

National Energy Board Act

the minister would not indicate to the house at this stage whether he is in a position to consider it favourably.

Mr. Speaker: By leave of the house, may the minister answer without closing the debate?

Mr. Pickersgill: By leave.

Mr. Martin (Essex East): It is just a point of order.

Mr. Churchill: In answer to the hon. member's question may I say that this is an alternative that certainly did not escape my notice when I was considering the bill. I think what we should reasonably do is go into committee and decide the issue there. It is there that it will have to be decided. There are quite a number of things upon which I should like to comment before we reach that stage, but the situation in so far as this bill is concerned is, as the hon. member for Assiniboia has indicated, that the amendment requested in clause 61 could be brought forward on some subsequent occasion; that in fact at the next session of parliament there might be other amendments to this very important act if experience should indicate that clarification is required.

I am quite prepared to take into consideration the suggestion of the Leader of the Opposition. I am not too pleased with the way in which it was indicated, namely by a sort of threat that something would be done unless it was followed. This is a co-operative venture. Last year when we were considering this bill for nine days in this house a fine spirit of co-operation was shown. I accepted amendments put forward by hon. members opposite without much debate on some of the issues. We also put forward amendments which were acceptable to the house.

This is an act which is breaking new ground in Canada. This particular amendment comes before the house only because the chairman of the energy board suggests that for the proper application of section 61 it is required. In the other place this subject matter was considered. The law officers of the crown appeared, and members of the energy board, and satisfied hon. members of that house that this would be a satisfactory method of procedure.

However, on the other hand, I do not want to do anything that would appear to infringe upon the rights of the provinces. If someone considers that there is a constitutional issue here involved, that puts a different light on the matter. Why this issue was not raised a year ago when we discussed section 61, I do not know.

Mr. McIlraith: There was no amendment then.

[Mr. Chevrier.]

Mr. Pearson: We did not need this.

Mr. Churchill: It could have come up at that stage. However, although there is urgency with regard to the electricity matter; although this proposed amendment would assist the board in the performance of its duties, and although it may be interpreted from rejection of this amendment by hon. members opposite that they are not in favour of having tolls determined by the board, which was the clear intent and purpose of parliament last year, nevertheless, because of the delay which occurred in bringing this bill forward, and because of the quite proper consideration of giving every province its opportunity to be heard if there is any suggestion that constitutional issues are involved, I am not averse in the committee stage to withdrawing this particular amendment.

Mr. Aiken: On the question of order raised by the hon. member for Laurier, may I point out that this is a Senate bill. I wonder whether we would be any further ahead. It would be necessary for it to go back there.

Mr. Speaker: I do not recognize any point of order. A question has been raised with the minister as to whether the government would accept the suggestion of the opposition, and it has been answered. Now we proceed with the debate. I recognize the hon. member for Laurier.

Hon. Lionel Chevrier (Laurier): Mr. Speaker, I should now like to deal with the bill which is before us and to address myself to three points before coming to the answer given by the minister to the question I raised either directly or by way of a point of order.

The first one, of course, is that of the delay which for some reason or other has been responsible for the government bringing the bill before the house at this late date. In conformity with what has been said by the Leader of the Opposition I think I should state that the minister, although accepting responsibility for it, I am afraid has not given a sufficient reason or a good reason for the delay in bringing this bill forward. It is one thing to say in the speech from the throne that legislation of this nature is going to be brought forward, and it is another thing to bring it forward on the very day or the day before the licences for the export of fluid and electricity expire.

That is why, without pressing the point unduly, I think the minister must give careful and serious consideration to the other point, namely the one I raised in posing the question to him and also the one which the Leader of the Opposition raised. The minister himself has stated that this is an act which