

*Transportation*

enacted before the railways became involved in the trucking business to the extent which has now become evident. I am not sure whether it is harmful to the public interest for railway companies to become involved in the pipe line industry. But they are becoming interested in it, and perhaps it is right that they should do so.

In any case, this amendment does represent a departure from the normal and I suggest we should stand it for the time being. We shall be discussing this bill for another day, I would expect, and perhaps we can deal with the matter tomorrow or on Monday. In the interval we could consider whether this proposal conflicts with any provision of the Combines Investigation Act and whether it is likely to give rise to other complications.

**Mr. Baldwin:** If this is going to be done the minister might give some reflection to another aspect. Subclause (3) of the new proposed clause 20 provides that any person affected by a proposed acquisition referred to in subclause (1) may object. This would appear to restrict the people who can participate in proceedings before the commission to those who are within the wording "any person affected", and I think this is probably right. One would not wish to have a multiplicity of interests before the commission at this stage. The point I should like to make is: Does the decision of the commission in this respect then become, as I suspect it will, subject to the provisions of clause 16(2)(a), which refers to a review of any act of a carrier and entitles any person to appear where that person has reason to believe there is a prejudicial effect?

The minister may see what I am trying to say in my awkward way. Let us assume this amendment is adopted and let us assume that there have been proceedings under the new clause 20 where the commission has acted and which involve a carrier enlarging his activities by absorbing another business. Does that then become an act of the carrier which is subject to review under clause 16? Does it mean that a person, meaning a much wider group of people, may challenge that this particular act is not in the public interest and thereby necessitate a further review? The minister probably sees what I am getting at. He might give some thought to it and consider it.

**Mr. Pickersgill:** My thought would be that it would not be necessary to go to clause 16 because any person affected would not necessarily be the other carrier. It could be a provincial government in the province in which

[Mr. Horner (Acadia).]

any such amalgamation was taking place. If a truck line in the Okanagan were being taken over by the C.P.R., I do not think the government of Nova Scotia would be a person affected. But the government of British Columbia or the municipalities in the area might be. I do not think it is necessary to rely on the public interest in clause 16 at all. They would have the right to intervene in the first instance.

**Mr. Baldwin:** The minister has not grasped what I have in mind. If I am correct and if this may happen, there would then be two reviews, first, the hearing by the board under clause 20 and, second, the right of review under clause 16. "Person" under 16 comprises in my view a far wider multitude of people than the persons covered in clause 20. This is the point I am making and which I am asking the minister to consider. Would he give some thought to it?

**Mr. Pickersgill:** I am sure my legal advisers have been listening to the hon. gentleman, perhaps with more comprehension than I have. The suggestion that we should stand the proposed amendment is agreeable to me. Perhaps in doing so we should deal with the proposed clause 20 and pass it subject to its being amended in an automatic way if we accept this other amendment later.

**Mr. Bell (Saint John-Albert):** That is agreeable, but would the minister clarify the matter of the new numbers? We have an amendment here and are finding it difficult to fit it in. We shall have to bring it in before clause 94.

**Mr. Pickersgill:** If it is a new amendment which would involve another clause I suggest tentatively, at any rate, because I can always introduce yet another amendment to do something about the numbering, that the hon. member might move any such amendment as clause 20A. This would avoid complications for the time being. If it were accepted and if it were felt that the numbering was becoming untidy, I am sure it would not be beyond the wit of the lawyers when we get to the end of the bill to move an amendment which would renumber all the clauses and get over the difficulty.

[Translation]

**Mr. Leblanc (Laurier):** Mr. Chairman, on behalf of Quebec truckers, I am pleased to speak on the amendment to clause 20. Hon. members will not be surprised, of course, by my intervention on behalf of the trucking