

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Third Session — Eighteenth Legislature

26th Day

Monday, March 28, 1977.

The Assembly met at 2:00 o'clock p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

HON. A. S. MATSALLA (Canora): — Mr. Speaker, I should like to introduce to you and through you to the Members of the House a group of 25 Grade Eleven and Grade Twelve students of the Norquay High School. Accompanying them are their teachers, Mr. William Shymkiw and Mr. Morris Karokochuk. Mr. Karokochuk is also their bus driver. I want to extend to them a very warm welcome to this Assembly, and I do hope they have a very interesting day.

Norquay, as you know, Mr. Speaker, is in the Pelly constituency, and I am pleased to have this opportunity to welcome the group. My constituency of Canora and Pelly has a number of things in common since the two constituencies are adjacent. As a matter of fact some of the students I met on common ground about a month ago when we presented briefs on land use to the National Farmers' Union at Norquay. I want to commend the students and the teachers for a job very well done.

I will be meeting the group following their visit to this Assembly. My best wishes go to them to have a very pleasant and informative day as well as a safe and a much better trip home.

HON. MEMBERS: — Hear, hear!

HON. E. R. SHILLINGTON (Regina Centre): — Mr. Speaker, through you and to the House, I would like to introduce 15 students of the Regina Plains Community College. I gather they are accompanied by their instructor, Marilyn Smale. I'll have an opportunity to meet with them in about three-quarters of an hour.

I am particularly pleased to see these students here, Mr. Speaker. In spite of the fact that the capital city is in Regina very few Regina students seem to come here and it is a shame really that they don't take advantage of the opportunity. So I am delighted to see these people here and I will look for them later on.

HON. MEMBERS: — Hear, hear!

MR. W. J. G. ALLEN (Regina Rosemont): — Mr. Speaker, I should like to introduce to you and the House this afternoon, a fine group of students from Walker School in Rosemont constituency. They are 29 in number and they are accompanied today by their teacher and my next door neighbor, C. B. Wilson. I should say before I take my seat, Mr. Speaker, I had the opportunity to be at Walker School a week ago today, to attend their oratorical contest. There were ten students from Grades Three and Four and ten I guess from Grades Five and Six in a speak off. I can say to the House that I was much

impressed with the clarity and forcefulness with which they expressed themselves and I think it is a good indication that this House at least in the future will be well stocked if this is any indication of the kind of young people who are coming up through our school system.

I should like to welcome you all to the Legislature this afternoon and I will look forward to meeting with you a little later.

HON. MEMBERS: — Hear, hear!

INTRODUCTION OF GUESTS

HON. W. E. SMISHEK (Minister of Finance): — Mr. Speaker, I should like to introduce two special guests who are here with us this afternoon. They are seated in the Speaker's Gallery, Father Jim Weisgerber who is well known to many of the people in Regina. He is accompanied by a colleague of his, Father Greg Chisholm, who is here from eastern Canada as a staff person for the church task force on corporate responsibility in dealing with investments in Chile. I am going to be meeting with both of them a little later in the afternoon and I extend to both of them a very warm welcome, particularly to Father Chisholm who is visiting with us in this Legislature for the first time.

HON. MEMBERS: — Hear, hear!

QUESTIONS

PCS CORY — LABOR RELATIONS

MR. E. C. MALONE (Leader of the Opposition): — Mr. Speaker I wish to direct a question to the Minister in charge of the Potash Corporation. There was an article in the Saskatoon Star-Phoenix on Friday, indicating that the union at PCS Cory in their future negotiations will be attempting to have the PCS Cory mine operate on what they call an industrial democracy. I believe what this entails is having union members on the board of directors and union members being involved in the decision making process of the company itself. My question to the Minister is, do you look at this suggestion by the union with favor, will you be accepting their suggestion and acting accordingly and directing the board of directors of PCS Cory to make arrangements whereby union members will sit with them and share in the decision making processes in that particular operation?

HON. E. L. COWLEY (Minister in charge of Potash Corporation): — Well, Mr. Speaker, industrial democracy is a topic which I think means many things to many people. What some call industrial democracy operates in some European countries in which there are sort of two levels of boards as I understand it, with employees and management both represented on the boards as well as the shareholders. There is legislation I believe covering this in West Germany. Industrial democracy I think in the North American sense to date at least, is primarily referred to as some sort of, I suppose I'd call them committees operating below the board level. Certainly I think the Government and the board of directors of the Potash Corporation don't have any particularly

firm views on this. I would welcome the employees at Cory or indeed any other group of employees putting forward their ideas. Again without having seen what they are really referring to with respect to industrial democracy, I don't think I could commit either the board of directors at PCS, nor the Government of Saskatchewan, which appoints the members of the board of directors, to any particular course of action. While my mind is open in this regard, I have some reservations. Some of the experiments in Europe I think are interesting and have proved quite useful in improving relationships between employers and employees.

MR. MALONE: — A supplementary question, Mr. Speaker. Do I take it from the rather lengthy answer in explanation as to what industrial democracy means, that you would personally look with favor at such an arrangement with PCS Cory and presumably with other mines taken over by the Potash Corporation of Saskatchewan?

MR. COWLEY: — Mr. Speaker, what I tried to say is that the definitions of industrial democracy are I guess as numerous as the people who speak about it. Without knowing some of the details of what might be proposed I am not prepared to say whether I would look with favor or otherwise upon it. I don't reject the idea categorically out of hand, so to the extent that I am willing to listen and discuss and consider it, I suppose that is a favorable response, but I am not prepared to commit myself to act one way or the other at this time.

MR. MALONE: — Does the Minister not agree then that this is the type of thing that clearly illustrates very well the dilemma that you find yourself in as being Government, as being an owner of a potash mine in a managerial capacity, and also being a party that counts very heavily on labor for support, and would you not agree with me that when you find yourself in this situation that you are on the dilemma horns because you don't know which way to go because of the three hats that you wear?

MR. COWLEY: — Mr. Speaker, I don't find myself in any particular dilemma at all, I leave that entirely up to the Leader of the Opposition to be in a dilemma. I want, though, to say that I don't see a dilemma there any more than if it was a private company which was the owner of a particular operation such as the potash mine and the employees there, speaking through their collective bargaining agent, said they wanted to speak to the employer during negotiations about some form of industrial democracy. I don't think the dilemma, if that is what you'd call it, that we are faced with, could be any different than that of a private employer. I think the employer would look at whether or not it would be in the interest of the corporation to pursue that, whether or not it might bring about better relations, what kind of problems it might pose to the employer. I would hope that I could look impartially at that and that the board and the Government could and would make a wise decision. I don't see that it is a peculiar dilemma that we are in any more than the Federal Government is with the Canadian National Railways.

