

Transport Accidents

mous consent of the House to withdraw both the bill and the motion. I am prepared to do that now, or I am prepared to address myself to it to accommodate the hon. member for Winnipeg North Centre (Mr. Knowles) and others in the House. If that is acceptable, I will take a minute to review the position on this matter.

The subject matter of the bill which I hope the government will agree to refer to the Standing Committee on Transport and Communications has to do with the separation from the regulatory body of the responsibility for investigative procedures within the whole ambit of transportation in Canada. As I have indicated, the bill has been on the order paper a number of times. I think this is the fourth or fifth time that I have put this matter before the House.

The bill has the support, in principle, of the Canadian Airline Pilots Association, the Canadian Owners' and Pilots Association, and indeed the support of virtually everyone who has been involved in the process by which accidents are investigated by the federal authorities. It was indeed out of the legitimate concern and indeed the fears of these people that the bill has flowed, and it has been through the input and continued high level of unease within the industry and within the travelling community that I have gained the support needed to continue to place on the order paper this private member's bill.

Admittedly, the bill in front of us—I will try to deal, if I can, with some of the reservations of the government with respect to it—has one or two glaring technical deficiencies; that is, in the manner in which the board is to be funded. Here I would direct myself to you, Mr. Speaker, specifically so that you will know that the bill is in order, and so that when hon. members look at the bill they will not immediately jump to the conclusion that it is out of order because of the peculiar way in which the board is to be funded. With the assistance of the legal advisers of the House and others in the community, a device was found by which this bill could remain on the order paper without attracting the legitimate doubts of the Chair.

This bill advocates a principle, that of the separation from the administrative body of the duties of investigation and indirect identification of cause and blame. The bill proposes that the board be funded through donations and contributions. I do this to get around, Mr. Speaker, your very legitimate and quite proper concern about its remaining on the order paper. This is necessary, because to have the board funded through parliamentary appropriations would render it outside the scope of admissibility under the rules of the House.

We cannot, however, Mr. Speaker, lose sight of the very real principle involved. We have in Canada today a situation that is not repeated to the degree or in principle in any other major western nation. The most troubling example of this potential conflict of interest exists within the air administration of the Ministry of Transport. Although the same could be said for virtually every other mode of transport, we have professional, highly skilled civil servants charged with the drafting and promulgation of regulations governing virtually every aspect of domestic aviation in Canada, and we have within the same ministry, within the same administration, and indeed in some cases within the same building, another group of

professional, highly skilled and highly trained people whose task it is to determine cause. What do they do when the cause is or could be related to acts or omissions or deficiencies in the regulatory branch? The temptation there is to look elsewhere for a scapegoat and in so doing to avoid the truth, which is what we seek in determining the causes of accidents. There is sufficient doubt within the community to warrant the changes required in this bill.

In addition, Mr. Speaker, this bill has the support of the Minister of Transport (Mr. Marchand) who on April 8, 1974, in answer to a question of mine in the House, as recorded at page 1227 of *Hansard*, said:

Mr. Speaker, when I spoke in the House a few weeks ago I think I mentioned that I would favour an independent board in such cases, and that whenever a new policy was introduced this would be a part of it.

I would cite the Speech from the Throne, which commenced the present session of the thirtieth parliament, as recorded in *Hansard* of September 30, 1974, at page 7. It states:

There are a number of new initiatives that the government is prepared to undertake immediately designed to improve transportation services in Canada which will not in any way prejudice the review of basic policy to come . . . establishment of an independent accident investigation board.

I would suggest to this House that this statement indicates that the legislation is not required to be delayed until such time as we are presented with a new national transportation policy. Indeed, while the implementation of the fundamentals of this proposal are vital to Canadian transportation, they are clearly so vital that any further delay would not be in the broad national interest. I am not a partisan member of this House. This proposal may, as it is presently embodied, be deficient in many respects, technical or otherwise. I am not prepared to live or die by the details of my proposal. However, Mr. Speaker, I sense that now the pressures from the industry and from within the ministry are such that we can proceed to have the subject matter of this proposal legislation referred to the Standing Committee on Transportation and Communication.

It has been five years since Bill C-66 was first presented to the House. It was then a skeleton bill, without the detail and expansion contained in this bill. Bill C-66 has had the benefit of input from the industry and from the comments made upon it by several of Canada's leading jurists in the field. It has benefited since its inception from expansion under the guidance of legal advisers retained by this House. It has provoked widespread industry debate. It is fortunate enough to have been fully debated in the House on at least two previous occasions.

• (1710)

Mr. Speaker, we have come a long way since the former minister of transport, now the Minister of Regional Economic Expansion (Mr. Jamieson), said to the House of Commons on January 22, 1971, as recorded at page 2662 of *Hansard*:

However, with respect to the broader question raised, as I have previously stated I have no objection in principle to some other arrangement being made with regard to the investigation of accidents. The difficulty is that there is virtually no unanimity among