

ment concerning the general policy direction of transportation in Canada. We also believe that the Canadian Transport Commission should not have had the responsibility for the regulation of railway safety and also the duty to conduct inquiries into the cause of railway accidents. The regulators could be indirectly called upon technically to investigate themselves, a clear conflict of interest. Though all our associations, however, have made this point, they cannot cite an actual case where this conflict of interest was demonstrated by the Canadian Transport Commissioners. Also, some quasi-judicial body should not have been given the authority without policy direction from the Minister of Transport or, preferably, Parliament to shape the economic destiny of the railways. The pendulum has now swung completely in the other direction by the Railway Safety Bill and the National Transportation Act, 1987. These two pieces of legislation make all roads lead to Rome. The Minister of Transport will have more power than any of the Caesars in the history of the Roman Empire. Imagine the Honourable John Crosbie having all that power!

Almost all the delegated economic regulatory powers contained in the National Transportation Act, 1987, whether exercised by the National Transportation Agency or otherwise provided for, are all, by some legislative mechanism or other, under the direct or indirect control of or subject to control by the Minister of Transport—a lot of power to give one man. The same minister, the Minister of Transport, will also have all the unfettered power to regulate rail safety pursuant to the Railway Safety Bill. The word “minister” is referred to in the Railway Safety Bill in excess of 150 times, in addition to the powers delegated in the bill to the Governor in Council, which, in reality, is the Minister of Transport.

The government, pursuant to the National Transportation Act, 1987, advocates a lean and mean, survival-of-the-fittest transportation economic policy. The Minister of Transport is responsible for this legislation. Pursuant to the Railway Safety Bill, the same minister, the Minister of Transport, must also ensure that the railways show due regard for the importance of rail safety. In our respectful submission, even if the Minister of Transport had two heads, he would find great difficulty wearing these two conflicting hats.

Any conflict of interest in the structure of the Canadian Transport Commission previously referred to pales in the light of the untenable position the Minister of Transport will be placed in if the proposed Railway Safety Act becomes a reality as it now stands. Under the old Canadian Transport Commission, the Minister of Transport, when questioned in the House of Commons on rail safety, could simply avoid the issue by referring to the quasi-judicial body, the Canadian Transport Commission, seized with the responsibility for rail safety pursuant to the existing legislation. Under the new proposed Railway Safety Act, this defence will not be available to the Minister of Transport. Ministerial responsibility to Parliament will include the day-to-day effectiveness of the hundreds of regulations, directives, rules, orders, et cetera, concerning rail safety in Canada. Conflicts and questions not resolved or answered by the minister's staff responsible for railway safety

will, no doubt, eventually find their way to the floors of the House of Commons and the Senate. In our opinion, this is not the way to run a railroad.

The floors of the House of Commons and the Senate are not the places to debate the day-to-day problems involved in the safe operation of Canada's transcontinental railways. This, unfortunately, in our opinion, will become the reality because of the way the proposed Railway Safety Act is structured. We can foresee the opposition parties calling for the resignation of the Minister of Transport every time there is a violation of a safety rule or a rail accident. This could well be on a daily basis. In sum, notwithstanding the obvious conflict of interest created by the economic objectives of the National Transportation Act, 1987 and the concept of rail safety, which, in our opinion, will be governed by the economic health of the railways under the proposed Railway Safety Act, the proposition that the same minister, the Minister of Transport, will be directly answerable for both pieces of legislation creates an untenable and unworkable situation.

Honourable senators, I move the adjournment of the debate in my own name.

On motion of Senator Turner, debate adjourned.

● (1630)

VETERANS AFFAIRS

CHANGE IN NAME OF SUBCOMMITTEE—INQUIRY WITHDRAWN

Hon. Jack Marshall rose pursuant to notice of Tuesday, April 19, 1988:

That he will call the attention of the Senate to a change in the name of the Senate Subcommittee on Veterans Affairs to the Subcommittee on Veterans Affairs and Senior Citizens, approved by the parent Committee on Social Affairs, Science and Technology on Tuesday, December 1, 1987, and in order to make the mandate of the subcommittee compatible with the new responsibility of the Minister of Veterans Affairs as Minister of State for Senior Citizens.

He said: Honourable senators, authority was given to me by the Standing Senate Committee on Social Affairs, Science and Technology to expand the name of the Senate Subcommittee on Veterans Affairs to the Subcommittee on Veterans Affairs and Senior Citizens so that the committee's responsibilities would be compatible with the new responsibilities of the Minister of Veterans Affairs as Minister of State for Senior Citizens.

Under the mandate of the Social Affairs, Science and Technology committee, senior citizens are not specifically mentioned. However, I was under the impression that, since health and welfare, an element which covers a wide area, is mentioned, adding “senior citizens” would be in order.

The purpose of my inquiry is to glean some clarification as to where the committee stands in this regard. Indeed, the matter may be simplified if I simply remove this inquiry from the order paper. My discussions with Senator Molgat have