

Transport and Communications

point of substance. This is where the President of the Privy Council has shown, shall I say, his lapse in failing to distinguish between a point of order and a point of substance.

He and the government can argue all they want about the contents of the report. They are as free to do so as hon. members are free to argue in favour or against, as their opinions dictate. But let him not confuse these two points. I put it to Your Honour that in so rising the President of the Privy Council himself is out of order, and that he should not be heard to continue his point. At the appropriate time the motion may be argued, but certainly not in this way. Certainly, the President of the Privy Council cannot presume upon his position as government leader in this house.

Mr. J. H. Horner (Crowfoot): Mr. Speaker, I wish to call the attention of the house to a point that has not been considered. The President of the Privy Council objected to the motion before the house, contending that in some way the committee's fifth report was not worded correctly. That, really is not the point we ought to be concerned about.

I submit that in drafting the fifth report of the committee the chairman of the committee did an excellent job in trying to overcome a difficult situation. There is what amounts to a court order emanating from the C.T.C. which orders rail passenger service in Newfoundland to be suspended as of April 15. The Canadian National has taken the position that it will continue its passenger service beyond that date. Service is to be continued throughout the summer. In other words, Canadian National will not obey the C.T.C. order. In the last paragraph of the fifth report the chairman was trying to bring relief with respect to the very embarrassing position in which the C.T.C. finds itself. The order it has made prohibiting continuation of passenger service in Newfoundland is not to be enforced. Canadian National wishes to continue operating that passenger service and the Standing Committee on Transport and Communications is asking this house to come to the aid of the C.T.C. and rescue it from an embarrassing position.

The committee does not say that the order should never be complied with; we say it ought to be left in abeyance until the committee has had ample opportunity to study the entire question of rail passenger service in

Newfoundland. I sincerely hope that Your Honour will not rule us out of order on this motion. Our idea was to rescue the C.T.C. from an embarrassing position. I urge hon. members of the house to concur in this fifth report.

Mr. Bell: On a point of order, Mr. Speaker.

Mr. Speaker: Order, please. I see three hon. members who are anxious to contribute to the debate. I will, of course, hear them. But I suggest to hon. members that we are perhaps getting into the consideration of the substance of the matter. I agree with the views hon. members have expressed on this point of order up to now. The President of the Privy Council, to some extent at least, is considering the substance of the report, and I am not at all convinced that this is the time to raise a point of order. I shall not render a decision at this stage. I therefore invite hon. members who wish to enlighten the Chair to do so as briefly as possible.

Mr. Thomas M. Bell (Saint John-Lancaster): On a point of order, Mr. Speaker. I will be brief. The President of the Privy Council suggested we have no power to amend or change a decision of the Transport Commission. Most of his argument was based on that point. He suggested we were wrong in bringing this recommendation before parliament. May I refer him to section 18 of the National Transportation Act which says in no uncertain terms that an appeal from the decision of the commission may be made to the minister. The Minister of Transport is in this chamber; he has the power to make this change. I therefore submit we were perfectly right in bringing forward this recommendation.

Some hon. Members: Hear, hear.

Mr. John L. Skoberg (Moose Jaw): Mr. Speaker, it ought to be understood that this report was unanimously agreed to by the Standing Committee on Transport and Communications. To suggest therefore that it cannot be brought forward at this time is to slight the chairman. He has been directed by the committee to move the concurrence of this report in this house. I think he is therefore obligated to do so. I suggest that section 53(1) of the Railway Act provides for the Governor in Council to set aside a recommendation of the Canadian Transport Commission. The report of our standing committee in effect recommends that the minister should do that.