

*Seaway and Canal Tolls*

**Mr. Diefenbaker:** Would the minister permit a question? In his interesting analysis does he imply that if the St. Lawrence Seaway Authority recommends a toll increase in order to meet its responsibilities under the statute, which interpretation at the moment I am not accepting as correct, the cabinet has to follow the recommendation of the authority?

**Mr. Turner:** I am not suggesting that in any way whatsoever, Mr. Speaker. I am suggesting that the authority is under an obligation imposed on it by statute to adjust its tolls and that the government of Canada, this house, indeed, must take cognizance of the legislation under which the authority was set up.

• (5:30 p.m.)

**Mr. Diefenbaker:** I am not accepting the minister's interpretation at the moment but, if his interpretation is correct, do his last remarks indicate that whatever the recommendations of the authority may be the government is merely an automaton and must pass an order in council accordingly regardless of the feeling of parliament?

**Mr. Turner:** That is in no way a conclusion to be drawn from any statement I have made. The government will, of course, be guided by what has been said at the public hearings, by what the authority recommends to it, and by the climate of public opinion and the facts as established before any committee of this house.

In reply to the right hon. gentleman I think I can do no better than refer to the words of a former minister of transport, now the hon. member for Northumberland (Mr. Hees). That hon. gentleman, when he was minister of transport in 1958, advanced the argument I am now advancing in connection with the proposed tolls.

I quote now from *Hansard* of 1958, volume II, page 1382:

The suggested tolls, according to the tolls committees, should be sufficient to meet all financial requirements as the anticipated traffic develops. It is believed by the members of the tolls committees that the revenue derived will provide for the annual costs of operation and maintenance of the new seaway facilities and of the Welland canal, and meet interest charges and amortize borrowed moneys over a period covering the next 50 years.

In other words, when the right hon. gentleman was prime minister of this country his own minister of transport took the position I am taking today.

[Mr. Turner.]

**Mr. Diefenbaker:** Oh, no. That interpretation is not the correct one.

**Mr. Turner:** Well, I simply cite his words.

**Mr. Diefenbaker:** I ask the minister, if I may, whether he can show me, in any part of what was said by the then minister of transport, a statement that the government must carry out the recommendations of the St. Lawrence Seaway Authority and increase the tolls should that body so recommend. Does the hon. gentleman suggest the minister said that?

**Mr. Turner:** Let me say in reply to the right hon. gentleman that the opposition of that day, now sitting on this side of the house, took the position that the proper recourse might have been to allow section 15 of the statute to operate, namely, that there should be the right of appeal to the Board of Transport Commissioners from any decision affecting tolls. In reply to a question by Mr. Chevrier, who was then the opposition critic on transport, the minister of transport of that day, now the hon. member for Northumberland, said, as found on page 1507 of *Hansard* for 1958, volume II:

Section 15 of the St. Lawrence Seaway Authority Act provides, among other things, that the final tariff and any amendments shall be filed with the Board of Transport Commissioners and any person may, at any time, file a complaint alleging unjust discrimination in the tariff.

In other words, it was contemplated that appeals might be made to the Board of Transport Commissioners when this matter was under discussion in the house at a time when the right hon. gentleman was the head of the government.

This was not done. Instead, the treaty provided for a direct reference from the authority to the government rather than the filing of a tariff with the Board of Transport Commissioners and provision for public hearings protesting against any change in the rates at that stage. The position this party took at that time was that here should have been an avenue of appeal. But this view was rejected by the government of the day. I am reciting what the procedure has been ever since then.

The seaway authority in its best judgment, as I interpret it, on the basis of its duty under the statute, believes that rates should be raised an average of about 10 per cent. This is established in the document which announces the public hearings. The right hon. member has suggested, as have other hon.