

vehicle for such a review. This body will hear and determine appeals from administrative penalties in an expeditious and fairly informal fashion. It will provide two opportunities for challenging the department's decision, first, by an application to a single member of the tribunal and then to a panel of three members.

The aim of the tribunal is to provide a system whereby these matters can be decided in an expeditious and informal manner by persons who have technical knowledge of the factors involved.

The amendments permit the consolidation of the aeronautics regulatory system by expanding existing regulatory powers and introducing new ones so that all requirements necessary for aviation safety can be made mandatory, because heretofore some of these matters could only be dealt with by administrative recommendations.

For instance, new areas of regulatory activity will include among others, location of aerodromes so that they will be sited in a manner that will lessen the risk of mid-air collision, and air navigation facilities so that the increasing number of private aids will operate to the same standards as those provided by the Department of Transport.

Provisions in the bill on zoning are aimed at clarifying the purposes of, and procedures used in, zoning and will also extend zoning powers to areas around air navigation facilities. Where zoning is aimed at incompatible land uses, the interest of the province concerned in planning development of areas around airports is recognized by a requirement for provincial participation in the zoning process.

● (1600)

The bill also addresses the issue of civil aviation security. In light of the recent tragic events surrounding Air-India and CP Air, this matter, as I have said earlier, has a particular interest today. The bill provides new regulatory authorities for air carrier security, specifically with respect to the security of aircraft and aviation facilities and the steps to be taken in response to security threats.

The bill adds new regulatory powers respecting security measures to be instituted and maintained by airport operators. These security measures will supplement and complement those measures carried out by the air carriers.

Extensive consultations within the aviation community were conducted on these amendments. I was particularly impressed while attending the sitting of the committee in the other place and hearing witnesses. I realized how much work had gone into this by the department. There have been consultations with the Canadian Owners and Pilots Association; the Canadian Medical Association; the Air Transport Association of Canada; the Canadian Air Line Pilots Association; the Association of Optometrists; and the Canadian Business Aircraft Association. The committee cast a wide net, and I believe they have eliminated most of the bugs in those matters which concern the bodies involved.

As a result of the comprehensive briefing books the department had provided explaining the technical justification for

[Senator MacDonald]

various clauses, the consideration and approval of the bill in the other place was accomplished with a minimum of delay. Only 11 amendments, essentially of a housekeeping nature, except for one, were made.

The non-housekeeping amendment, which I would draw to the attention of honourable senators, relates to clause 5.5 which deals with the medical reporting provision which was the subject of a great deal of discussion. This amendment puts the onus on a pilot or on an air traffic controller—to use the two clear examples—or anyone who holds a Canadian aviation document that imposes standards of medical fitness, to disclose to a physician that he or she holds such a document. If the physician or optometrist believes that such a person has a medical problem likely to constitute a hazard to air safety, the physician must so advise a designated official, a medical adviser, in the Department of Transport forthwith; and, for the purposes of the act, the pilot or the air traffic controller shall be deemed to have consented to the giving of such information. Therefore, no legal or other proceedings shall lie against the physician for anything done by him or by her in good faith in compliance with this provision.

Honourable senators, Bill C-36 was referred to the Standing Senate Committee on Transport and Communications for pre-study, and the committee has recommended that it receive your favourable consideration.

Hon. Senators: Hear, hear.

Hon. Peter A. Stollery: Honourable senators, I have read most of the material concerning Bill C-36 and I certainly concur with my honourable friend that it is approved by most of the people concerned in the area of aviation.

Until Senator MacDonald mentioned it, I had not realized that the Aeronautics Act had not been amended since 1919. This would account for the fact that Bill C-36 is quite a lengthy, complex document which covers a variety of subjects. Since this bill has been discussed at length both in the other place and here in the Senate I do not propose to make these proceedings any longer than necessary.

However, I would like to raise the question of how far one should go with regulatory powers. I understand that in the area of aviation, because of the nature of that activity, regulatory powers can be changed quickly and without reference to Parliament and that that is an important element.

My honourable friend mentioned the Air-India plane tragedy, and I would like to add my own brief comment on that tragic affair insofar as the question of Canadian airport security is concerned only because I have seen, as I am sure my honourable friend has, comments that would imply that Canadian airport security is possibly more lax than that in other countries. My own observations and impressions have indicated that, compared to somewhere like La Guardia Airport in New York City, the security at Toronto International is much stricter. I specifically mention La Guardia Airport, but I am sure that without much difficulty I could mention other airports in the United States and in other countries.