WATER POLLUTION

MR. A. N. McMILLAN (Kindersley): — I should like to direct a question to the Minister of the Environment. Last week in your absence, CKCK Television ran a documentary regarding the Buffalo Pound filtration plant and the growing pollution problem. I, on two separate occasions questioned the Premier about whether or not he was aware of any communications with the filtration plant or any growing problem and he has refused to answer the questions. I wonder if you are aware of any communications that might have been brought to your office by people at the filtration plant and what situation was pointed out to you at that time, if communication was made?

HON. N. E. BYERS (Minister of the Environment): — Mr. Speaker, I can comment very briefly on the Hon. Member's question about the quality of water. I am sorry I was not here to answer his question. I noted from members of the Canadian Delegation, who are ministers in other provinces, that the courtesy is extended to them when they are absent, that Opposition Members do not ask questions of them. I bring that to your attention.

I did not see the CKCK documentary, but I want to assure the hon. Member for Kindersley and the water consumers in both Regina and Moose Jaw that their drinking water is considered safe for all domestic uses.

The Department of the Environment recognizes that there have been some difficulties encountered in treating water at the Buffalo Lake filtration plant, but a safe palatable water, I want to assure you, is being produced.

Like all surface waters, Buffalo Pound Lake water requires treatment before it is suitable for consumption. The surface water quality varies during the seasons due to such factors as the depth and the inflow and the temperature and the amount of algae and, accordingly water treatment plants require diligent operations to meet the fluctuations to produce good water.

Water quality data obtained by our department over the past years indicates that Buffalo Pound Lake is subject to quality variations. I want to point out that in some respects water quality has greatly improved since the massive fish kill experienced there a decade ago.

SOME HON. MEMBERS: — Hear, hear!

MR. BYERS: — Concern has been expressed about the formation of compounds caused by the reaction of chlorine with certain organic materials and I . .

MR. SPEAKER: — Order. I think we are getting into a detailed discussion of the matter and that is not appropriate at this time. I will ask the Minister to bring his answer to a conclusion as soon as possible.

MR. BYERS: — Mr. Speaker, the Hon. Member asked me if I had any reports from my officials concerning the quality of water at the Buffalo

Pound filtration plant. I want to assure him that this topic is being examined, not only here, but throughout many North American cities and water supplies. And work that is being undertaken by the Department of the Environment officials indicates that our situation is no different to that observed in other American and Canadian water systems. However, we are not complacent and we plan on doing..

MR. SPEAKER: — Order, order! What the Member wants and what he is permitted are two different things. I will take a final supplementary.

MR. McMILLAN: — This is the first supplementary, Mr. Speaker. I am sure this is as trying on you as it is on the rest of the House.

Mr. Minister my question is, are you aware that there is a growing problem with the water treatment at the Buffalo Pound reservoir?

MR. BYERS: — Yes, I am aware there is a growing problem and that our department is going to do some additional work on it this summer relating not only to this area, but to Saskatchewan's drinking waters. I want to point out in addition to this that a national working group is being set up and the Department of the Environment is participating in this in examining drinking water standards, including the problem of chlorinated water and organics. I want to assure the Hon. Member that the potential long-term health effects on this on trace levels are not fully understood by the water experts and extensive research is being conducted..

MR. SPEAKER: — Order, order! I believe the Member is debating the issue. I will take the next question.

PUBLIC INQUIRY RE PRINCE ALBERT JAIL RIOT

MR. C. N. WIPE (Prince Albert-Duck Lake): — Mr. Speaker, I wanted to direct this question to the Minister of Social Services (Mr. Rolfes) but he is not here, so I shall ask the Premier.

In light of what happened at the men's jail at Prince Albert on the weekend is the Government prepared to call a public inquiry into that riot?

HON. A. E. BLAKENEY (Premier): — Mr. Speaker, I am going to ask my colleague the Attorney General to answer that question as he has done some research on it.

HON. R. J. ROMANOW (Attorney General): — Mr. Speaker, first of all I would not subscribe to the rather colorful adjective used by the Hon. Member when he describes the disturbance in the category of a riot. I am advised that while it was something which is of concern to all, the material damage. I think, probably did not exceed \$2,000 throughout the entire episode.

The Minister of Social Services has indicated this morning, when asked by the press in Saskatoon as to what he would do, that he is looking at the possibility of asking someone outside of the Department of Social Services to look into this matter, perhaps from the Department of the Attorney General or perhaps even someone outside of government.

MR. WIPF: — A supplementary question. There have been problems up there for the last four or five months with the guards not getting support from their department and there has been a deterioration in the morale of the guards. I was speaking to many of them this weekend. Men are resigning that have had many years of service.

To your knowledge did this situation, this deterioration of morale among the guards, did this contribute to the incident the other night?

MR. ROMANOW: — Mr. Speaker, once again the Hon. Member predicates his question on an assumption, on an assumption that there is a morale problem with respect to the guards at Prince Albert Correctional Centre. That may or may not be the case. I believe that he doesn't know and certainly I don't know. All I can say that when the matter is looked into perhaps some further information will come to light.

MR. COLLVER: — Mr. Speaker, since the Attorney General doesn't know and the Member for Prince Albert doesn't know, is the Attorney General prepared to admit the need for a public inquiry into the affairs of the Prince Albert Jail?

MR. ROMANOW: — Mr. Speaker, may I first of all take this opportunity of welcoming back the Conservative Leader to the Legislature. It is nice to see him after a week's absence. I almost missed his asking questions.

But a simple answer to the question is, that at this stage of the game I do not subscribe to a public inquiry in the sense that the Hon. Member would phrase the question. I think the action taken by the Minister of Social Services certainly will be adequate for the time being, namely, an inquiry into the matter. What is required after that will depend on what the outcome of the inquiry produces.

CIGOL

MR. E. F. A. MERCHANT (Regina Wascana): — Mr. Speaker, I wonder before I direct a question to the Minister of Finance (Mr. Smishek) if I could read one sentence to the Minister. It appears on page 25 of the printer's text of the Budget Debate. The Minister had been talking about oil and about the CIGOL case and then said, curiously, "We regard the royalty as the price for the oil. If the price is not paid, the oil should be returned."

