LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Fifth Session — Sixteenth Legislature
42nd Day

Wednesday, April 14, 1971.

The Assembly met at 10:00 o'clock a.m.
On the Orders of the Day.

ANNOUNCEMENT

Iron Ore Discovery in Kelsey Lake Area

Hon. A.C. Cameron: **(**Minister of Mineral Resources): — Mr. Speaker, before the Orders of the Day I have an announcement which I think will be of interest to the Hon. Members.

I wish today to announce, together with Mr. Parres, President of Fairway Exploration Limited, a significant iron ore discovery in the Kelsey Lake area some 60 miles northeast of Prince Albert. This discovery was made using an oil drilling rig and the drill penetrated the iron formation at a depth of 1,600 feet. A study of the gravity data released by my Department of Mineral Resources and the results of the core samples assayed by the Saskatchewan Research Council indicates potentially large commercial iron ore deposits in this area.

Some Hon. Members: — Hear, hear!

Mr. Cameron: — The discovery was south of the Pre-Cambrian Shield and favourably located in regard to roads, railroads and power. Ground and airborne geophysical surveys show a possible iron range in excess of a mile in width and 40 miles in length, one of the largest yet discovered. Fairway Exploration Limited has staked 520 claims in the area covering approximately 40 square miles. The Company now plans an extensive drilling program commencing immediately and continuing throughout the summer to determine the extent and the grade of the reserves. Hon. Members will be interested to know that Fairway Exploration Limited is a Canadian-based company incorporated in the Province of Quebec with head office in Montreal. Its President, Mr. A.L. Parres is a long time resident of Saskatchewan who obtained a degree in geology from the University of Saskatchewan and who has devoted his working life to the development of Saskatchewan's mineral resources.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Leader of the Opposition): — Mr. Speaker, let me join with the Minister of Mineral Resources (Mr. Cameron) in expressing our pleasure at this promising discovery. We are pleased that, as you say, Mr. Parres who has been prospecting and developing in this province for many years under various labels — and I recall Parres Explorations and some others in which he was involved — appears to have made a significant discovery. I wonder whether the Minister would be able to indicate whether it will prove to be one which can be worked economically and, in this regard, whether

it is better or worse than the Choiceland deposit in the same general area which has been known for some 15 or so years at least but which hasn't yet been able to get itself in a position to compete with the open pit sort of thing that we see in the Labrador or Atikokan or other places in Ontario.

Mr. Cameron: — Am I permitted to reply, Mr. Speaker?

Mr. Speaker: — I think there has to be a little bit of give and take in these things. I think this is a matter of some degree of importance.

Mr. Blakeney: — I'm directing a question to the Minister if I may put it that way.

Mr. Speaker: — I'm sure the House will be willing to consider this as a question and the Minister can reply.

Mr. Cameron: — Yes, the discovery is some 30 miles north of what we know as the Choiceland iron ore discovery. It is a higher grade ore than Choiceland; it likewise is much shallower. The Choiceland ore is down over 2,000 feet. This they hit at 1,600 feet, so they tell me. For instance, if you are constructing a shaft in the two areas, what would cost $10 million to put a shaft down in Choiceland would cost about $6 million in this area. Thus it has an economic edge when you consider the economics of it. There isn't the great Blairmore to contend with. It has advantages from a production point of view. It is more favorable, I should think, than the Choiceland deposit.

Some Hon. Members: — Hear, hear!

SECOND READINGS

Bill No. 68 — An Act to amend The Workmen's Compensation (Accident Fund) Act

Hon. D.G. MacLennan (Minister of Labour) moved second reading of Bill No. 68 — An Act to amend The Workmen's Compensation (Accident Fund) Act.

He said: Mr. Speaker, before moving second reading of this Bill I should like to made a few observations on Workmen's Compensation generally and on the amendments particularly.

Modern compensation laws in Canada found their origin in the recommendations of Chief Justice Meredith of Ontario who conducted a two and one-half year world-wide survey and made a 1,251 page report to the Ontario Government. Upon this report, the first Canadian Workmen's Compensation system, as we know it today, was founded. Ontario was the first province to enact Workmen's Compensation legislation. All parties in Canada followed Ontario and today there are Workmen's Compensation Acts in all 10 provinces which are, except for a few variations, almost identical. Over the years the Workmen's Compensation Boards of Canada have endeavoured to achieve a great degree of uniformity in order to obviate any disparity between the provinces as it affects workmen and employees alike. For example, the disability rating schedule that was applied uniformly across Canada is

based on a report of the committee on Permanent Disability Evaluation of September 1, 1964 to the Workmen's Compensation Boards of Canada and which is periodically updated. Through consultations with other Boards it has been possible to bring about uniform first aid regulations which now apply in Alberta, Manitoba, Nova Scotia and Saskatchewan. In the same manner, petroleum and natural gas safety regulations have been made uniform in Manitoba, Alberta, British Columbia, The Territories, The Yukon and Saskatchewan. Forest safety regulations are uniform across Canada as well as the general accident prevention regulations. Throughout the years the Canadian Workmen's Compensation Acts have been amended from time to time to meet social and economic changes having regard for the basic philosophy of Workmen's Compensation. In this respect, the Saskatchewan Workmen's Compensation (Accident Fund) Act has continued through Canadian jurisdictions and, in several instances, to surpass them.

The proposed amendments in this Bill are yet another step forward in providing increased benefits to injured workmen and their dependents. If these proposed amendments are subsequently passed by this Legislature, Saskatchewan's Workmen's Compensation benefits will compare favorably with and, in some instances, surpass those of other provinces. For example, by raising widow's pensions as proposed from $115 to $127.50 per month, places Saskatchewan second highest in Canada in this regard. By increasing the minimum total permanent disability payment from $156 to $173 per month again renders this benefit the second highest paid by Workmen's Compensation Boards of Canada. By increasing clothing allowances paid to amputees from $96 to $110 for a lower limb and from $42 to $50 for an upper limb, will constitute the highest benefit in Canada in this regard.

The proposed amendment to Section 48 of the Act will enable a workman seeking a medical examination, on appeal, to choose two specialists from a list submitted by the Board of all doctors who are certified in the specialty related to his injury or ailment and practising in the centre chosen by him.

The panel by which the workmen will be examined either in Saskatoon or in Regina will consist of the two specialists so chosen by him and a permanent chairman, a general practitioner designated by the Saskatchewan Medical Association. This, without question, will be the most progressive medical appeal to be found in any other Workmen's Compensation jurisdiction.

Yet another forward step, in my view, is the proposal to provide for a cost of living adjustment of existing pensions up to December 31, 1968. Only two other provinces in Canada are providing such, Quebec and British Columbia. It may be contended that the proposed cost of living adjustment does not adequately compensate for the increased living costs and it would be a valid contention. However, to increase pensions for past accidents to the extent to which living costs have increased would place an unfair burden on industry which had already assumed the cost of those accidents and its responsibility at the time the accident claim was accepted. In the 1966 report of the Royal Commission in the matter of Workmen's Compensation to the Government of Ontario, the Hon. Justice McGillvray of the Supreme Court of Ontario, who headed the Commission, sets out the opinion of Mr. Justice Roach given in the 1950 Royal Commission report and with which he strongly

agreed. I quote.

> The compensation for which the Act provides must be regarded for what it is and always has been intended to be, namely, a debt owed by industry to the injured workman or his dependents. It is proper to measure that debt at the time of the accident by whatever standards the law then specifies. When the debt is thus measured and evaluated and that measure is paid, industry should thereby be fully released. If, in the course of time due to changes in our social thinking or to change the economic conditions, it should be concluded that the standard of measurement should be altered, the debt should not be resurrected and remeasured by some new standard. There should be a finality to it. Without such finality industry can never know what its liabilities are. The ownership of industry is constantly changing. The shareholders of an industry in 1950 may be entirely different persons from the shareholders in 1940. In my respectful opinion it is unfair to visit on the shareholders in 1950 a debt created in 1940 and which by law of the land as it stood in 1940 was completely satisfied. When the amount of compensation in respect to accidents is increased, the assessments to provide that increased compensation are levied on the class in which the industry in which the workman was employed at the date of the accident was placed. The firm by whom the workman was employed will no longer be in that class. Indeed, it may have passed out of existence and in that event the industries within the class are called upon to pay a debt for which they were in no way responsible. Other industries, in the meantime, have come into existence and are in this class with the same results.
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> The main reason advanced for increasing pensions which have been awarded in respect of past accidents is that due to changed economic conditions, they are found to be inadequate. If the workman or his dependents are thus adversely affected by changed economic conditions and require assistance, the burden of providing such a system should be borne by society as a whole and not by one group of society, in this case, industry. Industry discharged its debt by the standard which the law prescribed when the accident happened and the amount which was then paid was considered adequate. It is the lessening of the purchase value of our currency and a consequent increase in the cost of living that later made it inadequate. That is a condition of general application. It applies to all persons who for any reason are in a position of having to live on an income fixed in past years. The dependents of persons who in their lifetime were never associated with industry are similarly affected. These, if they require assistance, receive it from the state since the injured workmen or their dependents are in the same position and for the same cause, I see no reason why they should be treated differently. Specifically, I think it is discriminatory to place the burden of assisting one group under state and the other on industry alone.

Since other matters pertaining to this Bill will be discussed in Committee, I now move second reading of this Bill.

