

Canada Shipping Act

and preclude or prejudge the work of the consultative process, that is up to the Opposition, but we are not going to do that.

The Hon. Member for Papineau has said his piece and long since left the Chamber. He hits and misses on questions of transport, and although he is the Official Opposition's critic he rarely stays around to enter into debate or to respond to legitimate concerns and questions. Let me tell him that the Bill should stand. The proposed amendments have the effect of changing substantively the intention of the Bill. They will not serve the best interests of the Maritime community and I would urge Members to get on with the next grouping of amendments. I urge them to be careful and concerned. Every day of delay delays the imposition of international standards for the safety of the life of seamen. Any delay in that area is somewhat intolerable.

● (1550)

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I rise this afternoon to speak to amendments to Bill C-75 to amend the Canada Shipping Act. We have no objection to most of the contents of this Bill. Most of the contents concern modernization and other essential changes which are not subject to partisan debate. However, Clause 4 is an area of very grave concern and we have moved amendments to it which we to have supported.

Through Clause 4 the Minister is given inordinate powers to raise charges for the use of The Seaway. Clause 4.3.1 (1) presently reads:

For the purpose of defraying the cost of services provided by the Canadian Coast Guard, the Governor in Council may make regulations respecting charges relating to those services, including, without limiting the generality of the foregoing, aids to navigation, sounding and dredging, vessel traffic services, icebreaking services and marine aid.

(2) Charges may be imposed pursuant to subsection (1) in relation to any ship, regardless of whether the Canadian Coast Guard actually provides a service to that particular ship, but—

There are then some qualifications.

The principle of user-pay is a very reasonable one. No one is objecting to the principle and that is not the issue. It is, rather, how the charges are set, what kind of appeal procedure there is, and what the effect of the charges will be. We certainly want to have reasonable payment for services which are provided, but it must be fair payment which is genuinely "user-pay". There are certainly arguments that people may be charged for services which they themselves do not use. As well, we must look at the general impact on the economy.

Shipping ultimately affects the producers of the products which are being shipped. Charges imposed on transportation are ultimately charges on the consumer or the producer. Someone must pay them. The notion that we can simply impose new charges without thinking about the impact on producers and consumers is very short-sighted. As the provision exists, it would give dictatorial powers to the Minister to decide what these charges are to be. That is objectionable. The Government has agreed to an amendment

to permit publication of proposed charges and to allow for a 90-day period during which representations can be made to the Minister. The same Minister who decided the charges in the first place would decide whether to proceed with them or change them. That is the old situation of the same person acting as prosecutor, judge, and jury in his own case. That is objectionable.

In committee we recommended a regulatory process which would provide for input in the determination of the charges by the public and the industries concerned. That was not accepted. Since that procedure was not accepted my colleague, the Hon. Member for Thunder Bay—Atikokan (Mr. Angus) has proposed three other amendments. The first motion, Motion No. 5, provides that there be an amendment to Clause 4 substituting the following:

(3) A copy of each regulation that the Governor in Council proposes to make under subsection (1) shall be laid before either House of Parliament.

(4) Where, within twenty sitting days after a proposed regulation is laid before either House of Parliament under subsection (3), fifteen Senators or twenty Members of the House of Commons, as the case may be, by notice in writing addressed to the Speaker, request that the proposed regulation be referred to a committee, the proposed regulation shall stand referred to the standing committee of the Senate or House of Commons, as the case may be, that deals with transportation matters, or to such other committee as the Senate or House of Commons may order.

(5) A committee to which a proposed regulation is referred under subsection (4) shall forthwith consider the proposed regulation and report thereon to the Senate or House of Commons, as the case may be, within thirty sitting days after the referral is made.

One could go into other details of the amendment, but its purpose is clearly to provide for a parliamentary review and, through the committee system, for users and the industries concerned to make representations. There will have to be some public accountability, not just a letter to the Minister—

Mr. Forrestall: Do you not understand the role of the Standing Committee on Transport? It can call such questions at any time it wants.

Mr. Angus: Hold it, Mike. You'll get another shot.

Mr. Forrestall: I'll give her a shot. Obviously she doesn't understand the process.

Ms. McDonald: The provision would make it possible for Members of Parliament to have this referral made. That is not possible under the existing Clause 4. It is important that this provision be in place. The committee is dominated by Government Members who may, by majority, decide not to hear it. They could hear it if they wished to, but if a majority of the Government Members decided they did not want to hear the matter, there would be no hearing. This would give Parliamentarians who do not belong to the Party in power, and who may have concerns about this, an opportunity which they do not have under the existing clause to ensure that there is public accountability on this matter. Motion No. 6 reads as follows:

(10) Two years after the coming into force of section 3.1 and every two years thereafter, the Minister shall refer section 3.1 to the Standing Committee on Transport for the purpose of reviewing its economic impact on