Mr. Speaker, since it is obvious to me that that can't possibly mean what it says, I wonder if the Minister would indicate whether, by that sentence, the Government is proposing

that if the Government loses the CIGOL case you will be proposing that the industry return all of the oil because you have to pay the \$500 million in illegally collected taxes back to the industry?

HON. W. E. SMISHEK (Minister of Finance): — Mr. Speaker, the question is obviously hypothetical, but certainly the speech means exactly what it says.

MR. MERCHANT: — A supplementary, Mr. Speaker. Could I then assume from the Minister's reply that there is a change of policy and that the Government does not now intend to bring in retroactive legislation, but by some curious sleight of hand you will suggest to the industry that the hundreds of millions of barrels of oil should be returned to the Government and stored some place — no doubt in the Wascana Centre Authority?

MR. SMISHEK: — Mr. Speaker, there is no change in policy.

PCS CORY — LABOUR RELATIONS

MR. J. G. LANE (Qu'Appelle): — Mr. Speaker, I should like to direct a question to the Minister responsible for potash. You had some discussion about the matter of so-called industrial democracy and I am suggesting to you that with regard to your relationship on the PCS Cory mine that perhaps it already exists in the province. The union has indicated publicly that certain arrangements were made with the Government, as employer, not to impose the demands of the union to include supervisors in the bargaining unit, supervisors normally, being considered part of management. Can you tell us what arrangements were made with the Government and the union leading to that particular situation?

HON. E. L. COWLEY (Minister in charge of the Potash Corporation): — Well, as usual the Member for Qu'Appelle has some difficulty with his facts, (a) There were no arrangements made prior to any decision by the union to request the inclusion of these people in a bargaining unit; (b) the Potash Corporation of Saskatchewan looked at the union's request to the Labour Relations Board, made a case before the Labour Relations Board for the inclusion or the exclusion of some of the people requested by the steel workers to be included. In a couple of cases the Potash Corporation of Saskatchewan was successful in convincing the Labour Relations Board, and in some others it was not, and as I said at the beginning the Member is in error in suggesting that there was any sort of prior agreement.

MR. LANE (Qu'Appelle): — By way of supplementary, in spite of your actions, the fact is that supervisory personnel were included in the bargaining unit. Now it has been the practice in the industry that whenever there has been a shut-down because of surplus production, that supervisory personnel have been utilized to distribute the production of the mines. Should there be a further shut-down is it the intention of the Government through PCS Cory to continue shipping potash if there is a further shut-down due to a labor stoppage?

MR. COWLEY: — Mr. Speaker, once again the Member prefaces his question

with an erroneous statement. The decision to include the employees at the supervisory level was made by the Labour Relations Board, not by the Potash Corporation of Saskatchewan. So that fact is wrong. With respect to what actions the Potash Corporation of Saskatchewan would take in the event to any strike, with respect to either shipping potash or carrying out other operations at the mine site, obviously that would depend on the circumstances, the personnel available, markets, etc. But certainly, I think, as has been the practice in the past, the Potash Corporation of Saskatchewan would act in what it saw as the best interest of the Corporation.

MR. E. C. MALONE (Leader of the Opposition): — Final supplementary, Mr. Speaker. You say that the Potash Corporation would act in the best interest of the Corporation. What makes the Minister say that when the Corporation is controlled by the Government of Saskatchewan, which again has a duty to the people of Saskatchewan and some of the people who vote for it are labor supporters? Where does the Government stand on this? Will you be acting in the interests of the Corporation, a purely financial interest, will it be acting on behalf of the union and their financial interest, or will it be acting as the Government of Saskatchewan and in the interest of all the people of Saskatchewan?

MR. COWLEY: — We will be acting in the interest of the shareholders of the Potash Corporation of Saskatchewan, which are the people of Saskatchewan. May I suggest Mr. Speaker, that, that is no different than any government on any issue. I could ask the Hon. Member how the Government at Ottawa acts in a labor dispute when its interests are obviously not on the side of the employees but on the side of its corporate friends? And you have the same dilemma facing you there.

MR. SPEAKER: — Order! I think the Member is debating the issue I will take the Member for Estevan.

DEPARTMENT OF HIGHWAY PENSIONERS

MR. R. A. LARTER (Estevan): — Mr. Speaker, a question that I directed to the Minister of Highways the other day, he mentioned that I would have to refer it to Government Services. But I would like to ask again because certain employees, who were employees of the Department of Highways, were pensioned off in the last few years, and they were promised that at the time that they could take their pensions out in cash with interest. Some of them are trying to take them out even without interest and they are told now that they can't get these moneys. I would like to ask the Minister are these people going to be paid these pensions as they were promised?

HON. E. KRAMER (Minister of Highways and Transportation): — I don't think the question is directed at me, Mr. Speaker.

MR. SPEAKER: — Okay, is there an answer forthcoming? Member for Wascana (Mr. Merchant).

PLAINS HOSPITAL LABOR DISPUTE

MR. E. F. A. MERCHANT (Regina Wascana): — I wonder if I might direct a question to the Minister of Labour (Mr. Snyder). I assume that the Minister has been advised by the Minister of Health (Mr. Robbins) that a labor dispute at the Plains Hospital has developed, which I suggest involved the Labour Standards Authorities, that the union have now discovered that for a period of up to two years many people at the Plains Hospital have been paid on a straight time basis, notwithstanding the fact that many of them have worked as many as 18 days in a row without receiving the double time after the five days. I wonder if the Minister of Labour would not agree with me that it is most inappropriate that a government body, the Plains Hospital would have been flagrantly disregarding the law when the law is clearly laid down?

HON. G. T. SNYDER (Minister of Labour): — I would expect, Mr. Chairman, in answer to the Member for Regina Wascana (Mr. Merchant) that if there has been any violation of The Labour Standards Act that the appropriate procedure would be for those employees to place their claim with the Labour Standards Branch of the Department of Labour and ask for an investigation to be conducted. In the event that there has been a violation of The Labour Standards Act, I am sure that it will be treated in no other way, other than one which would be obliged to be observed in any other set of circumstances.

