

HOUSE OF COMMONS

Tuesday, June 28, 1983

The House met at 11 a.m.

• (1110)

GOVERNMENT ORDERS

[Translation]

CANADIAN AVIATION SAFETY BOARD ACT

MEASURE TO ESTABLISH

Hon. Jean-Luc Pepin (Minister of Transport) moved:

That Bill C-163, entitled "An Act to establish the Canadian Aviation Safety Board and to amend certain Acts in consequence thereof", be read the second time and referred to the Standing Committee on Transport.

He said: Mr. Speaker, all Members of this House will agree, I am sure, without my having to demonstrate it, that air transportation safety is important. By approving Bill C-163 on the establishment of the Canadian Aviation Safety Board, Parliament will have taken a long step toward achieving the goal of safe aviation. Obviously we are not the first to involve ourselves in this area. Some Hon. Members will remember perhaps that in 1972-73 the government asked Brigadier-General McLearn to prepare a report on methods used to investigate transportation accidents in general. This report served as the basis for other consultations, which led in 1979 to the introduction of Bill C-40, the Transportation Accident Investigation Act. I would like to point out that at that time the proposed legislation covered three modes of transportation and not just aviation as this Bill does. Bill C-40 having died on the *Order Paper*, and public opinion having become alerted to certain alarming situations in the aviation sector, the following government, and more specifically the Hon. Member for Vegreville (Mr. Mazankowski), the then Minister of Transport, set up the so-called Dubin Commission to look into aviation safety. The main recommendation of Volume I of the Dubin Report, which was tabled in May, 1981, was precisely that a Canadian Aviation Safety Board be set up.

I would like to say a brief word on existing aviation safety measures. The current system was drawn up under the provisions of the Aeronautics Act of 1927. It provides for the establishment of safety standards and of measures making it possible to guarantee and ascertain compliance with these standards.

For many years now successive Ministers of Transport have been concerned about the worth and the effectiveness of this system. The Dubin enquiry attracted the attention of the public to the system's deficiencies, a certain number of which

will be corrected by Bill C-163. The reform of the Aeronautics Act, which I expect to present in the fall, will correct other deficiencies. And some of them can be dealt with, and in effect are being so dealt with at present, by simple administrative and budgetary measures.

One element in the existing system has attracted special attention, and that is accident investigations. But I must point out that this is obviously only one of the elements in a much broader system. At the present time, when an accident occurs, an investigation is carried out by the Aviation Safety Bureau, which as you know comes under Transport Canada's Air Administration. It is however also responsible for setting standards, for drawing up the regulations that affect safety in the aviation sector. There is thus a risk of conflict of interest between these two responsibilities, which have hitherto been exercised by the same people.

Mr. Justice Dubin recommended, and I quote:

—the establishment of a tribunal unconnected with any federal department.

And that is just what Bill C-163 provides for: the creation of an aviation safety board independent of Transport Canada, so that the functions related to regulation and those related to investigation will be disassociated from each other.

Once Bill C-163 has been passed and implemented, and the new Aeronautics Act as well, as I hope it will be this fall, I believe that Canada will be endowed with a first-class aviation safety system.

• (1115)

[English]

This is only the first of two pieces. The next instalment, if I can call it that, will come in the fall when I am sure we will all be here. In the second "tranche" of this reform there will be important material, for example, the appeals tribunal hearing appeals against the decisions of the Minister, the fines he could impose, or the taking away of licences.

The Bill was drafted so as to set out clearly the Board's objective, jurisdiction, and power. It includes provisions aimed at ensuring that the Board co-ordinates its activities with those of other parties such as the RCMP and coroners who have related mandates. The objective of the CASB is to advance aviation safety, and I emphasize this. It is not to assign guilt; it is not to pass judicial judgment on who has done it right or who has done it wrong. It is just to advance air safety.