

Aeronautics Act

to have the better argument in this particular case, at least in my judgment.

Mr. Turner: Might I interject for a moment, Mr. Chairman? I had the advantage of reading the speech which the hon. member made three years ago in which he took the position I have taken this afternoon. I was hoping I would have him on my side.

May I refer him to page 5438 of *Hansard* for December 4, 1963. At the point in his speech where he was taking issue with the hon. member for Yukon for advancing the very argument he has advanced this afternoon, which is why I thought I would have the hon. member on my side when I saw him rise, the hon. member said:

I really do not think an analogy can be drawn between the situation of a plane owner and of an automobile owner in our present society. As the owner and driver of an automobile I certainly feel I contribute substantially in the course of a year toward the operation of public facilities which enable me to drive around the country. I do not feel that an unduly high levy should be exacted from plane operators, but I feel there is some reason why they should be required to pay a reasonable amount to defray the cost of facilities provided out of public funds.

His reasons were convincing then.

Mr. Barnett: I am quite aware of the fact, Mr. Chairman, that my initial reaction to the point which has been raised again by the hon. member for Yukon was along the lines quoted by the minister. I readily admit that it is quite largely a matter of assessment and judgment. I think that one of the functions of sitting in this house is to listen to arguments which are presented and perhaps reaching a somewhat different assessment of situations as we give further thought to them. The particular emphasis placed by the hon. member for Yukon in his presentation on the question of availability has something to do, I think, with my suggestion that it is a question to which some serious thought should be given. Undoubtedly air line operators as such should and do pay taxes analogous to the kind of taxes we pay when we buy gasoline for our cars. Perhaps there is a case for some of the charges being made for the use of landing facilities and other facilities provided through the Department of Transport.

I am not dogmatic in my own mind on this question. I merely say that on balance, after having listened to this renewal of the discussion, the hon. member for Yukon has the edge on the minister so far as this argument is concerned. However, I do not intend to pursue the question at great length because I

do have one or two other matters I should like to discuss on clause 1. One of them has to do with clause 2 of the bill and I hope to propose a minor amendment to that clause. If I refer to it now the minister might be able to give it some consideration and perhaps accept it.

Clause 2 is an extension of the present section 4 of the act which provides as follows:

Subject to the approval of the Governor in Council, the minister may make regulations to control and regulate air navigation over Canada—

Then it lists a number of items in detail.

The proposal is to amend that clause by adding a number of other additional fields in which the minister may make such regulations. The one at the head of the amending clause, paragraph (k), establishes the authority to make regulations concerning the maximum hours of work and other working conditions for pilots, co-pilots, navigators and flight engineers.

I realize that in part that is a consolidation of an existing power provided in another section of the act, but the point I should like to raise with the minister is this. Since the Aeronautics Act was passed by the house there have been developments regarding maximum hours of work and other work conditions. I refer in particular to the Canada Labour (Standards) Code which parliament passed last year.

It seems to me, particularly when we are dealing with amending legislation, that we should take steps to make it clear that any authority conferred upon the Governor in Council, or in this case on the minister with the approval of the Governor in Council, to make regulations in this field should be clearly subject to the over-riding authority of the Canada Labour (Standards) Code. I believe this should be made clear in paragraph (k) of clause 2.

I think it is likely that the regulations in connection with the maximum hours of work of pilots which will actually be enacted may be somewhat more favourable, shall we say, than the maximum provided by the Canada Labour (Standards) Code, but nevertheless it does seem to me that the principle involved here is one which warrants consideration.

I would suggest a simple amendment to the proposed clause 2 by inserting at the beginning of it such words as these: "Subject to the provisions of the Canada Labour