MR. MERCHANT: — Supplementary, Mr. Speaker. I believe if the Minister would take the time to check you would find that the admitting and switchboard areas particularly have been abusing the law in that regard. My question to the Minister is, is there not a special duty on government to scrupulously obey the law rather than to look to the employees to deal with their own rights in this case, or even look to the union, though the union in this case has now discovered these flagrant abuses and is taking steps to do something about it? Would the Minister not agree that the Government has a special duty to demonstrate leadership in that kind of area?

MR. SNYDER: — I am inclined to agree with the Member that law makers should not be law breakers, and accordingly, as I suggested earlier, I am sure that the Labour Standards Branch is prepared to investigate the situation and if it is the way the Member describes it I am sure that whatever necessary action is warranted, under the circumstances, will be taken.

MR. J. G. LANE (Qu'Appelle): — Mr. Speaker, I should like to direct a question to the Minister of Finance (Mr. Smishek). Last week I directed a question to the Premier (Mr. Blakeney). He was not aware of any agreement as a result of a meeting between representatives of the Canadian Manufacturers Association and the Canadian Labour Congress. That particular agreement was some endorsement from the Government of Canada and was an agreement on the economic future of Canada, and the division of the economic power priorities, so to speak. Is the Minister of Finance now aware of the agreement on the economic future of Canada so developed a week ago?

HON. W. E. SMISHEK (Minister of Finance): — Mr. Speaker, other than what I have seen in the newspapers and what I have heard on television and radio, I'm not aware of any formal agreement. Perhaps there are some understandings that have been reached, but to the best of my knowledge there's been no formal agreement that has been signed between the Federal Government and the Canadian Manufacturers Association or the Canadian Labour Congress. We have not been consulted and we do not have any copies of the agreements.

MR. LANE: — Supplementary, Mr. Speaker. Mr. Minister, some of the fresh reports seem to indicate that it's an arrogant abuse of economic power by a very select group of people. The report seemed to indicate a great difference of opinion with the stated policy of the Government of Saskatchewan when, seemingly the agreement called for a return to a free market economy and I'm wondering how, when there is such a difference of opinion, with that agreement and the stated policy of your Government, why you have not endeavoured to find out the terms of that agreement and what effect that agreement will have on the people of Saskatchewan.

MR. SMISHEK: — Obviously the Member is trying to place his own interpretation in pumping to his own conclusions as he normally does. What I've seen in the newspapers is there have been discussions and certain understandings may have been reached informally since we have not been involved to the best of my knowledge, no provincial government has been asked to participate in those discussions. Perhaps if at some future and an appropriate time the parties may be discussing this with the provincial governments or may not, that is something to be determined perhaps or noted in the future.

INTRODUCTION OF GUEST

SIR BARNETT COCKS

MR. SPEAKER: — Before the Orders of the Day I would like to take this opportunity to remind Members who may not have noticed, we have another person sitting at the Table today. He is sitting there pursuant to a recommendation which was accepted by this Legislative Assembly some time ago "to evaluate the duties and role of the Clerks at the Table of the Legislative Assembly and the Services provided by the Legislative Assembly office and to report thereon.

I know all Members will join me in welcoming Sir Barnett Cocks, K. C. B., O. B. E., former Clerk of the House of Commons, Westminster.

HON. MEMBERS: — Hear, hear!

HON. A. E. BLAKENEY (Premier): — Mr. Speaker, it's a great privilege to join with you in welcoming Sir Barnett Cocks to our province and to this Assembly.

Last year the Special Committee on Rules and Procedures of our Legislature in its third report, recommended that Sir Barnett be invited to evaluate the duties of the Clerks at

March 28, 1977

the Table and to report on services provided by the Legislative Assembly office. We're delighted to have Sir Barnett here with us for a few days, from March 28 to April 4, to carry out this evaluation.

Sir Barnett spent 40 years in the service of the British House of Commons. From 1962 to 1973 he served as Clerk of the Table at Westminster. During this time he presided over their reorganization of the administrative service for the British House of Commons.

He is recognized as perhaps the world's leading authority on parliamentary procedure and was the editor of the 17th and 18th edition of Sir Erskine May's Parliamentary Practice.

Throughout the years the nature and volume of the work of this House has changed considerably. In 1975, Members will recall, the Special Committee on Rules and Procedures of the Legislative Assembly was set up to consider the advisability of making changes in the Rules and Procedures of our Assembly. We've already implemented some of the changes recommended; an extended oral question period; recorded divisions in Committee of the Whole and so on.

There are, of course, many more important changes which we will have to consider. It is, therefore, appropriate at this time that we consider the support services provided to the Assembly. Our Legislature has benefited by the long and close association with the British House of Commons. We've learned a great deal from the Mother of Parliaments and we certainly have more to learn.

I, and I know some other Members of the House, have heard a good deal about Sir Barnett Cocks; heard about him from our former Clerk, Bev Koester; our Clerk for a session, Kenneth Bradshaw; each of whom refers to him fondly, if somewhat informally, as Barney Cocks.

In welcoming you to our province, Sir Barnett, may I urge you to take some time away from your work so that you may have an opportunity to see something of our province. It's an interesting and exciting place in many ways; a little social laboratory which has been the birthplace of a number of interesting experiments in governmental practice and governmental activity and in other ways an interesting social mosaic.

Mr. Speaker, it is with pride that I move, seconded by the Leader of the Opposition (Mr. Malone):

By leave of the Assembly, that the Members of this House desiring to recognize the long and distinguished career of Sir Barnett Cocks, K.C.B., O.B.E., former Clerk of the House of Commons, Westminster, hereby designate him Honorary Officer of this Legislature, with an entree to the Chamber and a seat at the Table during the length of his assignment in Saskatchewan.

Mr. Speaker, I so move.

HON. MEMBERS: — Hear, hear!

MR. E. C. MALONE (Leader of the Opposition): — Mr. Speaker, I just want to say a few brief words in joining with the Premier to welcome our distinguished visitor. I hope that he finds his stay in Saskatchewan and Regina to be enjoyable. I'm sure that all of us in this Legislature are going to benefit from the advice that he will give us after observing our proceedings over the next few days.

HON. MEMBERS: — Hear, hear!

MR. R. L. COLLVER (Leader of the Progressive Conservatives): — Mr. Speaker, I add to that of the Premier and the Leader of the Opposition in welcoming Sir Barnett Cocks to our Legislative Assembly.

HON. MEMBERS: — Hear, hear!

Motion agreed to.