Mr. W. G. Davies (Moose Jaw South): — Mr. Speaker, before making my own remarks on this Bill, I should like to have something to say about the comments of the Minister who has just taken his seat. He has said that compensation legislation across the country is identical in nature and I think to some extent that is true. There has been uniformity and I think to some degree that uniformity may be desirable. But it is my contention that what has occurred in the more than one-half century since Workmen's Compensation first came into being, we have had far too much uniformity because of the bureaucracies that have been developed in Workmen's Compensation administrations across Canada. And what was more than half a century ago a pretty progressive concept is now one that lags in terms of the social need and is far too static for what we require among working people in industry, indeed, I think insofar as the interests of employers are concerned.

The Minister has said that the Saskatchewan Act parallels other Acts. I want to remind the minister that there was a time under the former Government when the leadership in Workmen's Compensation was from Saskatchewan and was far in the lead of any other province in the country. We, of course, gave the leadership in this province to the 75 per cent basis of compensation. It took another 10 or 12 years before the other jurisdictions in Canada came from behind from 60 or 66 per cent to the 75 per cent level. In my view there would have been a static situation had not one province, in this instance Saskatchewan under a CCF Government, decided to make such changes.

As well, the ceiling on compensation was raised and many other excellent changes were made by the former CCF Government. These were, for the most part, finally taken into the other Acts across Canada. So I should like to suggest to the Minister, Mr. Speaker, that it is not necessary for us merely to parallel. We should try to give leadership. It is my contention that Workmen's Compensation, as we know the principle today, requires some very basic changes in philosophy. I think that we are obsessed with an excessive legalism and I believe the Minister in his comments this morning probably reflected that view. I was interested in his remarks about the pensions that will be partly raised by this Bill and his comments that industry should not bear the weight of an escalation of cost caused by the cost of living increases.

I suggest that what has taken place over the years in Workmen's Compensation is that in any progressive group or section — and the Minister knows there are some 22 of them under this Act — where they have moved to institute better accident prevention, there have been savings effected that would more than take care of any cost rises such as indicated here in the very small increases mentioned in the Bill. I'm going to speak more about that later.

I suggest that it is not an unfair burden upon industry if in the first instance those accidents have been occasioned by the work of the employee in industry. Certainly, I do not think that it is a good argument to suggest that the whole weight of a cost of living escalation should not be borne somehow by Workmen's Compensation. If, of course, the Minister is arguing that society should bear all or part of that cost then this is not reflected in the Bill before us.

I say that with respect to the increase of pensions, the increase for clothing allowances to amputees, these are not very world-shaking. More about that later.

In my opinion, Mr. Speaker, what we need at this time is a new look at our whole compensation philosophy and structure. I should like to appeal to the Government this morning. I direct my remarks especially to the Minister of Labour (Mr. MacLennan) and I hope he will take them under consideration, that we should have a thorough review of the Act in a special way. I should suggest a body chaired by a justice, one of the members perhaps of the Court of Appeal who would go thoroughly into the needs of compensation in Saskatchewan. I say this because there have come to me — as I am sure there have come to many Members of this House, including the Minister of Labour, especially over the past year — many complaints that indicate the extent of grievance from people whose cases have been dealt with by the Compensation Board.

I believe that apart from all else that I have suggested this morning we need to move substantially ahead in terms of the philosophy of compensation and its administration. We have at the moment many people who believe that they have been unfairly dealt with, whose cases should become subject to a thorough review. Their complaints should be directed immediately to some kind of a judicial body.

In the alternative, Mr. Speaker, I should ask that the Minister refer this question to an intersessional committee of this Legislature or that — and this, of course, will depend on whatever political fortunes reveal in the future — there should be such a committee set up when the House again convenes after an election is held. I do not think, however, that it should wait until that time. I believe that this committee could be and should bed set up immediately, that committee should hear representations not only from the people who have complaints and very real complaints, in some instances, but from all bodies of labor, all bodies of employers and all interested people in this province.

There is at present a group known as The Injured Workmen's Association that has been set up with offices in Saskatoon. This group is most anxious — I have had representations to this effect and I am sure the Minister has — to appear before a body of the kind I suggest to lodge their point of view and their complaints so that they may be dealt with by a group other than the present Workmen's compensation Board.

I should ask the Minister, therefore, to consider an announcement along the lines that I have recommended.

Now, Mr. Speaker, my first remarks in dealing more pertinently with the principles of this Bill are that I am disappointed in the overall contents of the Bill. Arriving at this stage of the session — towards its last days, one presumes — we might have thought that something large and substantial was in preparation by the Government to overcome the great shortcomings and deficiencies in both The Compensation Act and its administration. But now as it has come to us, it stands revealed as what I can only call minimum effort legislation — something to talk about on the hustings in the face of so many failures of the Liberal Party and in the face of so many of its anti-labor acts and

activities.

This is not to say that there are not changes in the Bill which constitute improvements. To that extend I'll be glad to support them, Mr. Speaker. But they are hesitant and they are half-way and they do not meet the real problems or the issues that are facing workmen or indeed, their own employers. They will elicit no great joy or happy response from either section.

But there are also amendments proposed which in various ways take away and reduce some benefits and rights already enjoyed by employees and their dependents. These I will not support and I will say why, here in general, and more particularly in Committee, Mr. Speaker.

My chief disappointment, however, lies in the fact that this Bill, as I have already suggested, does not meet the needs of a modern compensation Act, that it does not accord with the needs of our times, that it does not meet the criticisms that have been levelled in this House and elsewhere against both the Act and its administration.

Now, Mr. Speaker, does the Act provide for major recommendations made by the Government's own Committee of Review almost three years ago? This is the first matter that I think we should consider. For example, Mr. Speaker, there is no cost of living escalator to maintain the value of pensions as time goes on. Nor does this Bill provide for the compensation counsellor that was recommended by the Committee of Review. These are only two aspects in which the committee of Review's report has been totally ignored by this Liberal Government.

Some of the sections are a little difficult to understand in terms of their probable effects and these I think will need to be explored in Committee. One of these — and I shall mention it to the Minister (Mr. MacLennan) now — is the new Section 36.

Mr. Speaker, the Bill established a new procedure under Section 48 for a medical appeal of a workman. This has been dealt with to some extent in the Minister's remarks. It appears to be somewhat more satisfactory than the procedure that was outlined in the old section. I did wonder about the appointment of the chairman of the panels that were mentioned in the Bill must be by the Board after consultation with the Saskatchewan Medical Association. Why not, I wondered, appointed after recommendation of the Saskatchewan Medical Association? I assume that the Government is anxious to create an unbiased medical tribunal and if so, Mr. Speaker, and considering that the chairmen of the panels are appointed for a three year period, why should not the appointment be made by the Government after receiving an appropriate recommendation from the Saskatchewan Association?

Aside from this, of course, the question is begged by this part of the Bill. What is needed, what Members of this House have conceded is greatly needed, is an overall appeal procedure in this Act, one that would review any Board decisions. And this particular amendment in the Bill does not meet this crying need.

Dealing with the proposal in the Bill, leaving aside other considerations such as the important one that I have just mentioned, I wonder why the Government has not decided to make

the chairman of the review panel a judge of the Queen's Bench Court? While the stage described in this Bill in this section is a medical review, I believe there might be some value in this kind of organization. I admit this is my own conjecture but I think it is one, nonetheless, that deserves consideration.

I return, however, to the main difficulty. There is no overall appeal or review provided in this Bill and in this new section. Without it, the Act will not meet the many complaints that are and have been advanced by aggrieved workmen. The Minister well knows that the recent cases which have been brought to his attention would hardly be solved by the suggested procedure in the new section.

The principle in Section 32, as it is proposed to be amended, is not new. However the protection that is afforded workmen would appear to be less under the new section than was obtained under the old. As at the present, Mr. Speaker, an injured workman could receive Saskatchewan compensation benefits if he happened to be engaged in duties in Saskatchewan when he was hurt. As it is proposed, he would have to be a regular Saskatchewan resident — as the section says — "or the usual place of his employment is in Saskatchewan". Now, what defines, Mr. Speaker, "a Saskatchewan resident?" Apparently that his usual place of employment is in Saskatchewan. But what happens if a workman comes to Saskatchewan from another province, if he is employed here, if he intends to live here but after having had an accident is judged by the Compensation Board to be someone who is not a Saskatchewan resident? I cannot see that the proposed new section is as beneficial, bur rather, one which may remove to some degree at least, existing protection.

The principle involved in the new parts to Section 64 constitute a slight improvement in that the widow's pension of a former invalid husband has been increased $12.50 a month. I should doubt, Mr. Speaker, however, if this will take care of increased living costs since the last adjustment was made. So while it is helpful, the aid is not really very significant. Moreover, where in this class there are also dependents, these payments have not been increased. This last seems to me to be a strange approach. If the widow requires more money and it is very apparent that she does with this low monthly payment, then so do the dependents. Obviously, in all equity, the payments under this part of the section should have been raised accordingly. The fact that they have not been raised, is, I think, regrettable.

Mr. Speaker, by the changes in another section, pensions have been increased — as the Minister has told us — from three to nine per cent, depending on when the pension was first awarded. Now any increase can, of course, be classed as some gain. But again, the increases allowed here must be seen as niggardly and insufficient. For example, a workman pensioned in 1963 will get a three per cent increase. Now, surely, Mr. Speaker, this is not enough. I have not had the opportunity of making a precise assessment but the cost of living in the past eight years has risen about 30 per cent. So the adjustment here will take care of only one-tenth of the erosion in buying power of pensions that were established in the year 1963. This can hardly be considered as just or fair. Not only is the adjustment less than princely, it is far short of meeting pressing needs.

