

Transportation

some very important questions being decided at which time it may be desirable to have a very large bench.

One of the reasons I asked for an amendment to the Aeronautics Act to increase the size of the Air Transport Board was that the number of hearings was so great that cases had to be heard by committees. It is our hope there will be relatively fewer applications to be heard by the new commission, but for the same reason we felt that a quorum of two would apply to the new commission as a whole. Since in the normal course the hearings of the committees will in fact be the final hearings, unless there is some reason for review, if there is to be real flexibility and there are not to be delays this seems to be a reasonable provision.

● (8:20 p.m.)

Mr. Schreyer: Mr. Chairman, I wish to dispute the minister's contention that it is a reasonable provision that the committees of the commission shall function with the stipulation that two members are necessary for a quorum, and then to have that quorum as the quorum for the entire 17-man commission. After all, there is provision in clause 17 for the entire commission to act as a board of review to review cases and orders that have been made by the various committees of the commission. It does not seem very logical that a case or order be reviewed by the commission when conceivably at least the actual review hearing is conducted before as few as two people. If it is a 17-man commission, it seems to me that a quorum should be set which would be at least twice the number of the quorum of the various committees of the commission. I am saying, in effect, that if the quorum for the subcommittees is to be two, it would seem reasonable to have the quorum for the commission, when sitting as a board of review of committee decisions, of at least four or five people. I am wondering whether the minister would not agree that this is a reasonable proposition.

Mr. Pickersgill: I would say at once that I feel quite sure that would be the practice, and probably in a review the number of commissioners who would sit would in most cases be greater than that. We know something about quorums in this house. A quorum is a minimum. This provision means that one commissioner cannot act for the commission. It means that in no circumstances can a decision be taken by one commissioner alone in the name of the commission. After all, we trust that no matter what government may be in office it

will see that responsible adults are appointed to this commission. We would expect the commissioners to act in a responsible way. I do not feel it is necessary to prescribe a higher quorum for these other occasions, because I believe that the ordinary good sense and judgment of the people who will constitute the officers of this commission will be such that the public will never be scandalized by the kind of situation that the hon. gentleman suggests might be theoretically possible.

Mr. Horner (Acadia): Mr. Chairman, I should like to say a word more in regard to clause 17. I refer to the establishment of a commission and the setting up of the various committees laid down in the clause. My concern is with regard to the appeal section of the bill. I was led to believe that with regard to a ruling made by the commission, one could appeal to the commission and another group of the commission would hear the appeal. I may be wrong in my understanding, and if I am I would expect the minister to correct me.

My understanding of this clause is that five committees at least will be set up consisting of not less than three commissioners, exclusive of the president who is to be an ex officio member of every such committee. What real benefit will be afforded under the appeal section of this bill if we are to have a railway transport committee that will rule on and deal with railway matters, and will become very knowledgeable in regard to such matters, and the appeal to the commission is heard by members of the commission who may not have any adequate knowledge of a situation or the ruling made in regard to that situation?

Is it really necessary for this bill to set up committees? In other words, if I were a member of the commission, could I not—after, of course, a great deal of study—act very capably with regard to a railway problem one month, and several months later act very capably with regard to a problem under the Aeronautics Act in conjunction with the air transport committee or a temporary air transport committee? I do not like to see the commission broken down into committees as rigidly as is set out in this clause. I do not think we will accomplish anything by doing this.

If we carry into effect what is set out in this clause, how will this be different from the present situation? Under the present situation we have various commissions studying various problems. Under this bill we will set up an over-all commission and break it down into committees. If we break the commission