ANNOUNCEMENTS

HOCKEY CHAMPIONSHIPS

HON. G. MacMURCHY (Minister of Municipal Affairs): — Mr. Speaker, before the Orders of the Day I'd like to bring to the attention of the Assembly three important happenings out in Last Mountain-Touchwood constituency.

First of all I'm sure that all Members would wish to extend their congratulations to the Strasbourg Maroons, who last week defeated Naicam in the provincial intermediate C final. This is the second consecutive year that they've won this championship and I'm sure we do extend our congratulations to their coach, Lowell Lanigan and the team.

Secondly, congratulations to a combined team from Southey and Punnichy, who defeated Shellbrook in the provincial finals for midget C and we congratulate also, coaches Arnie Weber of Southey and Charlie Schuler of Punnichy and their team.

HIGHEST PAID BULL AND CHAMPIONSHIPS

MR. MacMURCHY: — Finally, Mr. Speaker, I think we'd wish to extend our congratulations to Harvey Schulhauser and his son Ray of Dysart who received the highest price ever paid for a shorthorn bull in North America, last week at the bull sale, \$41,500 for the grand champion, Crestdale Superflag 14G.

Mr. Schulhauser and his son also took reserve grand champion with Superflag 16G and senior championship with Knighthawk and a fourth bull, Superflag 4G, placed first in his class. It's extremely rare, Mr. Speaker, that so many awards go to one breeder. Indicative of exceptional high quality of the operation of Harvey and Ray Schulhauser of Dysart.

SOME HON. MEMBERS: — Hear, hear!

COMMITTEE OF FINANCE — CONSUMER AFFAIRS — VOTE 4

MR. CHAIRMAN: — Mr. Minister, would you like to introduce your support staff please.

HON. E. C. WHELAN (Minister of Consumer Affairs): — Mr. Chairman, I should like to introduce first my Deputy Minister, Arleen Hynd on my left and seated behind me, Al Dwyer, the Director of Administration. Further to my left, Dave Petrie, the acting Director of Licensing and Investigation, and seated behind me, Loretta Eberts, the Director of Education and Information, and on my right, Tom Rogers, the Director of Planning and Policy Analysis. Those are my staff.

ITEM 1

MR. R. L. COLLVER (Leader of the Progressive Conservatives): — Thank you, Mr. Chairman. Before questioning the Minister on this particular item of expenditure, I would like to ask him one very brief question and that is, I notice the number of employees under Licensing and Investigation has gone up substantially and significantly by seven. Was the purpose of that increase in staff to gain additional investigators to administer the new Act, Bill No. 65 that is coming before this Session in the near future?

MR. WHELAN: — I'll give you a run down, Mr. Chairman, for the Hon. Three of them are for the administration of 11 take over shortly. Two of them are Member for Nipawin. Three of them are for the lotteries which we will take over shortly. Two of them are conversion from temporary, a clerk typist II
...

MR. COLLVER: — Could you speak into the microphone, I'm sorry, what was the first one again?

MR. WHELAN: — Okay. The three are for administration of lotteries, which we will take over, the Department of Consumer Affairs will take over from Culture and Youth, I'm sorry, from the Attorney General's Department. Two, a clerk typist II and a clerk steno II were temporary employees and they've been put on permanent staff and two people because of The Warranties Bill, one of them is an Investigator II and one of them has been on temporary staff. Those are the extra people under the investigation section.

MR. COLLVER: — How many investigative personnel does that give the Minister all together now in the Province of Saskatchewan, in total?

MR. WHELAN: — I am told that that brings the total to 13 investigative personnel.

MR. COLLVER: — Well, Mr. Chairman, 13 investigative personnel under the Department of Consumer Affairs to administer this new Bill, is this correct?

MR. WHELAN: — I'm sorry, that's for the entire department, not for just The Warranties Bill.

MR. COLLVER: — How many are going to be investigating for the new Warranties Bill?

MR. WHELAN: — There will be one additional investigator and one staff member who had been temporary, will be put on permanent.

MR. COLLVER: — Fine. Mr. Chairman, I'd like to make a few comments to the Minister while we are still on item 1, about, just briefly, the new Bill that is going to come before the Legislature and I beg your indulgence for this because I think it does relate to the expenditures for this particular department and it relates, in fact, if you like, to the philosophy or the apparent philosophy of the Department of Consumer Affairs as it relates to primarily the retail trade in the Province of Saskatchewan.

I do not have the numbers in front of me as to the total number of. . .

MR. CHAIRMAN: — Order please. I don't like to interrupt you, but I would like the Member to certainly relate his remarks to item 1 and not to a Bill that is going to be debated and I ask him to try and keep this in mind, please.

MR. COLLVER: — Well, I certainly shall, Mr. Chairman. On the other hand it is very difficult to relate to expenditures that are programmed in anticipation of a new Bill without at least mentioning the new Bill and some of the provisions in the new Bill that have to be administered by the expenditures that are anticipated by the Estimates that are in front of us. So the Minister had just replied that he has added staff to administer the new Bill and what we would like to know is, how is he going to possibly administer this new Bill with one additional investigative person? That's the. . .

MR. CHAIRMAN: — I just might say if the new programs are related to item 1 of the Bill, okay, but I certainly say we cannot discuss anything clause by clause in the Bill.

MR. COLLVER: — Fine. Perhaps then we'll just paraphrase the Bill, Mr. Chairman, for the sake of the Minister. There are literally thousands of retail outlets in the Province of Saskatchewan. I'm sure the Minister knows far more accurately than I do how many retail outlets there are, but there are literally thousands. You have placed in this new bill, a tremendous burden on, not only the consumers, but on the retail sellers of various products in our province. For example, any person who may reasonably be expected to be a consumer or is affected by a consumer product may suffer a personal injury. If you notice all the different phrases in that particular clause, you will notice that that puts a tremendous onus on the retail seller. Furthermore, the bill also calls for second hand dealers to be included. So that is probably another thousand or two retail outlets in the Province

of Saskatchewan. Furthermore the Bill says as I read it, that individuals, co-operatives, church groups or any one else who obtain a product that may reasonably be expected to be used by a consumer and is sold whether it be for profit or not, is also deemed to fall under the provisions of this Bill.

What good is this Bill if you do not have sufficient personnel to administer and enforce the Bill? Is it merely a sop? That you want to say to consumer organizations look how much this Government is doing for the consumers? Or is it merely an attempt to be the thin edge of the wedge in which the Consumer Affairs Department is moving to police permanently on a very permanent basis, the retail sellers in our province? Which is it?

