

Statutory Instruments Act

other statutory instruments could affect the lives of people. Perhaps I could note two specific examples that came to mind. We could set up a regulation involving beekeepers, and the likeliest way of getting that to the attention of beekeepers would be to see it got into the hands of people who publish magazines specifically directed to the beekeeping trade. But then there was the other problem that every few months a division of the Department of Transport issues suggestions for the operation of airplanes by the airplane pilots of Canada. Mr. Speaker, as you would know from your legal background a suggestion as to proper conduct or standards of conduct, set forth in something like that would, if breached, at least give a prima facie appearance of negligence.

Yet we knew it would be futile to suggest that something perhaps as thick as Eaton's catalogue, being altered every few months by tearing out some pages and replacing them with others, should be published for the public at large. So, in a variety of ways, we did suggest means by which public notice could be given if public notice were required, or special notice could be given if special notice were required. I think, therefore, that what the minister has put in his proposed clause 11, subject to the requests we have made, probably better meets what the committee felt was the best approach for it. The words used are "reasonable steps," but the obligation is still on the Crown to prove that reasonable steps were taken. If an airline pilot is sent a handbook and doesn't read it, I think it is a fact that the reasonable step has been taken to bring it to his attention. If somebody subscribes to a fisherman's magazine in which there is something particularly pertinent to him but he tosses it in the wastepaper basket, I think one could say that reasonable steps have been taken in that regard as well.

• (4:50 p.m.)

I understand that the wording of the motion of my learned friend from Edmonton West was not that far from the minister's and now that the minister has amended the wording the hon. member would ask leave of Your Honour to withdraw his motion.

Mr. Lamberti (Edmonton West): Mr. Speaker, having heard the explanation from the minister and the change in the wording, with the leave of my seconder, I would ask permission of the House to withdraw the motion. I hope we do not regret this particular step. I think there are still some difficulties, but I am not going to be that difficult myself. I would, therefore, ask permission of the House to withdraw my amendment.

Mr. Baldwin: Mr. Speaker, I was not going to give permission but the eloquent plea of the hon. member for Edmonton West has persuaded me, and the mute appeal of the Minister of Justice has reinforced that determination.

Mr. Douglas (Nanaimo-Cowichan-The Islands): On a point of order, Mr. Speaker. Before we withdraw the proposed amendment, I should like to know if it is withdrawn what happens to the commitment of the minister to change the word "shown" to "proved"? Will that have

[Mr. McCleave.]

to be moved as a separate amendment, or amend this motion, striking out all the words except the words after "proved"?

Mr. Turner (Ottawa-Carleton): On the point of order, Mr. Speaker, the Chair could correct me but I think the committee accepted this change of the word "shown" to the word "proved" in the text of the bill. It is pretty loose procedure—

Mr. Deputy Speaker: On the point of order, may we just review that so that the Chair and hon. members are agreed? Is it the understanding that by agreement there was an order that the bill be amended by inserting clause 11(2)(b) in the English version the word "proved" for the word "shown"?

Mr. Turner (Ottawa-Carleton): Line 33.

Some hon. Members: Agreed.

Mr. Deputy Speaker: That was agreed. Is it agreed that the hon. member's amendment be withdrawn?

Some hon. Members: Agreed.

Motion (Mr. Lambert, Edmonton West) withdrawn.

Mr. Deputy Speaker: The hon. member for Peace River on a point of order.

Mr. Baldwin: On a point of order, Mr. Speaker. The next motion is an exceedingly important one. Having in mind the importance of private members' hour, I nevertheless wonder if there is a disposition on the part of the House for Your Honour to take a hasty look at the clock and say that it is five o'clock now.

Some hon. Members: Agreed.

Mr. Deputy Speaker: Before I look at the clock and ask hon. members for consent, perhaps I might refer to amendments Nos. 3 and 4. These have reference to the same clause of the bill, and in substance I think are essentially the same amendment. I wonder if the hon. members who moved the amendments might agree that they could be debated together in the one debate, and then if we so wish we could deal with them in separate votes.

Mr. Baldwin: I would think so, Mr. Speaker. Although my hon. friend from Edmonton West and I, through a process of intellectual osmosis, have arrived at the same decision, nevertheless he has gone a little further on collateral issues and has made proposals which I have not dealt with in my amendment. While I think we are ad idem in most aspects, there is this difference. However, for the purpose of debate I think it would be much better if we could debate both issues and the Chair would not call us to order if we happened to deal with an aspect of the amendment of the hon. member for Edmonton West which was not included in my amendment.

Mr. Turner (Ottawa-Carleton): Yes, Mr. Speaker, we will agree with that, particularly since it will be interest-