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Tuesday, 20 November 1984

Speaker: Honourable James Russell

The House met at 3:00 p.m.

MR. SPEAKER (Russell):
Order, please!

ORAL QUESTIONS

MR. SPEAKER:
The hon. the Leader of the Opposition.

MR. BARRY:
Mr. Speaker, I should like to direct a question to the Premier. We had heard from the Premier over the past several years that it would be very difficult for the Government of Newfoundland and Labrador to do anything with respect to improving the fishing industry without some control over the resource and specifically over the Northern cod. I would like to ask the Premier what representations if any have been made to the new Government of Canada since the election with respect to having greater control by the Province over the Northern cod and other fishing resource allocations?

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Mr. Speaker, there was an initial meeting between the member for Bonavista South (Mr. Morgan), who was Minister of Fisheries, and the new Minister of Fisheries (Mr. Fraser). A consultative mechanism has been put in place, really for the first time, both at the ministerial level and at the deputy minister level. So there is a range of issues, including the whole question of access to Northern cod and the assurance that Newfoundlanders would have first access to that resource and

so on. These are matters that are now under active discussion with the consultation that has now been established by the new government in Ottawa.

The next meeting, I think, is of deputies - I do not know if it is this Friday or next Friday - and then there is to be a follow-up meeting with the ministers again. So the whole issue of fisheries is a very live one both with Mr. Fraser and with our Minister of Fisheries now, Mr. Goudie, and meetings have been held and additional meetings will be held over the next number of weeks between the two governments to try to wrestle with these outstanding issues.

MR. BARRY:
A supplementary.

MR. SPEAKER (Russell):
A supplementary, the hon. the Leader of the Opposition.

MR. BARRY:
I would like to ask the Premier whether the Province's position remains the same and whether the acting Minister of Fisheries has been instructed to put the same position to the federal Minister of Fisheries (Mr. Fraser) in the course of these consultations, namely, that the first priority should be for Newfoundlanders and that there should be no allocations to other Provinces until Newfoundlanders have had the opportunity of showing that they cannot catch up the full quota?

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Mr. Speaker, I am very pleased to respond to the Leader of the Opposition (Mr. Barry). The first

thing that the Government of Newfoundland did after the Progressive Conservative Party of Canada was successful in forming the Government of Canada was to prepare, as we always do, because we like to have our homework done, a comprehensive document of outstanding major issues between the Government of Canada and the Government of Newfoundland. That document was compiled through the Intergovernmental Division in consultation with all the departments of government. That document was then sent both to the Prime Minister (Mr. Mulroney) and to all the relevant ministries. As a follow-up to that, I think all of the individual ministries have met with their counterparts in Ottawa and have established relationships with the new ministers and with some of their new officials. And it was a follow-up to that major document that went forward from the government under my signature to the Prime Minister, and then copies to all the ministers and departments in Ottawa, that the meetings between the Ministers of Fisheries for Canada and Newfoundland ensued. So we are in trend now to continuing these meetings.

Obviously, we have not changed at all our position on the Northern cod. That was put forward and our position on fisheries generally was put forward, both in the comprehensive document that was sent to the federal government and in the individual meetings and the follow-up that has occurred with the respective ministers.

MR. BARRY:

A final supplementary.

MR. SPEAKER (Russell):

A final supplementary, the hon.

the Leader of the Opposition.

MR. BARRY:

I would ask the Premier whether he would be prepared to table this document setting forth these major issues which has been presented to the Government of Canada by the Government of Newfoundland and Labrador, and I would like to ask the Premier whether in that document or elsewhere there has been any representation with respect to the termination of the foreign fishing effort? I understand that there are still quotas being allocated to other countries. What is the position of the Government of Newfoundland and Labrador with respect to these foreign allocations?

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

On the first point, Mr. Speaker, it was a government to government document, but I will take the matter under advisement and see whether in fact it is possible for me to provide the Leader of the Opposition (Mr. Barry) and members of this House with a copy of it.

On the second point, our policy has not changed one iota as it relates to the question of the fishery. Our long-term aim is to gain more control and jurisdiction and have a concurrent jurisdiction, an arrangement between the Government of Newfoundland and the Government of Canada. We are the only Province of Canada whose major industry is controlled from outside the Province, and we have always maintained that that is not a situation which we particularly enjoy or like. If we are going to have some control over our own affairs as the other provinces do,

then, obviously, the powers over that resource must lie to a greater degree with the Province of Newfoundland and Labrador. So we have not changed at all.

As it relates to foreign effort, we want to see the question of foreign effort phased out so that the additional fish can be used in Newfoundland and Labrador. So our position remains exactly the same as it always has been and we will continue to pursue that with utmost vigor over the next several months.

MR. SPEAKER (Russell):

The hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, I have a couple of questions for the Minister of Communications, if I could get the hon. gentleman's attention. Would the hon. gentleman, the Minister of Communications inform the House if he has any -

PREMIER PECKFORD:

On a point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

The hon. the Premier on a point of order.

PREMIER PECKFORD:

Mr. Speaker, I do not think the Minister of Communications (Mrs. Newhook) is in her seat right now.

MR. NEARY:

In that case I will ask the Premier. He is always ready, eager and willing to give us an answer. Whether it is right or wrong does not make any difference, he will give it to us anyway.

MR. YOUNG:

He tells the truth.

MR. NEARY:

Oh, listen to the flying undertaker over there.

Mr. Speaker, would the hon. gentleman inform the House if he has any knowledge of the cutbacks that will take place within the framework of the CBC, the Canadian Broadcasting Corporation in this Province?

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I do not think it is very wise for the hon. the member for LaPoile (Mr. Neary) to refer to the Minister of Public Works and Services (Mr. Young), as he has just done. He is perpetrating something that occurred in the House last week that I do not think we want to see happen any more. As a matter of fact, as I understand it, the Minister of Public Works and Services only took the helicopter once and that was from one place in Labrador to another place in Labrador. So the implication that somehow the Minister of Public Works and Services used the helicopter illegally or unethically should not be allowed to stand, and by characterizing the hon. minister that way, obviously it is standing and, therefore, I would like to knock it down.

As it relates to the question on CBC, Mr. Speaker, CBC is a federal Crown corporation and obviously we do not know at this point in time exactly the repercussions of the announced reduction in funding from the Government of Canada to the CBC. I do not know if they know themselves yet, or whether CBC has worked out how they are

going to realize these reductions across the country. We all have our views on CBC, I suppose, Mr. Speaker, and that is neither here nor there in relation to the questions. Suffice it to say we hope that CBC will remain a part of the Newfoundland society and that they will report all the news objectively in the future as they have in the past.

MR. OTTENHEIMER:

And without editorializing.

PREMIER PECKFORD:

Yes, without editorializing. If that means that they have to have four people to do an interview rather than five, well, perhaps that is the way it will have to be. But I am not aware of any cutbacks that are going to affect Newfoundland at this point in time. If I do become aware of them before the hon. member I will be only too happy to inform him. I will pass along his enquiry to our Minister of Communications (Mrs. Newhook). There is ongoing dialogue between the two departments, federal and provincial, almost on a daily basis, and if we get access to the information quicker than the hon. member we will be only too happy to provide it.

MR. NEARY:

A supplementary, Mr. Speaker.

MR. SPEAKER (Russell):

A supplementary, the hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, on the first point the hon. gentleman was absolutely right, I should not allow myself to be distracted by the snarky remarks of the Minister of Public Works and Services (Mr. Young). And if he wants us to cease that

sort of thing, then he should direct his ministers to keep quite while we are asking questions. Because we will defend ourselves and the Premier knows that. But he is absolutely right, we should not get sidetracked on these matters.

Now, Mr. Speaker, let me ask the Premier, in the spirit of co-operation that now exists, so he tells us, between the Newfoundland Government, between his administration and the new government in Ottawa, would the hon. gentleman tell us if he will enquire to see if Grand Falls station is going to be closed, if Corner Brook is going to be cut back, if Labrador City is going to be closed, if Gander is going to be affected? Would the hon. gentleman undertake to get this information for the House? Mr. Speaker, the reason I am asking the hon. gentleman is not that I am worried about four rather than five people to do interviews, or it is not because I am worried about editorializing, but I am worried about rural Newfoundland. The CBC does provide a good service in the rural parts of this Province, Mr. Speaker. The whole Western part of the Province is serviced by CBC, and the Northern Peninsula and Labrador.

MR. SPEAKER (Russell):

Order, please!

The hon. the member for LaPoile (Mr. Neary) was proceeding at first to ask a question, but at the end he was getting into debate on those particular points. I am sure he is aware that that should not happen in a supplementary question.

MR. NEARY:

Well, Mr. Speaker, let me ask the

Premier how many more instances where we are going to have layoffs and cutbacks in this Province have the provincial government not been consulted on?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, it is a federal Crown corporation, I do not even know if the question is in order, because they are asking about something which is out of the jurisdiction of this House. But I am trying to be co-operative, and trying to provide the Opposition and the member for LaPoile with as much information as I can. I do not want to be picayune and pick out a little technicality in Beausheerne to have his question ruled out of order, I am trying to co-operate with the Opposition and provide as much information as I can. Mr. Speaker, the hon. the member for LaPoile left out St. John's. Perhaps the St. John's station is going to close down.

But as I understand it, most of the programming that is done, I guess, comes out of here and then it is beamed around. In Corner Brook there is some local T.V. work done as an adjunct to the Here and Now programme, I guess it is, they come on and do some local Western news. That is not done in Grand Falls, I do not think.

MR. SIMMS:

No. It is done in Goose Bay.

AN HON. MEMBER:

And in Labrador City.

PREMIER PECKFORD:

I think it is done in Labrador City a little bit, and in Goose Bay a little bit. But it is only

a small amount. Very little local programming goes on in Labrador West, or in Lake Melville area, or even in Corner Brook, for that matter, none in Grand Falls and none in Gander. I guess it is CBC radio as it relates to most of those places. But I will undertake to do my best to get the information through the Department of Consumer Affairs and Communications, and when we do we will pass it along to the hon. gentleman.

MR. NEARY:

A final supplementary, Mr. Speaker.

MR. SPEAKER (Russell):

A final supplementary, the hon. the member for LaPoile.

MR. NEARY:

Would the hon. the Premier also undertake to see, because it is so important to rural Newfoundland, for communities in my own riding and in the Premier's own riding, probably, that there will be no downgrading or no diminishing of the CBC service in the rural parts of this Province?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

The thing I would like to see is a change in the service, Mr. Speaker, to be quite frank about it. I agree with no diminishing in the sense of hours, but I do not know about the quality of the programming. Land and Sea, for example, which is, I guess, one of the most excellently produced local programmes, as I understand it from local CBC from time to time, they have had great difficulty even under the increased budgets that they have been getting over the last few years to continue that kind of

programming in Newfoundland.

MR. TULK:

Are you saying that is likely to go?

PREMIER PECKFORD:

No. What I am saying is that they should be diverting more of their time to those kinds of programmes for rural Newfoundland, things that are characteristic of our Province, not to reduce it, but to increase it and to change their focus. I think that is where our problem lies with the Canadian Broadcasting Corporation. I mean, they are in a sort of hybrid situation, they can go out and get advertising revenue and haul in a whole bunch of programmes from the United States and try to produce some out of Toronto which might not be all that applicable to Newfoundland either, by the way. I think there should be a little more autonomy in the regions which there is not right now, it is all directed out of Toronto or Ottawa.

But I agree, CBC does provide a service, and has over the years provided a service where there had not been any other T.V. service. However, the burgeoning technology has meant that we are into this CanCom package now and, as I understand it, if you look at it population-wise, somewhere around almost 50 per cent of the Province now is covered by the CanCom package which has the station out of Hamilton and out of the West, and then a couple of stations from the United States. In the next couple of years the CanCom package is supposed to cover anywhere from 80 per cent to 90 per cent of the Province population-wise.

MR. DOYLE:

It is forecasted to do that.

PREMIER PECKFORD:

That is the forecast at the present moment. So there is going to be a wider variety of viewing channels available to our people. I do not know what the situation is. As I understand it, and I have been told by CBC, the On Camera programme, for example, and I guess Land and Sea too, the On Camera programme has a higher audience percentage-wise in Newfoundland than any other like CBC locally produced programme in any other province of Canada, which gives you an idea that if they did more local programming they could attract more viewers. By the same token, I think if you get into the big markets, when you get CanCom coming in with a CBS and an ABC signal plus two or three others from across Canada, it will be interesting to see what the audience participation is in those new stations as opposed to what they are in CBC.

I think, myself, that CBC needs a whole new look at from the point of view of national programming, Canadian programming, and how that filters down into Nova Scotia programming, or B.C. programming or Newfoundland programming. Because I do not think they have done a very good job in competing with these other stations that have to rely totally on private revenue while CBC relies on both public and private revenue.

MR. SPEAKER (Russell):

The hon. the member for Menihek.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

Hon. members opposite may not be as happy after they have heard the question, I am afraid.

I was looking at today's Globe and Mail and in it I noticed an article about the income that the Tory party in Alberta has derived over the last couple of years, more specifically in their last election, and the very close correlation between the income and the sources that gave that income and the awarding of government contracts. This, obviously, is a very dangerous precedent, it almost comes to the level of buying your own political party. My question, which is to the Premier, is that in the 1982 election and the 1979 election I think it would be to our interest and to our edification to know which large corporations, especially since it seems they are going to be doing quite well in the near future in terms of your legislation, contributed to the Conservative Party in its election, and could he give us some information on it?