A person pensioned in April of 1948 will receive a nine

per cent increase, Mr. Speaker. Once more this figure falls lamentably short of meeting the situation posed by advancing living costs. I find that the difference, the escalation of costs from 1948 to 1971 was about 55.3 points in the cost of living index. The index in 1948 was 75 points and the most recent index at January of 1971 was at 130.3. I believe there has been a slight rise since, by the way. That's 55.3 points (or percentage) as against a nine per cent increase. Again, it seems to me that this, while it is some gain, is hardly what should have been expected at this time.

The same basic shortcomings, I suggest, are seen in the raising of minimum compensation paid for full disability. It will be increased from the present $36 to $40 a week. Any raise may be something but $4 a week is less than 75 per cent of the present impossibly inadequate minimum wage of $1.25 per hour (on a weekly basis) and it is further out of line because we know the present minimum wage is due to be increased. Therefore, the $40 weekly minimum compensation level is one that fails in justice and equality even on the basis of the present inadequate minimum wage.

The new Section 75, Mr. Speaker, provides some relief to amputees in the way of a higher clothing allowance. This, of course, will be paid at the discretion of the Compensation Board. It's an extension of the present principle in the Act and is to be commended as far as it goes. But once more, because of the increase in clothing costs made since the section was first enacted by the former Government in 1962, it is only really a bare reinstatement of values, if indeed, it is that.

Similarly, the principle in the new Section 78 can hardly be termed a benefit. It is to reinforce the Board's power and its powers of decision. The first part is a restatement of what now exists in law except that the Board may divert payment of compensation for dependents to someone other than the widow.

Under the amendment before us, Mr. Speaker, the Board can exercise its own judgement without any appeal to anybody whatsoever. The existing section does not go quite that far. The second part of the amendment permits the Compensation Board to terminate a widow's pension if she is living or cohabiting with a man to whom she is not legally married. Now, Mr. Speaker, the Board exercises complete discretion in making this determination. There is no appeal, no having to establish that a common-law relationship does, in fact, exist. I think this appears to be an exercise of powers which it is inadvisable and dangerous for this Legislature to grant. I do not believe the compensation Board should be able to terminate a widow's pension just because, say on the evidence of hearsay or based on rumors, it may exercise sole discretion to determine if a widow is living common-law.

Admitting that in the construction of the section which permits the termination of a widow's pension upon her legal remarriage, the Board may find some irritating situations where a common-law relationship seems to exist, this can hardly provide valid reason to give the Board supreme authority to make arbitrary decisions of the kind the change in the Bill will now give it.

The changes in the Bill which provide for the replacement of broken dentures, eye glasses, artificial eyes or limbs where breakage is because of an accident at work, is a good change,

Mr. Speaker. It is not world-shaking and it will affect a relatively few workmen but it is undeniably beneficial. I will certainly endorse it.

While I have not studied the new sections on safety very closely, they appear to be in the right direction. I shall not venture to go into them very deeply at this time. I welcome them if, indeed, they strengthen existing regulations and practices and I shall await the Minister's explanation in more detail.

Mr. Speaker, I do not believe that genuine progress in safety lies in law changes, so much as it lies in the actions of the Board and in their administrative practices and procedures. We need safety in a plant organized on a co-operative and co-ordinated basis with the workmen a true part of the endeavor. Safety in plants today in this province is far too much along the authoritarian line, dictated from the supervisory point of view, failing to enlist, in all cases, the energies and initiative of the working people concerned. However, if alterations in present safety sections of the Act will do anything to reduce hazards and eliminate accidents, I'll be glad to accept them. But I want to emphasize again that it is in the Board organization and its approach to plant safety that we shall really make true progress.

May I comment again with particular reference to the remarks of the Minister about costs which amounted, I thought, almost to an obsession in relation to the matter that we are discussing. I am quite positive in my mind that a much more active and meaningful program of accident prevention could save this province millions of dollars. This would not only save money for industry, but permit us to do many beneficial things in the way of protection for the workman and in increasing his allowances under the Act that are not now done without increasing costs. There has not, Mr. Speaker and Mr. Minister, been, to my knowledge, an accident prevention association in any branch of industry set up during the past 50 years that has not succeeded in achieving a very substantial lowering of costs through reduction of accidents. Not only, of course, should we be thinking about the money angle, the principal consideration is what it means to the workman. The pain and the anxiety, the disturbance to his family, often the loss of limbs, the psychological manifestations as well for many injured people who have been forced to take pensions, have been ruinous to their entire lives. This is one of the reasons why it seems to me we should look into the practices and the procedures of the Board not simply from the legislative aspect.

Mr. Speaker, as I said in the beginning, a number of the proposals in this Bill are acceptable, some are questionable, some are perhaps unacceptable. I shall give the Bill support on second reading for its better nature while reserving the right to question its total contents in Committee. Arising out of the recommendations of previous committees of review on the Compensation Act and Regulations and out of the numerous proposals which have come to the Government, this Bill is, as I have already said, no cause for any great elation.

Here are a few of the things that this Bill should have contained:

1. A section obliging the Board to conduct a genuine accident prevention and rehabilitation program as well as making it

possible for the Legislature to debate the Board's report and to advise the Minister of Labour of needed reforms. This House in that respect, Mr. Speaker, has been completely frustrated. 2. It could have provided for the establishment of a review committee or commissioner to whom workmen with grievances could address themselves. 3. It could have raised the rate of compensation for general purposes to at least 85 per cent as a beginning of a move to reach a 100 per cent or nearly 100 per cent level. 4. It could have lifted the present ceiling on annual income on which compensation is based. Surely, this is indicated by everything that has taken place in the way of cost of living rises, if not for sheer equity. 5. The Bill could have required the Board to set up a modern information and research apparatus. As far as I know, this Board still cannot tell us how many people are subject to workmen's compensation in this province and therefore cannot tell us the accident ratio figure in industry as a whole. A most fantastic situation. 6. The Bill could have increased compensation pensions to conform with needs and advancing living costs, as well as the provisions of a cost of compensation from this point on. 7. It could have provided for a modest pension to the widow where a pensioned husband dies and that death cannot be charged completely to the industrial injury that he suffered when he was pensioned.

Now there are only a few of some truly progressive changes that could have been made without, I suggest, disturbance to anyone. I am very sorry indeed that after waiting so long for this Bill it comes to us in the dying days of this session and provides so comparatively few changes. Mr. Speaker, one would have hoped that the Government with an eye, at least, to the coming provincial election and in the full knowledge of its delinquencies in the field of labor legislation and in its general treatment of labor, would have tried to achieve a partial redemption in providing a compensation Bill offering deep-going benefits and a decisive alteration in compensation practices. This Bill doesn't achieve that as I have shown. It offers some improvements. These I will support. I shall later point out where the Bill takes away rather than supplements benefits.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Leader of the Opposition): — Mr. Speaker, I wanted to add a few words with respect to The Workmen's Compensation Accident Fund Act, the Act to amend it, which is before us — Bill 68. It seems to me that there are provision with which I am not particularly happy. I am particularly distressed at the fact that no attempt has been made to tackle some of the real problems with respect to the administration of Workmen's Compensation which I think are recognized on both sides of the House and were pretty vigorously articulated at the last session by Members on both sides of the House.

I first want to comment on the bit of philosophy which the Minister (Mr. MacLennan) expounded when he was introducing this Bill and to say that I disagree heartily with the general philosophy of Workmen's Compensation which he stated. More particularly, I dispute the proposition that when an employee is injured, then the appropriate thing to do is to calculate the entitlement of that employee to a pension for total or partial disability on the basis of his earning at that time and to set an amount and then

to conclude that the industry has no further obligation to that employee. That is a particularly legalistic approach to workmen's compensation and one which I think has been left behind by most people other than possibly a few judges of the Ontario courts. I should have thought it was left behind 25 years ago. Almost anyone who talks in terms of compensation does not now talk in the fictions of the payments to employees coming out of the pockets of shareholders. Does anyone believe, does anyone in this House believe that if we provided, let us say, that the employees of construction companies who were injured ten years ago, should have their pensions adjusted in accordance with increases of the cost of living? Does anyone believe that his would take ten cents out of the pocket of any shareholder of a construction company? Does anyone believe for one moment that those costs would not be passed on and would not become a cost of the construction industry? Does anyone believe that? In fact, what we need to introduce is not the idea that these compensation payments somehow come out of the pockets of shareholders which they obviously don't, but that they are a cost of the activity. We live in a technological society, therefore, we have construction companies, therefore, we have complicated machinery and workmen get injured. And the cost of building buildings not only includes bricks and mortar but it includes the cost of looking after injured workmen because injuries are a part of a modern society. I see no reason whatever why the construction industry of 1970 ought not to bear the burden of paying fair compensation to those workmen injured in the construction industry of 1960. To anyone who says that the shareholders of construction companies of 1970 are different from the shareholders of construction companies of 1960 as the Minister just has, I say he is raising a totally irrelevant argument. The question is whether or not the construction industry and the consumers of construction services should assume this obligation, or whether it should be assumed by general society. Now you can put up an argument for both but I believe that we are at the stage in terms of social development that activities should bear the cost of their casualties. I believe that we recognize this. The whole concept of workmen's compensation recognizes it. The whole concept of an automobile accident compensation without fault is a type of activity compensation which is recognized and I see no reason why we shouldn't include in this general concept of activity costs, the idea of updating inadequate pensions from past decades. So I simply don't agree with the Minister when he talks about it being unfair to hoist on the shareholders of 1970 the costs of 1960. I say the shareholders won't pay a penny of it anyway.

