

drafting problem, is that there are two undertakings. First of all, he hopes that by proclamation before July 15 the rate freeze will be cancelled, which in effect—

**Mr. Jamieson:** No, that is not right. However, I should let the hon. member finish his question.

**Mr. Nowlan:** In effect, the minister is going to end the rate freeze by July 15. As I understand it, this would bring to life the provisions in clauses 5 and 6. Is that correct?

**Mr. Jamieson:** That is partially correct, but the freeze will not end on July 15. I said that the date for ending the freeze will depend upon the time at which we can put the subsidy program for the truckers into effect. There is no direct relationship between the two. In other words, we can maintain the freeze for a period beyond the starting date at which the truckers are paid for westbound shipments.

**Mr. Nowlan:** Then I still have difficulty reconciling those clauses with clause 10, which provides that clauses 5 and 6 will not come into effect until, in effect, the freeze expires. What is the purpose of that provision?

**Mr. Jamieson:** I am not a legal mind in this matter but I think it is a question of the proclamation. We can announce the proclamation of the date on which the freeze is going to end, but we can advance it considerably beyond that point. In other words, the two will come into effect at the same time. Having come into effect in terms of the announcement of the total program, we can say that the freeze will end on date x but that the subsidies will start on date y.

**Mr. Nowlan:** That is the difficulty. I do not see how that can be done under this bill, no matter when the announcement. Naturally I accept the undertakings given by the minister, but there has already been one ministerial change in the short life of the present régime. There are also certain activities in Newfoundland that might attract the minister to return to the province and his undertakings, though given sincerely, are not cemented in legislation.

I still have difficulty reconciling the point I raised in connection with the operation of clauses 5 and 6 in view of the provisions of clause 10. However, I will leave this point for the moment because the minister may be able

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further to amplify the matter when he consults his officials.

The other point bothering me is that the minister has given this undertaking in connection with a financially equivalent transfer of the saving made under the interim payment. However, as I read this bill nowhere do I find,—though I presume if it is to be found it will be found in clause 6, wording quite as unequivocal as that used by the minister a few minutes ago. The clause says that under the regulations prescribed by the Governor in Council, the Governor in Council may authorize payment of assistance out of the Consolidated Revenue Fund.

**Mr. Jamieson:** Which clause is this?

**Mr. Nowlan:** Clause 6(1). I presume that this is the clause that would deal with the transfer of the financially equivalent payment. The clause does not provide that there "shall" be such payment. Nowhere in the bill is it provided that the payment made to the shippers or carriers "shall" be equal to the amount saved. In effect, what we are doing is taking from Peter to give to Paul. However, nowhere in the bill is it provided that you give to Paul the exact amount that you took from Peter. The bill does not provide that the financially equivalent payment shall be made.

In addition, nowhere in the bill is there any mention of the federal-provincial committee; again in this regard we have the undertaking of the minister. If he is still with us working hard in the fall, perhaps this committee will come to fruition. However, if there is another portfolio change it may be delayed.

**Mr. Jamieson:** Mr. Chairman, may I try to deal with the second point first. A federal-provincial committee is being established in this matter because eventually it may well be that we wish to change the make-up and content of the committee once we discover how effectively it works on the basis of its present assignment. Therefore it was felt that rather than establish it in a statutory way it would be best to proceed as we have at the moment.

With regard to the hon. member's first question about the amount of the payment, may I refer him to clause 5(2) where he will note that there is a requirement on the transport commission. The clause provides:

Where a reduced tariff has been varied or removed pursuant to subsection (1), the Commission shall for each calendar year or portion of a calendar year thereafter estimate the amount of compensation that would have been paid out of the Consolidated Revenue Fund to railway companies in respect of the preferred movements of