

*Transportation*

In view of the desire which I think practically all hon. members have expressed to keep the commission as flexible as possible, and in view of the point that I think I made earlier, in reply to the initial observations of the hon. member for Springfield, I am sure it would be the intention of any government, even of the government of which his friends might form a part some day, to appoint responsible adults to such a commission. In view of this it was not considered really necessary, though it would not be harmful perhaps, to attempt to make more detailed prescriptions. On balance I think I am satisfied with these arguments, which I can assure hon. members are not at all political considerations as I demonstrated amply the other evening by the very considerable lack of knowledge that I displayed on that occasion. However, in view of the advice that I have been given by the draftsmen it would not appear to me and I would not feel disposed in all the circumstances, because I think I have met every one of the considerations which were raised in quite a reasonable way on the advice that I have received from quite responsible officers, to recommend that we make any further changes to clause 17.

**Mr. Schreyer:** I do not rise to press my suggestion further that the quorum should be increased. However, I should like the minister to clarify one small point in this connection. The bill provides that the quorum shall be as is provided in section 12 of the Railway Act. In that section the quorum is stipulated to be two, but that relates to a seven-man board. The provision now before us relates to that section of the Railway Act and applies it *mutatis mutandis*. Does this mean that the quorum of the 17-man commission shall be two or that it shall be in the ratio two-seventeenths to 17? I should like this point clarified. I thank the minister for his veiled offer to participate in a coalition government some day.

● (3:30 p.m.)

**Mr. Pickersgill:** Well, the offer has seven veils. I believe that the complicated and ingenious arithmetic the hon. member has suggested is the kind he and I as laymen might suggest but it would shock the learned members of the house. I believe the minimum quorum for any purpose is two. Of course, this does not alter the power of the commission to set a higher quorum for any particular purpose at any particular time it wishes to do so.

**Mr. McQuaid:** Do I understand the minister to mean that the Governor in Council will make a regulation requiring that the majority membership of the board of review shall consist of members who did not sit on the original hearing? If this is not the case, there is not much purpose in having a review. There should be a guarantee that the majority of members of the board of review shall be members who did not sit on the original hearing. Otherwise the board would really be reviewing its own decision. Have we the assurance there will be an order in council passed to that effect?

**Mr. Pickersgill:** I do not believe I said I would, but I said we could. I hope it would not be necessary. I hope the commission itself, and I think this is very much more desirable, will take care of the matter. If the Governor in Council has to do this, then I think it should be done here. I do not believe it will be necessary at all. If in any circumstances the Governor in Council comes to the conclusion that the commission is not adequately meeting the situation or is not following the practice which I am told has always been followed, then it would be competent for the Governor in Council to repair the situation.

**Mr. McQuaid:** Does the minister not think it would be a safeguard to write the provision into the legislation? I know we have every confidence in the men who will be appointed, but experience has shown that unless these things are written into the regulations there is a tendency to ignore them.

**Mr. Pickersgill:** I have already expressed the view, which is not primarily mine but which I accept, that in view of the experience in this particular situation over a long period of years it is not necessary. There might be a situation arise in which prescribed, specific rules might cause vexatious delays. In some cases the review might be of such a simple character that it could be accomplished quickly, perhaps by the addition of one person to the original two. I do not imagine that situation would likely arise, but my advice is that it would be preferable not to include any further statutory restrictions but to allow the commission to deal with situations as they arise. If it appears that the commission is not dealing adequately with such situations, there is always an appeal to the Governor in Council and the Governor in Council may, of his own motion, take the necessary remedial action. It seems to me the situation is quite thoroughly safeguarded.