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

Well, implied in the hon. member's question is that in other jurisdictions there is a correlation between the awarding of contracts and contributions to political parties. Now, if there is one thing that I can stand here and say quite clearly to the hon. gentleman it is that this government prides itself on a Public Tendering Act -

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

- and that we pride ourselves that if we match our integrity and our performance against that of any other jurisdiction, not only in Canada but in the Western World,

that if we come in less than number one it will be a darn good reason for an awful emergency kind of situation. So I will only entertain the hon. member's question along those lines. The hon. member knows, I think, and if he does not then I would ask him to go meet with all the members of the bureaucracy of this government, from the deputy ministers down, and find out whether this government operates a straight and honest government and pays out money according to the laws and regulations of this Legislature or not.

As it relates to disclosures and financing of political parties, there is a bill that will soon be coming to this hon. House relative to that, which is the last of the eighteen or twenty promises that I made when I ran for the Progressive Conservative Party in 1979. The other fifteen, sixteen or seventeen have already been implemented. There is only one left and that happens to be that one question.

MR. CALLAN:

What about the 40,000 jobs

PREMIER PECKFORD:

And that was kept too, by the way. The hon. the member for Bellevue (Mr. Callan) might laugh, but it was kept and over 40,000 jobs were created from the time that the promise was made, but that is another issue.

But the whole question of political party financing and so on is one that I, personally, have been very concerned about. There is a bill to be presented to this House that went out to a Select Committee; the Select Committee had hearings all over the Province, it has brought back its

report, it has been before government for some time and there has been a lot of debate on it, and we will be presenting that bill in this hon. House. But to try to suggest for one moment without one shred of evidence that somehow or other this government awards contracts one the basis of contributions to our party is totally untrue when we have a Public Tendering Act, and we have to table everything in the House and all the rest of it, doing something along the lines of political contributions relating to government contracts, is something that the majority of Newfoundlanders and Labradorians know to be completely and totally untrue, and I take it as an insult that the member would ask the question.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER (Russell):

A supplementary, the hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, I was indicating that there was that problem in other provinces, I have never alleged that the problem exists here in that particular way. What I am alleging now is that there is legislation that we all know of coming down the line that will favour these corporations and I was asking if the Premier would care to divulge what the contributions were before. My supplementary question has to do with this: As I examined that piece of draft legislation, I found nothing in there that would force corporations to divulge the contributions to the political

party itself, only to the members. It is not on the Order Paper so it is not out of order to discuss it, so I am asking the Premier here will he assure me that in the new draft legislation there will be compulsory disclosure of where the contributions come from, not only to the individual members who are running, but to the political party itself?

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Russell):

Order, please! Order, please!

Certainly if the Premier wishes to answer the question, I suppose he should be permitted to, but again I have to remind the hon. the member for Menihek (Mr. Fenwick) that it is out of order to pose questions that have to do with legislation that is already on the Order Paper or may be on the Order Paper later.

MR. FENWICK:

But it is not on the Order Paper.

PREMIER PECKFORD:

Mr. Speaker, I will answer the question, anyway.

MR. SPEAKER (Russell):

The hon. the Premier wishes to answer the question.

PREMIER PECKFORD:

The original question from the hon. the member for Menihek, he can stand here in this House and ask that sort of question when he belongs to a political party that is almost completely financed by the unions of this country.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

Talk about a conflict of interest, being out to serve the people of Newfoundland and Labrador when he has already sold his political soul to a small group in this Province or across this nation. Talk about being in pockets, Mr. Speaker. I must say, the hon. member has some gall to get up in this hon. House and talk about or imply through the backdoor that which he did not want to do through the front door, by quoting some other jurisdiction as having problems that way when obviously the hon. the member for Menihek (Mr. Fenwick) knows that he has already been sold, tarred and feathered by certain lobby groups in this society.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Russell):

Order, please! Order, please!

MR. FENWICK:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

MR. FENWICK:

I would like to raise my point of order. My point of order is that I asked a simple, straight question and there is not room for argument on the question itself. Standing Order 31, section (c), I believe, is the one I am reciting. I want a straight answer to it. I do not want an argument about what my particular convictions are.

MR. SPEAKER:

Order, please!

To that point of order, the kind of question permitted, I suppose, dictates what the answer will be.

The hon. member certainly did not raise a valid point of order.

PREMIER PECKFORD:

Mr. Speaker, may I finish the answer to the question?

MR. SPEAKER (Russell):

The hon. the Premier wishes to his answer.

PREMIER PECKFORD:

The other thing, the member for Menihek (Mr. Fenwick) is a little bit presumptuous. He says such and such is in the bill. The hon. the member for Menihek has to learn the rules of this House and the process and the procedures. What the Government of Newfoundland did was there was an old election act on the boards that we wanted to revise. Number two, we were eager to try to put the political process beyond any question and doubt, that what was happening when a party became the government was open and aboveboard, they would have to disclose where their contributions came from, public financing of elections and all of that. So a draft bill was prepared - a draft bill was prepared. That draft bill was put before a Select Committee of the House of Assembly which went around the Province and held meetings and then made certain recommendations and submitted those recommendations to the House and to the government. The government has that draft bill with the recommendations from the Select Committee, and now it has to make a decision on what the final bill will be, and that is presently before the Executive Council, the Cabinet. Who knows what is going to be in the act now? Nobody knows. It has been drafted, there has been a Select Committee and now government has to decide what kind of bill they

are going to bring into the House. Obviously I cannot give the hon. member any assurance on any component of that bill. It is before the Cabinet, the Cabinet will decide, the bill will be prepared, then when it is tabled it is a government bill and then the hon. the member for Menihek (Mr. Fenwick) will have a chance to say whether he likes or dislikes any part of it.

MR. SPEAKER (Russell):

The hon. the member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, I also have a question for the Premier. I gather that recently a group in our sister Province of Quebec have been planning to take a case to the court in Quebec claiming Labrador as part of that province. I would like to ask the Premier if, since the new Conservative Government came to power on September 4, he has any conversation with the Prime Minister with respect to this group bringing this case before the court in Quebec. And if so - I see my time is very limited - could the Premier advise if the Department of Justice will be intervening in this case which is about to be brought before the Quebec court?

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

Oh, Mr. Speaker. I mean, this is something else. This is the Question Period to grill the government on policy and programmes that the government has that the Opposition finds offensive, to deal with the question of the economy, to deal with all these important

questions, not this silly, foolish question about some organization in Quebec that is fooling around again about the whole question of the Labrador/Quebec boundary. Everybody in his right mind knows this is just a fringe group up there, a silly fringe group. Ask a question, boy. Give me a difficult question to answer. I am getting bored, Mr. speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, I have a number of questions for the Minister of Health in connection with health services in Ramea. The hon. gentleman is aware that a health committee in Ramea submitted a brief to the Department of Health and circulated copies to members of the House, concerning a resident doctor being sought for the community of Ramea, a Registered Nurse and a nursing assistant for the clinic, that the dwelling be extended in Ramea, a building be made available in Grey River for use as a clinic overnight, a helicopter landing pad in Grey River, Francois and so forth. Would the hon. gentleman indicate to the House if the services of a doctor and a dentist and a nurse will be provided, and if the facilities have been upgraded or are in the process of being upgraded and improved in Ramea, and if dental services will now be provided to Ramea and surrounding areas, the whole Southwest part of the Province?

MR. SPEAKER (Russell):

The hon. the Minister of Health.

DR. TWOMEY:

Thank you, Mr. Speaker. I am afraid that I cannot give you all the answers you require, but I think I can fill you in on most. The present nurse in Ramea by the name of Mr. Douglas Stewart, I believe is resigning in May 1985. Various groups in Ramea, including the council, have requested the Department of Health to provide that area with a resident medical doctor. This comes under the auspices of the board of the West Coast hospital. That board is actively seeking and trying its very best to get a doctor and it looks rather hopeful. We cannot guarantee it, but it looks very, very hopeful and we have until May of next year.

With regard to providing a nurse, it is the intention of the Department of Health to provide a district nurse to be stationed in Ramea and to assist the doctor in his work in Ramea and the other areas that you have mentioned. It is also hoped that this doctor in Ramea will be able to help with the hospital in Burgeo when the doctor there leaves the area for the occasional weekend. During the time he is in Burgeo the district nurse will be in residence in Ramea.

Now, I believe, they are going to change the logistics of travel. It is true that Francois, Grey River and, I believe LaPoile, have not received -

MR. NEARY:
And Grand Bruit.

DR. TWOMEY:
- and Grand Bruit have not received absolutely perfect and continuous medical treatment during a period of time that is now past. And it has been occasionally episodic, they had

depended on the coastal boat. Now they have a new vessel there that is quite swift and apparently spends very little time in any port. So the Department of Public Works and Services has purchased a new building in Grey River.

SOME HON. MEMBERS:
Hear, hear! What a minister!

DR. TWOMEY:
I believe that building was the property of the Pentecostal Assembly and is adequate, commodious and apparently very practical. The price that has been paid for it is considered by the department to be very fair and very just.

Now, with regard to transportation: I believe that we are going to synchronize the transportation because occasionally doctors used to fly in from Port aux Basques; about every three weeks a helicopter left Port aux Basques and flew in, and about every one to two weeks a helicopter left Burgeo and flew in. Now we are trying to synchronize the whole service and make it constant as is possible excepting the weather conditions of the area.

Now, last but not least you asked if a dentist was going to be appointed to Burgeo. Yes, a dentist has been appointed to Burgeo. I hope I can pronounce his name. It is Dr. Gabor Hyrus. I understand he is to take up dental practice this week. At the beginning he will, let us say, test the waters in Burgeo, hope to establish a very good dental practice there, become acquainted with all that area of the coast, and then he will decide on how to travel on that particular coast and hopefully hold travelling

clinics in that particular area.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Russell):

Order, please!

The time for the Question Period has expired.

I should like to take this opportunity to welcome to the galleries thirty Grade X students from the Swift Current Integrated School with their teachers, George Eddy and Sydney Giles.

SOME HON. MEMBERS:

Hear, hear!

PRESENTING REPORTS BY STANDING
AND SPECIAL COMMITTEES

MR. SPEAKER:

The hon. the Minister of Development.

MR. WINDSOR:

Mr. Speaker, I beg leave to table the first annual report of the Economic Council of Newfoundland and Labrador. The annual report covers the first five months only of operations of the Council. The period has been a very active one for the Council. Besides four business meetings of the Council, additional meetings have been held with the Premier and the full Cabinet on the Council's mandate and government expectations, with the Ministers of Finance (Dr. Collins) and Development (Mr. Windsor) and officials of these departments on the provincial economy and the 1984 budget, and with the Minister of Fisheries and officials on fishery related matters.

The Chairman of the Council has

also been asked to address seminars of the following groups in the Province: The Corner Brook Chamber of Commerce, the Newfoundland and Labrador Construction Association, and the Canadian Manufacturers Association. Moreover, the Chairman has met with management and labour to discuss issues facing the construction sector. Government anticipates that the Economic Council will play a very active role in the social and economic progress of the Province as it fulfills its very broad mandate. Today, in fact, Mr. Speaker, I am quite pleased that the Council is hosting an oil and gas seminar and they were honoured with the presence of my colleague, the Minister of Energy (Mr. Marshall) at a luncheon today. I understand that conference is extremely successful and very well attended.

ORDERS OF THE DAY

MR. MARSHALL:

Motion 1.

Motion, the hon. the Premier to introduce a bill, "An Act To Ratify, Confirm And Adopt Certain Agreements Entered Into Between The Government Of The Province, Kruger Inc. And Other Parties Respecting The Future Operation And Modernization Of The Corner Brook Newsprint Mill", (Bill No. 52), carried,

On motion, Bill No. 52 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Development (Mr. Windsor) to introduce a bill, "An Act To Ratify, Confirm And Adopt An Agreement Entered Into Between The Government Of Canada And The

Government Of The Province And St. Lawrence Fluorspar Limited", (Bill No. 54), carried.

On motion, Bill No. 54 read a first time, ordered read a second time on tomorrow.

Motion, second reading of a bill, "An Act To Incorporate The Certified General Accountants Association Of Newfoundland". (Bill No. 47).

MR. SPEAKER (Russell):

The hon. the Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, in introducing this bill, actually it is on behalf of the now Minister of Consumer Affairs and Communications (Mrs. Newhook), and it is because Consumer Affairs at that time was related to the Department of Justice that the bill appears in my name and, of course, the hon. the Minister of Consumer Affairs and Communications is out of the Province on government business.

Hon. members are probably aware that a number of years ago the Certified General Accountants Association of Newfoundland requested the Government of the Province to support them in their wish to be incorporated by an act of the Legislature, and there were discussions back and forth between government and the Certified General Accountants Association for a period of time.

