(5) The members of the Committee shall treat in a confidential manner any information submitted under this section that is identified and treated as confidential by the railway company that submitted the information.

Surely if the Senior Grain Transportation Committee will be able to function, it must have access to information. This motion seeks to ensure that the railway company itself should not be in a position to decide what is classified and what is not. I understand that the Government will not accept our amendment. The Government is asking that members of the committee shall have access to the information. However, Clause 68 states that "Schedule I to the Access to Information Act is amended by adding thereto." Therefore there is a clause in the Bill that provides the access to information. But when we deal with the information that the railways should be making available to people other than those on the Commission, the railways will be allowed to decide what should be classified and what should stay with the members of the committee. That does not make sense to me.

I also question why only the members of the Senior Grain Transportation Committee should have access to this information. I believe that the Government is involved, including the Minister of Transport (Mr. Axworthy) and the Governor in Council, as a result of the substantial sums of money provided for in this Bill. They are involved with respect to providing rolling stock for the railways. I do not understand why this section allows the railways to limit the information available only to the committee by simply saying that it is classified or shall be treated as confidential and therefore not provide it to anyone but members of the committee. At the very least, this information could be made available to the Minister.

I also believe that this clause is unnecessary. The exclusion of this clause would make the Bill much more straightforward and would make information more available to the public and producers. The Government's refusal to accept our amendment is another example of how this Bill is written for the railways' interest and not the producers. Surely it is the producers who will be paying increases in costs based on some of the costs the railways say they will incur. Therefore, it should be incumbent upon Members of Parliament who are establishing this legislation to ensure that those who will be paying those increases in the future have access to this information. I submit this would be a much better Bill, a much cleaner Bill, it would be simple to read and to administer and it would be in everybody's interest if Clause 5 were simply deleted.

● (1720)

Mr. Lyle S. Kristiansen (Kootenay West): Mr. Speaker, I am glad to rise to participate in the debate on Motions Nos. 50, 52 and 53. Motions Nos. 50 and 53 stand in the name of the Hon. Member for Regina West (Mr. Benjamin), my colleague. In addressing Motion No. 50, I just want to put on the record our amendment which reads as follows:

That Bill C-155 be amended in Clause 29 by adding immediately after line 45 at page 14 the following:

"(3) A railway company shall, in a subsequent calendar year, invest in railway equipment and plant for the movement of grain an amount not less than the after tax cost of capital, after tax depreciation, and after tax constant cost portion of payments it received under section 55 for the preceeding crop year."

and by renumbering the subsequent subclauses accordingly.

The intent of that amendment, to put it briefly, is to require the railroads to reinvest any surplus funds received from public moneys paid to them under the legislation.

The principle underlying that intent and our amendment is that public moneys should be put up to increase rail capacity and enhance the transportation system for grain. Public moneys should not be paid to the railroads to enhance their profit position.

I want to make it very clear that we do not have any argument with the proposition that public moneys or subsidies, in the case of retaining or maintaining an essential service such as the railways provided to many parts of this country, should be used not only to maintain those facilities but to protect the profit position of the railroads in doing that. Our objection is that unless there are adequate safeguards, it is not the purpose of public funds to further enhance those profits beyond what the railroads would be able to earn in normal circumstances in their operation. Protection, yes. Enhancement or expansion, no.

Let me deal briefly with Motion No. 53, which reads:

That Bill C-155 be amended in Clause 29 by striking out lines 10 to 15 at page 15.

The intent is to remove the provision of the legislation that would require the members of the Senior Grain Transportation Committee to treat as confidential any information declared to be so by the railroads.

The purpose is that the railroads should not have the right to impose secrecy on the committee. It could come to pass that public disclosure of information would be one of the most effective ways available to the committee to fulfil its mandate. Decisions on the confidential nature of its deliberations or the information available to it should be the prerogative of the committee, not the railroads.

In discussing that, I think it is fairly common knowledge that one of the major arguments for confidentiality when dealing with the activities of a corporation are normally that you protect that confidentiality in order that the corporation not have its information leaked in such a way as might benefit its competitors. I do not know whether the CPR is worried that I or some of my colleagues or anyone of a group of citizens will start up another railroad in competition with it. But clearly in terms of the railways, the Canadian Pacific Railway in particular, it is not a threat by its competitors of which they might make use to the disadvantage of the CPR. It is not one of the major considerations we have to be dealing with.

Seeing that there is no major reason for that confidentiality, particularly not confidentiality that would not immediately be perceived to place the company at risk by members of the committee exercising their duties, surely there is no other reason for writing a carte blanche exclusion for putting a window into the affairs of a corporation which, over the years, has been, is and will be receiving billions and billions of dollars