

Report on operations under the *Regional Development Incentives Act* for the month of November 1980, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Background information concerning borrowing authority for the fiscal year 1981/82, issued by the Minister of State (Finance).

Supply Program Expenditure Plan 1980-81, Illustration of Structure and Content for the Department of Supply and Services, issued by the Treasury Board of Canada.

Program Expenditure Plan 1980-81, Illustration of Structure and Content for the Correctional Service of Canada, issued by the Treasury Board of Canada.

### THE CONSTITUTION

#### SPECIAL JOINT COMMITTEE—EXTENSION OF REPORTING DATE

**Hon. Raymond J. Perrault (Leader of the Government):** Honourable senators, I move, seconded by Senator Frith, with leave of the Senate and notwithstanding rule 45(1)(c):

That, notwithstanding any previous Order, the Special Joint Committee on the Constitution of Canada shall complete its work and make its final report no later than February 13, 1981; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

**Senator Perrault:** Honourable senators, by way of explanation, I point out that the motion before us is virtually identical to that which was passed in the other place yesterday. By agreement of the leaders of all three major parties, that motion was not debated. I would ask that the same agreement be made here, so that the committee will have adequate time to complete its important work.

The motion will permit the Special Joint Committee on the Constitution of Canada properly to complete the fine work it has been doing, by extending the deadline for making its final report to February 13. I think most honourable senators share the view that the work of this committee, to which members of the Senate have contributed so much, has proceeded in the highest traditions of parliamentary dedication and excellence. As I say, it is hoped that the motion will permit the Special Joint Committee on the Constitution of Canada properly to complete its work and make a final report by February 13.

Some honourable senators may want to know exactly where the committee is in terms of its clause-by-clause study of the resolution. The information provided to the Senate is that as of 12:30 this afternoon committee members were through section 50 of the resolution, and that leaves sections 51 to 59 to be dealt with.

This request for a time extension is reasonable in light of the circumstances, and it is to be hoped that the committee will finish its work post haste. I therefore urge all honourable

[Senator Perrault.]

senators to support this motion so that the committee may complete its work and report back to Parliament as soon as possible.

**Hon. Allister Grosart:** Honourable senators, the Leader of the Government in the Senate has suggested that there be agreement that this motion be concurred in without debate. He has, however, made a statement on it, which, technically, under our rules, might constitute debate. I am sure he will not object to a statement from this side in response to his remarks.

**Senator Perrault:** Not at all.

**Hon. Duff Roblin (Deputy Leader of the Opposition):** Honourable senators, I thank my honourable seatmate for his intervention, because I am glad to speak briefly to the motion that is before us.

Perhaps I ought to begin with a reference to one of our colleagues, Senator Austin. When the question of the procedure of the committee, and the time it would take to do its work, was before the subcommittee on its activities, I was present on one occasion and made an impassioned plea for an extension of time. It was proposed on that occasion—at least, the idea was floated; perhaps “proposed” is too strong a term—that we should meet all day Saturday and all day Sunday and continue our work under considerable pressure and a considerable head of steam. I asked Senator Austin if he would use his undoubted talents to secure an extension of the committee’s time, and he has delivered the goods. I want to say that I much appreciate his intervention in this respect.

I should tell the house that at the same meeting of the committee the question of a debate on the motion that we have before us now came up, and although I may have exceeded my authority I was bold enough to say that there would be no extended comments on it from our side of the house, and I think that will be the case today.

The Honourable Senator Grosart, who has a special competence in these matters, has drawn my attention to the fact that the words “complete” and “final”, referring to the work of the committee, are in the motion. Those words, I think, have appeared previously. So far as they go, of course, they are correct, but I think I should enter the *caveat* that there is provision, after we have received the complete and final report, for referring that report back to the committee, which would have to be specially revived for that particular purpose.

In order to make sure, therefore, that we have an understanding on that, Senator Grosart advised me to mention it, and I think that is a sound piece of advice.

Honourable senators, I am a member of the committee, and I appreciate the fact that we are being allowed more time in which to complete our work. We will proceed with all due despatch, and I am glad to support the motion.