The other point I wanted to make was that which is based upon Section 36 of the Act, Section 5 of the Bill, which once again takes away from the employee his right of action against the employer or indeed against any other employer who is covered by Workmen's Compensation. Now this is the bedrock of The Workmen's Compensation Act. The bedrock is that the employee will have compensation without proving that anyone was negligent and as a result he shall lose his right of action against and tort-feasor, if I may use a legal term, anybody who was negligent whether it be his employer or a fellow employee or another employer who is scheduled under Schedule 1. But I want to point out to the Minister just how badly that is being administered and I should be interested if the Member for Hanley (Mr. Heggie) would just listen to this, what I call a horror story, of the administration of Workmen's compensation.

I noted a particular case where an employee was working on a construction project. He had been assigned one particular duty which involved him assisting on the ground someone who was using a backhoe. This employee was capable of operating a backhoe and he, in the course of proceeding to do the employer's work — digging a ditch with a backhoe — went up on the machine and operated the backhoe in contravention of his instruction. He was not to operate the backhoe and he went up and operated the backhoe. In the course of operating the backhoe he was injured. It was a backhoe which did not have the safety equipment which, at least in my view, it should have had. It was so arranged that his foot could slip on a steel deck and go into the machinery and crushed his foot. The employee made application for compensation. The Compensation Board said, "You were not acting in the course of your employment, true you were on the job and it was working hours but you should not have been on that machine." So the Compensation Board said, "You can't get compensation." I took the view that this was a wrong decision but I then said if the employee can't get compensation, I will sue the employer on the employee's behalf and see how I get along on the grounds that the equipment was defective. The Board said to the employee, "Oh you can't sue the employer because you are an employee and he is the employer under the Act and you have lost your right of action." And the employee said to the Board, "Now wait a minute, you're telling me I'm not an employee for the purposes of compensation but I am an employee for the purpose of losing my right of action." They said, "yes, indeed, that is the law and that's the law we are going to stick with. If you don't like it, you can sue." Which is what was done. Unfortunately, the matter did not proceed, the employee left the province and didn't want to proceed in the matter. This was a disappointment for me. He was one of the many who left the province, but I won't go into that argument at this time.

My point is that the interpretation of this section was such as to deprive the employee not only of his right of action but also of his right of compensation. Incidentally, I say that the Workmen's Compensation officials were not making a foolish judgment based upon the law. I thought that they were making a marginally wrong one but the way the Act reads it was thoroughly capable of bearing the construction which they gave. Accordingly, my criticism is directed not primarily at the officials of the Board, even though I feel they should have made another judgment, but at the state of the legislation which, as I say, was quite capable of bearing the interpretation which they gave it. Now it seems to me that it was quite intolerable to place a workman in this situation. For all of the reasons which I stated in the debate in the 1970 session, the idea of depriving a workman of his right of action is becoming less acceptable. Perhaps that is not the way to phrase it. There was a time when compensation was so generous in relation to what a workman might be left with otherwise that the deprivation of his right of action was a relatively small price to pay for an insurance scheme like Workmen's Compensation. Workmen's Compensation has failed to keep pace. Any number of instances can be given where workmen would be better off if they could sue someone, any number, particularly because of the more generous provisions for the compensation of people injured in auto accidents, now without fault. The Workmen's Compensation people are going to have either to make their plan more adequate for workmen or else stop depriving workmen of their right to sue when they could get a better deal by other means. Because many employers are getting a positively good deal out of this in the sense that they get

immunity from legal action for a relatively cheap price. My point, therefore, Mr. Speaker, is that sections of this kind, and these are the very bedrock of the Workmen's Compensation Act, must now be viewed with increasing concern because it seems to me that the employee every year is giving up a more valuable right, the right to sue and collect under The Automobile Accident Insurance Act and other compensating statutes in exchange for a compensation plan which is not keeping pace with the general philosophy of society of compensating injured workmen.

I put it to the Minister without dealing with the particular aspects of this Bill. I should ask him to ask his officials to review the whole Workmen's Compensation Act with the idea that the Act ought to provide fair and reasonable compensation for workmen who are injured on the job without any reduction because of pre-existing conditions. These reductions are no longer defensible for all the reasons I tried to outline in 1970. They would not be defensible if an action were taken under The Automobile Insurance Act. He should have his officials frame a statute which provides workmen with a reasonably generous compensation plan in exchange for depriving them, and I think rightly depriving them, of their right of action against the employer or any fellow employee.

Some Hon. Members: — Hear, hear!

Mr. G.T. Snyder (Moose Jaw North): — I want to add a few words to those that have already been expressed by two of my colleagues and I want to say that in general, we on this side of the House, welcome the changes which we suggest are overdue. We, on this side of the House, have taken the position for some time that there was a genuine need for the updating of the Workmen's Compensation Act and the provisions for pensions and other benefits for injured workmen. We've said repeatedly, Mr. Deputy Speaker, that disability pensions and pensions for the surviving spouse are in need of a general upgrading in light of the rapid escalation of living costs over the last number of years. I think it has to be admitted, first of all, that increases which are provided for are extremely minimal indeed, considering all of the other economic factors.

For instance, Mr. Speaker, the minimum compensation provides for an increase of only $4 a week from $36 to $40 a week and I think this has to be regarded as merely a token adjustment which should have been significantly larger.

The adjustment in the amount of compensation paid to injured workmen is welcome, Mr. Speaker, but I say again, that the percentage increases are sadly lacking when we regard the upward spiral in living costs over the last number of years. The chart which is shown on page 5 shows an increase of some nine per cent for a workman who was injured between April of 1948 but prior to January 1, 1953. I think we should consider the fact that these are dreadfully inadequate and to use one example only and I think perhaps one of the outstanding ones, a workman who is injured between January 1, 1963 and January 1, 1969 will enjoy an increase of only three per cent over that eight year period. This eight year period, I think all Members in the House will recognize, represents a period in our history when we saw the most rapid escalation of living costs of any comparable period that any of us are able to recall. The other increases dating back to 1948 are equally inadequate, Mr. Deputy Speaker, and I think another example is worthy of note at this time and I want

to use this example particularly because it's the precise example of a constituent of mine who was injured in May 1949 and since that time he has been receiving a partial disability pension of $32.50 per month as this is a partial disability pension. So to use this example, Mr. Deputy Speaker, the increase will be $3 a month or 10 cents a day for this particular constituent of mine who was injured back in 1949. This is a person working in industry who has because of this disability been by-passed for several promotions, he tells me, and he has been a loser because of a number of subsequent salary increases which he has lost because of the physical disability that he suffers. So this $3 a month in the way of an increase then has to be regarded as grossly inadequate and I think under the terms of the Act it has to be regarded as a disgrace because of the hardship that has been brought to this particular workman and I am sure many, many other workmen in the Province of Saskatchewan.

So I say again that the increases are niggardly, I suggest that they should bear more of a relationship to the increase in living costs over the last number of years. Those of us on this side of the House are happy to support whatever provisions are provided for in terms of increasing clothing allowances to amputees and the increase for the surviving spouse. In total again, I say we will be happy to support the Bill with the reservations that I have noted and I hope that the Minister, for as long as he is able to fill his office, will perhaps bring about a reappraisal of the rate increases because, once again, they fall short of need. Certainly, we on this side of the House, will give support to the measures contained here. At the same time, we must, I believe, express our disappointment in the nature of the amendments that we are called upon to give approval to today, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. R. Romanow (Saskatoon Riversdale): — I too want to make a few comments with respect to this Bill. I shall not restate the arguments already advanced by those who have spoken on this side. I think all of the arguments are very worthwhile and ones that the Minister ought to consider very seriously.

I firmly believe that the complaints an MLA receives, certainly the complaints that I have received under the Workmen's Compensation Act, probably far outnumber the type and number of complaints that I have received about any other department of the Government. And that's really something when Members consider and might usually feel that complaints respecting the Department of Welfare would be the most numerous. I represent a riding that can be fairly described as a riding where a lot of working men reside and a lot of poor and unemployed reside. I can say that the complaints that I receive not only from the riding but from throughout the city with respect to Workmen's Compensation are probably larger in number than another complaints that I have about any other aspect of Government.

And I think this is an important fact to consider because certainly, I, as a politician, want to be responsive to what the constituents are concerned about. I dare say the Members on the opposite side, like the Member from Hanley (Mr. Heggie), the Member from Souris-Estevan (Mr. MacDougall) who spoke in last year's debate and some others, have similar experiences and complaints.

May I also say that I have probably never been more frustrated in my dealings with any Government arm or Government agency than I have been with my dealings with the Workmen's Compensation Board. The decisions taken by the Board are frankly legalistic to an almost ridiculous point. I think the example outlined by the Leader of the Opposition was a good one this morning. At the same time the Board is legalistic in the sense of the medical application of the terms of the Act when it comes to determining what compensation should be paid a particular individual. When one appeals to the Workmen's Compensation Board, very often the injured workman comes back and he just doesn't feel that he has had a fair hearing or a chance to have his complaint properly aired. So I commend to the consideration of the Minister of Labour (Mr. MacLennan) and the Liberal Government opposite that if they are to be responsive to one very sensitive area of Government, this is the area, Workmen's Compensation Board, with respect to matters of the working man.