How can one say that a bill of as broad a magnitude as this one, as Bill 65 really is affecting every single retail seller in the province and affecting them seriously and materially can possibly be investigated by one additional employee.

MR. WHELAN: — Mr. Chairman, in answer to the Hon. Member's criticism there are two or three things I should like very much to point out. This Bill was in the hands of the retail people of this province for approximately a year. During that period of time we received 16 complaints or suggestions. Even the Manufacturers' Association agreed with it in principle. To suggest that we are going to police all of these is just misleading because up until now we have had complaints from the same consumers that were dealing with the same retailers. At the present time the Department of Consumer Affairs has no jurisdiction and has not the machinery to settle these disputes. All this does is make it possible for the Department of Consumer Affairs on behalf of the consumers of this province, to settle disputes. Most of the staff that we have in this area have been working on it up to date. The addition of one more staff member is anticipated because of the fact that we now have some jurisdiction to settle disputes.

Actually the retail people in this province, as a general rule, operate properly and the consumer is pretty reasonable. We don't expect a great increase of activity, not any more than we have had prior to this time, not a great deal more, just one more staff member. We will be using the same people we used before. Now we will have some authority to settle disputes. I think the response that we have had after sending the Bill out for scrutiny over a period of a year, indicates quite clearly that the retail section, well, starting with the Manufacturers' Association agree with this Bill in principle. I don't think that the criticism is fair, I think it is misleading to the House, the way in which the Hon. Member is putting it.

It is an endeavour to give the consumers of this province a position from which they can bargain and from which they can negotiate and it is nothing more than that.

MR. COLLVER: — Mr. Chairman, I might just like to add to what the Minister has said. Although the Canadian Manufacturers' Association and, in fact, the retail sellers in general, agree with this Bill in principle and agree with the intent of the Minister, the specific Bill, I am sorry to say, they do not agree with. They do not agree with some of the provisions of this Bill which I am afraid are going to cause a great many disputes to arise. For example, the Bill suggests that the product that is supposedly

under a deemed warranty shall be useful for the intended use of the consumer. Now a great many retail sellers have expressed to me, Mr. Chairman. . . Mr. Chairman, I wonder if we could have less noise.

MR. CHAIRMAN: — I think your point is well taken. I think we could do with a little less assistance here

MR. WHELAN: — On a Point of Order. This Bill is in second reading before the House and there will be ample opportunity to debate the contents of the Bill.

MR. COLLVER: — Mr. Chairman, I will try again.

MR. CHAIRMAN: — Order! I just might draw to the attention of Members again that we should not be debating the merits of the Bill.

MR. COLLVER: — Mr. Chairman, I am not debating the merits of the Bill. I am debating the amount of expenditure that the Minister has programmed in the Department of Consumer Affairs to administer and police a bill that is going to cause innumerable disputes to arise between consumer and retail sellers as a result of the Bill itself. That is what I am calling into question. The amount of money that is being spent on policemen, if you want enforcers, investigators and administration in the Department of Consumer Affairs is insufficient to meet the disputes that are going to arise as a result of the Bill. You cannot talk about one without talking about the other. You cannot discuss whether or not you are going to be able to enforce a particular piece of legislation with this Budget Estimate without at least calling attention to the kinds of things that are going to be policed and enforced. You can't possibly do it. Therefore, I would like to know how the Minister can possibly suggest that one additional employee can possibly handle the kind of influx of disputes that are going to arise out of a consumer saying that this product is not for the use I intended to buy it for. That has never been legislation before. The consumer or the adage of caveat emptor as it is related primarily to use, not deemed warranty, was what applied in the law before. This is replacing that principle. This is saying that every consumer who wants to use a produce for a while and then say that it wasn't good enough for the intended use. . .

MR. CHAIRMAN: — Order! State your Point of Order.

MR. E. F. A. MERCHANT (Regina Wascana): — Mr. Chairman, on a number of occasions from my chair and now formally I suggest to you that the Hon. Member for Nipawin clearly is abusing the rules in dealing with the bill in Estimates. And by his definition it would always be possible to discuss any piece of legislation when Estimates come up. Clearly, every Bill in some way affects spending, so that by its definition, because spending is in some way affected, obviously any Bill could be discussed in full as the Hon. Member for Nipawin now proposes to discuss the Bill in full. It will then be followed by a lengthy discussion by the Hon. Minister, no doubt a lengthy discussion of my thoughts on the bill and others in the House. The question of Estimates will just become a travesty, Mr. Chairman.

MR. CHAIRMAN: — Order please! Again, I must repeat what I said earlier that this is no place to discuss the merits of the Bill. But I think if you could relate your remarks to subvote 1 as it applies to subvote 1, but not any clause or anything specific out of that Bill, then I think I will accept that. But otherwise, why, what we do now we have to be prepared to do for the remainder of the Estimates. That is why it has to be kept under control and we must handle it in an orderly manner. Again, I ask you to please confine your remarks to subvote 1 and we will have ample opportunity to debate the merits of the Bill when the Bill is presented.

MR. COLLVER: — Mr. Chairman, I am not debating the merits or demerits of the Bill. I am attempting to suggest that additional. . .

MR. ROMANOW: — Ask the question on the Bill not the Estimates.

MR. COLLVER: — If the Attorney General wishes to speak let him rise.

. . . that additional expenditures are going to be. . .

MR. CHAIRMAN: — Order! On both sides of the House. In the position I am in, I think I have to judge for myself whether I am referring to it properly, whether I am suggesting to you in the proper manner, whether you are debating the merits of the Bill. If you think I am wrong then you have your alternative to choose as to what you want to do.

MR. COLLVER: — Mr. Chairman, then perhaps in the discussion of the administration of a proposed bill that is going to cause increased activity, has the Minister considered the increased activity under this particular new piece of legislation that is going to occur as a result of the consumers now having the right to question the use of the product as opposed to just question the warranty of the product itself?

MR. WHELAN: — Yes.

MR. COLLVER: — What studies does the Minister have available for this House in this regard?