A decision was made by government that they would in fact accede to the request of the Certified General Accountants Association. A Select Committee of the House was struck under the Chairmanship of the hon. the member for Kilbride (Mr. Aylward) and including the hon. the members for

the Strait of Belle Isle (Mr. Roberts), Conception Bay South (Mr. Butt), St. John's West (Mr. Barrett) and I believe the former hon. member for Terra Nova, Mr. Tom Lush, if my memory is correct. The Chairman and at least one other member of the Select Committee are in the House, the hon. the member for the Strait of Belle Isle and the hon. the member for Kilbride, and they may wish to speak on the Select Committee hearings. It is my understanding that they heard from the CGAs themselves and also from the CAs, the Chartered Accountants, and the RIAs, the Registered Industrial Accountants, that the bill as drafted met with the approval of all of concerned and indeed that the recommendation of the Select Committee to this House endorsing the legislation was a unanimous recommendation concurred in by all members of the Select Committee, at least that is my understanding as I recall when the hon. gentleman was Chairman of the Select Committee made his brief report some months ago. So the bill is quite straightforward and I will review it briefly. Its purpose is to incorporate the Certified General Accountants of the Province. The bill points out the general objects of the association, it does so in Clause 7 in a fairly brief manner and then does so further on in Clause 12 perhaps in a more detailed manner. Essentially what it comes down to is that the association would be responsible for the professional education of its membership, for the professional examinations and admission and also, if one wishes, the professional self-discipline of the association and the practitioners. I think they are generally the kinds of frame of reference that similar

associations have, such as there was an act incorporating the CAs and CGAs who became one in this Province quite a number of years ago and in general it is the same kind of jurisdiction and authority that these professional associations frequently see in being incorporated, in being responsible for their professional development and examinations and discipline. Of course, quite understandably and inevitably there would be a Board of Governors which is described in the act to be not less than eight and not more than fifteen. I think an interesting worthwhile provision is that of the Board of Governors, three are appointed by the Lieutenant-Governor in Council and may not be members of the association. This is, I suppose, to put it in the vernacular, to prevent inbreeding or to make sure that there was a public interest as well as a professional interest, not that the professional interest need not be cognizant of the public domain. I think it is very wise in this kind of professional association that the governing body have people there to represent the public general interest who are not members of the specific profession. That is the case with the Law Society; there are two what are called lay members, that sort of sounds a bit patronizing and I think it would be better to call them two members who are not lawyers. So of the Board of Governors of the Certified General Accountants Association of Newfoundland, there will be three members who are not members of the association.

Now the act goes on to say that people may not use the designation of Certified General Accountant or its abbreviation, the most common

form, CGA, without being members in good standing of the association and having passed whatever examinations that they have administered and that, of course, is in order that people will have to belong to this association, in order to practice as CGAs in a self-governing, if you wish, professional body, that is always the case to the best of my knowledge.

And also, of course, it is pointed out in the final section of the bill, the prohibition that a CGA may not attempt to pass himself or herself off as a CA, as a Chartered Accountant. Now there might be others who know in greater detail the difference between CAs - and in this Province CAs and CPAs were amalgamated some years ago - and CGAs. The only way I know how to put it is that the CA may give an audit opinion, which the CGA may not do. And I believe at the beginning, or early on when this legislation was contemplated, there was some hesitancy or some doubt or some misapprehension perhaps by people in the CA profession, perhaps in the RIA profession as well, but my understanding is that those misapprehensions are no longer operative and that the specific prohibition in the legislation which will keep the distinction between what the CGAs on the one hand and the CAs on the other hand may do, has relieved any apprehension there was in that respect.

So I think really that is about all I have to say in introducing the bill. I do not think it is a matter of great contention. I do know that these people have been waiting quite a long time for this incorporation. They have been amazingly patient because this has

been on the go for quite some time, but fortunately, presumably, it will be passed soon. It says here, "The final clause will come into force on a day to be proclaimed by the Lieutenant-Governor in Council." I would certainly anticipate that that would be quite soon and that it will probably be done in consultation with the association itself rather than just holus-bolus and it is on top of them. They may have some internal procedures to take before the incorporation becomes operative, so I would think the logical thing to do would be, after its passage in the House, to consult with them and then to have it proclaimed at as early a date as is practical.

So I am pleased to move second reading.

MR. SPEAKER (McNicholas):

The hon. member for the Strait of Belle Isle.

MR. ROBERTS:

My friend from Kilbride (Mr. Aylward) and I have been waving to each other across the House. I am not sure whether we have failed to communicate. If he would like to speak first I will gladly yield. He was Chairman of the Committee and I was Vice-Chairman. I will gladly let him speak first and come back on.

MR. SPEAKER (McNicholas):

The hon. member for Kilbride.

MR. AYLWARD:

It does not really matter which of us would speak first but I do appreciate the hon. member for the Strait of Belle Isle (Mr. Roberts) for allowing me, as Chairman, to have a few words on this.

I am not going to speak too long

on it. I have a few comments I would like to make on this CGAS Act. The first thing I would like to do as Chairman of the Committee is to thank the members of the Committee. The member for the Strait of Belle Isle acted as Vice-Chairman of this Committee and I must say gave me every co-operation possible while we were dealing with this and his expertise was certainly well appreciated.

This Committee was appointed first late in 1981, I believe the Fall session of 1981, and we started some meetings in private so that we could get organized. The original Committee consisted of myself as Chairman, the hon. member for the Strait of Belle Isle as Vice-Chairman, the former member for Terra Nova, Mr. Lush, who gave very valuable service to the Committee and did quite a bit of legwork as we were doing the organization and he attended the public hearings, the member for Conception Bay South (Mr. Butt) was on the Committee originally, and the member for St. John's West (Mr. Barrett) was also a member. And this Committee generally was the one which dealt with the nuts and bolts of the CGA report.

We were established and then there was a provincial election called and the Committee was dissolved automatically when the House was dissolved. That is why it seems to have taken an unnecessarily long time for the Committee to bring in its report. But before the election in 1982, the report was generally ready but because the committee was not officially struck we were unable to present it. When it was struck again by the President of the Council (Mr. Marshall), the new committee consisted once again of myself as

Chairman and the hon. the member for the Strait of Belle Isle (Mr. Roberts) as Vice-Chairman, and we had some new members. The member for Eagle River (Mr. Hiscock) is a member of the committee at present; the member for St. Mary's - The Capes (Mr. Hearn) and the member for Grand Bank (Mr. Matthews) are also members of the Committee now. And they did help and work on the final draft of the CGA's committee and I appreciate their help very much.

As I said, there was an election in-between. It seems to have taken a long time for this report. We had one public meeting in which we were presented with a brief from the Certified General Accountants group. We had a brief from the CAs, the Institute of Chartered Accountants, and we had also a brief from the RIAs, Registered Industrial Accountants.

Out of these briefs, as the Minister of Justice (Mr. Ottenheimer) noted, there were some misconceptions, I guess, or some concerns from the CAs that the CGAs were trying to infringe in some way on the rights that were presently occupied or held by the CAs to do attest accounting, and this was never the intention of the CGAs when they asked to have this bill presented. It was made clear that it was not their intention. The bill, as we presented it, and our report notes that this bill will not grant any additional rights to the CGAs or infringe on any rights that are held by any other organizations right now. What the CGAs wished to do was to be recognized in legislation for the work that they presently do. As I can remember there have been CGAs. They work for private corporations, mostly or for small companies. They

presently have an examination system under which a person has to qualify to become a member. And, what the act is doing is more or less legalizing or setting up a procedure of the CGAs to be able to discipline members and to set up other organization so that they can give lectures and provide for the education and training of their members.

The committee has more private meetings than public meetings. One public meeting seemed to be sufficient. We did advertise throughout the Province and it was determined by the people interested, not by the committee, that one meeting in St. John's would be sufficient. The committee was willing to travel anywhere in the Province to hold meetings for anyone who was interested. As Chairman, I did get some correspondence from interested people throughout the Province to send copies of the proposed legislation and this was forwarded, as I recall, to some people in Deer Lake, the West Coast area and a couple of people in Labrador also requested some information. They got it but there was never any demand for a public meeting anywhere outside of St. John's.

When we did get the briefs, the way the committee then operated was more or less through private meetings, I guess they could be considered, but anyone could have come to them if necessary. I did, as Chairman, in the interim between the election - well, technically I was not Chairman, but I was still interested in this report and I wanted to get it to the House - meet on a couple of occasions with the executive of the CGA and also with the executive of the CAs to work out

some minor details on how the legislation should be written so that there would not be any confusion as to the responsibilities of the CGAs or the CAs. I do not know if the Minister of Justice (Mr. Ottenheimer) did note it, but this report is a unanimous report of the committee. It is a good report.

It is a excellent report. The Committee did deal with the concerns of each group as expressed to us and as far as I am concerned, as Chairman, and the Committee is concerned, the Act will be acceptable to all those involved and all those who presented briefs. So I am quite proud to have a few words to say on this bill today. I would have liked, and I know the CGAs would have liked that this bill to have been presented to the House of Assembly and dealt with a long time ago, they were very anxious to have it passed but, unfortunately, through circumstances it could not be done. They recognize the problems concerned but they are very anxious to have this bill passed now. A couple of them I talked to asked me to thank the Government House Leader (Mr. Marshall) for bringing it to the House because it is a very important piece of legislation as far as they are concerned. This is generally all I have to say on the CGAs Committee but I would like to note that the Committee still stands and we are dealing now with the new corporations law for the Province and have held one public meeting and several private meetings on this.

Thank you very much.

MR. SPEAKER (McNicholas):

The hon. member for the Strait of Belle Isle.

MR. ROBERTS:

Thank you, Mr. Speaker. My friend and colleague the member for Kilbride (Mr. Aylward), who served as Chairman of the Committee has spoken of the Committee's work, Mr. Speaker, and I will not attempt to add to it except to say that he is an excellent Chairman and much of the credit for getting through our work so very quickly obviously goes to him. I will also say a word of thanks, I know in his behalf as well as that of the Committee and our colleagues on it, to Miss Murphy, who sits at the table in this House but who serves also as clerk of the Committees and time and time again helped us with our work and helped to get the report moving along.

Mr. Speaker, the bill itself does not need any detailed comment from me or, I suggest, from most of us. It is really quite a straightforward piece of legislation. It will take its place as one of a number of legislative enactments by means of which this House has given groups within the Province, professions, associations, call them what you want, the power to administer their own affairs and to have an ownership or a control over a certain type of professional designation. And surely in principle that is something we should encourage because with that power there goes the concomitant responsibility of the people running the association, the board of directors, the board of governors, as I believe they are called here, to set standards and to maintain those standards and to enforce those standards and thus to protect the public interest in particular by ensuring that people

holding themselves out as being CGAa in this case do meet certain standards and do follow certain ethical conduct or observe certain ethical canons. The CGAs have operated in this Province for quite a number of years as a private voluntary body. And I think they have established an admirable record and I think I reflect the feeling of the Committee in that the CGAs have earned, if that is not too presumptuous a term, have earned the right to ask this House to incorporate them as we will, if, and I believe, when, this bill will be adopted. The bill itself has the usual and necessary powers, the minister has spoken of them, and I will not go through them in any detail but I do want to mention two or three which, I think, are particularly noteworthy and which I think are commendable, reflecting, as they do, the report of the Committee. First of all, it should be noted, I think, Mr. Speaker, that Section 13 of the bill provides that any person who can pass the prescribed examinations must be registered as a CGA and licensed to practice and allowed to carry on his or her practice as a CGA. I think that is important. I do not think the CGAs would be guilty of this and I hope that none of the other associations would be, but what it means is that there are no closed shops, anybody who can meet the publicly laid down standards and pass an examination, which would have to be a fair and a reasonable examination, that person may practice his or her profession. I think that is important, Mr. Speaker, and that is a principle we should accept.

I am quite pleased that the government have accepted the Committee's recommendation that

there be - my note here is lay benchers, but lay governors I think they are called here. I am with the Minister of Justice (Mr. Ottenheimer), it is perhaps a patronizing term, although we do not mean it to be.

I think it is important that in any of these professional associations there be a means by which there can be public representation in addition to the people elected by the members of the association from among their own ranks. And as the Minister of Justice has told us, Sir, there are to be not less than eight and not more than fifteen members, three of whom will be appointed by the Cabinet, by the Lieutenant-Governor in Council, and will not be members of the CGA, will not be Certified General Accountants. I think that is an important principle, Sir.

I am also pleased to note that there is an appeal process built in against any decision; any person who is aggrieved by a decision of the disciplinary bodies to be set up the governors has a right, in Section 19 Sub 2, to appeal to the District Court. I think that is important. I do not think these rights would be misused, I do not think these powers will be misused either, but I think it is important that the House provide a means whereby any of these self-governing professions can be brought before a court and the matter dealt with not simply on procedural grounds, using the prerogative writs, certiorari and mandamus and those writs, but rather can be brought before the court and dealt with on its merits. And I think that is the way 19 Sub 2, now reads. I think that is the clear intention of the government in asking the

House to adopt that section.

The reason it is so necessary, in my view, Mr. Speaker, is quite simply that these disciplinary bodies have an extraordinary power because in effect they can remove a person's ability to make his or her living. And I believe that power which necessarily must be vested in the disciplinary body, and is there for the protection of the public interest, that power should be subject to a review on the merits. And I am grateful that the minister and his colleagues have accepted the Committee's recommendation on that point. In fact, I think I am correct in saying that the bill as laid before the House is the bill as recommended by the Committee. And I am grateful to the minister both in acknowledging our wisdom, but also by so doing the government in effect have ratified not the work of this Committee but it ratified the whole purpose of committees. As the old saying goes, there is little point in doing your own barking if you have a dog. If we are going to use select committees to look into legislation and consider it and make recommendations, then the government, while not bound by the Committee, of course, should go a long way to accept the Committee's report unless there is some point of principle with which the government take issue.

Mr. Speaker, let me note, as did my friend for Kilbride (Mr. Aylward), that this bill I believe represents a consensus acceptable to all of those who appeared before us in Committee. The Committee's work, as the Chairman of the Committee, the gentleman from Kilbride has said was widely advertised. Few came forward, but we can only assume that all of those who were interested did come

forward and did make their views heard.

I will not say that the bill represents exactly what everybody wanted. It does not in fact, because there was no way to reconcile some of the viewpoints, but I think it represents an acceptable compromise and I think it represents a fair and a reasonable compromise. I venture to say that is why the Committee adopted the bill in this form and recommended that it be enacted.