These amendments do not get down to the basic business of changing the principle of compensation to the injured worker. I think it will probably require some detailed study in order to complete that.

Now, I want to make a second point, Mr. Deputy Speaker. That is the need to hear views of those who have been affected by decisions of the Board before any further substantive changes are made to the Act. There is an association in Saskatoon known as the Injured Workers Association. The Injured Workers Association started as a group of two or three injured workers initially who had these various grievances against the Board. As a result of a very small advertisement in one of the local newspapers in Saskatoon, the membership was expanded now to where, I'm told, it's nearly 100 of these people in the Saskatoon area. They are, by and large, workers who are on compensation and have no other source of income. Therefore, the association is finding difficult times to finance itself. Nevertheless, the president of the association tells me that as a result of this advertisement that was run in the Commentator he received letters from all parts of the province, in fact, other parts of Canada, about complaints against the Workmen's Compensation Board. They have tried as best as they can to process the claims of the Board but I think it is correct to say that their success has been very limited indeed. Nevertheless, they have formed the association. I have in front of me, Mr. Deputy Speaker, 59 copies of a submission that they prepared to the Members of the Legislative Assembly of Saskatchewan for the consideration of the Members. I'm not going to take the time to read the provisions. They are there. I should like to take the provisions and have each Member of the House receive one. I may say that I hold no special brief. They are certainly not politically aligned to us. It was just a mere matter of them calling me up in Saskatoon because of the fact that they have had some communications with me in the past. I promised them, together with my colleague from Mayfair, that we would have these briefs tabled for Members. Now the brief, I think, states the basic sentiments of those who had problems with this Board.

In closing, Mr. Deputy Speaker, I want to emphasize three things: 1. There is a need for a cost of living escalator. I make no further submission. I think the arguments advanced are well taken. 2. There is a need, in my view, to have an independent appeal tribunal even within the present set-up, the way the Minister proposes the amendments. This point is made in the

brief by the Injured Workers Association. 3. I want to stress and stress very strongly the need to hear public representation from trade unions, from the Injured Workers Association, from individual workers who are grieved by this matter before any substantive changes are made. I think that this type of an organization should be encouraged. I'd almost like the Minister of Labour, if he could get the Treasury Board to agree, to give this IWA a small grant so that it can function more effectively. Some might say, well you're giving a grant to an association to work against the interests of the Government. I don't agree with that. You'd find that you have an association that would begin perhaps to process these complaints on an orderly basis, through one sort of organization, to the Minister of Labour and the Workmen's Compensation Board. So the point I want to make here, finally, is that we must hear the voice of those people who have some very legitimate grievances. I want to endorse wholeheartedly the idea of a Committee of some form to look into the concept.

In closing, it is important for all of us to look at the basic principle of compensation for workers to bring it up to date in 1970. Compensation which makes payment more readily available to the worker that is not legalistic, that is fair, that compensates on an adequate basis those who are injured.

I will be supporting the amendments in second reading because they do provide some small increases and I think some improvements in the Act, but I do so with grave concern that the Government has thus far not seen fit to bring in some new pioneering legislation on the principle of compensation. If the Minister has any time left politically before the next election to do it I would commend him to that task.

Some Hon. Members: — Hear, hear!

Mr. J.E. Brockelbank (Saskatoon Mayfair): — Mr. Deputy Speaker, I just wanted to say a few words on this Bill that is before us on second reading. I am surprised in the Minister's presentation of this Bill for two reasons. The first reason which surprised me was that the Minister attempted to make a case for the companies that are involved in Workmen's compensation. It's unfortunate, I think, that the Minister used the means that he did to attempt to make that case. I don't think it's a legalistic case and I don't think that's the proper position of the Minister of Labour to whom the Workmen's Compensation Board answers in this province. That was unfortunate, Mr. Deputy Speaker.

Now the second thing that surprised me was the mediocre offering that the Minister had in the area of Workmen's Compensation. The advances are minimal, and I stress that. The advances are minimal. It appears to me, Mr. Deputy Speaker, that this legislation brought before us at this late date and this time in the political history of this Party and this Government amounts to penny pinching for political purposes. The Minister with the minimum amount of funds and little advance of conditions made in this legislation is going to try pinch some political profit out of this Act. Now in view of the fact that when the Workmen's Compensation came before us last year, strong representations were made at that time, I should have thought that the present Member, who was not the Minister at that time, would have learned something from the representations that were made from this side of the House.

Not only from this side of the House but representations were made from across the way in the debate. At that time the Member for Souris-Estevan (Mr. MacDougall) rose and he spoke quite vigorously about Workmen's Compensation. In his remarks he said this: "I find myself in full agreement with the Member for Regina Centre (Mr. Blakeney)." This was after Mr. Blakeney's remarks where he scored this Compensation Board for the type of assistance they offer to injured workers in the Province of Saskatchewan.

Now if this legislation is good legislation, I should expect that the Member for Souris-Estevan (Mr. MacDougall) would stand in this House and praise it. He was here when second reading was offered. I suspect that the Member for Souris-Estevan will not stand and praise this legislation because, as I have said, the advances are minimal. The whole effort is a mediocre effort as far as the working people of Saskatchewan are concerned.

It used to be a common observation that when workers were injured on the border between Saskatchewan and Alberta and Manitoba, that they took care on which side of the border they fell because it was much more beneficial for them to fall into Saskatchewan than to fall into Manitoba or Alberta. Now my leader, the Member for Regina Centre (Mr. Blakeney) brought forward a case this morning where an injured worker who was crippled managed to hobble out of the province because he thought he didn't stand a chance against the Workmen's Compensation Board and that's an unfortunate . . .

Mr. Cameron: — He didn't say that.

Mr. Brockelbank: — Oh, I think he did, Mr. Minister. And you have an opportunity to get up and say what he said in this debate. But the fact of the matter is the man saw no opportunity to get judgement on the basis of his injury in the Province of Saskatchewan. That was possibly one of the reasons why he left the province. Now there may have been other reasons; maybe he was out of work or something else. It seems to be quite a common reason nowadays.

There are a number of technological changes that are taking place in the province and I'm sure that this whole area, on the basis of this alone and on the basis of the type of assistance that is offered to injured workers, should be reviewed. And I'm surprised, as I said before, Mr. Speaker, that the present Minister of Labour (Mr. MacLennan) brought in this Bill with such a small offering for the people of Saskatchewan.

I receive a number of complaints about Workmen's Compensation every year and while I can't say that I receive the most complaints, I believe it is the second highest number of complaints that I receive in my constituency and I live in a lower middle income constituency with a lot of working people. They have a number of grievances against the Board about, I think primarily, the level of assistance that is offered from the Board. In addition to this, I receive representations from people in the other parts of the city of Saskatoon who find that allowances that they are receiving are almost totally inadequate to meet their needs.

I'm talking about people who are flat on their back, partially or permanently disabled. They find that the pensions

they are getting are totally inadequate. I find the offering that the Government has made here in this Bill to be totally inadequate and it is a shame that after the representations are made from both sides of the House, the Member for Souris-Estevan (Mr. MacDougall) and others, in this House last year, that the Minister would come in with this offering at this time. While there are some small areas where the changes are beneficial, I think overall the changes are hardly worth debating in this House, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Hon. D.G. MacLennan (Minister of Labour): — Mr. Speaker, listening to the debates this morning, there are a number of areas in the Bill that the Members opposite said that they agree with. They have also spent some time — indicating that what we are doing is perhaps too little. There were some questions raised by some of the Members opposite and some of their comments on specific items in the Bill — I'll make reference to those that may be some explanation was requested and we'll deal with it fully, of course, in Committee. I do want to comment on the comments made by the Member for Moose Jaw on Section 36 of the Bill referring to Section 32 of the Act.

I should like to point out now that we have reciprocal arrangements under Section 57 with Alberta, Manitoba and Ontario providing that Saskatchewan residents whose work is performed here and in other provinces and who are injured in the other province may claim compensation there or in Saskatchewan. If a claim is made on Saskatchewan, the other board reimburses us. I think that should satisfy the opposite Members' concern.

On Section 36 there were many queries raises by the Leader of the Opposition (Mr. Blakeney) — we will go into it — but I just want to make this one additional comment. Having the cost of such accident transferred to the employer's record may assist us in making the negligent employer more conscious of the need to practise safety and that was the big single reason for that particular clause.

Now I should like just briefly to mention on Section 12 of the Bill. The Member for Moose Jaw (Mr. Snyder) was dealing with women and those people that might be living common-law. Well, I want to assure the Member and all Members in this House that the Board is not concerned with the moral aspect but the Act presently discriminates against the widow who remarries. We do not intend to investigate all the widows but only such cases that are severe and brought to our attention and are not obvious. We do receive many complaints on just possibly two or three quite, what we consider, valid cases.

The other sections of the Bill we shall deal, of course, with in Committee. I do not want to comment on the last speaker's remarks. He was talking about which side of the province various employees would like to hobble out of. Well they certainly are not going to hobble into Manitoba. If you look at some of the comparative figures, in Saskatchewan the proposed widow's pension would be $127.50 or just a little better than that. Manitoba is $120. If you look at the total minimum payment — disability payment — in Manitoba it is $150 a month, while the proposed would be $170 and some odd cents — here in this province.

There is no doubt that the person would hobble into Saskatchewan and out of Manitoba if he had the chance. In Alberta, in a couple of cases, they are higher, but in most cases we are higher than they. So I think those remarks were misleading, Mr. Speaker.

