

Senator Molgat: And so says the Commissioner.

Senator Frith: Honourable senators, I close by again wanting to be clear that I do not feel at all mean-spirited about the efforts that the government has taken to remedy this situation, the situation which is the subject of my amendment. I think they have made a good effort, and it is only for these reasons that I feel the record should show clearly that the legislation should provide the sanction, rather than the undertaking, though given in very good faith by two ministers.

Hon. John Lynch-Staunton (Leader of the Government): Honourable senators, I think that before we vote on the amendment we should remember that a similar amendment was proposed in the House when this bill was being debated over there and it was turned down. So one should ask himself or herself this question: if an amendment is passed similar to the one already turned down, what will its fate be over there?

Secondly, if an amendment must be passed and it then goes back to the House, the passage of this bill could well be delayed indefinitely. I bring that up because, in Montreal, the local authority already has—

Senator Frith: You have not lost the majority over there while we were not looking?

Senator Lynch-Staunton: I think they probably are pressed with other bills.

Senator Frith: You may have trouble getting it on the Order Paper.

Senator Lynch-Staunton: Yes. And we hope to see passage of this bill without an amendment, as we all appear to agree that the letter is nearly as strong and binds the government as much as an amendment to the act would.

In Montreal, the local authority which will be responsible for the management of the Montreal and Mirabel airports has an agreement already. It only needs ratification of the bill and signature for the agreement to go into effect. They have been working on it for four years and are very anxious to get going. That should be taken into consideration when we come to vote on the amendment.

[Translation]

Hon. Maurice Simard: Honourable senators, I just want to take a moment to inform you that I shall support Senator Frith's motion.

I will not repeat the arguments put forward in a previous speech I made on this subject back in November, October or early December 1991. I am definitely not going to read you the documents produced by Senator Frith, the letter from the Minister of Transport dated February 27 and from the Commissioner of Official Languages.

On the other hand, I want to make it quite clear that, should Senator Frith's motion be defeated, Bill C-15 will represent a setback, the loss of vested linguistic rights for airport employees in designated bilingual areas.

I will spare you as well the innumerable contradictions I see in the government's argument in support of this bill. It does

[Senator Frith.]

not want to go against Quebec laws, we are told, while we know that this was already granted in the Official Languages Act. Before the Department of Transport received this latest legal opinion, that you have read, they had set out to tell us also that other legal opinions had been given to the effect that the federal government could not have dealings, not even through leasing, with the likes of the Société des aéroports du Nouveau-Brunswick et du Québec because, among other things, it could not take part in a breach of Quebec legislation in spite of the fact that this is already being done and will continue to be as regards the language of service as it applies to section 29 I believe.

The act will continue to provide that with regard to the sign law the policy should be much more generous than is permitted under the Quebec provincial legislation in this respect.

I would advise the minister not to come up with this kind of contradictions too often because I think they will be thrown right back in his face.

Honourable senators, I think marked progress has been made in collaboration with the ministers, my colleagues on this side of the House and with the support of our colleagues opposite.

I think it is a considerable improvement, but it is not enough. As I said earlier, despite the benefits of privatization, we will be deprived of certain services. Now this may not have much of an impact on people in New Brunswick or anywhere else. However, even if it affects the rights of a single individual, the principle is there, and I don't think we need that now.

We can only hope that both sides of this Chamber will be prepared to support Senator Frith's motion, even if it does cause some embarrassment or further delay if Bill C-15 is amended and has to go back to the House of Commons.

I would have preferred, and I still prefer the force of law to this commitment by ministers Loiselle and Corbeil to include a clause in all leases for greater Montreal, New Brunswick and the National Capital Region. As Senator Frith said, there is no guarantee that future ministers or federal governments will perpetuate vested rights in terms of language of service and language of work.

Anyone who has taken a course in business law for a few months can tell you that the two signatories to a contract can, by common agreement, cancel any clause in that contract.

Even legislation does not give us any guarantee of perpetuity but, as you know, it is much harder to change legislation than to cancel a clause in a lease.

That is the reason for my preference.

I noted the contents of the letter from the Office of the Commissioner of Official Languages, and I think Mr. Goldbloom's spokesman was quite clear about the fact that his boss and his entire staff would have preferred the first alternative, in other words, keep the legislation as is.

● (1700)

What it means is that after all those years of hard work, as Senator Robichaud and others will testify, after 20 years of