

*Air Canada***GOVERNMENT ORDERS**

[English]

**AIR CANADA PUBLIC PARTICIPATION ACT**

## MEASURE TO ENACT

The Hon. Member for Kamloops—Shuswap (Mr. Riis) made several observations in the course, as I said, of his excellent argument in which he said that just because this practice as enunciated by Bourinot has not been followed for many decades is no particular reason that it ought not to be followed today.

I am reminded of Dean Swift when he said that lawyers are a race of men among us who believe that anything that has been done before may legally be done again. I think it is always important not to get caught up in that adage too closely.

However, certainly the Hon. Member for Kamloops—Shuswap starts off on sound ground because he cites precedents. I have not been able to go back to look at those precedents in the context. What I think is common ground here is that whatever the practice may have been then, and I think that the Hon. Member for Kamloops—Shuswap acknowledged this, as he said, it has fallen into disuse. He also said that there is no precedent that extinguishes the right of a Member to force a division or, indeed, to go on to proceed during a debate and then to amendment.

It would seem, at least at the moment, that what the Hon. Member says is so. However, the difficulty of the Chair in a case such as this is that if a practice has so fallen into disuse that it is not in the minds and in the contemplation of Members on either side of the House when the particular form—and that is of course what Beauchesne says it is—is followed, then the question is whether it is a better course of wisdom for the Speaker to reach back too far to pick something out of the mists of time to say that suddenly, without any particular expectation, it applies. I must say that that is a practice that I would not want to take part in unless I had some very clear direction from all sides of the House that, indeed, some ancient practice ought to be reinstated and ought to be part of the consideration of the House at all times.

I have to say to the Hon. Member for Kamloops—Shuswap that to proceed to take the Bourinot quote and apply it, to leap-frog it, if I can put it that way, chronologically, ahead of and in a position of greater importance than the Beauchesne quote, especially when we have at least a nod toward Beauchesne on the part of a recent Speaker of this House, would not be in the interests of procedural wisdom in this place.

However, it is one of those arguments which is of great interest. It may well be that Hon. Members may wish to discuss it further. It may well be that Hon. Members might want to agree together that some change may be made. In the absence of a very clear direction from this House I do not think it would be appropriate today under these circumstances to apply what may well be a ruling that was appropriate over 100 years ago to the matter that is in front of us today.

I thank very much the Hon. Member for Kamloops—Shuswap and those who may have assisted him in his argument. I thank the Hon. Member for Windsor West (Mr. Gray), and I thank the Hon. Minister of State (Mr. Lewis).

**Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council)** moved that Bill C-129, an Act to provide for the continuance of Air Canada under the Canada Business Corporations Act and for the issuance and sale of shares thereof to the public, be read the second time and referred to a legislative committee.

He said: Madam Speaker, it is with a great deal of pleasure that I enter this debate, and I remind Hon. Members that on April 12, I advised the House of the Government's intention to introduce legislation to permit all Canadians, and particularly Air Canada employees, to participate directly in the ownership of Air Canada.

Bill C-129 was introduced last Thursday. I am pleased that we have the opportunity to commence second reading debate here this afternoon.

The overwhelming support and reaction to this April 12 announcement by Canadians in general and by Air Canada employees in particular was not unexpected. Air Canada wants and has earned the chance to fly independently after 51 years in the public sector. The 22,000 people on the Air Canada team and the millions of Canadians who were served by the airline are all well aware of the benefits which public participation will bring, and all want to participate in that broad-based ownership.

Without being repetitive, let me briefly review the rationale behind the Government's initiative. I referred to this briefly in the House when I made my April 12 statement. The Canadian airline industry has come a long way since Trans-Canada Air Lines started operations in 1937. The industry has matured. It has come of age. What we are doing here today is a natural evolution of that process.

In 1984 Hon. Members will recall the Government began a process of economic regulatory reform, *Freedom to Move*, which culminated in a new National Transportation Act which was proclaimed on January 1, 1988. I am pleased to say and to acknowledge that this was a lengthy process, a consultative process, wherein the industry, the users of the transportation system but, more particularly, all Members of Parliament had an opportunity to participate, both in the hearing process before the legislation was brought in and during the legislative process itself. I think it was an excellent example of the consultative process working, of democracy in action. It clearly reflects parliamentary reform which has been the hallmark of this Parliament.

The airline industry responded to this new open environment. In so doing it shifted its focus from that of satisfying a regulatory agency to responding to the needs of the public, in this case the travelling public.