

*Transportation*

show that the requirement of the amendment is that any compensation would have to be paid by the companies concerned and we were also able to cite certain precedents in support of an amendment of this kind.

The other point the Minister of Transport put forward was to the effect that this amendment was outside the scope of the resolution preceding the bill. During the procedural debate in committee of the whole the entire resolution preceding the bill was read into the record. The resolution is lengthy and appears on page 7743 of *Hansard* for August 29, 1966. The resolution spells out the many purposes the government had in mind in proposing Bill C-231 and its concluding words were as follows:

—and to provide further for other matters consequential upon or related or incidental to any of the foregoing.

It was our contention in committee of the whole and it is our contention now that that wording is extremely wide and that it makes possible amendments dealing, as the very words say, with any matters consequential upon or related or incidental to any of the foregoing matters covered in the bill.

The whole issue posed by the amendment of the hon. member for Nickel Belt is that consequences experienced by railway workers, as a result of railway rationalization or other steps taken, should be taken care of. It is quite clear that the bill provides for compensation when the consequences of rationalization affect the railway companies. Our contention is that when the consequences affect employees they should also be taken care of. It may seem as if I am getting to the substance, but the point is that if the consequences in the one instance are within the scope of the bill, surely the consequences in the other instance are also within the scope of the bill.

Perhaps in what I have just now said I am recognizing that the chairman of the committee of the whole house used slightly different language from that used by the Minister of Transport. The Minister of Transport talked about the amendment being beyond the scope of the resolution. I think it would be fair to say that on this point he made his whole case on that basis.

I note that the chairman of the committee of the whole did not use that language. In fact, he accepted our argument that the amendment of the hon. member for Nickel Belt is not beyond the scope of the resolution preceding the bill because, after all, it makes provision for other matters consequential upon or related or incidental to any of the

[Mr. Knowles.]

foregoing, although he did say we had gone beyond the scope of the bill.

The chairman of the committee of the whole house relied on a citation in May's seventeenth edition, page 589, paragraph 1, which deals with the scope of a bill. I suggest that the scope of the bill before us is largely related to the question of compensation because of losses, adjustments, changes, rationalization and so on. So far as the scope of the bill is concerned, there is no question about that. What we are now talking about is that the consequences to employees of rationalization should be considered as part of the bill.

● (4:50 p.m.)

I would point out to Your Honour that this bill is in part a new piece of legislation and in part a bill amending certain acts which are already on our statute books. In section 182 of the Railway Act there is already provision for compensation to employees adversely affected as a result of changes of policy with respect to lines. But there has been a ruling that section 182 of the present act does not provide for compensation to employees when there is total abandonment. Therefore I am contending that this amendment is completely within the scope of the present legislation. It proposes that what is already in the law, namely, that there should be compensation to employees when there is an alteration in a line, should also apply when the consequences are those which flow from the complete abandonment of a line of railway or a divisional point.

Therefore, Mr. Speaker, if you study the whole thing as a piece, 314E which talks about compensation to the companies as a result of changes which take place and section 182 of the Railway Act which is part of this total package of legislation, I submit that included in this whole framework is the question of what is done as a consequence of railway policy changes which are injurious. If such changes are injurious to the companies, compensation is available. If they are injurious to employees, compensation is available but only in certain circumstances. The amendment proposes that in the case of total abandonment of a divisional point, branch line, or whatever it may be, compensation would be available.

Again I speak with a great deal of respect not only for Your Honour but for the chairman of the committee of the whole house when I express my earnest feeling that this is a case where Your Honour would, after careful consideration—you might even wish to reserve decision on the question—be justified in