

*National Transportation Act, 1986*

**The Acting Speaker (Mrs. Champagne):** Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

For the same reasons the Chair explained earlier, we will now proceed to the consideration of Motion No. 4.

**Mr. Les Benjamin (Regina West)** moved:

Motion No. 4

That Bill C-18, be amended in Clause 3 by striking out lines 15 to 18 at page 2 and substituting the following therefor:

"(b) competition and market forces are, whenever feasible, prime agents in providing viable and effective transportation services, provided that each carrier or mode of transportation establishes and maintains fares, rates and conditions that do not constitute unfair or destructive competitive practices."

He said: Madam Speaker, you will notice that this motion is another proposition we are putting to the Government which deals with subparagraph (b) of Clause 3.

We are hoping that the Government will accept Motion No. 3. However, if it decides that it cannot do so, then we have Motion No. 4, which tries to make competition work in the best sense of the word, which tries to ensure that it is real competition and does not allow for discriminatory practices against people or the goods they produce just because of where they happen to be located.

In the maintaining of fares, rates, and conditions alone, discrimination is already in place in the airline industry and in some parts of the railway industry. In fact, under another Act, a discriminatory practice which had been approved by the CTC is now under appeal to Cabinet. I am referring to variable rates. I think of the Hon. Member for Swift Current—Maple Creek (Mr. Wilson) with farmers along the Alberta border who are 300 miles closer to Vancouver but will be paying higher freight rates than those paid by grain producers in the centre of Saskatchewan, some 300 miles to 400 miles farther away from Vancouver. If that is not discrimination of some kind or other, I do not know what is, Madam Speaker, when you get discriminatory practices in airfares where somebody gets a discount fare out of Calgary to go to Vancouver while a person out of Regina cannot. Conversely, a person can get a discount fare to go to Toronto from Calgary but the person coming out of Regina cannot. Yet the person in Regina is 600 miles closer to Toronto. You have a situation that the person flying out of Calgary gets a lower fare than the one flying out of Regina.

• (1740)

If you want to make competition work, surely to goodness the law must say that there will not be any discrimination, that that mode of transportation and those carriers have to maintain fares, rates and conditions that do not constitute unfair or destructive competitive practices. Surely that is the minimal requirement that should be placed on the transportation industry in Canada. You cannot leave it to the so-called competitive and market forces. It has never in transportation worked before. It ain't working now in the USA and it

certainly is not working in the airline industry in Canada. With this legislation, you will see the same effect in the trucking industry and, in many respects, in the railway industry.

As I said many times in the committee, and as I said to a number of witnesses some of whom were in favour of the legislation and some of whom were against, the efforts of my Party in the committee and here in this House are to try to make a bad Bill less bad. That is exercising our duty as members of the Opposition, not only to oppose but to propose and to try to persuade. That is why I was so interested in some of the speeches made by Hon. Members on the government side who have very short memories about all the complaining they did concerning rules when they were in the Opposition. Under the rules, it is a duty of Members on all sides of the House to exercise maximum effort, to oppose and to propose. That is what we are doing here.

I received assurances from the former Minister of Transport and from the present one that they would not be hidebound, that they would be flexible and open. What we got in the committee was not an open door. They were as open as a locked door. They did accept a couple or three minor things hoping that that would pacify, please and make them look like nice fellows. They are nice fellows, but they ain't very open, or they have not been yet. We were told by the previous Minister of Transport and by this one that this is not etched in stone, but it sure as hell is etched in black.

Without some significant and numerous changes to this legislation, we will have to go full circle, as we did from the turn of the century up to the end of the First World War when our transportation system and the railway industry was a complete disaster and competition was not working. We had to take over, nationalize five bankrupt railroads, bail out the bond holders, and bring in a regulated regime. During the 1930s and all during the war, right up until the last three or four years, we have had a regulated regime that put public interest and public service, necessity and convenience ahead of everything else. It was too slow and cumbersome in many respects, I admit. It was not responsive or quick enough to the needs of the consumer, the shippers or the receivers. That can be corrected. We will go along with streamlining a national transportation agency that is more responsive and responds much quicker, not just in the interests of transporters but in the interests of shippers, receivers and passengers.

Without provision in law at least to attempt to make competition work, the law of the jungle takes over. Shippers, receivers and consumers, particularly those who are small shippers and receivers and who are located in small communities—by that I mean even cities up to 150,000 population who are trying to reach markets in larger centres—are discriminated against. You have to enshrine in the legislation itself the principle of making competition work with these minimal safeguards.

This is why I am persuaded to run again so I can be sitting in this House, because I predict that three, four or five years