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Mr. Rabinovitch
Mr. Smith
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Mr. B. Dewar
PCO files

Mr. Coutts
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SECRET

July 31, 1980

MEMORANDUM FOR THE PRIME MINISTER

Parliament: Outlook for the Fall

We have been reviewing Parliamentary business with a view to clearing the decks to the extent possible to deal with the Resolution on the Constitution, the Budget and necessary energy legislation. You have already seen the attached briefing note on scheduling for the Fall which was based in part on conclusions reached in this memorandum.

Legislation

The most important item is the Bank Act, which must be revised or extended by November 30. As you know, the Revision Bill (C-6) is in Committee. Ironically, it is possible that it would take less time to pass this Bill in a pinch than to pass an extension Bill, since only one more stage in the House will be necessary.

The Ways and Means Motion tabled in April 21 contained a number of changes to the Income Tax Act for the 1980 taxation year. In order for personal income tax returns to be processed, these changes will have to become law early in 1981. Moreover, Mr. MacEachen is reported to be considering the possibility of introducing some of the more important changes (e.g. the small business development bond) in a separate Bill which would be given priority in the Fall.

The Income Tax Conventions Bill (S-2), now in Committee, should be passed by the end of the year in order that certain of the conventions be effective, but this should not require significant House time.

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All other items now identifiable are postponable, though early passage of some is very important. The Canada Post Corporation Bill (C-42) and the Judges Act Amendments (C-34) (which contains retroactive salary increases) are urgent by normal standards. The Two-Price Wheat Act Amendments (S-6) too should be passed as soon as possible, since they have effect retroactive to December 1, 1978, but unless legal suits are begun to collect monies owing, this Bill can wait till the New Year.

The Fiscal Transfer Payments Bill (C-24) and a new Borrowing Bill will have to be dealt with early in the New Year, as will legislation flowing from the budget.

Finally, much legislation flowing from Speech from the Throne commitments has been introduced or will be introduced in the Fall, but it is not urgent. Bills such as the Access to Information Act, the Indian Act Amendments, Criminal Code Amendments and RCMP Act Amendments will be before the House but may not be able to move.

Other Matters

The two important non-legislative matters now foreseeable are the motion to set up a committee to consider electoral reform (as promised in the Speech from the Throne) and the Reports of the Parliamentary Task Forces. The former may have to be delayed, while the latter may require debate and interfere with scheduling of other items in late December. There may also be a need for a day's debate on other Committee reports, such as the controversial report made by the Statutory Instruments Committee just before the adjournment.

Mr. Pinard indicated in Cabinet last week that he plans to bring proposals for Parliamentary Reform forward in the Fall and has noted in conversation that he would like to see priority given (in the Spring if necessary) to consideration of the first phase of reform proposals he has in mind.

There would not likely be time for formal action by the House on changes before Christmas. Indeed it is even unlikely that the atmosphere will be conducive to more informal reforms involving the House generally. I plan to discuss the whole matter of Parliamentary Reform with Mr. Pinard in late August.

Time Available

There are 30½ government days available (after a budget) from October 15 to a Christmas adjournment, 46½ government days from September 22 to the adjournment. As we have told you, in neither case is there likely to be sufficient time to approve both the energy legislation and the resolution on the constitution, if they are controversial, even assuming that the other business takes minimal time.

As we have mentioned to you, the Spring is likely to offer little relief. Most of the Bills mentioned above which are not passed by Christmas will become more urgent in the Spring. Budget bills, borrowing legislation, fiscal transfers legislation, Speech from the Throne items and emerging measures will all be competing for House time. Thus, the outlook is for a very difficult session indeed in which the House Leader will require the full cooperation and support of all ministers. A full discussion of House business in Priorities and Planning will be necessary when Ministers return at the end of August.

P.M.P.

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