

cwan crude oil by 25,000 barrels a day from the normal winter level of about 90,000 barrels a day.

The Province of Saskatchewan, of course, is quite irate about this and has stated that it was not involved in any prior consultations. It has been indicated that the National Energy Board's policy branch is trying to find a new buyer for the shut-in Saskatchewan oil, and that it hopes to have something done on this by Friday.

My question is as to whether in fact something has been done. I have heard rumours to the effect that something has been done, that there has been a reversal of this situation, so I wonder whether the minister would look into this matter and report back to the Senate, because it is a matter of real concern to the economy of Saskatchewan.

Hon. H. A. Olson (Minister of State for Economic Development): Honourable senators, I will take that specific question as notice and try to answer it later this day. I wish also to say that, having read the question raised by Senator Roblin last evening, while he may have intimated that it ought to be, it did not contain that specific matter. I certainly will look into that with respect to both questions.

Hon. Duff Roblin (Deputy Leader of the Opposition): I was not addressing myself to that particular point. I was addressing myself to a broader point.

Senator Olson: The low production.

Senator Roblin: That is right. I was not addressing myself to the Koch deal which my honourable friend is talking about.

LEGAL AND CONSTITUTIONAL AFFAIRS

REPORT OF COMMITTEE ENTITLED "CERTAIN ASPECTS OF THE CANADIAN CONSTITUTION"—QUESTION OF PRIVILEGE

Hon. Duff Roblin (Deputy Leader of the Opposition): Honourable senators, I rise on a question of privilege which has just come to my notice. It is a matter of correction.

When Senator Lamontagne was speaking yesterday, in his introductory remarks he said:

As honourable senators are already aware, the substance of this report—

That is the report on the future of the Senate.

—was unanimously approved by the committee members before the federal-provincial conference of September 8 last.

Speaking for myself, I emphatically did not lend my approbation to the state of affairs of September 8, nor do I now. Therefore, I wish to disassociate myself from that unanimity.

Hon. Maurice Lamontagne: I should like to add that we had our more-or-less final meeting of the committee at the beginning of September but, unfortunately, Senator Roblin was not present. A motion was moved in due form and it was carried unanimously, and that, as I said yesterday, is contained in the report of the committee.

[Senator Backwood.]

I know that at an earlier meeting Senator Roblin had expressed some objections to the general orientation of the report but, unfortunately, when that motion was put to the committee he was not present.

• (1430)

Senator Roblin: I should like to make it clear that, while I was not there on the particular date mentioned, I was there before and after, and both before and after that date I expressed my consent to some important features of this report. While I can understand my honourable friend's explanation, it is important to me, at any rate, that I record what I believe to be the facts.

[Translation]

Senator Lamontagne: I should like to add simply that unfortunately, under the circumstances, those who are absent are always wrong.

Hon. Jacques Flynn (Leader of the Opposition): We should get things straight however. As far as I am concerned, I do not know to which committee meeting Senator Lamontagne is referring when he speaks of unanimity. I do know that at a given time it was agreed that the report would be tabled but that no one was bound by it and that everyone would be free to criticize any aspect of the report. That was the decision taken at the time. Was another decision reached in the absence of opposition senators, I do not know. But, in my opinion, those were the conditions under which the report was to be submitted to the Senate.

Senator Lamontagne: As I said, I believe that Senator Flynn was at the meeting when the motion was put to the committee. If my memory serves me well, that motion was moved by Senator Smith. At that time we agreed to give unanimous consent to the motion because no objections were raised concerning the substance of the report. As a matter of fact, this sentence appears at the very beginning of the report itself.

Therefore, all the committee members had the opportunity to read this introduction before the report was published and no objections were raised at that time.

[English]

Senator Roblin: I just cannot agree with that, because I was there on one occasion when Senator Smith moved a motion to approve some activities of the committee. I most specifically reserved my position, and that was understood by the members of the committee and, I think, by my honourable friend. I think that fact should be recorded.

Hon. John M. Godfrey: Honourable senators, I think that I also should say that I disagree with the statement made by Senator Lamontagne. It is true that the substance of the report was agreed upon before the First Ministers' Conference, and I understood that there would be no changes except in the actual drafting.

At the last meeting held some time after that, two recommendations that I thought to be of considerable importance were deleted from the report. I had no warning prior to the meeting that the committee would be considering deleting

those two matters, two matters I was very much in favour of. I objected to that procedure at the time and said that if it was intended to consider changing the substance of the report which had been agreed upon, then all members of the committee should be given prior warning and an opportunity to be present, but they were not given that opportunity.