Mr. Speaker, there are two other points I would make. One is to expand upon a point the Minister of Justice (Mr. Ottenheimer) made. There is a significant difference, as I understand it, between a CGA and a CA, and we spent a lot of time on this at the Committee hearings. There was a great deal of discussion, briefs centered upon it, the questioning and the oral discussion centered upon it and without revealing what went on in the Committee meetings, a great deal of discussion at our own meetings on this point.

The difference between the two is that a CA may attest. He may sign a certificate saying, "I certify", or "I endorse", they all have standard wordings, "that these accounts are fair and proper in accordance with generally accepted accounting principles on a basis consistent with that applied in preceeding years," I think is the rubric they generally use. Whereas a CGA may not do that. If he is a CA, fine, but if he is only a CGA he may not attest. And I think that is a reasonable compromise. Our society relies very heavily upon attest audits. I had occasion today to file some income tax returns for a corporation in which I hold an

interest, in which I hold an office, and we had to accompany it with attest audits.

The Auditor General gives us an attest audit here in the House on the Public Accounts of the Province. Shareholders in companies are entitled to attest audits. It is very important, I think, that the attest audit function be strictly defined and very precisely limited, and we have accomplished that in this bill - I do not think the minister mentioned this but it is important - by adopting the definition of accountancy as is set down in the Public Accountancy Act, which is the act under which CAs/CPAs, or whatever - there is a grandfather clause in that legislation as I recall it - but that is the act under which they are governed. It is the act which sets forth their qualifications and who may and who may not.

There may be some CGAs who are also CAs, there is certainly nothing to prevent that. But a CGA on his own right may not make an attest audit. Wherever law or practice or custom requires an attest audit, the CGA may not do that. I think that is an important point. It is one which the Committee recommends and it is certainly one which is embodied in this bill.

The CGAs have an extremely valuable function to perform in the accounting world but it stops short of the attest audit function. That, I say to the minister, is my understanding of the difference between the two. It is a very important difference. It is a fundamental difference and I think it is a valid one and I think the suggestion in this legislation is

the proper one.

Let me close by making an address, a very brief one, to the minister on another matter that grows out of this bill, which I have raised before and I hope he will deal with, I understand he is dealing with it, and that is the need in Newfoundland to have one or perhaps more than one, there might be a case for two, boards to govern all of the self-governing professions. Now that may sound like bureaucracy piled upon bureaucracy but I think, Mr. Speaker, you know what I have in mind, I think the minister will, so let me just expand on it very briefly. We have in this Province today, I have not counted them up, maybe thirty or forty so-called self-governing professions. They run from the hairdressers to my own trade union, the Law Society, which is the oldest, the tightest - it may or may not be one of the best, you can get an argument on that - to the morticians, but there is a vast variety of these. And that is fine. The principle is a sound one in my opinion. There is a wide variety of disciplinary provisions in the various legislation; some have inadequate ones, some have, as this bill does, quite good ones. I suggest to the minister what we need is a code that applies to all of them, and the way to do that in my view is to have one generic piece of legislation that is simply a bill, an act to govern the self-governing professions, both to set down some standards that must be followed - I think he and I would have little difficulty in agreeing upon them, they are the generally accepted ones formulated by law - and, secondly, to provide a quick and easy appeal mechanism. And I will not go on at length although I commend the

idea to the minister. I think he will take the point and I hope he will agree, I trust he will agree, that it is a good point, because there is no consistency now. There should be a consistency on what types of appeal powers there are, what types of disciplinary powers there are, what types of standards may be enforced, and the methods by which they may be enforced, and the standards by which the enforcement methods are measured. Other provinces have it. The one I most readily have in mind is the Ontario Health Professions Discipline Act, which sits over their equivalent of the medical board, and their equivalent of the Nurses Appeal Board, or whatever. But I would like to see us go further and have one to deal with all of the self-governing societies, including the trade union to which he and I belong, the tightest union shop in the Province, the Law Society, right on through, including the CGAs, the CAs and whatever.

MR. NEARY:

Do not let Don Mercer hear you say that.

MR. ROBERTS:

My friend from LaPoile (Mr. Neary) thinks I should not let a particular member of the Bar hear it. He may be right but I will say that the Law Society has come a long way but it has a long way to go yet in improving its disciplinary procedures. We are still in many cases in the Dark Ages in Newfoundland when it comes to the legal discipline. It was only a couple of years ago, for Heaven sakes, the Law Society began to introduce compulsory audited trust accounts. Up until then the only protection there was for a client was a lawyer's own

honour, and that was fine in almost every case. But as the minister knows full well, he is more familiar than I am, there have been a couple of cases where lawyers abused the trust account situation terribly and cost clients - what? - several hundred thousands of dollars. The trouble is, of course, honour is all very well as long as you got honourable people, but you need the rules when you do not have honourable people and that is when honour does not help and does not count.

In any event, Mr. Speaker, I commend that suggestion to the minister. I know he is forever on the qui vive to find legislation, to deal with problems and correct abuses, particularly legislation that does not cost the government a great deal of money. I think that is what his colleague, the Finance Minister (Dr. Collins) is encouraging him to bring in these days. I suggest this is the type of legislation we might look at.

The bill itself, Mr. Speaker, I think is a good one. We on this side will support it, Sir.

MR. SPEAKER (McNicholas):

The hon. member for St. John's North.

MR. CARTER:

Mr. Speaker, I hope I have misunderstood the member for the Strait of Belle Isle (Mr. Roberts). Did he say he was a member of the oldest profession on earth?

SOME HON. MEMBERS:

Hear, hear!

MR. CARTER:

I will gladly give way if he wishes to retract that statement.

MR. ROBERTS:

My hon. friend may have personal acknowledge of the oldest profession on earth. I will not say what I was going to say it is probably unparliamentary. I cannot speak what his knowledge is but I can say I did not use the words which he imputed to me, nor did I have the thoughts. My answer to him is honi soit qui mal y pense.

MR. SPEAKER (McNicholas)

The hon. the member for St. John's North.

MR. CARTER:

Now that we have that out of the way, Mr. Speaker, perhaps we can seriously debate some elements here.

I support this bill and I would like to congratulate the members who acted on this Committee. I will vote for the bill. And yet I have profound misgivings, very profound misgivings about this bill which arise from two sources. One is that although the bill quite clearly says that CGAs may not attest, may not sign an audit, and I hope sincerely that this will never come to pass, yet I fear that it may. This Legislature has to deal with a lot of acts and bills in the course of its sitting and this bill will be passed and forgotten, and possibly quite properly forgotten by this Legislature. But in a few years time there will be other faces here, I hope not other parties, but it is quite natural to expect that there will be other faces here and they may forget all about this bill and there may be renewed pressure to allow the CGAs to attest, to sign audits. And really it is a question of watering down a professional occupation, and I see this as the

great danger confronting this Province or the nation as a whole.

We already have denturists looking to be certified so what about chiropractors? People have watered down, are trying to get away with servicing the public by using lesser credentials. If the CGAs are so anxious to get into accounting, why do they not do a little more hard work and become CAs? It is not that impossible, they can hardly claim that. If they have a liking for figures, the dam dots as Churchill used to call them, if they have a liking for figures it should not be all that hard for them to pass the Chartered Accountancy examination. Why do they stop halfway or three-quarters of the way? And why should we help them to stop at that point? If they are all that good, if they are that interested they should go the whole way.

In the same way, I believe that if denturists, are so anxious to make teeth and to examine people dentally, they should go the whole way and become dentists. But to allow them to stop halfway, or in the case of denturists about one-eighth of the way, and then to allow them to practice I think is a grave mistake. And one wonders, Mr. Speaker, where it will stop. I just hope that it will not be countenanced by this Legislature. I would ask the minister to seriously look at the possibility of setting up some sort of watchdog committee. I do not really know how it can be done, I cannot think of a good mechanism for doing it, but I would wish that there be some mechanism for making sure that this is not the thin edge of the wedge, that this professional group do not look for more privileges than this act gives

them. This act is all very well but I am very much afraid of it and I just hope that the minister when he rises to speak will be able to allay some of my fears.

MR. BARRY:
Mr. Speaker.

MR. SPEAKER (McNicholas):
The hon. the Leader of the Opposition.

MR. BARRY:
Mr. Speaker, I would like to speak in support of this legislation. I had the opportunity of doing a little preliminary work when the Certified General Accountants were initially trying to get the ear of government and I was approached by the then president, who I notice is in the galleries this afternoon, and I had the opportunity of making some representation on behalf of the association. That was, I believe, as early as either late 1975 or early 1976, I was out of politics at the time, and that would now almost be close to nine years past and the people in this association have not yet been incorporated. It looks as though the bill will go through despite the strong representation on the part of the member for St. John's North (Mr. Carter), who always has strong views and often I can agree with him, but other times I would not agree. This is one of the times when I believe we differ. I think that this is good legislation. I think that Certified General Accountants have been recognized right across Canada. I am not sure that they are incorporated in every province now; they were in quite a number when I checked back in 1975 or 1976. They are recognized as a group which has to establish a certain competency. There is an established

curriculum, a lot of hard work that goes into arriving at the point where they are able to be certified and be able to use CGA after their names and frankly they are there now. This act is not going to change the fact, whether we pass it or whether we defeat it, that we have CGAs out there performing a useful function called upon by many members of society in Newfoundland and Labrador to assist in various specific functions that are more particularly described in the bill. When a group comes to us say that we are here, we have a large number of members, we want to have a more formal way of controlling ourselves, we want to have the recognition of government that this group is there, I believe that government should respond and I think that this bill is a step in the right direction. Obviously, the representation that was presented convinced an all-party committee of this House that the CGAs were deserving of incorporation.

I would, with those brief remarks, like to add my support to the bill that is presently before the House.

DR. COLLINS:
Mr. Speaker.

MR. SPEAKER (Aylward):
The hon. the Minister of Finance.

DR. COLLINS:
Mr. Speaker, just a few observations on this bill. I think in sum total it is a good bill and I will certainly join my colleagues in supporting the bill but I would just like to comment on the points brought up by the hon. the member for St. John's North (Mr. Carter) when he suggested that if one has an accredited professional group and

then one puts in place another accredited professional group which is very close to it, you can quite often get one spilling over into the area of the other. I think that is a very valid comment because it has happened. Now, I think that the hon. member for St. John's North (Mr. Carter) put it in a rather negative frame. I do not really put it in that negative frame but only for this reason, I think if there was good self-policing and self-discipline within professions, within accredited professions, one could say that they should be very sharply defended from similar professional groups, but unfortunately I do not think that is the case. In my own experience I do not find that that has been the case. I do not think the professions are really measuring up to the mark in terms of self-discipline and self-policing and therefore if they bring near groups close to them, which then spill over into their area, in many respects it is their own fault and the remedy is in their own hands. That is one comment. The other comment that I make would be on the reverse side though, and that is that I think in giving powers to professional groups this House has to do it with care, because very often people's livelihoods and the long preparations, in many cases, they have to undergo to put themselves in a position to get their livelihood that way, can be put in jeopardy by capricious actions on the part of professional groups and that also is not unknown. So, I think we have to be very careful in giving powers to professional groups. I do like the suggestion, I do not think I personally have had an opportunity to really think it through to any great degree, but on the surface anyway I do

like the suggestion put forward by the hon. member for the Strait of Belle Isle (Mr. Roberts) when he says there should be some overriding act to make sure that the powers given to all professional groups are consistent with one another and meet certain standards. I do feel a little nervous when certain professional groups, perhaps hived off to themselves are given large measures of powers over what really amounts to the livelihood of members who must toe the line if they want to be members of the professional groups without which they often cannot carry on their chosen occupation. So with just those two comments, I certainly will support the bill.

MR. SPEAKER (Aylward):

If the hon. minister now speaks he will close the debate.

The hon. Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, briefly my thanks to hon. members, the Chairman and Vice-Chairman of this select committee and others who have spoken on this bill. I think this is the kind of subject matter which lends itself very properly and readily to consideration by a select committee because there are not matter of great policy difference but merely the kind of legislation of a professional nature which is not a subject of party differences. It could well be that more valuable work could be done by select committees, especially with this kind of legislation. Two brief comments: Certainly the concept of something like a self-governing professions review and appeal board is certainly worth looking into in order to get some kind of uniformity in terms of these

self-governing professional bodies. I think that is a suggestion which certainly has merit. With respect to the misgiving of the hon. member for St. John's North (Mr. Carter), which if not shared was at least referred to by the hon. Minister of Finance (Dr. Collins), I do not think that there is any real need for concern there. The concern is what may only be properly done by a public accountant, and that is an attest audit, might be done by people who are other than public accountants but who are, in other words, Certified General Accountants. The statute makes it very clear that it would be an offence to so do and I really do not think that that will be a serious problem. Plus, of course, there is a governing body which must have three members who are not members of a profession. So even if there were an attempt to so do, that could not escape the notice of those who are there for the protection of the public good. But I do not think that there is any likelihood of that misgiving coming to any fruition.

So with those few remarks I am pleased to move second reading. I would think that in the very near future this bill will be proclaimed after there have been consultations with the association so that it is done at a convenient time for them.

On motion, a bill, "An Act To Incorporate The Certified General Accountants Association of Newfoundland", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 47)

Motion, second reading of a bill, "An Act To Amend The Medical Act, 1974". (Bill No. 51)

MR. SPEAKER (Aylward):
The hon. Minister of Health.

