

## THE SENATE

Wednesday, December 3, 1980

The Senate met at 2 p.m., the Speaker in the Chair.  
Prayers.

### REGULATIONS AND OTHER STATUTORY INSTRUMENTS

#### STANDING JOINT COMMITTEE—CHANGE IN COMMONS MEMBERSHIP

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons to acquaint the Senate of a change in the list of members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

(For text of message, see today's *Minutes of the Proceedings of the Senate*.)

### THE CONSTITUTION

#### SPECIAL JOINT COMMITTEE—CHANGE IN COMMONS MEMBERSHIP

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons to acquaint the Senate of changes in the list of members appointed to serve on the Special Joint Committee on the Constitution of Canada.

(For text of message, see today's *Minutes of the Proceedings of the Senate*.)

### DOCUMENTS TABLED

Hon. Raymond J. Perrault (Leader of the Government) tabled:

Report of the Fisheries Prices Support Board for the fiscal year ended March 31, 1980, pursuant to section 7 of the *Fisheries Prices Support Act*, Chapter F-23, R.S.C., 1970.

• (1400)

### STATUTE LAW AMENDMENT PROPOSALS

#### REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Richard A. Donahoe, Deputy Chairman of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Wednesday, December 3, 1980

The Standing Senate Committee on Legal and Constitutional Affairs, to which was referred the document, entitled: "Proposals to correct certain anomalies, inconsistencies, archaisms or errors and to deal with other matters of a non-controversial and uncomplicated nature in the Revised Statutes of Canada, 1970, and other Acts subsequent to 1970", tabled in the Senate on Wednesday, July 9, 1980, has in obedience to the Order of Reference of that date, examined the said document and now reports the same with the following amendments:

1. Page 1: Delete proposed clause 2
2. Page 19: Delete proposed clause 29
3. Page 23: Delete proposed clause 35
4. Page 26: Delete proposed clause 42
5. Add the following additional proposed headings and clauses:

#### (1) ADJUSTMENT OF ACCOUNTS ACT

(1) Subsection 21(1) of the *Adjustment of Accounts Act* is repealed and the following substituted therefor:

"21. (1) Subsections 136(1) and (2) of the *Unemployment Insurance Act, 1971* are repealed and the following substituted therefor:

"136. (1) In respect of each fiscal year of the Government of Canada commencing with the fiscal year 1980-81, there shall be credited to the Unemployment Insurance Account an amount equal to the government cost of paying benefit for the fiscal year.

(2) For the purposes of this section, "government cost of paying benefit" in respect of any fiscal year means the amounts payable out of the Consolidated Revenue Fund in respect of the portions of the two calendar years that fall within the fiscal year for extended benefits under section 35 and subsection 38(8) and 39(3)."

(2) Schedule III to the said Act is amended in the column entitled "Order in Council Date" by substituting, in respect of Order in Council P.C. 1959-24/1146, the year "1959" for the year "1969".

#### (2) CANADA ELECTIONS ACT

Paragraphs 57(1)(c) and (d) of the *Canada Elections Act* are repealed and the following substituted therefor:

"(c) in the Province of Manitoba or Saskatchewan, to a judge of the Court of Queen's Bench for the Province; or

(d) in the Province of Quebec, *Alberta or New Brunswick*, the Yukon Territory or the Northwest Territories, to a judge of the Court of Appeal thereof."

(3) COPYRIGHT ACT

Section 19 of the *Copyright Act* is amended by adding thereto the following subsection:

"(11) For the purposes of this section, a record, perforated roll or other contrivance by means of which sounds may be reproduced and by means of which a literary or dramatic work may be mechanically performed made within Canada with the consent or acquiescence of the owner of the copyright in the work and intended for and primarily distributed to persons unable to read print because of a physical handicap is deemed not to be a contrivance made with the consent or acquiescence of the owner of the copyright in the work."

(4) LORD'S DAY ACT

The *Lord's Day Act* is amended by adding thereto, immediately after section 7 thereof, the following section:

"7.1 Where an activity referred to in section 4, 6 or 7 is permitted within a province on the Lord's Day by a provincial Act or law, it shall be lawful for any person to engage in that activity on the Lord's Day on any Indian reserve in that province."

Respectfully submitted,

Richard A. Donahoe  
*Deputy Chairman*

He said: Honourable senators, there are four amendments consisting of deletions of entire sections from the proposed bill, and there is a fifth amendment, adding certain other sections, which was presented to the committee by the Department of Justice at the time of the committee meeting.

**Hon. Royce Frith (Deputy Leader of the Government):** Honourable senators, I expect that Senator Donahoe will be moving that the report be taken into consideration at the next sitting of the Senate. Perhaps that would be a more appropriate time for us to hear about the amendments.

**Senator Donahoe:** Very well.

The report which I move be taken into consideration at the next sitting of the Senate, as I said a moment ago, contains five amendments. Perhaps I should say briefly that this is not a bill that is before us. It is a report on material gathered together with respect to miscellaneous amendments to a wide variety of statutes. The amendments are said to be of relatively light consequence, in some cases correcting anomalies or archaisms. The practice is to submit the material for a proposed bill to a committee of the other house, and then to a committee of the Senate.

If an objection is raised to a proposed amendment—and it need only be raised by one member of either committee—the amendment is dropped if the objection is considered to be substantial. As a result, in this case four clauses have been dropped, those being clauses 2, 29, 35 and 42. I do not think I need take the time of the house to go over those in detail. Four new sections were added by the committee and do form part of the report, and I shall read those. The first is an amendment to—

● (1405)

**Senator Macdonald:** I think Senator Donahoe should move that the report be taken into consideration at the next sitting.

**Senator Donahoe:** I understood that I had made that motion. I am now merely giving an explanation of what it is that will be taken into consideration.

**Senator Frith:** If it is done briefly, I cannot see any objection to that. However, I think we had agreed that the report would be just presented at this point and we will look forward to hearing the distinguished deputy chairman of the committee provide the Senate with an explanation of the report tomorrow. In the meantime, honourable senators can read the report and be better able to follow the explanation given tomorrow.

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

**Senator Donahoe:** I move that the report be taken into consideration at the next sitting of the Senate.

Motion agreed to.

## QUESTION PERIOD

[English]

### ENERGY

#### SELF-SUFFICIENCY PROGRAM—IMPACT OF PREDICTED INTERNATIONAL OIL SHORTAGE

**Hon. G. I. Smith:** Honourable senators, I should like to direct a question to the Minister of State for Economic Development relating to energy.

A few days ago the Chairman of Petro-Canada, Mr. Hopper, stated that there will likely be a critical international shortage of oil by 1985. If that is so, does the minister believe that that will in any way affect the decision of the government to have Canada become self-sufficient in oil by 1990?

**Hon. H. A. Olson (Minister of State for Economic Development):** Honourable senators, before making any comment on that, I would want to check the context in which Mr. Hopper's statement was made. Whether or not there is a critical international shortage of oil, the government is committed to doing those things that are necessary to make Canada self-sufficient in crude oil requirements by 1990.

**Senator Smith:** Would the minister be kind enough to indicate the sources which are now thought to be capable of