

*Shipping Conferences Exemption Act*

not familiar with the particular case before us. The only ones who could really police the regulations are the ones given authority under the Combines Investigation Act.

**Hon. Donald C. Jamieson (Minister of Transport):** Mr. Speaker, as a matter of clarification, would Your Honour be good enough to indicate whether at this point we are debating the merits of the amendment or are we still discussing your Honour's opening comment with regard to the area of doubt concerning its validity?

**Mr. Speaker:** The merits or demerits of the debate have not been put into question. The decision some minutes ago was that although there were some reservations on the part of the Chair as to the acceptability from a procedural standpoint of the motion proposed by the hon. member, that it should be put and considered by the House. My understanding is that this is the point we have been debating for the last few moments.

**Mr. Jamieson:** I apologize for having been somewhat confused in that regard. I wish to say a few words about the proposed amendment of the hon. member for Regina-Lake Centre (Mr. Benjamin). As the hon. member has said, it would have the effect of taking away the responsibility of receiving the documentation as required under this legislation from the Canadian Transport Commission and giving it to the Restrictive Trade Practices Commission.

This amendment is unacceptable to the government. I wish to give some reasons why. The responsibilities of the Canadian Transport Commission under this bill are in keeping with its role under section 14 of the National Transportation Act, that is to perform its function, and I quote from the act, "with the object of co-ordinating and harmonizing the operations of all carriers engaged in transport." This is one of their fundamental duties, to see all developments in transport.

**An hon. Member:** Ocean transport?

**Mr. Jamieson:** The hon. member asks if that function relates to ocean transport. There is a good deal of relationship. I wish to illustrate why there is this connection and why it is necessary to have this particular responsibility vested in the Canadian Transport Commission.

I think it is proper to suggest that in the National Transportation Act Parliament set

[Mr. Skoberg.]

the stage for some of the recently noted Canadian incursions into the complex field of law of the sea and international shipping affairs. While superficially it might seem that the Canadian Transport Commission has little to do under this bill but receive and file certain documents and, if those are the limits, it really would not matter significantly which organization was the recipient of those documents. However, there is an important addition. It will be seen that the knowledge and skills in the field of transportation residing in that body would be vital to the successful and fruitful administration of this measure, and that it would be an integral part of the array of economics, regulatory instruments which Parliament requires the Canadian Transport Commission to administer.

That refers to the comments made by the hon. member for Moose Jaw (Mr. Skoberg). It is precisely the reason that he outlined, that there are in fact shippers and customers who are not involved with or related to various shipping conferences and that there is the necessity for all of this to be reposed in the one place. If this particular aspect of it were given to the combines investigation branch, there would not be a mechanism through which the activities concerned in this bill could be compared with and related to those of non-shipment conference related activities.

I want to emphasize that this in no way overlooks the fact that in this measure the sanction for breach of any condition of exemption from the Combines Investigation Act is the application of that act. The Combines Investigation Act is still very much in play in this particular field. Nor does it overlook that the powers of the Director of Investigation and Research, appointed under the Combines Investigation Act to conduct research inquiries into the practices of shipping conferences, are assured by section 11 of the bill.

This is not a question of removing totally the activities, responsibilities or enforcement procedures of the Combines Investigation Act. It merely means that we have determined, in presenting the bill in this manner, that it is better to have the Canadian Transport Commission involved to the degree that the bill permits and at the same time to provide all safeguards which are present in the Combines Investigation Act, and in the manner that I have outlined.

**Mr. Benjamin:** Will the minister permit a question?