DR. TWOMEY:
This bill covers a number of housekeeping matters. It would provide flexibility for the minister to extend the terms of the registrar and the deputy registrar beyond the nine year limitation. While it is desirable that there be a fairly regular rotation of the members of the medical board, the role of the registrar and the deputy registrar is an important function and continuity is an essential part of it.

Usually members do not assume the role of registrar or deputy registrar until they are well into their terms of office on the board. This means that while they may be on the board for a nine year period, they would not serve in the capacity of a registrar or a deputy registrar for that period. Because of the need for continuity to have people on the board in the position of registrar and deputy registrar who are familiar with all the technical requirements for registration, etc., I believe this provision will be helpful. This flexibility will permit the registrar and the deputy registrar to serve for a longer period would only apply in cases of those particular individuals. The other members of the board would rotate, they should after a nine year period. Indeed, the registrar and the deputy registrar may rotate as well but this provision would enable their terms to be extended.

Other provisions in the act provide for members to continue in office until their successors are appointed to eliminate any gaps that might be in the terms of the

business of the board while new members are pending appointment. Elimination of references to the fact that doctors may charge for appliances, etc. Since doctors may no longer sell such items, the board feels that these provisions are unnecessary.

Another section of the act deals with protecting members of the board from personal liability in respect to the decisions that are made by the board in good faith.

MR. SPEAKER (Mr. Aylward):

The hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, I see nothing very offensive about this piece of legislation. There are a couple of questions that I would like to ask the hon. gentleman about some of the amendments in the bill. I still do not understand, even though the hon. gentleman said that the amendment would exempt the registrar and the deputy registrar from nine years continuous service limitation, why it is necessary. If we amend the act they could be appointed forever. Is that what the hon. gentleman is attempting to do here with this amendment, that these people when they are appointed would be appointed forever? I do not know what justification there is for that, Mr. Speaker.

We certainly cannot argue about the amendment allowing the medical board to make regulations respecting conflict of interest. I think we were all for that. That is the sort of regulation that we encourage, Mr. Speaker. The amendment will remove the provision giving a licenced practitioner the right to recover in a court of law payment for the cost of medicine, or medical aid

and surgical appliances. Now I would like to ask the minister why they did not go all the way and bar the medical practitioner, the licensed practitioner, from taking a patient to court for fees, why they would still allow him to go to court to collect a fee? My understanding is the only words that are going to be struck out are, "the cost of medicine or any medical aid or surgical appliance." That is going to be struck from the act. They are covered under Medicare, so why would they be allowed to sue for fees? Perhaps the minister could enlighten us on that matter?

This amendment would provide that members of the Newfoundland Medical Board would not incur personal liability in carrying out their duties as members of the board." Well, we cannot very well argue about that, Mr. Speaker.

But there is a little side issue that I want to raise, Mr. Speaker, and I am sorry that the Minister of Justice (Mr. Ottenheimer) is not in his seat. He was here a few moments ago. I do not know if he is within the precincts of the House, or if he is listening to what I am about to say, but there is a matter that I would like to raise as a kind of a side issue because it does come under this board. The minister may care to respond to my concerns as well as the Minister of Justice (Mr. Ottenheimer) because I think there is a dual responsibility here of the Minister of Justice and the Minister of Health (Dr. Twomey). The matter I wish to raise, Mr. Speaker, and some members there opposite may be surprised to hear me raise this matter, which is a very delicate matter and I have to be very careful and pick and choose my words. But, Mr.

Speaker, the matter involved Dr. Farrell, a medical practitioner in Corner Brook who was the subject recently of an enquiry by a magistrate. Now, Mr. Speaker, I am not arguing the merits of the case. I am not defending and I am not arguing the merits of the case. But I am concerned about the procedure that is used in these matters because, Mr. Speaker, it could happen to any of us; any of us could be the victim of that kind of infamous procedure. I hope hon. gentlemen will realize that I am not discussing the merits because I do not know anything about the case. I am not debating the merits of the case but I am questioning the procedure in these matters. Here you have a medical man, a professional man, the subject of an enquiry by a magistrate who, after he finished his enquiry and made his report, made the report public. Now, Mr. Speaker, I would be the first to condemn Dr. Farrell if I thought he had done something wrong and hon. gentlemen there opposite know that it would not be the first time that I had done so. But in this particular case, Mr. Speaker, I feel very sorry, very sad about the individual who was involved because his name was blackened. Once that report was made public, Mr. Speaker, in the eyes of the people of this Province, in the eyes of the Newfoundland people, was the man not convicted? I think his name was blackened and I think it is a very infamous procedure indeed, Mr. Speaker. I believe it was only last weekend, and while I am not sure, I believe it was this very day, the Newfoundland Medical Board sat to review the matter but has not yet handed down its verdict. But does it make any difference what they decide now? Because in the eyes

of the public, this man was judged guilty once, this magistrate released his report. I presume he had the authority and the right to do it.

The legal minds in the House may disagree with me or some of them may agree with me, but I am only talking about British fair play and British justice in this matter, Mr. Speaker. What I am talking about is a man being proven guilty in the eyes of the people without an opportunity, as I understand it, because of the way the enquiry was conducted and the procedure used the individual accused did not have an opportunity to defend himself, did not have an opportunity - I am subject to correct on this - to appear before the enquiry to give his testimony or to have a lawyer represent him and speak for him. That is why I would like to see the Minister of Justice (Mr. Ottenheimer) here because, Mr. Speaker, there is a principle involved here. I am not at all impressed with the procedure that was used in this case. That could apply to anybody. It could apply to members in this House. And I think it is something that the administration there opposite should take a look at. Commissions of Enquiries and Magisterial Enquiries and the like, Mr. Speaker, in my opinion, should be reviewed in this Province.

What would the new Canadian constitution say about these matters? I have not tried to relate it in any way, shape or form to the new constitution of Canada and the Charter of Rights. I would say if I did, if I had the time and I had the legal training to do it, I would find several violations of the Canadian

constitution and the Charter of Rights in this matter. As I said, it is a very delicate matter, Mr. Speaker, and I do not want to go into any great detail about it, but I believe it is our duty and our responsibility in this House to protect the rights of individuals, immaterial of whether we agree with the individuals or not, and that is all I am doing here now under these amendments. I am taking advantage of the earliest opportunity I have to express my views on this particular matter, Mr. Speaker. Members know that on more than one occasion I had disagreements with that hon. gentleman here in this House. And maybe before we leave, depart this world we may have other disagreements. But I can tell you in this case, Mr. Speaker, in my mind I was very concerned about the way that this matter was handled. Maybe the magistrate did what he was suppose to do. Maybe he carried out his procedure to the letter of the law. He may have done a thorough investigation. But the fact of the matter is that the report should not have condemned this individual in the eyes of the Newfoundland people before that individual had an opportunity to speak for himself, to bring along a lawyer, if he wanted to, to speak for him.

Mr. Speaker, I do not think that anybody in this hon. House would disagree with that, would they? as I say, I am not defending the actions, I am not debating the merits of the case because I do not know the merits of the case. Perhaps my colleague, who has a legal mind, is a lawyer, might be able to elaborate if he wishes. But it is certainly something from a layman's point of view, and that is all it is, Mr. Speaker,

something that concerns me very much, that an individual in this Province whether he be right or whether he be wrong, be condemned by a report that is made public, and then go before the Newfoundland Medical Board for a hearing. Convicted actually before he reaches the stage where the case would be heard, convicted in the eyes of his peers and in the eyes of the people of this Province.

It is an infamous thing, Mr. Speaker, that is about the only way I can describe it. And I hope that the administration there opposite will take note of what I am saying. I know the Minister of Health (Dr. Twomey) will probably tell us that the matter comes under the Justice Minister. I would be disappointed if the Minister of Health, who seems to be making a mark for himself in this House since he took over that portfolio, Mr. Speaker, who seems to be getting a handle on the department, I would be disappointed if he shrugged it off and just said, well, it is not my responsibility, it is my colleague's responsibility. I do not think he will, but if he did I would be awfully disappointed. I am surprised the hon. gentleman was not put in the Cabinet long ago, but maybe he did not want to go in the Cabinet.

So whether or not, Mr. Speaker, the verdict will be to suspend the licence or not is irrelevant. Let me repeat what it is I am saying and I hate to be repeating myself because I know hon. members get a little bit bored and it gets monotonous for them. But when I latch onto something where I think there is a wrong procedure, that a person is not getting fair play, where I think an injustice has

been done in enforcing of the law, the enforcement of the statutes that are interpreted in different and sundry ways, I feel it should be raised in this House. I am not arguing either, Mr. Speaker, that all matters should be kept secret. What I am saying is this, that report could have been made public after the case was concluded, after it had followed its natural course and the Newfoundland Medical Board had dealt with it. Then all the information could have been put on the Table of the House, it could have been made public. But to do so before, in my opinion, was not right, and I hope that hon. gentlemen will appreciate what I am saying.

So, Mr. Speaker, I hope in future when these matters arise they will be handled in a fair and just manner in keeping with our British traditions, that a man, if he is accused of something, will be given a fair hearing, he will be allowed to speak for himself, he will be allowed to bring his lawyer if he wants to, and the matter will just not be blarred all over the radio and television and newspapers.

MR. SIMMS:

What are you talking about now?

MR. NEARY:

The hon. gentleman should have been here to hear what I am talking about.

MR. SIMMS:

I am sorry, I apologize for that.

MR. NEARY:

I am talking about the infamous procedure that was used in the enquiry that was conducted into Dr. Farrell in Corner Brook. I violently disagree with it. I am

not debating the merits of the case, I hope the hon. gentleman realizes that.

MR. SIMMS:

Just the process.

MR. NEARY:

I am talking about the process where you condemn a man, make it public -

MR. SIMMS:

I agree.

MR. NEARY:

- when the case is far from over. I do not know if it has concluded today or not.

MR. SIMMS:

It has concluded but they have not come out with their decision.

MR. NEARY:

Well, that is exactly the point. The matter should not have been blarred all over the front pages of the newspapers.

MR. MORGAN:

I agree 100 per cent.

MR. NEARY:

Thank you, Sir.

MR. MORGAN:

I do not see why a man should be condemned before he has a chance to be charged, first of all.

MR. NEARY:

That is right. But this is an enquiry, Mr. Speaker. I do not know how these things are set up. I was hoping that if I spoke long enough the Minister of Justice (Mr. Ottenheimer) would be back in his seat to explain to us how these things are done. But it is something that we have to take a careful look at, Mr. Speaker, in the future. And I hope that my

colleague, the Minister of Health (Dr. Twomey) will make reference to it, will comment, react to what I am saying. I regret that the Minister of Justice is not in his seat so that he can tell us how these things happen, what procedure is used in these cases. It has to be done. I know it is an awful task that the people who conduct these enquiries have. I understand that. And I know it is a delicate matter. But, Mr. Speaker, I am glad to have the opportunity to express my views on this particular matter. We see nothing objectionable about the bill. The bill will go through. I have asked a couple of questions of the minister and I hope he will provide this side of the House with the answers.

MR. SPEAKER (Aylward):

If the hon. minister now speaks -

The hon. Leader of the Opposition.

DR. TWOMEY:

Thank you very much.

MR. SPEAKER:

The hon. Leader of the Opposition first.

MR. BARRY:

I have a few comments to make on the bill. I realize the minister is eager to get on with his new duties, and we wish him well but we have to have an opportunity to comment on the legislation.

Mr. Speaker, I support the comments recently made by my colleague for LaPoile (Mr. Neary). I believe it was unfortunate that we had the statements with respect to Dr. Farrell. I think the Provincial Court judge was right, if he had a concern about something happening, in raising that there might be a

problem there, but I think it should have stopped at suggesting that it should be referred to an inquiry. There should have not been any conclusions arrived at. But I would submit that on a number of occasions there have been such slippages lately and regrettably - I wish the Minister of Justice (Mr. Ottenheimer) were in his seat - we saw the Minister of Justice himself recently engage in that type of comment - and I do not want the member for Bonavista South (Mr. Morgan), who is not listening, to jump up in a minute after having heard half of it - with the statement by the Minister of Justice with respect to Judge Anstey. I believe the Minister of Justice went too far when he -

MR. MARSHALL:

On a point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

A point of order, the hon. President of the Council.

MR. MARSHALL:

On a point of order.

MR. BARRY:

This is totally harmless.

MR. MARSHALL:

Now it may be harmless, I grant the hon. gentleman that, but the hon. gentleman knows the area that I am going. I just say, from the point of view of the information of the House, that the hon. member for LaPoile (Mr. Neary) was speaking within a certain framework over there and making some very good points. But what the hon. gentleman is now alluding to is a matter that is very much still before the court in the Provinces.

MR. BARRY:

No, no, no! You misunderstand.

MR. MARSHALL:

The hon. gentleman, I know he is aware that this matter is still before the courts and under appeal.

MR. BARRY:

No, no. Relax.

MR. SPEAKER (Aylward):

To that point of order?

MR. BARRY:

Yes.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. BARRY:

Yes, to the point of order.

If the minister had waited for me to finish my statement - that is why I asked the member for Bonavista South (Mr. Morgan) to pay some attention so that he would not form the wrong conclusion - I am referring specifically only to reference by the Minister of Justice (Mr. Ottenheimer) of the matter relating to Judge Anstey to the Judicial Council. I agree that the Minister of Justice was entitled to make such a reference but, again, he should not have formed the conclusion he did before he made the reference. I am saying that is the same sort of thing that has happened with respect to the decision of the Provincial Court judge in the Farrell inquiry. That is the only point I am making.

MR. SPEAKER:

To that point of order, I recognize the hon. President of the Council (Mr. Marshall) brought to the attention of the House that we are not to comment on cases that are before the courts. I understand that the hon. Leader of the Opposition recognizes this

also, and he is not about to do so.