MR. WHELAN: — Mr. Chairman, the staff, going back a couple of years, carefully looked at the need for a warranties bill, checked all the complaints that they had had in this area, made a careful summary, put together a bill after studying all the warranty legislation that was in existence anywhere and a year ago submitted it for scrutiny to all the business people and to other groups that were interested. They asked for comments and suggestions. We received 17 or so in total, after sending out in excess of 600, complete with a description and background of the Bill. A careful look at the requests that we had over the years in the warranties area indicates that our people had been handling them but in some instances had failed to negotiate a settlement because there was no legislation governing the activity. The need for legislation automatically came up, it is here on the

Order Paper. It's been in second reading for a week and a half or so. It came about because of a need. We do not expect a great increase of activity, which is being described by the Hon. Member for Nipawin because the experience the department has had indicates that most retailers understand the jurisdiction that you have regarding warranties. Most consumers understand their position as well. The legislation was only introduced because in a few instances it was difficult to make a settlement without some jurisdiction or authority.

In discussions with other Ministers across this country, you can name almost any province; they will tell you almost exactly the same thing. I don't think you will find any Minister of Consumer Affairs in Canada who would suggest that you are going to need a great increase in staff in order to administer this type of legislation. I expect that there will be legislation of this sort introduced in other provinces, that there will be interference such as has been suggested. We feel that we have taken ample account, in the administration vote, of the Bill that is going to be introduced. We don't think that we need any other additional funds or staff.

MR. COLLVER: — Mr. Chairman, does the Minister have any information on any other province in Canada that has a deemed warranty, that includes the use of the product as one of the criteria in the deemed warranty?

MR. WHELAN: — The present Sale of Goods Act contains that sort of clause and it is common in The Sale of Goods Act right across Canada at the present time.

MR. COLLVER: — I didn't hear that, say it again please.

MR. WHELAN: — The sort of clause that you described is in The Sale of Goods Act and The Sale of Goods Act is pretty well the same right across Canada. It exists at the present time.

MR. COLLVER: — Mr. Chairman, are you recognizing me?

MR. CHAIRMAN: — I am recognizing the Member for Wascana right now.

MR. MERCHANT: — Mr. Chairman, I have a few areas that I should like to address to the Minister in Item 1. They range in area and perhaps if I just go at them in that range.

I wonder first, the Government maintains a rather curious power to close businesses under the consumer legislation —

To my knowledge that power was only used once and that was against Mid-Prairie Homes, when the Government shut down Mid-Prairie Homes, I believe from June to August of 1975, as I recall. Has the Government used the five-day closure power since that time?

MR. WHELAN: — No.

MR. MERCHANT: — Would the Government in an effort to show that it is prepared to try to co-operate with business, be prepared to take

that power out of the legislation? We suggested that that power was an unnecessary power when it was brought in. The Government curiously said we won't use it very often and we don't really need it. That reminded me of the rather hollow defence that the Federal Government gives from time to time when they bring in powers that they don't need. I wonder if the Minister might at this time be prepared to indicate that since they haven't needed the power and since the power is rather sweeping in its look, that they would be prepared to bring forth amending legislation?

MR. WHELAN: — Mr. Chairman, I listened with a great deal of interest to the Hon. Member for Wascana. There is a piece of legislation that is presently being considered that was issued as a white paper recently and is being considered by the people of the province. It has a bearing on what kind of position we are going to take with the five-day closing that you just outlined. That is The Trade Practices legislation. If that is brought before the House, certainly the suggestion that the Hon. Member has made should be taken into consideration. I am willing to suggest to my colleagues that we look at it at that time.

MR. MERCHANT: — I am pleased to hear the Minister say that because, Mr. Chairman, and I don't want to say it in a critical way, rightly or wrongly as the Minister knows because it is an NDP Government, it is thought by some to have an anti-business flavour. Some people in the business community view acts like that and powers like that as being particularly dangerous and I am pleased to hear the Minister might consider removing that power which we said was a sweeping power. And since, as the Minister says, they haven't used it, perhaps it wasn't necessary.

Mr. Chairman, I have sent to the Minister a copy of a letter, and I have torn off the name of the person who forwarded the letter to me because I did not have his clearance to use his name although I am sure that he wouldn't mind. The letter, Mr. Chairman, deals with something that is of great interest to me and to some Members of the House, including the former Minister of Consumer Affairs, the operation of the service stations and the decline of dealer operated service stations or the decline of service stations flying the flag of the large companies. That is a two-fold problem, Mr. Chairman.

First, it is a problem of the oil companies moving to establish self-service stations throughout the province and, secondly, it is a problem that has to do with the pricing policies of the major companies.

The letter that I forwarded to the Minister refers to seven different price levels paid by Imperial Esso dealers, and if I might just read them to you, Mr. Chairman. Pine Point Service that pays 70.9 cents wholesale — this was in December of 1976 — for its gas in Saskatoon and sells it for 78.9 cents, with an eight cent margin; A & K Service in Martinsville, close to Saskatoon which pays 75.9 cents, an extra nickel, retails the gas for 79.9 cents, a margin of four cents; the North Pasqua Service Station here in Regina which pays 71.6 cents for its gas, retails it for 76.9 cents, with a margin of 5.3 cents; Henderson Esso here in Regina pays 75.5 cents for gas and retails it for 87.9 cents, a margin of 12.4 cents. Obviously, Mr. Chairman, Henderson Esso cleans the windows better, Weyburn Esso pays 71.9 cents, a margin of eight cents; M & K Esso, pays 76.6 cents and Merv Warner Esso in Watson, pays 77.9 cents, retails it for 86 .3.

Mr. Chairman, I and my colleague the Member for Maple Creek (Mr. Stodalka) have on other occasions brought to the attention of the House figures of this nature indicating that line companies charge very differing rates for their petroleum products. I am suspicious, Mr. Chairman, that the companies take virtually all of the profit out of the operation and that the long term result will be that we will lose the rural service stations to some extent and we will lose the dealer owned service stations to a great extent. We will find ourselves, Mr. Chairman, facing the same kind of decline of the dealer operated unit that we saw in the food industry 15 plus years ago. The large companies said, we can deal in food more cheaply than the individual and we will have self-service units. People would prefer the self-service unit because they get the benefit financially, but then, Mr. Chairman, in the long term, getting rid of competition always works to the disadvantage of the consumer.

I suspect that what we now have in the food industry is a loss of competition and, perhaps, the same kinds of prices that we would have had had we maintained the competitive factors that used to exist and a higher portion of the money going, perhaps, towards advertising to move us from one large food dealer to another.