Mr. Speaker, I do move second reading of this Bill.

Motion agreed to and Bill read a second time.

Bill No. 69 — An Act to amend The Labour Standards Act, 1969

Hon. D.G. MacLennan (Minister of Labour) moved second reading of Bill No. 69 — An Act to amend The Labour Standards Act, 1969.

Mr. W.G. Davies (Moose Jaw South): — Mr. Speaker, on a point of order. As I got this Bill at noon or afterwards, yesterday, and I suggest that this Bill has not been before us for the 24-hour period, I think that the second reading should be deferred in accordance with the rules.

If I may speak further to the point of order I raised, I certainly have no objection to going on with it later this day. But we have been very busy during the session, as you know. At this time, in particular, we have had no opportunity of looking at some of the rather involved sections of this Bill.

Mr. F. Larochelle (Shaunavon): — Mr. Speaker, it would be quite agreeable later this day.

Mr. Speaker: — I must draw the attention of all Hon. Members to Rule No. 51: "No Bills should be read a second time unless they have been printed". I distributed it to the Members at least one day previous and it has been subsequently marked "Printed" on the Orders of the Day. Now it is marked "Printed" on the Orders of the Day. The question arises whether it has been distributed at least one day previously and that depends upon the time that it entered the House. To me a day is 24 hours. Oh yes, I am informed by the staff that it was distributed in the House at noon, therefore, it can't be discussed for half an hour.

WELCOME TO STUDENTS

Mr. Deputy Speaker: — Before we commence the business of this afternoon, I should like, on behalf of the Committee and the Assembly, to welcome two groups of students to the Chamber. We have a group from the Westmount Public School under the direction of Mrs. Sutherland from the constituency of Saskatoon Mayfair represented by the Hon. Mr. Brockelbank. They are in the Speaker's gallery, I believe. We have a group from the Tisdale School, a grade eight class, under the direction of Mrs. Cline as a supervisor and they are from the constituency of Tisdale represented by Mr. Messer.

I should like on behalf of all Members of this Assembly to welcome these students to this Chamber. I hope the knowledge they gain here will be helpful in the years ahead and we trust they enjoy themselves. We wish them a safe trip home and thank you for being here.

Hon. Members — Hear, hear!

The Assembly resumed the interrupted debate on Bill No. 69 — An Act to amend The Labour Standards Act, 1969.

Hon. D.G. MacLennan (Minister of Labour): — Mr. Speaker, you will recall that The Labour Standards Act, 1969 was passed at that session of this Legislature. The Act represents a consolidation of eight different and separate Labour Standards Acts governing holidays, hours of work, minimum wages and equal pay.

The aims of Government policy in the labour standards field, as embodied in this piece of legislation, are to provide for fair and reasonable minimum standards of employment. To this end, the Government keeps labor legislation under constant review to ensure its continued effectiveness in achieving the stated objectives. This is the rationale for the amendment currently introduced. In the two years since the Labour Standards Act in which the purposes of our labor standards policy were not being completely or properly met. At the present time the Labour Standards Act includes a reference to wages at the rate of time and one-half after certain daily and weekly hours of work. Unfortunately, the basis for the calculation of this rate has not been defined causing my Department considerable difficulty in administering the law according to its true intent.

The new Bill will define wages as remuneration for a period of regular hours of employment exclusive of any over time earnings. This will permit the calculation of overtime to be made on the basis of the regular rate of pay only.

Another important advancement in this Bill is reflected in a clause which will extend to managers the same advantages enjoyed by other employees. Managers are currently entitled under law only to annual holidays with pay. The new provisions will extend to managers such additional benefits as one week's written notice of termination, or one week's pay in lieu of notice, payment of wages in full six days after payroll cut off, and payment of all wages within five working days after termination of employment.

Provision is also made for a female manageress to be paid the same rate of pay as that of a male manager in the same establishment provided that the duties are of comparable character.

Contrary to the common belief, Mr. Speaker, a wage earner does not have a priority claim over all other creditors with respect to unpaid wages. Recently the courts have ruled that an assignment of book debts held by the bank from a company had a priority over the wage earners. As a result, monies paid into court were awarded to the bank leaving over 100 employees of the company with no opportunity to collect their unpaid wages. I am pleased to report, Mr. Speaker, that this amendment provides for an absolute priority for employees with respect to unpaid wages over the claim of all creditors including assignees under assignments of real or personal property. This amendment represents one of the few legislative enactments in the Canadian labor legislation which extends to wage earners clear cut priority over all other debts.

The experiences of my Department with respect to defaults of the corporate bodies in paying wages to their employee have been on the increase. A company may be incorporated without

establishing sound financial backing and no bond is required to assure the payment of debts to creditors including employees of the company.

On many occasions members of my department have pursued unpaid wage claims against a limited company only to find that the company had ceased operation and is in a completely insolvent state with no assets. It has been the practice of the Department in these cases to seek a conviction against such companies through the courts in order that a conviction order may be filed in district court as a judgement against the company.

However, the employees have no opportunity to recover their unpaid wages unless the company named, at a later date, recommences operations and is able to accumulate assets.

It is now deemed in the public interest to place an obligation on the directors of all limited companies with respect to unpaid wages. The present Bill provides for the filing in district court of a certificate showing the amount of outstanding judgement against the named company and unless appealed within 30 days, the amount of outstanding wages claimed become payable. Upon default, the directors of the company are notified of the outstanding unpaid wage claims and become severally and jointly liable upon the expiry of another 30-day appeal period.

This provision, too, Mr. Speaker, is among the first of its kind to be included in labor legislation in this country.

Mr. Speaker, the Government has been concerned about the employment problems of the fairer sex long in advance of the pressures being generated by the women's liberation movement. In recognition of the significant and increasing role of women in employment a Women's Bureau was created in the Department of Labour in November of 1964. Moreover, the Labour Standards Act requires that females receive pay equal to that of males for of a comparable nature performed in the same establishment. However, this provision is not effective unless there is an appropriate means of bringing violations to light.

At the present time a working woman who feels that she has not been receiving equal pay must file with the Director of Labour Standards a formal detailed complaint in writing. The existence of this formal procedure may well have tended to inhibit women from bringing legitimate grievances to the attention of the Department. Accordingly, it is proposed that The Labour Standards Act be amended to permit any district office of the Department of Labour to receive complaints in written or oral form. This change will make it easier for a female employee to register a grievance and it will also bring about uniformity in the reporting of alleged violations with respect to any provision of The Labour Standards Act.

The Labour Standards Act provides for the closing of shops in cities with a population of 7,000 or over at 12 noon local time on Wednesday of each week during the months of April and August each year.

Where the council of a city has passed a bylaw requiring shops to close after 12 noon on a day other than Wednesday, the provisions of that bylaw take precedence.

It is now considered appropriate to repeal the Wednesday closing legislation, thereby permitting city councils to regulate the closing periods of shops in their city without reference to The Labour Standards Act.

Mr. Speaker, the provisions of this amendment will streamline the operation of The Labour Standards Act and will make it more effective in facilitating the smooth functioning of the employer-employee working relationship.

The paramount principle reflected in this Bill is the protection of the rights of the individual wage earner. Since assuming office, this Government has consistently demonstrated, in a material way, its determination to uphold this principle, in the face of the feeble attempts of certain individuals to persuade the people of Saskatchewan that we have an anti-labor bias.

In 1965 the Government provided, for the first time ever, statutory holiday pay for hourly-paid construction employees in the province. In 1967 legislation was introduced to give the Department of Labour the authority to invoke a third party demand which requires persons to turn over, to the Department, monies they owe to an employee who has failed, or is likely to fail, to pay an employee his wages.

In 1969 an amendment to The Labour Standards Act was passed which further protected employees who were not paid their wages in cases in which creditors had taken over a defunct company to liquidate its assets.

The present amendment makes another positive step in the Government's continued attempts to ensure that our working people receive the remuneration to which they are rightfully entitled.

I am proud to be able to say, Mr. Speaker, without fear of contradiction, that the Saskatchewan program relating to the wages of employees is widely considered to be the most progressive in Canada.

Mr. Speaker, accordingly I move second reading of this Bill.

Some Hon. Members: — Hear, hear!

Mr. W.G. Davies (Moose Jaw South): — Mr. Speaker, my initial comments on this Bill must re-echo what I had to say not so long ago about another piece of legislation introduced by this Government in the field of labor and that is, namely, that this Bill fails by a considerable margin to meet larger questions affecting and the needs of the employed section of Saskatchewan's population.

It is particularly illustrative of the Liberal failure to help working people in this province, that we should be considering 43 days after the Government promised to provide a higher minimum wage, the meagre amendments in this Bill before us. Apparently the Government cannot act on moving decisively to effect even a moderate increase in the minimum wage which, of course, is covered within The Labour Standards legislation.

This Bill which covers the legislation governing minimum wage and like conditions in Saskatchewan, could and should have moved to supply protection to the part-time worker in this province, as was spoken about not too long ago in this House, as

it could have moved to effect overdue reforms in other areas. But it has not. I listened, Mr. Speaker, this afternoon to the Minister (Mr. MacLennan) talking about the progressive nature of The Labour Standards Act and I want to remind him that except for some limited amendments that have been made since 1964. The Labour Standards Act is the expression of legislation that was passed prior to 1964 by a CCF government.

Some Hon. Members: — Hear, hear!