The hon. Leader of the Opposition.

MR. BARRY:

The point I am trying to make is that it is one thing, whether it be the Minister of Justice (Mr. Ottenheimer) or a person carrying out an inquiry to indicate that there may be a problem, but it is another thing to arrive at a conclusion as to who was at fault or not at fault before that party is given an opportunity to be heard. That is the point that was made by the member for LaPoile (Mr. Neary) and that is the point with respect to the Minister of Justice (Mr. Ottenheimer), that the reference should have been made to the judicial council without any conclusions as to whether there was something improper done in the circumstances.

I would like to just move on to another point, Mr. Speaker. I would like the Minister of Health (Dr. Twomey) to raise with the new medical board, which is being dealt with in this act, the problem which exists at the present time in this Province with respect to obtaining expert witnesses where there is an allegation of malpractice against a member of the medical profession. Now the problem arises for a number of reasons, some of them understandable. There is such a small medical community here that there is a natural disinclination for one member to go in and testify on matters which might impugn the competence or the professionalism of another member of the profession. The same thing I dare say is true of the legal profession, the engineering profession and so forth. But in every profession we must strive to

ensure that the ordinary man and woman who feels that they may have been aggrieved or injured by negligence by a wrongful decision or action of a member of the profession, that person is entitled not just to be able to make a claim, but is entitled to have the assistance of expert witnesses. Now I have raised this matter in the House before. I believe in Nova Scotia they have attempted to try and deal with this by having a panel of doctors who agree to sit - before they know of any particular case - they agree to sit as a panel of experts that any litigant can draw upon in the event that there is a claim to be made against a particular doctor or a particular hospital. I would ask the Minister of Health (Dr. Twomey) to look into this a little. There is supposed to be some consultation going on between the Medical Association and the legal association, the Law Society, to try and get better cooperation, better access to expert witnesses, but I have not seen very much come of this yet. I believe it is incumbent on us to insure that if a person out there - and there are such people out there - is injured by a doctor - doctors are no more perfect than other people and they make mistakes - then the person who was injured should be entitled to make a claim and should have access to expert witnesses to assist them, not in making blown up claims or false claims, but expert witnesses who can testify as to whether or not the doctor in a particular case was negligent or merely made an error of judgement, which anybody can make, which would not be considered a matter of negligence but which any reasonable person could have become involved in.

So with those brief remarks I say that we would support the provisions of this bill.

MR. WARREN:
Mr. Speaker.

MR. SPEAKER (Russell):
The hon. the member for Torngat Mountains.

MR. WARREN:
Mr. Speaker, I want to say a few words on this bill. As my colleagues both said we are going to support this bill. However, I am quite concerned, as the member for LaPoile (Mr. Neary) said, with extending the nine year lease, let us call it to the members of the board at the present time, to a continuous service. I think there is a danger probably in that respect that we can have a number of people on the medical board who may not be the best people possible to sit on that board and they can be left there, I believe, if I am reading it right, they can be left there for a number of years without being replaced. I may be reading the bill wrong and if I am I am sure the hon. minister will correct me.

Another thing I would like to bring to the attention of the House, and I probably should have done so when the bill first was brought up in the House, is that this board we are referring to is called the Newfoundland Medical Board. I would like to read something into the record that may have something to say about this government. Under the Labrador Act which was passed in the House of Assembly a number of years ago, page 30 (30), paragraph 2, states, "And whereas it is deemed desirable to give full official recognition in all matters to that large, important, and rapidly

growing part of this Province called Labrador" - and on page 30 (30) paragraph 3.- "In all publications and all stationery used by any department of the Government of Newfoundland, wherever a reference is made to the Province a reference shall be made also to Labrador as part of that Province."

I have to compliment the new minister. I think he is making fast positive strides as a minister in the Department of Health. I believe the minister can, probably in clause 5, or add an extra clause to this bill, calling it the Newfoundland and Labrador Medical Bill. The Premier was very cocky today in his answer to the question I posed to him, but here is an example where the Premier can forget about his cockiness and remember there is a part of this Province called Labrador. So I would ask the minister if, when bringing this bill forward for third reading, he would consider referring to Newfoundland and Labrador, and the same should apply to any other bills coming before the House. And, Mr. Speaker, furthermore, if that be the case, maybe we can have two boards, a Newfoundland Medical Board and a Labrador Medical Board, but I do not think that is desirable. There is already an International Grenfell Regional Health Services Board, there is already the Health Sciences Complex Board and the Grace Hospital Board, and the Central Newfoundland Hospital Board, all of the various hospitals have their own hospital boards. But I think if we have the Newfoundland Medical Board, which is responsible for medical associations from St. John's to Port aux Basques to Nain, Labrador and to Labrador City, surely

goodness we should recognize that in our stationery. And above anything else, something that is passed in the House of Assembly, which belongs to the people of the Province of Newfoundland and Labrador, the least thing we can do is make sure the bills are appropriately headed and are addressed to the people concerned. So that is my concern.

I thank the minister, because I just dropped him a little piece of paper asking him a question and he supplied me with the answer. I am quite pleased. I believe, Mr. Speaker, that the minister realizes that this government has to give more recognition to Labrador.

The Premier may laugh off the claim of this group in Quebec claiming Labrador as part of Quebec, but do not let the Premier crow too loud. I will have time to read a lot more of the letters coming from the people up there concerning the attitude of this government toward Labrador. That will come in due course, Mr. Speaker. I advise hon. members of this House to wait for the Late Show on Thursday and I will remind the Premier of a few things that he said about the flag on the Labrador boundary.

MR. SPEAKER (Russell):

If the hon. minister speaks now he closes the debate.

SOME HON. MEMBERS:

Hear, hear!

DR. TWOMEY:

Thank you, Mr. Speaker. There have been a number of valid and excellent questions that have been asked of me before this bill should pass through the House.

The hon. member for LaPoile (Mr. Neary) wanted to know why the nine year limitation would not persist. Well, the position of Registrar and Deputy Registrar of the Newfoundland Medical Board is at times an awesome job and very rarely has it happened that someone can walk in and after one or two years of experience on the board take over that most important post. I think in my lifetime there have only been Dr. Cluney MacPherson, one; Dr. Garrett Browning, two; and the present Registrar, Dr. Lew Lawton.

Over the years they have found that they have to be conversant not alone with the rules and regulations that pertain to Newfoundland, that pertain to the countries in which there is reciprocity with the universities and training hospitals. And as you can realize from the list that I have given you, these people have been in training as members of the Board for a long period of time. I am sure that this time frame was changed so that people with the experience of Dr. Lawton and Dr. Robert Young would be able to assume these offices which are really important to the board and to the medical profession in this Province. All the other members of the board have a nine year limitation. I do not know if that has answered the question but these are the facts.

Now you ask why we did not have somewhere in the act the words to bar doctors from collecting fees. Although the Medicare Commission is generally the paymaster for physicians in this Province, there are other groups, and other departments, that also pay fees to doctors. One of them might be the Workers' Compensation Board, the others, the sick Mariners Board,

private insurance groups, and there are transients from other provinces and other countries, court fees, and I think that would cover the whole list. So that is the reason why fees are not covered in this particular act.

Now you spent some time speaking on a subject that has considerable merit and I think that you have made us all aware of your concept of a sense of justice, and I am sure that you do not speak in a way that would not make many of us sit down, listen, and consider. But as Minister of Health, you are correct in predicting that I think it would be inopportune for me, as someone who has no knowledge and no training in that legal profession, to comment in any way on your remarks.

The hon. Leader of the Opposition (Mr. Barry) has asked me to take notice in some way that I would approach the Newfoundland Medical Board to obtain the practices of specialists.

I do not know at this time whether the Board can designate specialists to give evidence in a court of law, but certainly I would take his suggestion under advisement. Maybe the panel of doctors, as he said is a custom in other provinces. I will find out that and I will advise him accordingly afterwards.

Last but not least, the hon. member for Torngat (Mr. Warren) suggested that the Medical Board should be known as the Newfoundland and Labrador Medical Board. I cannot advise him on this at the moment, but I will try very quickly to get factual information on this particular matter.

SOME HON. MEMBERS:

Hear, hear!

On motion, a bill, "An Act To Amend The Medical Act, 1974", read a second time, ordered referred to a Committee of the Whole House on tomorrow.

Motion, second reading of a bill, "An Act To Amend The Dispensing Opticians Act". (Bill No. 7).

MR. SPEAKER (Aylward):

The hon. Minister of Health.

DR. TWOMEY:

This is another housekeeping act. The purpose of the Optician Bill is simply to establish a cut-off point under which people can apply for a licence under the grandfather clause. This is an anomaly in the statute and, unless removed, theoretically a person can emerge at any time and claim the right to be registered under the grandfather's clause without further thought. We are, therefore, recommending that it be terminated.

There is also a further section in the act which changes the reference to sparsely settled areas to under serviced areas. In this instance, the emphasis should be on the services available to a particular area, and not whether or not an area is a rural or remote area.

MR. SPEAKER (Aylward):

The hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, we are going to support this bill. I have some information I gathered today, though, in connection with this matter that I want to raise in the House. Mr. Speaker, one of the things that I wanted to ask the

hon. gentleman is in connection with a Commission of Inquiry that was undertaken a number of years ago in connection with the price of eyeglasses and lenses, and contact lenses in Canada, right across Canada.

Now we have not heard much about this report of late. But, Mr. Speaker, there is still a grave concern in the Province about the price of eyeglasses, the price of frames, and the price of lenses. And there is still the age old question that I would like to hear the minister address himself to which has to do with whether or not ophthalmologists, and I do not know if anything of them are doing it or not - perhaps my colleague for St. John's Centre (Dr. McNicholas) could enlighten me on this matter but optometrists are doing it, whether it is ethical, whether it is not some kind of a conflict of interest that optometrists, moreso I think than ophthalmologists, not only prescribe the glasses, but they also act as opticians, they sell the glasses. You go out one door and come in the other. That has always been I believe a kind of a sore spot with a lot of people. It certainly leaves the wrong impression. It really leave a very wrong impression, that there is a bit of a racket being worked, Mr. Speaker, a bit of a racket.

DR. COLLINS:

Would you say that outside of the House?

MR. NEARY:

I have said it outside of the House. I appeared before that Federal Commission of Enquiry and I said that I disagreed with that procedure. I think they should be separate and distinct operations. As I say, I do not know of any

ophthalmologist who is doing it, to be honest with you. There may be some, I do not know. But certainly the optometrists are doing it. They set up their own little sweetheart deals and you come in and they give you the prescription for your glasses and they say, now take that across the hall or take it downstairs or take it here and get it filled.

I do not know if there is anything illegal about it, but it is certainly, in my opinion, unethical and I would like to find out if that practice is still widespread in this Province or has it been curtailed. Mr. Speaker, people are still very concerned about the price of eyeglasses in this Province compared to the price of eyeglasses in other parts of Canada. I do not believe that the price of eyeglasses came down at all as a result of that commission of enquiry. I did a little checking today and I have a couple of other questions, so perhaps the minister may wish to make a few notes. I questioned the guild here about the recommendations their association may have submitted to the government Department of Health re the dispensing of eyeglasses, and the answer was that last year the association did submit some recommendations to the Department of Social Services regarding the dispensing of eyeglasses to social assistance recipients and within a fifty hour period the department came up with some kind of an agreement concerning the dispensing of eyeglasses. In Nova Scotia, I am told, an optometrist does eye examinations and fits people for contact lenses or eyeglasses. That is what the optometrist does in Nova Scotia. Now, Mr. Speaker, while I am on the question of optometrists, when

we had the optometrist bill before this House I raised a question of whether or not they are entitled to carry the title of Doctor.

MR. OTTENHEIMER:

If they have a doctorate.

MR. NEARY:

If they have a degree of Doctor. Well, can they put on their shingle, can they advertise in the paper Dr. So-and-So, optometrist?

MR. OTTENHEIMER:

If they have a degree -

MR. NEARY:

If they have a degree?

MR. OTTENHEIMER:

- of Doctor of Optometry, like Doctor of Veterinary Medicine or PhD.

MR. NEARY:

Mr. Speaker, also in Nova Scotia, an optician only dispenses eyeglasses and if he has a licence he may dispense contact lenses. He therefore has to take out a special contact lens licence. I do not know if we have that stipulation in this Province or not, I have not seen the regulations that were made under the legislation. In Ontario, an optometrist does eye examinations and fits people for contact lenses or eyeglasses. So in Ontario an optician is also educated to dispense contact lenses as well as eyeglasses. Now, Mr. Speaker, also today when I was doing some research, I asked for some prices to bear out my concern about the high cost of eyeglasses in this Province. I want to explain to hon. gentlemen that the figures that I am going to give are approximate figures because, as the experts know in this House, Mr. Speaker, I guess it depends

largely on the thickness of the lens and you can get frames, I presume, in various categories and various prices. So the figures that I am going to give are approximate figures as near as I could get for similar frames and lens and contact lenses in three provinces. I am told that here in St. John's the price varies slightly but a conventional lens, a hard contact lens, \$250; a daily soft lens, \$250, a Boston lens, hard, \$325; extended wear lens, soft, \$450; and the Boston extended wear hard lens, \$450. And eyeglasses, that is the lens, and this is an approximate figure for similar type lenses, an eyeglass lens is approximately \$60. And an eyeglass frame is an average of \$75. That is pretty well standard.-

DR. COLLINS:

That is a little bit high. I would say the lens and the frame work out to about \$100 to \$130.

