

Transportation

who mentioned the possible conflict with combines investigations. I think it would be worth while to repeat some of the objections.

As admitted by the minister himself, the provision seemed to be directed to a certain extent against take-overs in the trucking field by the railways, and it was pointed out that it was a little late to move in this way. We do not have any data on the control which the railways have in the trucking industry, but I for one think it would be quite small in view of the general competition in that field. However this is what prompted the amendment. As the hon. member for Port Arthur said, it cannot be made retroactive, and so we are looking into the future.

This is the first place in the bill where we have given a specific direction to the new commission to start looking into things that are beyond its normal scope of activity. Second and this is a matter of principle, this is the only type of activity upon which we are attempting to restrict the diversification of railway operations. Under the provisions of the Combines Investigation Act all big companies are permitted to diversify their operations; as a matter of fact this is the trend nowadays. In some cases diversification strengthens the economy, but now we are saying that there should be a limit placed upon the ability of our two railway companies to diversify into some other type of activity. But even expressing those two reservations, I may say I am sure we in the opposition will support the amendment.

The Chairman: Mr. Andras moves:

That Bill C-231, an act to define and implement a national transportation policy for Canada, to amend the Railway Act and other acts in consequence thereof and to enact other consequential provisions, be amended

(a) by inserting immediately after clause 19 on page 12 of the bill, as reprinted, the following:
Notice of proposed acquisition.

"20. (1) A railway company, commodity pipe line company, company engaged in water transportation, or person operating a motor vehicle undertaking or an air carrier, to which the legislative jurisdiction of the parliament of Canada extends, that proposes to acquire, directly or indirectly, an interest, by purchase, lease, merger, consolidation or otherwise, in the business or undertaking of any person whose principal business is transportation, whether or not such business or undertaking is subject to the jurisdiction of parliament, shall give notice of the proposed acquisition to the commission.

Publication.

(2) The commission shall give or cause to be given such public or other notice of any proposed acquisition referred to in subsection (1) as to it appears to be reasonable in the circumstances,

including notice to the Director of Investigation and Research under the Combines Investigation Act.

Objection.

(3) Any person affected by a proposed acquisition referred to in subsection (1) or any association or other body representing carriers or transportation undertakings affected by such acquisition may, within such time as may be prescribed by the commission, object to the commission against such acquisition on the grounds that it will unduly restrict competition or otherwise be prejudicial to the public interest.

Investigation by commission.

(4) Where objection is made pursuant to subsection (3) the commission

(a) shall make such investigation, including the holding of public hearings, as in its opinion is necessary or desirable in the public interest; and

(b) may disallow any such acquisition if in the opinion of the commission such acquisition will unduly restrict competition or otherwise be prejudicial to the public interest;

and any such acquisition, to which objection is made within the time limited therefor by the commission that is disallowed by the commission, is void.

Construction.

(5) Nothing in this section shall be construed to authorize any acquisition of an interest in any other company that is prohibited by any act of the Parliament of Canada.

(b) by renumbering clause 20 on page 12 of the bill, as reprinted, as clause 21; and

(c) by striking out clause 21 and the heading thereto on page 13 of the bill, as reprinted.

Is it the pleasure of the committee to adopt the said amendment?

Some hon. Members: Agreed.

Amendment agreed to.

Mr. Baldwin: Obviously this brings us now to the amendment I moved to clause 20, and I would just like to reply for a few minutes to the objections raised by the minister and by hon. members to my left. The reasons which prompted me to present my amendment, with the support of my colleagues, have not been properly appreciated by the minister and by government supporters.

This is an attempt to place a limitation on the extent to which the government can procrastinate on the appointment of committees. There is no doubt that only through the medium of a statute is it possible to set such limitation on the government.

On today's order paper there appears a proposal to set up a committee to deal with the provisional rule changes which the house passed a year and a half or two years ago, and which will expire at the end of this session. Before that time we must decide whether some of those important rule changes will be