

*Transportation*

If that could be interpreted as meaning that the economic well-being and growth of Canada are based upon the economic well-being and growth of all regions of Canada, and that the commission is compelled to look at that aspect of it in its decision, I would be content. But I fear that, faced with the previous decisions of the Board of Transport Commissioners and based on a normal interpretation of this particular clause, the commission will not have this authority. Equally, the proposed new section 317, which is to replace the section dealing with the settling of rates and the right of any person to appeal, says, as will be found at page 33, clause 44 of the bill:

Any person, if he has reason to believe that any act or omission of one or more railway companies, or that the result of the making of rates pursuant to this act after the commencement thereof, may prejudicially affect the public interest in respect of tolls or conditions of carriage of traffic, may apply to the commission for leave to appeal the act, omission or result and the commission—

I do not think this very important section will cover the situation to which we might well come, and it has been referred to by other hon. members, namely, that the legitimate regional desires and requirements of various parts of Canada must be an aspect of any national transportation policy which is required to be put into effect.

Using those two phrases which I have quoted from the bill as being indicative of the probable result, I doubt that the commission proposed to be set up under the present bill will be able to go much farther than the Board of Transport Commissioners. It is true that the same rights of appeal are carried over into this bill, namely, the right of appeal from the commission as a whole to the Supreme Court and in certain instances the right of appeal to the cabinet, but when it comes to the question of regional development and policy we have the situation which the previous government took into consideration when it acted as it did with regard to the freeze on rates, and so on.

There is another question which I raised earlier. I refer to the very, very few cases where appeals have been made to the cabinet, to the governor in council, under the pertinent section of the Railway Act and have reached the point of being heard and disposed of. This indicates that the procedure is not too satisfactory and all too often what happens is that when appeals reach the cabinet, in due course the cabinet acts not on the appeal but some legislation is brought down

[Mr. Baldwin.]

or a royal commission is appointed and the matter reaches an unsatisfactory conclusion in that way. If we are to have this concept of a new board and are to give it adequate authority, it should be given some additional authority to deal with certain questions of fairness and equity affecting regions in connection with equalization and regional discrimination which the former Board of Transport Commissioners was unable to deal with.

I should like to deal very briefly with several of the general positions which appear to be taken in the bill. The hon. member for Acadia (Mr. Horner) dealt with the question of the Crowsnest pass rates. It is true that under clause 50 and by new sections 328 and 329 of the Railway Act the bill does propose that an inquiry be instituted and that during the course of the inquiry there should be a freeze on the existing statutory Crowsnest pass rates. Basically this is the position. But I am a little alarmed at the wording of proposed new section 329, first, because the period of three years is not definitely fixed. What the act will say, if it is passed in its present form, is "not later than three years after the commission shall inquire," and so on.

This could mean anything. It could mean that the commission could wait until the very last day of the third year to start its inquiry and conclude it at some period in the future. It could mean that the commission could start its inquiry the day after this bill becomes law and complete it within six months.

● (6:30 p.m.)

I do not think, or at least I hope, that the last of those two contingencies will be a fact. However, what does concern me is part of proposed new clause 329 which states that when the commission has established its inquiry, gathered all its evidence and reported to the government, then, in the words of the clause:

—the governor in council shall take such action as he deems necessary or desirable on the basis of that report to provide assistance to such railway companies.

I am not prepared to accept that in its present form. Having in mind the contention which has been held for so many years and the fact of which the hon. member for Qu'Appelle (Mr. Hamilton) spoke regarding the great variation between the original figures produced by the railway companies before the MacPherson commission, the