MR. NEARY:

Well, the average that I have - I will not name the firm, - from one particular firm was \$135, but for another one it worked out to \$150. Another one worked out to \$111. But the contact lenses vary, the prices were a little bit different, but these are approximate figures. Now in Nova Scotia the eyeglass lens was \$46 as compared to Newfoundland where it was \$60. And in Nova Scotia the frame that I am talking about, which costs around \$75 here, was anywhere from \$25 up to \$110. So you can see there is no standard price. But, Mr. Speaker, the big difference was in the contact lenses. I am going to use the Newfoundland figures and I am going to compare them to Ontario. The soft contact lense is \$250 in Newfoundland and \$120 in Ontario. Now that is a big difference, is

it not? And the extended wear lens that I talked about, \$450 in Newfoundland and \$189 in Ontario. The Boston lens, which is anywhere from \$300 to \$350 in Newfoundland, is \$275 in Ontario. And the hard lens, \$450 in Newfoundland and \$120 in Ontario. Now, Mr. Speaker, these are just some of the prices that I got. I am not going to read them all, but the point that I am making is that the price of eyeglasses, the price of frames, the prices of lenses, the price of contact lenses in this Province are out of line with the other provinces of Canada. Now perhaps the experts may argue that we are all not that far out. Well we are, in some instances, 100 per cent out, and I do not believe you could argue that that is because of the freight costs. I do not think it is. The contact lenses that are ordered could probably be sent in the mail. I do not think you could say it is caused by the freight overhead. But, Mr. Speaker, I would like for the new Minister of Health (Dr. Twomey), when he gets his legs under him, when he gets his sea-legs down in that department, to take a look at that, because it is something that concerns me.

SOME HON. MEMBERS:

He is doing very well.

MR. NEARY:

He is doing very well, yes. I would not dispute that. But, I think, like everything else in this Province, Mr. Speaker, we have to monitor the situation, we have to look at the high cost of goods and services in this Province, and this is one area that we should look at. The question I am asking really is did the Commission of Inquiry, the federal Commission that travelled across Canada for years, result in

any reduction in the prices of eyeglasses and frames and contact lenses in this Province? I am afraid, Mr. Speaker, that it did not because, as I indicated with the figures that I just provided the House, in other areas of Canada the price is only half as much as it is in Newfoundland and Labrador.

Now, that is all I have to say about that particular matter, Mr. Speaker. I do not wish to belabour the point. I know what the minister is trying to accomplish in this bill, he is merely changing a definition, making an amendment. Instead of calling the areas that are serviced by opticians sparsely populated, they will now be called 'under-serviced areas'. That is just a question of terminology and my blood pressure is not going to go up because the minister is making that amendment.

Mr. Speaker, before the debate is over, I have a feeling that there may be others who will wish to participate. I want to assure them that when they get on their feet that I in no way attempted to cast a reflection on their profession or their reputation, and I do not think I did, because I have a feeling that they, too, may share some of my concerns. And if they do, I hope that they will say so.

Again, I have to say that to me there is something not right about optometrists providing two functions, prescribe the glasses and then send you out next-door to get the glasses from their own company. Maybe I have a suspicious mind, Mr. Speaker. And then, of course, there is the question, I believe the Minister of Justice (Mr. Ottenheimer) might

have answered it for me, but I would like to hear the Minister of Health (Dr. Twomey) give me his view on optometrists. I mean, you take an ophthalmologist: an ophthalmologist spends - what? - seven years in medical school? Is it seven?

DR. COLLINS:

Ten.

MR. NEARY:

Ten years for an ophthalmologist, yes, because it is specializing. Ten years, that is right. A man takes ten years of his life and he goes out and becomes an ophthalmologist. An optometrist, how long does it take him?

AN HON. MEMBER:

About three or four years.

MR. NEARY:

Three or four years and probably less.

MR. TULK:

Two.

MR. NEARY:

Yes, two years would be more like it.-

AN HON. MEMBER:

Three years.

MR. NEARY:

Three years - three years as compared to ten, and he can call himself 'Doctor'. And the ophthalmologist, who is a surgeon -

MR. TULK:

I sometimes marvel at how you can handle all this.

MR. NEARY:

'And still they gazed, and still the wonder grew/That one small head could carry all he knew.'

MR. TULK:

That is right, it is wondrous, you know.

MR. NEARY:

Three years, probably two years but I will give him the benefit of the doubt, three years compared to ten, and he can hang out his shingle, he can put his advertisement in the newspaper and call himself doctor. I wonder sometimes if half of them are doctors. I would resent it if I were an ophthalmologist who had spent ten years learning my profession.

MR. TULK:

What is the difference between the two of them?

MR. NEARY:

There is a big difference in the two of them. I have nothing against optometrists. I suppose if I was forced to I would take my children to an optometrist. I have not done it yet, I would rather take them to an ophthalmologist. The ophthalmologists, by the way, are few and far between in this Province. They are in demand.

MR. WARREN:

Is our friend one?

MR. NEARY:

Yes, the member for St. John's Centre (Dr. McNicholas) is, and a good one too, I might add.

MR. CARTER:

He can see through you.

MR. NEARY:

As a matter of fact, the old specs that I haul out every once in a while, which are getting battered now -

MR. TOBIN:

So is your head.

MR. NEARY:

- were prescribed by my hon. friend and they have withstood the test of time. But I have nothing against optometrists. Perhaps the profession now has grown and the training they have to undergo may be very rigid and they may be as good as an ophthalmologist, but if I am having my child fitted for contact lenses, or I had a child who had real bad eyesight, I have a feeling that I would feel more secure if I had a ophthalmologist look at that child. But anyway that is a moot point, I am not going to debate that. I am not trying to downgrade the optometrists in any way, shape or form.

MR. NEARY:

I suppose there are members of the House who do not know the difference between an ophthalmologist, an optometrist and an optician. But anyway the fact of the matter is that if I spent ten years at a medical school, university and so forth, getting my degree, and learning the profession, and somebody came in and hung out a shingle with two years training and said, Dr. So-and-So, I believe I would resent that. So that is why I asked the question, merely curiosity. It does not affect me one bit in the least. But just as a matter of curiosity, I am wondering if all of these shingles we see out, Dr. So-and-So, are they really doctors? As I say, it is curiosity more than anything else.

Now what about the Opticians Act, is it working?

DR. COLLINS:

Have you been to an oculist?

MR. NEARY:

An oculist? No.

I think it was only two or three years ago that we passed this piece of legislation, but I would like to hear the minister tell us how it is working and if the board has its full complement of members, and so forth and so on, give us a little updating on that piece of legislation. Because we often wonder, Mr. Speaker, and I suppose it is our right to, about what happens to a piece of legislation once it is passed by this House and becomes the law of the land.

MR. TULK:

Give us the names.

MR. NEARY:

Well, the names probably would be interesting, yes. There is an opticians board. Perhaps the hon. gentleman, if he has the names with him, could provide the House with them. If not at some later date he could provide the House with the names of the members of the board, and if they meet regularly. I would like to have a copy of the regulations, too.

MR. TULK:

I would say that is one minister who will not appoint his Tory buddies.

MR. NEARY:

I have a feeling that if the hon. gentleman is going to make appointments to any boards that they will be non-partisan.

MR. TULK:

That is what I say too.

MR. NEARY:

I hope the hon. gentleman does not

let me down.

MR. TULK:

He is not like the Government House Leader (Mr. Marshall).

MR. NEARY:

I would lose faith in human nature if the hon. gentleman starts playing footsy with appointments to boards, starts appointing only Tories to boards.

Mr. Speaker, I do not wish to belabour the point. I think I have made some valid points. I notice some hon. gentlemen and staff have not reached the age where they need glasses. Before I went to see my own doctor I had the telephone book off here; I could not get it out any further. I mean, I would have to put an extension on my arms. But there are some members there opposite who have not reached the point in life yet where they need glasses but they will and they will have to think about that kind of a service.

So, Mr. Speaker, with these few remarks I hope the minister will respond. I hope other hon. gentlemen will back up what I am saying about the price of eyeglasses in this Province; it is too high and there is a bit of a racket going on. I look forward to hearing hon. gentlemen participate in this debate.

DR. MCNICHOLAS:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. the member for St. John's Center.

DR. MCNICHOLAS:

Mr. Speaker, first of all I would like to thank my colleague from LaPoile (Mr. Neary) for that very

nice plug he gave to me. It is always nice to get recommendation and maybe some of the hon. members on this side when they get up to speak will do the same.

The hon. the member for LaPoile says he is not going to let his blood pressure get out of hand and I can assure him I am not going to let mine either. I do remember some year or two ago when the optometrist bill was going through I got very uptight about some of the provisions and I did manage to get one of the really bad ones altered, that was one that was going to give the optometrist the right to use various drugs for which they are not in any way qualified to use. Another thing that I did not like on that optometry bill was calling the optometrists Doctors, not that I object to the title of Doctor for an optometrist, but it is just that the general public associate the term Doctor with anything allied to medicine, so they assume that they are medical doctors which of course optometrists are not. Their specialty, if you like, or their qualification basically is to do refractions, purely an optical type of business. They have a small knowledge of medical matters but the basic difference between an ophthalmologist and an optometrist is that an ophthalmologist, like any other medical specialist, is an M.D. or a G.P. to start with and then he goes off and does his four years of speciality, whether it is in general surgery or ophthalmology or obstetrics or whatever it might be. In any event, we managed to get that one changed the last time. There was a provision there that I was well aware of at the time about a conflict of interest and it was a very obvious one, that you examine

somebody, prescribe glasses and then turn around and sell the glasses yourself. I am not saying that anybody does it but there is that conflict there and I can assure the hon. member that none of the ophthalmologists are doing that. I am not saying that the optometrists are doing it wrongly either but the temptation is obviously there to do.

About the price of glasses, I think they are atrociously high.

MR. NEARY:

Hear, hear!

DR. MCNICHOLAS:

Why that is so I do not know. I do not know exactly the cost of them, it is none of my business. I give a patient a prescription for glasses and they can take them where they want. If they ask me for a recommendation frequently I give them a recommendation to the people that I think will treat them reasonably well. But I think everybody here, all of them, charge too much. Now how you are going to get over that I do not know. I suppose really there is not sufficient competition. I do not know whether there is any understanding between the various people who prescribe glasses or not, or if they feel that they can charge this amount and that the traffic will bear it, but obviously it does bear it. I know that my son, who is also an MD and is doing his ophthalmology training in Halifax at the moment, tells me there is a firm there now who have created havoc with the opticians there and has really cut prices very much. I suggested to my son why does that firm not come here? Because, I think, competition like that would be a really excellent thing and I am all for it. One thing that struck

me as being very peculiar is I have asked about what Social Services give towards glasses, I think it is both glasses and frames, and it is \$60.00. I would think the average price for glasses must be two to three times that amount. So if a company can make money by prescribing to Social Services at \$60, I cannot understand why they need three times that amount for the general public. I asked them that and they tell me that they lose on Social Services.

MR. MORGAN:

That is a good story.

DR McNICHOLAS:

Now I find that very difficult to believe and I do not have anything more to say about that.

This is obviously just taking care of a grandfather clause in this Opticians Act. I certainly think that this idea of having the opticians regulated is an excellent one because up to this time anybody could just stick a pair of frames on a patient and off they go. I will vote for this bill.

MR. SPEAKER (Aylward):

The hon. member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, I just want to say a few words also on this bit of housekeeping legislation. Mr. Speaker, sometimes on this side we do not fully agree with each other because, in this instance, only just this past Winter, I was in Hopedale when the eye specialist, as he is called when he visits the coast, was there and at the same time he was testing eyes and giving prescriptions for the glasses and supplying the glasses

and it was all coming out of one bag or one shop, because geographically it is practically impossible in the remote areas of the Province for a optician to travel throughout those areas just for the sake of supplying the glasses for the individuals. So, I think in some areas of the Province it has to go hand in hand. Mr. Speaker, the hon. member for St. John's Center (Dr. McNicholas) and the member for LaPoile (Mr. Neary) spoke about the high cost of glasses. Just to show you what is going on in this town, for some reason the senior citizens recently, I know a lot of them, have received a little note in the mail, especially those who wear glasses, saying, enclosed is a \$25 coupon and when you want your glasses renewed please come to this address and you will get \$25 off the cost of your glasses. My mother-in-law, about a month ago, availed of the opportunity. She was told by a particular person she needed her glasses changed, which she did, there is no doubt about that, and instead of going where she usually goes, she decided to take advantage of this \$25 off the price of her glasses. So she went down to this particular place and found out the price came to \$165. so when she came back to the house, I said did you check anywhere else? So the next day I got aboard the car with her and went down to the place where she usually goes to get her glasses, and found out she could get them there for \$155. So with coupon supposed to save her would have still cost her \$15 more. So this is the kind of ripoff that are going on in this Province. She was told she would get \$25 off her glasses and the identical frames and all cost \$15 more.

Mr. Speaker, I believe, as the

hon. member for LaPoile (Mr. Neary) said and as the hon. member for St. John's Centre (Dr. McNicholas) said, this is only a housekeeping bill. However, I give this fair warning to the new Minister of Health (Dr. Twomey), not make our medical laws too flexible. I hope the minister is trying to tighten up the system instead of letting it be more flexible. Again, I wish the minister the best of luck in all the bills he brings before the House because he is showing a positive attitude towards the people of the Province.. Such leadership has not existed in the Cabinet for the past number of years. In fact, it is unfortunate that the Premier has waited five years to bring the hon. gentleman into the Cabinet.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Aylward):

If the hon. minister now speaks he will close the debate.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. Minister of Health.

