

Maintenance of Ports Operations Act, 1986

Mr. Angus: Mr. Chairman, of course I have no problem with modifying it. Perhaps I am in your hands, Mr. Chairman, in terms of the most appropriate mechanism and whether I can in fact accept a friendly amendment in this particular place or whether the Hon. Member would in fact have to move a subamendment to meet the intent of what he said. Either way we would certainly support the suggested change.

The Chairman: Certainly the Hon. Member could move a subamendment, providing it is in order.

Mr. Angus: Mr. Chairman, some of my colleagues have indicated a desire to speak on this particular clause. While they are doing so, perhaps the Hon. Member could look at the wording and see whether he can come up with a very specific amendment before we complete consideration of the particular clause.

Mr. Boudria: Mr. Chairman, I will follow the Hon. Member's suggestion. While some of his colleagues are directing further remarks to the particular clause, I will draft an appropriate subamendment and present it shortly.

Mr. Murphy: Mr. Chairman, in moving the amendment it was my intent to focus on what the Government and others have said was the real purpose of the legislation. There is a concern, especially in western Canada, that grain must be moving to port. In the past, union representatives have indicated their willingness to move grain. The problem is that they are locked out at the present time. If the real intent of the legislation is not to force workers back to work with a new collective agreement, and if we want to deal with the main problem of getting grain to market, that is what the Bill should do. If that is what the Bill proposes to do then that is what it should state.

● (1250)

What is now happening is that, by law, we have a situation in which the workers have the right to strike and the employers have the right to lock out. They have been denied the opportunity to come to any sort of negotiated settlement in this Bill. They fall under the provisions of the Canada Labour Code and must negotiate as employers and employees with rights in terms of this legislation. By acting today to close the situation we are saying that we will not let them negotiate.

The port has not been shut down for a very long time. We have an offer from the workers that they are more than willing to move grain products. I would like to hear from the Minister as to why this legislation does not restrict itself to that one item and why he will not support the amendment.

Mr. Cadieux: Mr. Chairman, I do not know whether I should speak right away in view of the fact that there might be a subamendment to the amendment. Nevertheless, since my hon. colleague indicates that I would not support the amendment I might as well make it clear that I will not support the amendment.

The Bill we are dealing with now is entitled an "Act to provide for the maintenance of ports operations". We intend to have all commodities dealt with in the ports of British Columbia, which is what has to be done right now.

Mr. Cook: Mr. Chairman, since some of the comments made by the Hon. Member for Churchill disturbed me, I would ask him to look at Clause 12 of the Bill. The Hon. Member says that they cannot negotiate. They have every right to negotiate, and that right is maintained in that clause. If the parties can agree on any particular clause at all then the Bill will not apply to that clause. The suggestion that they cannot negotiate is entirely wrong. I think that should be very forcibly stated.

Mr. Boudria: Mr. Chairman, I would like to take this opportunity to move an amendment to the amendment which states:

That the amendment be amended by inserting immediately after the words "grain handling" the following:

"and other agricultural"

The Chairman: The Chair has received the proposed subamendment put forward by the Hon. Member for Glengarry—Prescott—Russell. In the opinion of the Chair, it seems to extend the scope of the amendment. However, I am ready to give it the benefit of the doubt. Therefore, I find the subamendment to be in order.

Therefore, the debate is on the subamendment.

Mr. Boudria: Mr. Chairman, I thank you for your ruling with respect to the subamendment. The purpose of this subamendment is to clarify what is meant in the amendment. I believe this has been acknowledged by the Hon. Member who proposed the amendment in the first place.

So that members of the Committee of the Whole can understand the purpose of the subamendment, it is to further define what is meant in the amendment. First, it is not entirely clear whether grain handling would always cover oil seeds. The subamendment would ensure that there is no confusion and that, in fact, we mean grain in its generic sense.

Second, the purpose of the subamendment is to reassure the agricultural community, not just the grain producing sector, that we want to afford them the same protection as grain producers. The reason for this is because of the U.S. farm Bill and other policies which have hindered areas of agriculture in Canada that are not solely restricted to grain production. Indeed, there are various other sectors of our agricultural economy which are suffering as much as the grain area. My remarks are not meant to diminish the gravity of the situation with respect to farmers in the grain sector but, rather, to indicate that this is a burden that all farmers have been asked to carry. Therefore, potential damage from stoppages of shipments of any agricultural product is serious and the devastating effects, although considerable in the grain handling sector, also exist in terms of stoppages of potential exports of other agricultural commodities as well.