

*Western Grain Transportation Act*

agreeing with him about court costs. I would like an opportunity to indicate how we managed to collect some. I was supporting what he was saying. I do not know what he is complaining about.

**Mr. Mazankowski:** In any event, subclause 10(a) would provide a very major benefit to shippers and, indeed, to farmers. I will read it into the record:

For the purposes of this section, the Administrator may, on behalf of any grain shipper or group of grain shippers, commence any proceedings before the Commission or the Courts to secure any of the remedies herein provided.

(b) Where any remedy, against a railway company, other than the remedies provided herein, is available to shippers pursuant to this Act, the Railway Act, or the National Transportation Act, the Administrator is deemed to be a shipper and he may pursue such a remedy or remedies and any remedy or remedies he obtains, shall to the fullest possible degree, apply to all grain shippers.

Our friends in the New Democratic Party have criticized and ridiculed the role of the Administrator. I would suspect, in the course of addressing this particular motion, they would saddle up very closely to the Administrator because here again the Administrator can act on behalf of grain shippers and provide a valuable service.

● (0330)

I would hope that in the course of this debate we might hear from the Minister of Transport (Mr. Axworthy). He is a fair person. He recognizes that there is a very heavy obligation imposed upon the taxpayers of Canada, indeed upon the farmers, to pay for the service that we hope will be discharged by the railways.

He will recognize, as we have recognized throughout the course of our hearings and the course of this debate, that the producers want the assurance that they will have service and performance delivery. They want assurance that their grain will move on time, that there will be the right grain at the right time, at the right place at the right time, that they will be freed from heavy demurrage charges and losses of grain sales. If in the event that this does not occur, there should be some recourse by the producer. In this case the Administrator can act on behalf of the producer.

The Government will probably say that it covered this particular provision by including the provisions of Section 262. As has been pointed out previously, certainly by the legal counsel to the committee, in terms of the movement of grain Section 262 is not very effective. We have heard from the Member for Regina West and other Members who have sought recourse against the railways under the provisions of Section 262. It simply has not been an effective vehicle.

As we enter the final stages of this debate I hope that the Minister of Transport will have a serious look at this particular provision. If there is some wording that might be changed, I am sure that could be accommodated with unanimous consent. I genuinely commend Motion No. 58 to the Minister for consideration. I ask him to consider it seriously. I believe it would alleviate a lot of fears and suspicions that may very well rise in the minds of the producers. I am sure it is paramount in the minds of the producers because of the bad

experiences they have had. Hopefully the Minister, or his Parliamentary Secretary, will enter into this debate. They have had some opportunity to consider this particular provision. I hope they will reconsider it and look at it in a positive light. It will certainly go a long way toward improving this Bill, incorporating a provision that would apply specifically to grain, grain shippers, and producers. It could be a major benefit to them in future years.

**Mr. Les Benjamin (Regina West):** Mr. Speaker, I am delighted that we have reached this major motion of the Conservative Party. I say to my hon. friend and colleague from Vegreville that he transposes in Motion No. 58 what is already in the National Transportation Act and the Railway Act. I am sure my hon. friend will agree, from bitter opposition as a Member of the Opposition, and as the Minister of Transport trying to straighten out all that had been going on in past years, that whether through the Canadian Transport Commission or the Courts, we have never succeeded in getting the provisions of those Acts enforced.

I have carefully read through Motion No. 58 moved by the Hon. Member for Kindersley-Lloydminster (Mr. McKnight) who, I hope, will speak more on this. What is incorporated in this amendment is the same motherhood stuff we have had since the MacPherson Commission of 1965-66. Members of Parliament of that day, and maybe my friend from Dartmouth-Halifax East will remember because he was here before I was—

**Mr. Forrestall:** And don't you forget it.

**Mr. Benjamin:** Members of Parliament of that day thought that the new National Transportation Act, which came about as a result of the MacPherson Royal Commission, would solve the problems which the Hon. Member for Vegreville has mentioned. We have been trying to do this for 25 or 26 years. I made two or three submissions to the Canadian Transport Commission under the Railway Act and the National Transportation Act to try to get enforced some of the very things that are in this amendment.

What did the CTC tell us? They thought the railroads were living up to a reasonable expectation. It did not matter that the Hon. Member for Medicine Hat (Mr. Hargrave) could not get enough stock cars. That did not matter. It did not matter that potato growers in New Brunswick and Prince Edward Island could not get enough railway cars to ship their products. What do we get here? We get an amendment supported by the Hon. Member for Vegreville (Mr. Mazankowski). We can vote for it. It is motherhood. There are no teeth in it. This is the kind of legislation that Liberal Governments have introduced.

If the Hon. Member for Vegreville, who in his visions of grandeur is going to be Minister of Transport, is going to put the same damn thing in the legislation concerning the Crownsnest Pass rate that is already in the National Transportation Act and the Railway Act, that is why my colleague from Vancouver-Kingsway said that it is fluff. I say it is window dressing.