Mr. Davies: — Mr. Speaker, this Bill could and should have moved to lower the legal work week in Saskatchewan so as to provide employment for many more workmen. And heaven only knows that alleviating unemployment in this province today should be a priority of any government. But the Government has not moved even although this kind of a change would have materially assisted, not only workmen, but the Saskatchewan economy.

Similarly, the bill might well have done something to improve vacation schedules in Saskatchewan. It could have substantially benefited employees not covered by trade union protection. But as seen, it has not. Surely, Mr. Speaker, a Labour Standards Bill at this Session should have recognized the fact that the wage disparity between wages here and elsewhere on the Prairies, and on the national average, has grown substantially under this Government. Amendments to this Bill could have recognized this extremely important factor. But there is not one single thing in the Bill which will increase the basic earnings of employees so that our position with respect to, and in relation to other areas of Canada, would have been improved.

This Bill has proceeded in a minimal way to make some changes which can be supported. But most of them ignore the most important requirements for workers in 1971. What we have before us, Mr. Speaker, are grudging pre-election labor changes, to serve as a flimsy and insubstantial labor platform for the Liberals in the next provincial election. And if this is the law, at a time just before an election, then the employees of this province can be very sure of what they would get from a Liberal Government if it were again to be re-elected; nil or in the vernacular "zilch".

The main part of the Bill, which can be commended, deals with an improved way to give priority to an employee's wage claim against an employer and to assist in wage collections. The three months' limitation of wage collections in one Section will not provide, of course, complete protection by any means. But the change does mean that there would be a more effective, a better procedure, in these cases.

While the method described in the Bill is a forward step, it will not overcome the basic trouble, Mr. Speaker. That problem is how does the employee collect if there are no assets of the employer to convert or to secure? What needs to be accomplished is the introduction of some kind of insurance scheme by which employers, especially those in businesses that are prone to bankruptcy, or which have a bad record of fleecing workers of their wages, provide for instances where wage claims are not paid or refused. I should remind the Minister that in Alberta, or so I am informed, such legislation does obtain in the field of construction.

I note also, Mr. Speaker, that the legal steps taken under the better wage protection and collection sections must be paid for the employee concerned and any monies that are collected by the Minister have these charges levied against them as a first charge. The requirement could very well be an expensive one for the workman affected. I should propose to the Minister that the Minister revise this clause. At the most, the employee should be charged a nominal fee or some limitation might be imposed on how much he had to pay at maximum in court costs. Otherwise, Mr. Speaker, and Mr. Minister, wages collected might be largely eaten up and the main benefit of the legislation obstructed, for those that the legislation seeks to benefit.

Mr. Speaker, I observe that the Bill by Section 17, strives to devise a formula for calculating the wages of an hourly-paid worker for the purpose of ascertaining overtime payable. I have looked at this Section. I am dubious and I fear that the change may contain a loophole; but I shall be glad to discuss this with the Minister in Committee.

Mr. Speaker, while I am on this question, may I say that this business of this House would be facilitated if we were to had secured the explanatory notes for this Bill ahead of the time that we received them. The explanatory notes were not placed on our desks until noon today. However, my reading of the somewhat extensive Section that proposes to improve the way of calculating the wages of an hourly-paid worker for the purpose of determining overtime, is that it does not appear, in some instances, to guarantee the benefits that it says it will.

Now, as the Minister said, Mr. Speaker, it is proposed to eliminate part 6 of the Act and this deals with the matter of weekly half holidays, usually on Wednesdays. And I wonder what it is proposed to achieve by this deletion. Because conceding that the province's communities are tending to other half-holiday periods or whole days for holidays, such as the Monday closing in Regina, will not, I ask the Minister, the deletion of part 6, possibly remove some protection and some benefits?

Mr. Speaker, what we need in this Bill, what this Bill should provide is effective legislation to prevent infractions of local closing bylaws by entrepreneurs who thumb their noses at the local authorities. What we need more is effective legislation which would provide for the 40-hour week in all centres, thus offering the means of implementing an essential two days off per week schedule for all workers in this province. This legislation does not even make a pretence of solving these questions, Mr. Speaker.

The Act presently provides and requires that an employer must maintain records which, among other things, as in Section 60, contain information on the regular rate of wages of an employee, particulars of changes in the rates of pay and about other monetary benefits to which the employees affected are entitled. As I see it, the new clause that is proposed in this Bill may remove the overall meaning that is conveyed in the present clause and simply refer to an explicit requirement for records, only in terms of wages and hours. I ask the Minister: why should this not have been in addition to the Bill rather than a substitution which I believe removes from protection?

Similarly, Mr. Speaker, I am concerned that the change proposed dealing with coverage or otherwise of managerial capacities, does not add but takes away existing benefits; that it

takes away rather than reinforces. Specifically, the changes would remove anyone in the so-called managerial capacity from Part 2 and Part 3 Sections of the Act which provide coverage and protection in terms of hours of work and the minimum wage. I want also to point out that the term "managerial capacity" is subject to a widespread difference of opinion and construction. Someone can become a "manager" who is a "manager" in a department building or in any other small building. As the Minister well knows, managerial capacity is capable of a very wide interpretation.

These are matters, and there are others, that require some explanation. Perhaps the Minister (Mr. MacLennan) might want to comment on them in closing the debate this afternoon. If there is no satisfactory explanation, I can, of course, still pursue them in Committee.

But, Mr. Speaker, I do regret very much the narrow and meagre areas that are covered by this Bill in the face of the changes which we should properly have before us in a Bill of this type.

We will support the Bill, however, on second reading and reserve our further comments for the Committee of the Whole.

Some Hon. Members: — Hear, hear!

Mr. MacLennan: — Mr. Speaker, once again where definite positive action, the major criticism that we are receiving from the Members opposite is simply that we just haven't gone far enough. This is an old political gimmick that is used when simply Members opposite run out of very constructive criticism to a place of legislation introduced by the Government on this side.

The other comments he has can be best dealt with, because they are of a technical nature regarding various clauses of the Bill, and I shall be pleased to discuss them when the Bill goes into Committee. Consequently, I move second reading of this Bill.

Motion agreed to and Bill read a second time.

Bill No. 66 — An Act respecting the Regulation, Control and Prevention of Litter

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 66 — An Act respecting the Regulation, Control and Prevention of Litter.

He said: Mr. Speaker, in order to facilitate the work of the House, it is desirable that this Bill be given second reading and put into the Committee stage. On behalf of the Attorney General (Mr. Heald), I should like to provide a few comments on second readings.

I believe this Bill, like the Bill that was introduced the other day for The Clean Authority Act, will receive unanimous support. It appears that this is another form of environmental pollution which has been of growing concern and hopefully this legislation will tackle this problem in a positive and definite way. The principle involved and sought to be incorporated into this Bill is the control of the containers used for the sale of various beverages, such as soft drinks, carbonated and non-carbonated beverages, non-alcoholic and alcoholic fluids, fruit

and vegetable juices, beer, malt and hard liquor containers, all sold to the consumer in containers made of glass, tin or other metal, and other types of containers now in use or that hereafter may be put into use in the trade. The problem of the disposition or other destruction of containers of beverages that have come into the hands of the consumers is one that has been growing steadily during the last few years. It is hardly necessary for me to state that almost everywhere one looks empty containers of glass or metal or substances may be seen on our highways, ditches, in our streets, lanes and parks and even on our lawns. Until a few years ago, the metal container for the sale of soft drinks in particular, was almost unknown. Those drinks were sold in glass bottles. The vendor, at the time of sale to the consumer, made a small charge for each bottle and when the bottle was returned to him he paid a small fee for the return. Empty beer bottles were, of course, a common sight in the ditches of our highways and were also thrown on to lawns and in parks in urban centres, but many of these, too, were gathered or collected and sold to an organization established by the brewing industry and payment was made for the return of such empty bottles. Empty hard liquor bottles also found their way into ditches along highways and other places, but it appeared, again, that most of the bottles were simply put in garbage cans and were hauled away by the collectors of garbage. Then the soft drink trade developed several new types of container, one of metal and the other of very fragile glass. The practice of accepting the return of these containers and of paying for the return of the container was discontinued by the trade. These new containers acquired, or were given the name of a non-returnable container or one-way container, and over the years an industry of considerable proportion had grown up in Saskatchewan whereby local bottling firms manufactured soft drinks in their own plant, presumably under a license for franchise from the owner or manufacturer and sold such beverage in bottles supplied by the bottlers. For instance, Coca-Cola would grant a local bottling firm the right to use its formula and the bottler would manufacture the drink and sell it in bottles supplied by the bottler. The majority of these bottles, when empty, found their way back to the bottler and were used again and again if conditions permitted. When the manufacturer of the soft drinks changed to these non-returnable containers, the bottling was done by the manufacturer either in metal cans or the fragile glass already mentioned and sold directly to the retailer. The obvious purpose and intention of using these types of container was, of course, that the retailer would be relieved of making a small charge for each bottle and also he would be relieved from the duty of accepting the return of these containers or of paying for each container returned.

The situation which has resulted from this change of policy, on the part of the soft drink and other related industries, is that these empty metal cans or bottles have become, not only a nuisance, but a form of pollution of the environment.

That the public generally and governmental bodies in particular in the United States and Canada have become concerned about the problems arising from the use of these non-returnable containers is clearly indicated from the literature that we have is the Department files. In several large cities in the eastern States, municipal councils have passed by-laws prohibiting the sale of beverages in these so-called non-returnable containers, under heavy penalties. Other States are giving close study to the problem and are seeking appropriate remedies. The Ontario Government, about a year ago, appointed a special committee to

investigate the problem but so far that committee has not made its report. The Legislature of British Columbia in 1970 passed a special Act dealing with the problem. This Act has received careful study but we are not convinced again that it meets the entire situation.

