

Hon. Mr. Horner: Yes, which?

Hon. Mr. Robertson: I am bound to be guided by this phraseology. It states:

—the arbitrator shall decide the matter within the limits of the proposals that he determines were made by the railway companies and the unions in respect of that matter at the time negotiations were terminated between them on the twenty-sixth day of August, 1950—

Hon. Mr. Baird: That was the old rate?

Some Hon. Senators: Oh, no.

Hon. Mr. David: All that was accepted at that time would remain, and the amount of 4 cents an hour would not be reduced. That is the point.

Hon. Mr. Robertson: It continues:

—or were made by either of them after the commencement of this Act at any time before the matter came before him and which narrow these limits, but the arbitrator by his decision shall not provide for a reduction in a rate of wages established pursuant to section 3.

Hon. Mr. Quinn: Would that not set the arbitrator in right where the negotiations broke off? Would that not make it clearer?

Hon. Mr. Moraud: Not necessarily, because it says "or were made by either of them after the commencement of this Act".

Hon. Mr. Robertson: As I understand it, the parties are required to negotiate, and the arbitrator will arbitrate between the narrowest limits, whatever they may be, but he will not be able to reduce the increase of four cents provided for by section 3 of this bill. He may, of course, make that increase larger.

Hon. Mr. Haig: May I ask the leader another question? Last night I listened to the final report made by the Minister of Labour, which set out the final offer by labour and the final offer by the companies. Is this arbitration to be as between those two offers? Like the honourable gentleman from Waterloo (Hon. Mr. Euler), I think the unions said they withdrew all their offers and would stand on their original demands.

Hon. Mr. Euler: That is right. Which is going to be considered?

Hon. Mr. Haig: That is what I should like to know.

Hon. Mr. Moraud: They could make a new offer.

Hon. Mr. Robertson: I will read the amendment again, very carefully, and ask honourable members of the legal fraternity to interpret it. They are much more familiar with the meaning of legal phrases than I am.

Hon. Mr. Roebuck: Before the leader proceeds, may I ask if we cannot at least have typewritten copies of the text of the amendment?

Hon. Mr. Haig: I have another suggestion to make. Although I objected strenuously when the rules of this house were amended to permit a minister, holding a seat in the other house, to come here and explain his legislation, I think that in this instance we should ask the Minister of Labour or the Minister of Transport to come over and tell us what their departments understand this to mean. It is those departments who will have to see that the law is carried out.

Hon. Mr. Farris: Surely we are more intelligent than they are!

Hon. Mr. Haig: I read the wording two or three times and I could not see through it.

Hon. Mr. Robertson: I will read it again, as clearly as I can, and then invoke the good services of legal members of the house to interpret it. We have a number of distinguished members of the legal profession here this evening, the honourable leader of the opposition being one of them. The amendment reads:

In deciding any matter under this section, the arbitrator shall decide the matter within the limits of the proposals that he determines were made by the railway companies and the unions in respect of that matter at the time negotiations were terminated between them on the 26th day of August, 1950, or were made by either of them after the commencement of this Act . . .

Hon. Mr. Davies: That is, after the Act is passed?

Hon. Mr. Robertson: Yes, after this Act is passed they will negotiate, and I take it that if the limits are narrowed by negotiation it will then be for the arbitrator to arbitrate within them.

Hon. Mr. Hayden: The limits cannot be enlarged, but they may be narrowed.

Hon. Mr. Robertson: I will start again to read the amendment:

In deciding any matter under this section, the arbitrator shall decide the matter within the limits of the proposals that he determines were made by the railway companies and the unions in respect of that matter at the time negotiations were terminated between them on the 26th day of August, 1950, or were made by either of them after the commencement of this Act at any time before the matter came before him and which narrow these limits, but the arbitrator by his decision shall not provide for a reduction in a rate of wages established pursuant to section 3.

Hon. Mr. Euler: That is four cents?

Hon. Mr. Robertson: That is four cents, as provided in section 3.

Hon. Mr. Davies: I understand that the period for the reaching of an agreement, under section 5, has been extended from fifteen to thirty days.

Hon. Mr. Robertson: Yes. That amendment and the one I have just read are the only two changes from the original bill.