

West Coast Ports Operations Act

into the House at a time when we had the same kind of industrial strife on the Great Lakes.

I hear a Member saying: well, it did not have the six and five. That is precisely the point. We did not have the six and five and it was never meant to be used here. I am glad to hear the Hon. Member raise it again because there is great danger that Members opposite are forgetting. That Act was never meant to be a vehicle to solve industrial peace. And you are going to create havoc for years to come.

Some Hon. Members: Hear, hear!

Mr. Crombie: It is always easy when you think that the heat of the moment requires that you act, but I am telling you there are rights people have had that are going to be interrupted by the fact that the Government, and the New Democratic Party—unbelievable—are now saying no to arbitration and yes to six and five, with all the loss of collective bargaining rights which they talked about not only on this Bill, but—on Bill C-124.

Mr. Clark: Shameful betrayal.

Some Hon. Members: Hear, hear!

Mr. Crombie: Mr. Chairman, the Government is doing this for political reasons, trying to breathe life into six and five in the private sector, and it is going to create great problems. People know them because they live in the world of expediency. The Members of the New Democratic Party, when they go home tonight and recognize that what they have done is oppose the arbitration process and supported, indirectly, unilateral Government intervention on individuals, and groups of working people in this country, they will wonder about their own leadership, I can tell you.

Some Hon. Members: Hear, hear!

The Deputy Chairman: I have to ascertain with a little more certainty precisely what is the motion being put forward by the Hon. Member for Rosedale. Obviously the Hon. Member is deleting Clause 5 and putting in the words he proposes, which makes Clause 5 subject to Clause 6. My problem then is in relation to what happens to currently numbered Clauses 6, 7 and 8. I presume they are renumbered seriatim and the new Clause 6 is the motion made by the Hon. Member. I thank the Hon. Member.

Mr. Deans: Mr. Chairman, it is difficult to replace one bad procedure with another.

Some Hon. Members: Oh, oh!

Mr. Beatty: No doubt you will do your best.

Mr. Deans: The problem with what is being proposed, and I think with all good intentions, by the Hon. Member for Rosedale is this: arbitration was available to both parties all the time. Arbitration is even yet today available to both parties if they want arbitration. The parties have said quite clearly they do not want arbitration. We are therefore not prepared to

impose on them the arbitration they have said they do not want.

Some Hon. Members: Oh, oh!

Mr. Deans: I say to the Hon. Member for Rosedale that I think in his naiveté with regard to matters relating to collective bargaining he believes that to put that in place, the compulsory arbitration process, is somehow protecting collective bargaining. It is in fact not protecting collective bargaining. I suggest to the Conservatives that they consider this and consider it carefully.

As Hon. Members know, we in this party have steadfastly stood against the six and five regime because we believe it to be unfair. They also know that we have steadfastly stood up on behalf of the collective bargaining process because we believe it works almost all of the time to the advantage of the country as a whole. We have paid particular attention to the parties involved in this dispute and we have attempted to seek out whether or not the parties involved in the dispute are desirous of having arbitration available to them. They have said no. We are not, therefore, prepared to impose it upon them.

[Translation]

Mr. Pinard: Mr. Chairman, on a point of order.

The Deputy Chairman: The President of the Privy Council (Mr. Pinard), on a point of order.

Mr. Pinard: The amendment is in my view out of order for all of the reasons we discussed earlier. Clause 4 carried and the motion is a clear negation of Clause 4. I also think that it would be useful for all members to look at Citation 773(9), Beauchesne, 5th Edition, which indicates that in the circumstances, the hon. member may not substitute a new clause for Clause 5, as he is doing now. So for all these reasons, it seems to me that in the circumstances he cannot try to repair, as I believe he said himself, the damage caused by the refusal of the New Democratic Party to give unanimous consent a few moments ago.

[English]

Mr. Nielsen: I think I can deal with that very quickly and very easily, Mr. Chairman. We are not at all attempting to substitute a new Clause. It was simply for the purpose of neatness that we took the Clause out and reworded it. We could just as well have amended the Clause by adding a proviso: provided that no such proclamation shall be fixed until Clause 6 has been complied with. We could have done it that way. I can do it that way now if the committee wants to be delayed. The Government House leader very graciously agreed with the process of allowing us to put our amendment. The NDP did not. Surely for the sake of allowing us to divide on the principle of arbitration he could agree to accept this amendment in that spirit of co-operation his Prime Minister and Cabinet Ministers—indeed all Members on that side—have been requesting of us since this session resumed. We now