

Mr. Keeper: Mr. Speaker, not only did the so-called job guarantees have an economic loophole, they have legal loopholes. The guarantees have no legal impact.

The Acting Speaker (Mr. Paproski): Before I call it five o'clock I would like to say that I have received a written notice from the Hon. Member for Thunder Bay-Nipigon (Mr. Epp) that due to prior commitments he is unable to be present in the House on Friday, December 5, 1986, to move his motion during the hour for Private Members' Business.

Accordingly, I am directing the Table Officers to drop the item of business to the bottom of the order of precedence. Since notice will thereby be removed, the hour for Private Members' Business will be suspended and, pursuant to Standing Order 39(2), the House will continue with the business before it prior to that hour until the ordinary hour of daily adjournment.

• (1700)

Mr. Gauthier: Mr. Speaker, I rise on a very short point of order. I think the House should take exception to people having a position on the Order Paper and not being able to take the time which is allocated for debating their measures, be it a Bill or a motion. I do think Private Members' Hour has been regularly eaten away by government time, which robs us back-benchers of our right to express our views on motions. If an Hon. Member cannot be here, I am sure there are other Members on the book. I know I have a couple of Bills and I would love to have that hour. I ask you, Mr. Speaker, to consider my request that, in the eventuality that someone cannot make it, for God's sake, you should come and see us. We are willing and able to be here to debate our Bills.

The Acting Speaker (Mr. Paproski): I appreciate what the Hon. Member for Ottawa—Vanier (Mr. Gauthier) is saying because I consider Private Members' Business to be very important. However, I think there was a ruling made by the Speaker in this regard, that we would not lose the place for the Hon. Member. Sometimes when there is an opportunity to either wait for an Opposition Day, or whatever is going to happen the following day, there is not enough time to get hold of some Hon. Members. However, I will take the Hon. Member's submission as notice and the Chair will review it and come back with another statement for the Hon. Member.

Mr. Althouse: Mr. Speaker, on the same point of order, while the Chair is considering the constant attempts to correct this problem we are having with Private Members' Business, I wonder if it would consider the possibility of Hon. Members within their own Parties switching times. I am sure the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) and I could have switched dates if we had been aware that this was something that was permitted by the rules as they exist.

The Acting Speaker (Mr. Paproski): The provisions of the new Standing Orders were brought in by the great McGrath Report. The House is its own master. If Hon. Members want

Railway Act

to bring in something like that, they will have to discuss it with the Speaker and with their own House Leaders. Perhaps in 1988 or 1989, after the next election, Hon. Members might be able to bring new Standing Orders into the House.

I agree perfectly with the Hon. Member that Private Members' Business is very important and should not be lost. Nevertheless, this is what we have to live with today.

It being 5 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[English]

RAILWAY ACT

PROPOSED AMENDMENT TO PROVIDE INCREASED COMPENSATION TO VICTIMS OF FIRES

Mr. Vic Althouse (Humboldt—Lake Centre) moved:

That, in the opinion of this House, the Government should consider the advisability of introducing legislation to amend the *Railway Act* to provide for increased compensation to victims of fires set by railway operations in order to reflect current replacement costs on items lost through property damage.

He said: Mr. Speaker, in the almost seven years I have been a Member of Parliament, this is the first time I have had the opportunity, by good luck, to have my motion drawn for Private Members' Business. This particular motion also happens to have been chosen by the special committee which looks into such matters to be a votable motion. Therefore, because it is a votable motion, I think my fellow colleagues in the House would wish to follow the debate with some attention. What we are trying to do with this motion is to correct an anomaly in the *Railway Act* which has existed for some years. It is, therefore, an important item for the Government to consider when it next opens up the *Railway Act* for amendment.

What drew my attention to this particular problem of fires being set by railway operations is an incident which happened to three of my constituents. A fire escaped from railway property and moved on to three different farms burning crops and some outbuildings. The estimate of damage ranged somewhere between \$17,000 and \$20,000. The three farmers went to the railway and to a lawyer. Upon checking the *Railway Act*, the lawyer advised them that the railway was liable for \$5,000 worth of damage under Section 238 of the *Railway Act*. The farmers submitted their claims to the railway and had their claims adjudicated. They had to prorate the \$5,000 according to damage done to each of them. That amount was very much short of the damage actually done. These constituents and their lawyer got in touch with me about this situation. I suggested that the only option was to have the *Railway Act* amended and brought up to date. Therefore, I began to look into the matter.