

Presentation to the House of Commons Standing Committee on Finance on Bill C-43

November 17, 2014

Mr. Chairman, ladies and gentlemen of the committee, thank-you for the opportunity to speak with you this morning about proposed amendments to the Aeronautics Act captured within Bill C-43 before you today.

My name is Daniel-Robert Gooch and I am president of the Canadian Airports Council, whose 45 members include all non-government National Airports System airports from throughout the country.

There is good reason for rigorous consultation on legislation before it gets to this stage. It helps the Government of Canada avoid unintended consequences. Airports have a concern that this relatively small bit of legislative text is broadly enough written that it could have an unintended negative impact on our nation's airports.

We understood that there would be a legislative move to provide the Minister of Transport with new regulatory authority to intervene in matters around the development and operation of new small private aerodromes. There are valid reasons for the Minister to have new regulatory powers in this area, most notably to ensure the continued safety and security of Canada's skies.

However this language goes beyond the domain of private aerodromes and should be tightened. In light of the all the possible implications of it, this kind of legislative exercise should be handled more cautiously. The House of Commons Standing Committee on Transport, Infrastructure and Communities is the more appropriate venue for this. It is designed to

consider legislation of this nature, so that its implications can be properly considered and the language amended, as required, to better align with the stated objectives.

We do not believe the Government of Canada wants to turn back the clock on the National Airports Policy or revert back to taking control of our nation's airports and the significant financial responsibility associated with their development and operation. However, the expanded powers being considered in Bill C-43 would, if implemented, could be interpreted as a move in this direction.

Air transport in Canada is a \$35 billion industry that supports 140,000 direct jobs. Airport authorities plan and implement key development programs costing from millions to hundreds of millions dollars.

We have an important role in the Canadian economy and we must tread carefully.

It is the breadth of the language of this legislative initiative that is of primary concern to Canada's airports: As drafted, the bill encompasses all airports in the country and, if approved, would confer broad new regulatory authorities for the minister, including in areas explicitly devolved to local airport authorities under the National Airports Policy.

As drafted, the bill also would give the Minister of Transport the ability to halt development or expansion of an airport if the Minister makes a determination that such a project would not be in "the public interest." While there may be some who would suggest that the Minister should have such a role in airports, this would represent a major policy shift back to the pre-National Airports Policy era in terms of the role of the federal government in airports. That policy entailed a very deliberate de-politicization of decisions like this.

We are also very concerned that “the public interest,” as outlined in the proposed amendments, is vague and subjective. Is it truly the government’s intent for the Minister of Transport and her successors to once again be at the heart of decisions about airport development and be an arbiter in matters that were designed to be handled locally? No, we do not believe so, but we are concerned that the changes proposed by this language could be used that way by future governments and/or interest groups. We want first and foremost to ensure that all of the possible implications are properly explored and considered.

Another notable consideration is that a broad review of transportation policy already is underway through the review of the Canadian Transportation Act being conducted by David Emerson and his esteemed panel of advisors. This is the more appropriate forum to consider major transportation policy changes.

And so today the Canadian Airports Council urges this committee to amend the legislation to properly focus on the new small private aerodromes we understand to be of primary concern to the Department of Transport, or withhold the language in question until such time as it can be considered on its own and more thoroughly.

Thank-you for your time and I look forward to your questions.