DR. TWOMEY:

Thank you, Mr. Speaker. You know, little did I realize when I brought this bill in this evening that I could generate so much comment and it could awaken us all to the many problems that beset us as we sit and write a bill that appears to have so many implications.

However, I have learned a lot this afternoon. I cannot respond in a positive way to all the questions, but certainly I have been alerted as to the troubles that might

beset me in the future.

I quite honestly that without any hesitation that I have not read the Royal Commission report done by the federal government on eye care and eye problems. I am sorry I cannot answer that question. If it is pertinent I will certainly get the answer for you.

Now you have asked some other question. The hon. member for St. John's Centre (Dr. McNicholas) has expressed his opinion and it is the opinion of one who has specialist knowledge in the field of eye problems much more than I have. He himself has made enquiries as to why there are differences in cost for lenses of all kinds, for frames of all kinds and he has not been able to find a satisfactory answer. So I am sure I would leave it to your mind and to your imagination that this is the cost of entrepreneurship.

You have asked me why there appears to be a conflict of interest between the optometrists and the dispensing optician. That I cannot give you the history of, but I can only presume, as I quickly looked over this Province in detail, and I thought of the periphery rather than St. John's and its surrounding area, I presumed that it evolved and it has become a tradition because opticians were the only people who gave eye service, generally speaking, outside of the Avalon Peninsula. Then you had people who travelled around, who set up their offices in various homes, hotels, boarding houses, even aboard the coastal boat. I presume because of necessity they had to provide lens that were ground down to suit the refractive errors of their patients. I presume that it developed just as

one of these things developed in many parts of the world. Whether there is a conflict of interest or not it would not be my duty or my responsibility to comment on that. As in regards to the designation of doctor, ophthalmologist or anything else, I believe that I am absolutely right that those who have a degree from a recognized university have the right to designate themselves as doctors. I cannot speak for the people who have got other degrees and diplomas, but I believe that some of them come under the grandfather's act. What is going to happen in the future I cannot predict at this particular time.

I believe that I covered in the very short time the pertinent questions that have been asked. I have no more to add unless one of the hon. members over there wishes to ask me a specific question.

Thank you very much, Mr. Speaker.

On motion, a bill, "An Act To Amend The Dispensing Opticians Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 7).

MR. MARSHALL:

Order 7, Bill No. 14.

Motion, second reading of a bill, "An Act To Repeal The Gander Development Corporation Act, 1975." (Bill No. 14).

MR. SPEAKER (Russell):

The hon. the Minister of Development.

MR. WINDSOR:

Mr. Speaker, I will not take a great deal of time introducing this piece of legislation. It is quite straightforward and indeed most of the comments that I would have made in introducing this bill I made yesterday in tabling the last annual report of the Gander Development Corporation. I refer hon. members to that report which no doubt most of them would still have on their desks. It gives a great deal of information about the corporation and the activities of the corporation, particularly over the last number of months of its existence as a Crown corporation. This particular piece of legislation, Mr. Speaker, simply repeals the act and in affect disbands the Gander Development Corporation legally, transfers all its property and assets and liabilities to the Crown in the right of the Department of Development, and as well transfers the staff of the Gander Development Corporation to the regional office staff of the Department of Development.

Mr. Speaker, I do not think there is a great deal more needs to be added. If there are any questions, obviously I will be prepared to answer them, but other than that I move second reading.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, I do not want to hog the debates but I cannot resist the temptation, the challenge that was flung out by the hon. gentleman. He said there is not too much to this bill, there is not much to talk about in this.

Mr. Speaker, there is a great deal to talk about in this matter. As a matter of fact, I made it a point today to go and get the debate that took place in this House when the Gander Development Corporation was established in the first place, and there is the debate. Mr. Speaker, I tell you when you read through it, as I did this morning, you will find some very interesting stuff in this debate. This was supposed to be the be-all and end-all, of Gander. It was set up by the administration as one of the shining stars in their crown, Mr. Speaker, when they established it. It was established back in 1975 and now ten years later we have a bill brought into the House - this is supposed to be the shining star, the shining light - ten years later they bring in a act to repeal the Gander Development Corporation and turn all of the assets over in right of Her Majesty.

DR. COLLINS:

It is a sunset bill.

MR. NEARY:

A sunset bill. Yes, I would say it is a sunset bill all right. After I read the bill I could not help but feeling rather sad about this failure. What they did, Mr. Speaker, was set up a Gander Development Corporation and then they kind of absolved themselves of any responsibility for Gander. Since this corporation was established Gander has been up and down, and now it is on the down trend. I do not know if hon. gentlemen recall it or not, those who were in the House at the time, but perhaps the Government House Leader (Mr. Marshall) could tell me why the Gander Corporation was set up in the first place.

MR. CARTER:

To glorify Joe Smallwood.

MR. NEARY:

The hon. gentleman, I believe, was in the House in 1975, the big galoot from St. John's North (Mr. Carter). Perhaps he can tell us why it was set up? I doubt if there is a member opposite, Mr. Speaker, who can, they put so much hope in this project, in this corporation but I doubt if one of them over there who was in the House at the time - those who were not in the House, I would not expect them to be able to tell us - can tell us today why the Gander Corporation was set up in the first place.

MR. CARTER:

Sit down and tell us.

MR. NEARY:

No, I would like for the hon. gentleman just to tell me. If I sit down I will lose my turn, and I have a few things to say about Gander and have things have unfolded.

MR. CARTER:

Sit down and shut up!

MR. NEARY:

But can the big galoot tell us why it was set up in the first place?

DR. COLLINS:

It was so Harry Steele could not take the airport to Halifax.

MR. NEARY:

No, Mr. Speaker.

MR. WINDSOR:

Sit down and read the annual report. It is on page 1. "The Gander Development Corporation was established in 1975 to ensure the competitiveness of Gander of Gander International Airport and

to diversify the community's economic base."

I said all of that in the hon. House yesterday. The hon. gentleman cannot absorb information.

MR. NEARY:

It was Mr. Doody, now Senator Doody, who introduced this bill to the House, and spoke at great length about this bill. Now we just heard the Minister of Development (Mr. Windsor), the expert. But let us see what Senator Doody says, Walter Wolfe's friend.

SOME HON. MEMBERS:

Oh, oh!

MR. MORGAN:

Slime! Slime!

MR. NEARY:

Well, the hon. gentleman says, ah, ah! Let me see if I can see the share list that I have here of Mr. Wolfe's companies. I do not have it with me, but I will bring it tomorrow. Walter Wolfe's offshore company, two of the prominent shareholders are none other than one Frank Moores and Senator Doody. But anyway, that is not what we are debating now. We are debating the Gander Corporation.

Now, Mr. Speaker, let us see what Senator Doody said when he introduced this bill, why it was being brought in. Mr. Doody, 'Mr. Speaker, this bill has been introduced to the House in an attempt by government to set up an apparatus to cure the persistent problems with the Gander fuel supply.

AN HON. MEMBER:

The Gander fuel supply?

MR. NEARY:

Yes, that is right.

And then he goes on to talk about the problems of the price of fuel, the variations in the price and so on and so forth. He said, 'A major concern, of course has been the price situation. This is a situation, he says, that we just simply cannot allow to continue.'

DR. COLLINS:

Are you adding fuel to the fire here?

MR. NEARY:

'This had and can have a disastrous effect,' he said, 'on the visibility of the airport and subsequently, of course, on the town of Gander itself.'

DR. COLLINS:

The viability or the visibility?

MR. NEARY:

Excuse me, 'the viability.' Probably the visibility too.

'There are times when it appears as though the price of Gander is almost competitive. There are times when it appears to be completely outside the areas of reasonable competition. The difficulty has been that we have not been in a position to get a firm grip on the prices and we have been very much at the mercy of two oil companies to supply fuel to Gander and in some cases they supply different types of fuel.'

Now, Mr. Speaker, I could go on and on and quote from Hansard, this is a copy of Hansard I got from the Legislative Library this morning. Here is another quote, 'About two years after that, in 1958, after the development of the first jets - the first jet, as I

recall it - well, not the first jet but the first jet to have gone into international service, international flights was the 707, and that seemed to revolutionize everything that was taking place in terms of transatlantic flights and certainly revolutionized what was taking place around Gander. Because very soon it was established by the airlines that those planes could fly from Shannon to Boston to New York - not much past that - but they could fly from the other side to this side and vice versa without always landing in Gander.'

DR. COLLINS:

Our friends the Russians cannot do it.

MR. NEARY:

I am coming to that. The hon. gentleman has got something in store for that, I will tell you.

'If they left New York with a complete load of passengers they were forced to land for fuel and conversal.' So, Mr. Speaker, I am just giving hon. gentlemen a gentle reminder of why this corporation was established in the first place. They obviously do not seem to know. Listen to what Senator Doody said then, 'I am sure the people of Gander are anxiously awaiting the passage of this bill, they are out there waiting with bated breath for the passage of this bill. I am awaiting the formulation of the structure of the Crown corporation and just as soon as those people can get down to work the better it is for all of us. I think, as I said before, that this is the answer we have been looking for.' Senator Doody, speaking on behalf of the Tory administration ten years ago in this House is now just a ghost of the past, now gone

on to that great retirement club in Ottawa, tells us that this is the great hope of Gander. He says, 'If we can get the fuel at reasonable prices, we get the airplanes coming back. If that happens, and I am sure it will,' he said with great certainty, with great indignation, with great firmness he persuaded us on this side of the House to vote for this bill because we said we are going to get the airplanes back, so, 'If that happens, and I am sure it will, then the industrial development type of activity which my colleagues refer to, I think,' he says, 'will follow. And it gives me great pleasure,' he said, 'to support his bill.' What a magnificent accomplishment for the administration! The people of Gander lapped it up, the people of Gander, Mr. Speaker, believed that this was the answer to their prayers. My colleague Roger Simmons, who was a member at the time - another ghost from the past in this House; it is wonderful what Hansard can do - had some doubts about various points that were made by Senator Doody and by members who spoke on this bill. And he asked, were they going to hamstring it to the point that it will not be able to do anything in terms of promoting industrial growth. Now the hon. gentleman just told us that it was set up to promote industrial growth in Gander. But the problem was that they were not given the scope or the financing to do that job. And Mr. Simmons, in his wisdom, a man who was able to look into the crystal ball, if he were only here today, Mr. Speaker, to see this act being repealed, I am sure he would have done the same thing that I did. He would have gone down to the Legislative Library and had Miss Richards dig out a little bit of the history of

this. If he were only here today to show how right he was and how right we were in questioning this administration on this project. He said, 'Is it going to go the way of the Harmon Corporation?' And I presume that one is on the skids also. We all know about that one. 'Is that what is going to happen to it? If so, let us stop wasting our time,' he said. 'Let us throw it out now without ever passing it. Let us call a spade a spade,' he said, 'and let us tell the member for Gander to go back and tell these people - and then somebody over there, a man by the name of Murphy, another ghost from the past 'said, 'Are you voting against it?' as he used to interrupt members across the House. And, Mr. Simmons said, 'No, Mr. Speaker, I do not intend to vote against. I intend, first of all, Mr. Speaker, to vote for it, and I made that clear at the beginning of my comments. And I intend also to see to it that I do everything within my power to see that the intent of the legislation is carried out. But I do not have much hope,' he said, 'that it will be under the present administration unless things are quite different than they have been with respect to Harmon or Bay d' Espoir or Labrador or a number of other areas that I could mention here. The problem with the government,' Mr. Simmons said, and I am quoting from Hansard, 'The problem with the government I think will be shown again. I hope it will not, but I think the main problem of this government will show through again insofar as this legislation is concerned. They have no follow through. They are great at writing legislation, they are great coming up with ideas, but when it comes to putting these ideas into practical terms, when it comes to getting out there in

Gander and taking the initiatives on the day to day basis, the initiatives required to meet the intent of the legislation, to give the leadership for industrial growth in Gander and the larger areas served by the airport, when it comes to getting out there and on a day to day basis doing things which will provide for the development of the expansion of the airport facilities, that is when they lack follow through.'

Now, Mr. Speaker, truer words were never spoken. And here we are today, ten years after the hopes and expectations of the people of Gander were built up by this administration, ten years later we see a minister expanding his own empire, opening his own offices across the Province, and dismantling the Gander Corporation.

Now, Mr. Speaker, on Thursday, tomorrow being Private Members' Day, on Thursday I hope that I will be given an opportunity, because I do have some time left, to talk about some of the things that have happened to Gander since that corporation was set up, and specifically, Mr. Speaker, I hope to deal with Aeroflot, and I have a few concerns and a few things to say about that situation in Gander.

DR. COLLINS:

Is there a need to talk about the Russians?

MR. NEARY:

I will be talking about the Russians, do not worry. And I will be putting it in its proper context of why the American Government had to consider opening up a sub-office, they did not open a full consulate, but why they were forced, because of the dealings with the Russians, to open an office. And I will leave

that for tomorrow, Mr. Speaker, and I will talk about the contract with Aeroflot and Gander Aviation.

So, Mr. Speaker, having made these few introductory remarks, I would like to move the adjournment of the debate.

MR. SPEAKER:

The hon. member for LaPoile has adjourned the debate.

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, I move the House at its rising do adjourn until tomorrow Wednesday, at 3:00 P.M., and that the House do not adjourn.

MR. SPEAKER:

It is moved and seconded that the House do now adjourn until tomorrow, Wednesday, at three o'clock. Those in favour "Aye", those against "Nay". Carried.

I do now leave the chair until tomorrow, Wednesday, at three o'clock.