

*Aeronautics Act*

of the Department of Transport, I asked several questions which went unanswered with respect to the charges that had been made in the past under the Financial Administration Act and which I assume the Department of Justice finally recognized were illegal charges.

As the minister knows, there were accounts rendered to several international air lines. I asked how the government arrived at the amounts upon which these accounts were rendered and whether it had to ask the accountants' offices of the international air lines concerned before it even knew the amount of the bill to be rendered.

The minister has said with respect to charges imposed for the use and the availability of facilities and services offered by the Department of Transport that there should be, and there was, justification for a specific charge against users and that this was the principle upon which the bill was proceeding. This, I suggest to the minister, is a wrong principle. I suggest there is no fundamental difference between the obligation on the Canadian taxpayer to supply facilities for the users of our air highways and the obligation to provide highways on the ground for those who drive automobiles. The introduction of the principle of making charges for these facilities is, I think, a wrong one. Perhaps I may be standing alone in that view. I have a somewhat closer interest than most. Incidentally, I might assure the minister that my recent arrears in landing fees have been brought up to date. I might, however, draw that analogy to the minister's attention and ask him what other countries which are signatories to the International Civil Aviation Agreement have imposed such charges? I think this question has to be answered.

● (3:50 p.m.)

There is another objectionable feature which I will point out now and then wait for the minister's reply before proceeding further with it. It appears in the bill and is the principle contained in subsection 2 of the new section 3A. This subsection reads:

Any regulations made under subsection (1) may authorize the minister to make orders or directions with respect to such matters coming within this section as the regulations may prescribe.

In Bill C-117 you will find that the power to make regulations was confined to the Governor in Council. I am one of those who take strong objection to any increasing encroachment on legislative powers by the Governor in Council. However, I think this is

taking matters to the extreme in that not only has the Governor in Council the power to make regulations but the Governor in Council now has the power simply to pass one regulation which in effect will say that the minister will have all the powers of regulating which by this amending section he is purported to be given.

It is wrong in principle to allow the minister to do everything in the way of making regulations that this section would empower him to do. I think that is an objectionable feature and it should be removed from the bill. For the minister's information, the provision to which I referred, subsection 2, was not in the last bill, Bill C-117.

I have some general comments to make. Section 3A, as you will note, is divided into two subsections, the first subsection being again subdivided. I do not think any objection can be raised to the parliamentary intent set forth in paragraph (a) (i). The government is being empowered by this paragraph to prescribe charges or fees for services rendered by the Department of Transport to aircraft which in effect request the information or the service which is provided. This type of charge would be based in law on the principle of contract, since the aircraft has requested the information which is being supplied to it or the service that is being rendered.

Similarly, under the same subsection charges will be imposed, as the minister has pointed out, for the use by any aircraft of airports maintained by the Department of Transport. During his introductory remarks the minister mentioned that it was desirable to see airports administered by the Department of Transport self-supporting. I am wondering and I have wondered, since I have travelled long distances frequently and used the Department of Transport facilities, whether there is any great contribution being made to the federal treasury by these ten cent turnstiles which permit travellers to view the activities on the airports across the country. An even more pertinent observation can be made with regard to the obligation of the travelling public in the use of the public washrooms maintained by the Department of Transport. I can see perhaps a scintilla of argument here in respect of men's washrooms, but I am afraid I cannot draw a parallel as to the need in respect of the functioning of women's washrooms. It would be interesting to know just what the revenue is from these ten cent contributions at airports across the country.