

*Railways*

**Mr. Speaker:** The hon. member gave the Chair notice of his intention to make this application pursuant to Standing Order 26 for permission, in accordance with that Standing Order, to move the adjournment of the House for consideration of a matter of great urgency as defined in the language of that Standing Order.

It was evident from the tenor of the question period today and the motions put forward pursuant to Standing Order 43 that the hon. member's position enjoys rather widespread interest in the House. It is clear from the supporting documentation which the hon. member put forward that the matter has been of concern to several members of the House for quite some time.

● (1510)

That may come to his assistance and provide moral support for his cause in this particular instance but, unfortunately, it does not help him much in attempting to proceed pursuant to Standing Order 26 because the language of the Standing Order indicates that the Chair must take into account other opportunities to discuss the matter. The hon. member will recognize that that may mean future opportunities. I think it also means past opportunities. The House has not debated the matter extensively, but there certainly have been a number of opportunities in the past to disagree with the deliberations or the findings of the Prairie Rail Action Committee. Whether those have been adequate enough is something for the hon. member to discuss.

Whether the hon. member, or other hon. members, agrees or disagrees with the terms of reference of the committee, its deliberations or its findings remains essentially a matter of disagreement and not, in my opinion, an ideal subject for an application pursuant to Standing Order 26. I should turn to the language of Standing Order 26 (16) which is at page 22 of the Standing Orders:

The right to move the adjournment of the House for the above purposes is subject to the following conditions:

(a) The matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;

I do not want to be too precise in the application of the term "genuine emergency", but it does seem to me that a genuine emergency ought not to be the subject of a difference of opinion. It seems to me that in using Standing Order 26 we ought pretty well—I do not want to limit this entirely for the future—to be dealing with situations the emergent nature of which is not a matter of opinion or disagreement.

The hon. member takes issue, as do other hon. members, with the conclusions of the Prairie Rail Action Committee. However, whether the deliberations and conclusions of that committee, as an open body performing in public, could ever be constituted as an emergency within the terms of the Standing Order leaves me greatly in doubt.

Finally, it was indicated today in answers to questions put on this subject that the Prairie Rail Action Committee does not in itself have authority to implement its decisions but, rather, is an advisory board of some sort. All of its recommen-

[Mr. Benjamin.]

dations will have to go to another body, the Canadian Transport Commission, before any final decisions can be taken because that is the body which has the authority. Whether parliament will have to support that with other measures in the House I do not know at this time. If so, that would certainly give the hon. member and other hon. members an opportunity, in the first place, to appear before the commission and, in the second place, to debate the measures which would have to be taken if the commission does in fact go on to decide that these lines should be closed. In any case, it seems to me that the hon. member will have ample opportunity to make the representations which he makes known now before that commission and, in turn, before parliament if parliament does have to take action.

I simply say, therefore, that as long as the matter remains one of ongoing public activities, while the hon. member may disagree violently with the deliberations and the conclusions of the committee, it seems to me that disagreements of that sort ought not to be the subjects of Standing Order 26 applications. Such applications should be reserved for factual emergencies. The question of whether there is a difference of opinion about what ought to be done in an emergency might remain, but at least the emergency should not be something which is subject to judgment or difference of opinion.

Therefore, on the face of it I would indicate that in my opinion Standing Order 26 does not apply to this situation.

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## GOVERNMENT ORDERS

[English]

### GOVERNMENT ORGANIZATION ACT, 1978

#### DEPARTMENTS AND AGENCIES

**Hon. Allan J. MacEachen (for the Prime Minister)** moved that Bill C-35, respecting the organization of the Government of Canada and matters related or incidental thereto, be read the second time and referred to the Standing Committee on Miscellaneous Estimates.

He said: Mr. Speaker, the bill before us today provides for a number of improvements in the organization of the Government of Canada which have been recommended and supported by those in the sectors concerned.

Part I provides for the establishment of a separate department of fisheries and oceans, fulfilling a commitment made by this government and underlining the priority we attach to enhancing the Canadian fishery. The priority has been demonstrated in decisive government action to extend fishery jurisdiction to 200 miles, coupled with carefully planned management and conservation measures which have opened up a new era of fishery stability and prosperity.

By way of example, the over-all sea fish catch in 1978 of approximately 1.3 million metric tons is worth an estimated