The Bill now before the House represents the results of an intensive study, over many months, of all the literature and other documents and information that have been obtained from various sources in Canada and also in the United States. This Legislature, when it passes this Bill into law, must realize that an entirely new field of legislation is being entered upon. The common law rights of an individual or corporation to sell goods in Saskatchewan in whatever type of container the manufacturer or vendor sees fit to use are being interfered with in the interest of peace, order and good government in the province. The basic principle upon which the Bill is based is contained in Section 3 which proceeds pointedly to the whole problem by the simple statement that no beverage shall be sold in containers of less than 40 ounce volume in Saskatchewan unless the container has been approved by a person to be designated by the Government. The effect of this Section is that all containers that are being presently used or that may be used in the future will have to be approved by the person so appointed before the beverage in containers may be sold. It will involve application by the industry to the person appointed for the approval of each type of container presently used as well as any new container that may be intended to be used. It will, of course, be necessary to permit ample opportunity to make the applications for such approval and the powers conferred upon the person appointed are of necessity very wide. To permit the industry to obtain such necessary approvals it is intended that the Act, when passed, is to come into force on proclamation and that some time will have to be allowed to elapse before it is finally brought into force.

Provision is also made that the approval of a container by the person appointed may not be transferred or assigned to any other person without approval. The purpose of this is to retain control of the approvals and to know who is entitled to use such approved containers. Severe penalties are provided for failure to comply with the several provisions mentioned and they vary as between an individual offender and a corporate offender. Provision is also made that directors or officers of a corporation that knowingly acquiesce in or assent to the corporation breaching the Act, are also liable to severe penalties. Provision is then made in the Act requiring a vendor of a beverage in an approved container to pay a small fee based on an individual container, or quantities of a dozen or cases, to the person who returns such approved containers. This provision is applicable to any person who returns it whether he bought the beverage from a given store or elsewhere or whether he just found it on a street or ditch. Provision is made that if one or more vendors of beverages prefer not to receive the return of approved containers, two or more may agree to establish a depot where the returned containers will be received and payment of the proper fee made. Such depot must be approved by the Minister. Further it will be required that a retailer of beverages, in approved containers, will be required to post up a notice in his premises stating that approved containers will be accepted and that payment will be made. If a depot has been established as already indicated, a notice must be posted in each retailer's premises giving the address where containers may be returned and payment will be made. Special provision is made with respect to

bottlers who sell mostly at wholesale to merchants and others who in turn sell to consumers. In such cases the retailer who purchases at wholesale from a bottler is the agent of the bottler and he must, as such agent, accept the return of containers offered and pay the required sum. The returned container will then be returned to the bottler who may use those that are fit to be used again. Those that are not fit must be destroyed according to regulations made.

Special provisions are made for penalties for offences less severe than in the cases of offences with regard to dealing with methods of proof of certain documents are contained in the Bill which will be of assistance in case prosecutions arise. An express provision is also made that in a prosecution for an offence of selling a beverage in a container, the onus of proof that the defendant has obtained approval, rests upon the defendant. The person charged with the offence must know if the container used has or has not been approved and if he runs the risk of using a container that has not bee approved and is prosecuted he should have no reason to complain if he is to prove that the container used complies with the provision of this Bill.

Then there are cases in which mere prosecution and conviction is not sufficient to prevent the same person again offending against the Act. There may be extreme instances where it may be felt that not only past breaches of the Act should be penalized, but that future breaches should be stopped before they are committed. While such cases may be few in number it is felt that the Act should contain provisions whereby the Attorney General might apply to the Court of Queen's Bench, for an injunction restraining future breaches. If the Attorney General can satisfy the court that there is reason to believe that such future breaches may occur, then an injunction may be granted. The offender, of course, is entitled to notice of the application and to be heard.

My comments so far have dealt with the general provisions related to the approved container and related matters. It is felt that the Bill should also be applicable to The Liquor Act and The Liquor Licensing Act and bring the authorities of administering those Acts within the provisions of the Bill so far as containers are concerned. Since the liquor business is already under the control of the Government under the two Acts mentioned, it will be necessary to try to bring the regulations under those Acts into some harmony or working order with this Bill. This will be accomplished through regulations. It is fully appreciated that the authority to make regulations is quite wide but the numerous difficulties that may arise in attempting to make the two Acts and this Bill work in harmony, will have to be faced as they arise and this will best be done by regulations. The regulations made will have to be published in the Saskatchewan Gazette so that the public will have knowledge of them.

Another important provision in the Bill, which is of a general nature, provides that no person shall discard or otherwise dispose of any container or litter on a highway, street, lane, road, public or private land or fresh water. The purpose of this provision is to try to put a stop to the discarding of empty containers or other litter on the highways or other public or private lands. It will make it possible for the law enforcement officer to prosecute the offender in a proper case.

As has already been mentioned it is intended to have the Act come into force on proclamation. There are many things that will have to be done before it may be proclaimed. The situation with respect to empty containers such as liquor bottles, arrangement with respect to redemption of beer bottles now in force by voluntary arrangements, will have to be reviewed. Vendors or retailers will have to obtain approval of containers to be used after the Act comes into force. These problems will have to be solved before effective regulations may be passed. However, it is the intention of the Government to lose no time to resolve these problems so that the Act may be proclaimed at the earliest possible date.

With those comments, Mr. Speaker, I would suggest that further comments could be better handled in Committee when the Attorney General has returned, and therefore, I would move second reading of this Bill.

Mr. A.E. Blakeney (Leader of the Opposition): — Mr. Speaker, I rise to support the motion for second reading of this Bill. I approve of the Bill and of the general tenor of the Bill. I believe that the problem of litter is a growing problem. I believe that the method by which we package our goods for retail sale and then dispose of the packages is a large and growing problem. Certainly one aspect of the problem is the containers in which beverages are sold. I know the Government does not hold forth this Bill as a solution to the litter problem but rather a solution to one aspect of the litter problem. And I am certainly not critical of the Bill because it doesn't cover the water front. We clearly have to start somewhere and this is, it seems to me, a worthwhile start.

I look at the Bill and find myself disturbed by a number of the provisions in the Bill which I think are quite restrictive of civil liberties, if I may so phrase it. I believe that the Bill places excessive (and I will qualify that in a moment) powers in the hands of the Minister to make regulations. I should like to see us review this Bill in three or four years and place on the statute books some more precise provisions so that the wide sweeping regulations under the Bill will not be necessary. However, I fully appreciate the problem at this time of drafting a Bill which meets the problem which is sought to be dealt with. I don't know what it should say, I can hardly be critical of the Government because they have not solved all of these problems in advance. I think the problems are not capable of being solved in advance. Accordingly I am not critical of the practice adopted by the Government of giving fairly wide powers in the regulations which will be able to be varied and worked out as experience develops. I look, for example, at Section 10, which appears to prohibit me from taking any type of a container and dumping it at my village nuisance grounds if I live in rural Saskatchewan. If indeed it means that, it may well need some qualification. I read other parts of the Bill and it appears to say that anybody who sells soft drinks must buy beer bottles. And that may in fact be intended. I think that that could be looked at. We may well have to classify containers into soft drink containers, beer containers, spirit containers and require only the vendor of soft drink containers to take back soft drink containers and so on. However, I am now raising what are essentially picayune objections to a Bill which I think is a forward step in dealing with the problem. Some of the objections which I am raising can be dealt with in Committee, some of them, as I have indicated, will be dealt with by experience as

that is gained.

The only other comment I wanted to make is that experience elsewhere has indicated that depots which are widely dispersed or are not convenient to the citizen do not do the job of reclaiming containers. We have the experience of beer bottles. For many years beer bottles have been sold in returnable containers and for many years depots have been available to return beer bottles. Nonetheless, all of us are very well aware of the problem of beer bottles being thrown more or less indiscriminately on private land and on roadsides. Part of the problem certainly is that the depots are not really convenient. I think that this matter of making the place where containers can be returned as convenient to the public as the places where the beverage can be purchased, is one which is going to have to receive attention. If, in fact, we have only a single depot or a couple of depots for a city like Regina, the Bill will not prove to be effective and will not do the job which it is intended to do.

With those brief comments, Mr. Speaker, and with understanding that there will be further comments in Committee I am pleased to support the Bill.

Mr. Guy: — Mr. Speaker, we are happy of course that this Bill is going to receive the unanimous support of the Legislature in principle. Certainly the Leader of the Opposition has raised many points which we admit are difficult to arrive at a solution until we have an opportunity to try out some of the suggestions and some of the features of the Bill.

As far as his specific comments I think that these can be discussed in Committee and we shall leave it until that stage. I move second reading.

Motion agreed to and Bill read a second time.

Bill No. 67 — An Act to amend The Statute Law

Mr. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 67 — An Act to amend The Statute Law.

He said: Mr. Speaker, I believe that a similar Bill to this is introduced each year to rectify certain typographical errors or printing errors in the existing statutes. In addition, certain amendments are made which are consequential to legislation that is being passed and these are usually incorporated into a statue law amendment Bill.

Again, I am sure if there are any questions from our learned lawyers on the other side that our Attorney General will be back tomorrow in order to answer those.

I, therefore, move second reading of this Bill.

Motion agreed to and Bill read a second time.

The Assembly adjourned at 10:00 p.m.