

Canada Grain Bill

the government can produce the required amendment to the recommendation, the bill can hardly be proceeded with in its present form.

Mr. Olson: Mr. Speaker, the hon. member for Peace River (Mr. Baldwin) has raised a very interesting procedural point with respect to clause 108 of this bill, claiming that its provisions are not covered by the recommendation. I am afraid I could not fully understand his argument. Certainly, there is a continuation of the activities that were carried on by the Board of Grain Commissioners, and there is a continuation of the responsibilities which were given to them under another act, in this case the Prairie Farm Assistance Act. Clause 108 of the bill repeals section 11 of the Prairie Farm Assistance Act. That clause was included so that there would be a mechanism, the Board of Grain Commissioners, that would collect a levy that this Parliament decided ought to be collected, and those moneys are to be disbursed under other sections of the Prairie Farm Assistance Act. I, therefore, suggest to Your Honour that the provisions for the disbursement of the fund collected for the purposes of the Prairie Farm Assistance Act are already included in that act.

Mr. Baldwin: In the Prairie Farm Assistance Act?

Mr. Olson: In the Prairie Farm Assistance Act.

Mr. Baldwin: Which the government is repealing.

Mr. Olson: The hon. member is saying that when we re-write and modernize the whole of the Canada Grain Act, an act that has not been revised in a substantial way since 1930, and when we adopt some amendments regarding the responsibilities which have been laid on the Board of Grain Commissioners under the Canada Grain Act, we are acting improperly. I suggest it is well known in this country that the activities of the Board of Grain Commissioners, which will now be called the Canadian Grain Commission, in matters such as collecting the 1 per cent levy and disbursing the money through other provisions of the Prairie Farm Assistance Act constitute a long established practice. It is a practice that was established in 1939, if my memory serves me correctly. Clause 108 of the bill attempts, very simply, to put onto the shoulders of the Canadian Grain Commission under the Canada Grain Act all the responsibilities which formerly rested on the shoulders of the Board of Grain Commissioners.

I know that it is difficult on many occasions for the recommendation of His Excellency, the Governor General, to spell out in detail all the authority that may be vested in the application of this act. This is not something new, that every single detail of expenditure is not indicated in the recommendation. But, I suggest to you, Mr. Speaker, with great deference, that it has been a long established practice for the Board of Grain Commissioners, which will now become the Canadian Grain Commission, to collect a 1 per cent levy for the purposes of funding the PFAA fund. The hon. member knows that. He also knows that, by a long established practice, it is one of the administrative functions of the Board of Grain Commissioners to collect that levy and turn it over to the

[Mr. Baldwin.]

Prairie Farm Assistance Act administration or indeed to collect it on behalf of the Consolidated Revenue Fund of Canada. It is from that fund the PFAA payments are made from time to time.

• (3:50 p.m.)

I find it rather difficult to understand why the hon. member is trying to hang a procedural point on something that has been practised in Canada for at least 30 years, notwithstanding the fact that authority for the Board of Grain Commissioners to collect that levy is now going to be contained in the Canada Grain Act rather than the Prairie Farm Assistance Act.

The other point relates to the amendment with respect to paying compensation to grain companies which was moved in committee by the hon. member for Crowfoot (Mr. Horner). This, in fact, was a new departure. It was not envisaged when this bill was drafted.

Mr. Baldwin: It was not in the recommendation.

Mr. Olson: It was not in the recommendation. In my view, the legal adviser to the committee quite properly ruled that it was beyond the recommendation and therefore out of order. I suggest that the hon. member is objecting to a long established practice. To base his argument on the fact that a member was prevented from introducing a new departure in expenditure under the authority of this bill because no provision for it was contained in the recommendation is not making a valid comparison.

Mr. Baldwin: Will the minister permit a question? Even if the minister is correct in his assumption that the financial authority granted to the Board of Grain Commissioners under the Prairie Farm Assistance Act carries over automatically to the new Canada Grain Commission—and I do not accept that with respect to the 1 per cent levy—does he not agree that according to clause 108, in addition to the 1 per cent levy, there is a further financial provision to take care of one-thirtieth of one per cent of a certain licence fee which is set aside as a penalty, the benefits of which are payable from the fund in respect of certain awards. Is it not true that particular provision was never in the Prairie Farm Assistance Act? It is a new financial provision which was never contemplated, discussed or apparent in the other legislation.

Mr. Olson: Mr. Speaker, I cannot answer that question without a bit of research and perhaps some advice. I am sure the hon. member realizes that while there may not have been a penalty provided for failure to collect a 1 per cent levy, there was a legal obligation on all of the grain companies to collect the levy and turn it over to the Board of Grain Commissioners for and on behalf of the Consolidated Revenue Fund of Canada.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, when one gets into a procedural debate, he usually has a point he wants to make. He usually knows where he wants to come down at the end of his remarks. Since I was called on short notice to take part in this