

*Transportation*

Mr. Speaker undoubtedly the federal government, in this instance, both under the constitution and by virtue of a judgment by the Privy Council, had the authority to legislate on part III of Bill No. C-231. Undoubtedly, problems will be raised following the enforcement of that part and the right hon. Prime Minister and the Minister of Transport recognized that fact by stating positively that that part would not be enforced as long as discussions had not been held with the provinces.

But, it would not have been proper for this government at any time to have discussions with one province in particular to see whether it could go ahead and introduce in this house a bill whose subject matter, undoubtedly in my opinion, comes within its jurisdiction.

Mr. Chairman, it is because this position is quite clear constitutionally, and because of very serious problems of administration and implementation of that policy, that the right hon. Prime Minister on August 4, wrote to the provincial premiers. I come now to the second part, which was questioned by the hon. member for Sherbrooke namely the procedure followed.

The Quebec premier, as the hon. member for Sherbrooke, seemed to indicate in their statements that the right hon. Prime Minister had acted improperly or with a lack of consideration for the Quebec premier in that respect.

In the light of the statement I have just made, it seems quite obvious, now, that the procedure followed was the normal procedure.

In a letter dated October 4, addressed to all the Canadian provincial premiers, the right hon. Prime Minister said that it would be desirable for discussions to be held at the official level with regard to the implementation of certain parts of a transport bill dealing with problems of interprovincial highway traffic. Therefore, it is not the beginning of a constitutional discussion but simply preliminary negotiations which seem essential to the implementation of Bill No. C-231.

We do not know the answers from the other provincial premiers, but the position of the Quebec premier is, from the start, a stand on principle. After reading those letters it seems that the Quebec premier questioned again the constitutional problem itself, or even the propriety for the federal government to legislate and enforce regulations in the

field of road transport moving between the provinces, especially with regard to traffic safety.

The sentence I read in the letter dated November 15, 1966, addressed to the Prime Minister of Canada by the premier of Quebec seems very clear in that regard. It seems that the Quebec premier, not having prevented the government from introducing its legislation, including part III, on interprovincial transportation, says: Now that no co-operation is possible, that a meeting of our officials would be useless and that you will proceed unilaterally.

● (3:00 p.m.)

Well, I think this stand taken by the Quebec premier is, in my opinion, unsound on the constitutional level and deplorable from the standpoint of federal-provincial relations. In fact, the present government, after having worked for many years on decentralization in fields where the provinces had an explicit jurisdiction, exerts in a unilateral way, as it is normal—the provinces do the same in their field—its jurisdiction in the field of transportation, and calls upon the co-operation of the provinces for its application.

And now one of those premiers is denying his co-operation, because he has not been asked his advice and because he considers the bill as being an encroachment upon provincial rights.

Mr. Speaker, I submit that the procedure followed by this government was the only one consistent with the responsibility which it must assume on behalf of the Canadian people and all the provinces in a field within its jurisdiction, in order to emphasize the fact that if some co-operation must exist between the provincial and federal governments, that co-operation should never reach the point where it would be understood as being a surrender of the responsibilities entrusted with this parliament and this government under the constitution.

Therefore this procedure was normal and constitutional; second, it was wise, for all the provinces were asked to co-operate before the implementation of this part of Bill C-231.

The attitude taken by the premier of the province of Quebec was most unfortunate. The last letter from the Prime Minister of Canada in this correspondence was dated December 7, 1966. It left another door open, for in it the Prime Minister said that it was unfortunate that the government of the province of Quebec had not agreed to choose