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BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Knowles: Madam Speaker, when the Right Hon. Leader of the Opposition began the exchange a while ago, he referred to it as having started under the heading of House business. I had assumed that somewhere in that exchange the usual Thursday questions would be asked. I do not wish to jump ahead of my friend, the hon. member for Nepean-Carleton.

Mr. Baker (Nepean-Carleton): Go ahead!

Mr. Knowles: You are very kind.

Mr. Baker (Nepean-Carleton): You are standing, so go ahead.

Mr. Knowles: May I ask the government House leader if he can tell us what the government plans for business today, if we get there? At the same time may I make the plea, despite the fact that agreement did not seem to get reached earlier this afternoon on how we handle the Constitution, that we have further meetings of House leaders to see if we can resolve the one or two points of difference which still stand?

Mr. Pinard: Madam Speaker, I think we will have some relief today, if the opposition has been sincere, and I think it has been. We will not deal with the motion to allocate time to the debate on the Constitution today, so I suppose there will then be no problem and no delaying tactics. What I propose to do—and I mentioned this earlier to my colleague, the hon. member for Nepean-Carleton—is to deal with a motion in the name of the Minister of State for Finance to allocate time to the debate on the borrowing authority bill. Since less than two hours remain to debate that motion, it is possible that it will be voted on before the end of the day and we will have to deal with something else.

Business of the House

I say now publicly that we will not deal with the motion to limit time on the Constitution debate, but instead we will deal with the borrowing authority bill after the motion to limit time for debate on that bill has been voted on. That is the only item on the program today. We will deal with that very important motion on a very urgent bill which should have been passed by both Houses yesterday but is still pending because of the delays we have faced within the last days.

Since hon. members of the opposition have been saying all along that if another item of business is brought under the order of the day they would then show their seriousness and let it proceed, I am publicly saying that that is fine. Today we will not deal with the motion to allocate time on the Constitution. We will deal merely with the motion on borrowing authority and the bill itself.

● (1530)

In so far as the business for tomorrow and next week is concerned, obviously it would have been much easier to establish the order of business if we had concluded an agreement as suggested by the Leader of the New Democratic Party; but if I understood the Leader of the Opposition, he rejected the offer made by the Leader of the NDP.

Consequently, I think we will have to wait and see when the motion is voted on today and when there is an order of the House allocating two days to deal with the borrowing authority bill. I am prepared to discuss with the House leaders having the report stage tomorrow, for example, assuming that a vote is taken today and that part of the debate proceeds after that vote on the borrowing authority bill. I am prepared to discuss a proposal that the report stage of the borrowing authority bill proceed tomorrow. If there is a vote, we could agree to postpone it to next week. I am even prepared to discuss a proposal that the bill be read a third time Monday, assuming always that there is a vote today to limit the debate to two days.

If hon. members opposite are sincere, we will face no hijacking for the next three days and will make progress on a very urgent and important item of business.

Mr. Knowles: Madam Speaker, I wonder if the government House leader would also answer my question about further House leaders' meetings on the issue of the Constitution debate. Even though the differences today might have been rather sharp, their number is only one or two. Since we do want to get out of the impasse and get on, a further meeting might be useful.

Mr. Pinard: Yes, Madam Speaker, I am always pleased to meet with my colleagues. That seems to be a constructive suggestion. If it suits my colleague the hon. member for Nepean-Carleton, I am willing to have that meeting in 15 minutes in my office.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am always happy to meet in House leaders' meetings with my colleagues in the hope that we can make some progress.