• (1516)

**Hon. Royce Frith (Deputy Leader of the Government):** Honourable senators, just for the record, regarding the procedural point that was added on behalf of Senator Grosart, I agree with his analysis, but I hope he will not think me picking virtually invisible nits when I say that technically the report

would not be referred back to the same committee because any such referral would require a reconstitution of the committee. However, that is simply to complete what I think is generally understood on both sides, namely, that the procedure described by Senator Grosart is quite right, and no doubt he meant that to be included as a corollary thereto.

**Senator Grosart:** Of course, it was my intention to agree that there would be no debate.

**Senator Roblin:** Of course, if we must deal with these points of minutiae, the word is "revived." That is the word used in *Beauchesne*, so I think we would have to revive the same old dead body.

Motion agreed to.

### INCOME TAX

#### BANKING, TRADE AND COMMERCE COMMITTEE AUTHORIZED TO MAKE STUDY

**Hon. Royce Frith (Deputy Leader of the Government):** Honourable senators, the bill that has just been read the first time will not, of course, be available for study by the Banking, Trade and Commerce Committee until it has received second reading. However, it has been our practice when dealing with complicated legislation, consistent with the parliamentary tradition that Senate committees give particularly careful consideration to such measures, to refer the subject matter to a committee in advance.

**Senator Asselin:** Has the subject matter of this bill not yet been referred?

**Senator Frith:** No, it has not.

Accordingly, with leave of the Senate and notwithstanding rule 45(1)(e), I move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and consider the subject matter of the Bill C-54, intitled: "An Act to amend the statute law relating to income tax", or any matter relating thereto.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

**Senator Frith:** Honourable senators, Senator Hayden will not be here next week, but either Senator Barrow or Senator McIlraith will be able to chair the committee when it begins its advance study of this bill. The committee will be meeting next Tuesday afternoon at 2.30 o'clock, when officials of the Department of Finance will give their usual opening explanations and answer questions. That, in any event, is the plan.

Motion agreed to.

### STANDING RULES AND ORDERS

#### NOTICE OF COMMITTEE MEETING

**Hon. Royce Frith (Deputy Leader of the Government):** I would ask honourable senators to note that the Standing

Committee on Standing Rules and Orders, which was scheduled to meet at 5 o'clock on Monday afternoon, will now meet at 3 o'clock on Tuesday afternoon.

• (1315)

### BUSINESS OF THE SENATE

#### ADJOURNMENT

**Hon. Royce Frith (Deputy Leader of the Government),** with leave of the Senate and notwithstanding rule 45(1)(g), I move that when the Senate adjourns today it do stand adjourned until Tuesday next, February 10, 1981, at 8 o'clock in the evening.

Honourable senators, because of the extension we have just given the Special Joint Committee to enable it to complete its deliberations, the intention is that the Senate sit on Tuesday evening instead of Monday evening, and that it sit at the usual hour on Wednesday and Thursday. It may be necessary to sit on Friday to receive the committee's report.

**Senator Asselin:** The committee may report before Friday.

**Senator Frith:** We hope it will report before Friday, but, if it does not the Senate may have to sit on Friday simply to receive the report. Having consulted with my honourable friends, I suggest that we would then adjourn until the following week.

I believe there is a good chance that the committee will present its report before the Friday deadline. The motion reads "not later than," so the committee can report at any time before February 13.

**Senator Grosart:** May I ask the Deputy Leader of the Government if an opinion has been obtained as to whether any legal or constitutional necessity exists for the Senate to be sitting at the time a special joint committee makes its report?

**Senator Frith:** I have asked for guidance on that matter, but I have not been given a precedent or a clear opinion on whether it is necessary for the Senate to be in session on the deadline date in order to receive the report of the committee. If I receive a firm opinion, I will share it with my honourable friend.

**Senator Grosart:** Perhaps the deputy leader would share it with the Senate on the earliest possible occasion, because it is of some importance for us to know whether, having constituted with the House of Commons a special joint committee, we are committed to receiving the committee's report at any time the committee feels it necessary to report.

Surely, it is not correct to say that we must be sitting to receive the report of that committee immediately upon completion, because that does not seem to apply to any other committee.

**Senator Frith:** Perhaps I misunderstood. I am not suggesting that we have to be sitting when the committee is ready to report but it may be necessary to receive the report on the deadline date. In other words, if the committee is ready to report on Tuesday, we do not need to sit on Tuesday to receive the report, but the deadline is Friday and it may be that we