As I said, at that meeting these two recommendations were deleted and I objected strenuously at the time not only to the procedure but to the deletions, and I still object strenuously.

Hon. Royce Frith (Deputy Leader of the Government): Honourable senators, I hope not to add difficulty to this matter but to straighten it out. However, I find myself agreeing with both sides. I was present at the meetings and remember clearly that we agreed to the substance of the report. We did not attempt to define what "substance" meant, but certainly there were various ideas put forward as to what "substance" might mean. It is also true that each individual was left with the right to pick any particular part of the report with which he or she disagreed. When the report was presented in the Senate every senator, notwithstanding that he or she had signed the report and supported its substance, reserved the right to disagree with parts of it.

Incidentally, while dealing with this, I hope, because of the importance of this report to us in particular, that every senator will make an intervention in the debate on this inquiry, be it short, be it substantial, be it nitpicking, or be it disagreement with phrasing. The Senate should benefit from the report of this committee and, therefore, I think every senator will try to make some intervention on it and, no doubt, in the course of that, will exercise the rights that we have been talking about.

Senator Roblin: Honourable senators, I must object to my honourable friend's statement that there was agreement in substance, because that covers a lot of territory. I made what I thought was a well reasoned and relatively short intervention in connection with the way in which the Senate was constituted. My views on that subject are known. How could I agree with the substance of a report which reaffirms its interest in an appointed Senate, to say nothing of the right of senators to reappoint themselves when their term is up? How could I be said to agree in substance with the whole report containing that clause when, manifestly, by the words from my own mouth in the committee, I did not? So, I must say that the agreement in substance was not in question at all. It was just not there.

Senator Frith: Honourable senators, as I recall it, that is precisely what happened and the very reservation Senator Roblin is making was made by Senator Smith himself when he moved the motion, namely, that everyone have the right to disagree with parts of the report.

Senator Roblin: How do you get unanimous approval out of that?

Senator Frith: I did not speak to that; I spoke to the agreement in principle.

• (1500)

ENERGY

GOVERNMENT POLICY—DEBATE CONTINUED

The Senate resumed from Wednesday, December 3, 1980, the debate on the inquiry of Senator Argue calling the attention of the Senate to Prime Minister Trudeau's constructive energy policy, in particular:

1. the advantage to Canadians of having prices for oil and gas in Canada lower than O.P.E.C. prices;
2. the advantage of Canadianizing the industry;
3. the advantage of the provisions to encourage large numbers of Canadians to invest in the industry;
4. the advantage to Canada of the provisions concerning conservation; and
5. the advantage of other aspects of the policy.

Hon. Royce Frith (Deputy Leader of the Government): Honourable senators, in participating in this debate let me remind you, as an opener, of the wording of the inquiry. It is in five parts, and I propose to speak to two of them. The inquiry of Senator Argue calls the attention of the Senate to Prime Minister Trudeau's constructive energy policy, in particular:

1. the advantage to Canadians of having prices for oil and gas in Canada lower than O.P.E.C. prices;
2. the advantage of Canadianizing the industry;
3. the advantage of the provisions to encourage large numbers of Canadians to invest in the industry;
4. the advantage to Canada of the provisions concerning conservation; and
5. the advantage of other aspects of the policy.

By way of further introduction, I think it important to say that I regard this policy as being well named, and that it depends on a return of attention to its title for an understanding of its substance. It is called the National Energy Program—and I underline those words, because I do not think it purports to be a national oil policy exclusively, or a provincial energy policy, or a local energy policy in any respect. For that reason, it must, as do all great pan-Canadian programs introduced by this or any other government, reflect, and naturally reflect, the tensions, the regional interests and the diversities that make up Canada—those things that make it a difficult country to govern and a great country to live in.

Parts 1 through 3 of the inquiry were, in my opinion, well and thoroughly dealt with by Senator Argue. I should like to deal with parts 4 and 5 of the inquiry, being the advantage to Canada of the provisions concerning conservation and the advantage of other aspects of the policy. In conservation aspects I include renewable energy, improving the efficiency of crude oil use, and conversion programs.

With reference to other aspects of the policy—and that, in effect, will comprise the second part of my remarks addressed to the Senate today—I will outline some of the impacts of this program on the province of Ontario, the province which I,