I believe, Mr. Chairman, that we face the same problem in the service station industry, which will work a disadvantage to the consumer. Perhaps more important than that will mean the decline of many small businessmen throughout the Province of Saskatchewan. My view is a view held by the service station associations throughout the country and is a view held by the rather relatively large association of independent businessmen headed by Mr. John Bullock.

I wonder if the Minister has any thoughts about this problem. As the Minister will recall, I introduced both legislation and a motion in the House, last year, and the Government in its infinite wisdom decided to not deal with that. I wonder whether the Government now has had an opportunity to consider this problem in greater detail. Other jurisdictions have moved on the problem both in Canada and in the United States, in some cases there is protection. Very frankly, no protection in this province.

MR. WHELAN: — The observations that the Hon. Member makes are quoted in the letter. We have no indication that the statistics in the letter are accurate, but for the sake of discussion we will accept them. I wonder if there is a difference in the transportation cost, if there isn't a difference in the service that each of these stations give. And I wonder if the Hon. Member would consider it practical and the right course for us to control the price of gasoline and do away with whatever competition exists in this particular area. And perhaps we should. I know the Hon. Member is aware of what the latest Combines Investigation or the Combines Act amendments hold forth. They hold forth the prospect of preventing this kind of thing and we should probably wait until the Act goes through the House of Commons and if it can't do something about the situation that exists, because it exists right across this country not just in the Province of Saskatchewan.

MR. MERCHANT: — Mr. Chairman, with respect to the Minister, Nova Scotia has moved on the matter. The Liberal Government there decided

that though we as Liberals very fervently believe in the private enterprise system, in dealing with large international companies, some times it is necessary to become involved in the private enterprise system in order to ensure that the private enterprise system in fact survives and isn't trampled by those large companies. Nova Scotia..

AN HON. MEMBER: . . . socially minded.

MR. MERCHANT: — A little socially minded, yes I think you would find that Members on this side, at least at this end of this side are very socially minded. And the Minister might also be interested in knowing that the State of Florida moved on this problem as have some other American States and the purpose was not to decrease competition, not to set uniform price between Shell, Gulf and Imperial, for instance, but to say to Imperial that Imperial which deals at such a level of advantage in relation to its dealers, to say to Gulf, which has so much more power than its dealers — you have to deal uniformly with your dealers. This kind of approach, Mr. Chairman, has been asked for in the Province of Alberta. I am afraid that the Alberta service station operators — and this happens to be the Globe and Mail report of some of their initiatives — I am afraid that the service station operators in Alberta discovered that the Conservative Government there turned a rather deaf ear to their pleas, but I am surprised frankly, Mr. Chairman, to think that our Government, which tends to be perhaps more socially minded than the Lougheed Government would reject out-of-hand moving in this direction. The former Minister did not reject the concept out-of-hand and told me that he found the concept interesting and that the Government would look into it. I suggest to the Minister who said, "We're not sure that these figures are wrong," that if he wanted to be satisfied on the differences in prices charged to the various service stations, about all he would have to do is get somebody in the press to say that the Government isn't sure that there is a difference in the prices charged and probably a third of the service station operators around this province would write to say that they see a very different price. A different price for service stations that are across the street from each other, a different price, notwithstanding the fact that one service station may be farther from the refinery than another, the pricing is set as a means for the large companies to maintain their strangle hold over the industry. And that hurts us as consumers and it also hurts the province because it endangers those many small independent businessmen who stand between us as consumers and those large companies.

MR. WHELAN: — I would have thought, Mr. Chairman, that the Anti-Inflation Board, because they are trying to check profits, as a federal agency would have looked into any excess profits that these multinationals are raking in as a result of any unreasonable price schedule. And certainly I think it is ludicrous to suggest to us that a province like Nova Scotia has the answer when a Federal Government, that should be socially conscious, has the complete authority to move right across this country and do something about the situation that exists and certainly the Hon. Member is in an excellent position to exercise his influence in that area and I think that not only the people in the Province of Saskatchewan, if the figures that are being quoted are correct, not only the Province of Saskatchewan is suffering, but every province in this country is suffering and to ask a province to take on a multinational with the scope of

Imperial Oil or Gulf or one of these, when you have sitting right close to you a Federal Government that's socially conscious that has an Anti-Inflation Board and has all the machinery that is required to check into this thing, I think then we would benefit — bring benefit to all the people right across this country. I think that this is really the right answer to the situation. Every motorist in Canada would get the advantages of that kind of action, that kind of legislative action. Even the amendments that are being considered, the Combines amendments, hold out the prospect for this in their explanation of the legislation that is being proposed. Certainly we'll look into it. We won't close the door on it, but again it suggests that it's not a provincial matter when you are looking at a company that operates right across this country, yes, right across this continent. And you need the biggest government that you can find to take on multinationals of this size.

MR. MERCHANT: — Mr. Chairman, the Member for Kindersley for instance is just telling me that he pays more for bulk fuel in Dodsland than he could pay to buy fuel at the pumps in Saskatoon. That's just the kind of problem and I won't belabor the matter. I clearly am not being clear enough for the Minister. Let me only say that two provinces in Canada have moved — Prince Edward Island and Nova Scotia, the only two remaining Liberal governments. In this province, there seems to be a decline of those fine sentiments, Mr. Chairman, and it's not and I don't wish to lecture the Minister, but it's not something over which the Federal Government can move. It is something which is clearly within property and civil rights and the Federal Government would not have jurisdiction to deal over a matter which is solely within this province. So that in every province the move has been to try to get the provincial governments to act. The Ontario Government is looking at acting and has had a series of enquiries and I just say that to the Minister.

I wonder, Mr. Chairman, if I might move to the third area that concerns me and that has to do with the Warranties Legislation. I wonder if the Minister would indicate why two areas which I consider to be very important have been so clearly overlooked. The first area is to set up guidelines against deceptive advertising. Now to some extent, as the Deputy is now saying to the Minister, that's a federal matter. No question about that. But to some extent that's a provincial matter as well, particularly for advertisements that take place solely here. And it is the significant exception, well it's one of the two most significant exceptions, to the things not included in our legislation which have been included in the Magnussen-Moss warranty legislation in the United States. To some extent our legislation has followed the Ontario Green Paper which to some extent grew at the same time as the Magnussen-Moss legislation in the American thinking.

Now I wonder why we specifically have not done anything about deceptive advertising and not done anything about ensuring that the rights of the warrantees are very, very clearly set out for the people to know. The Magnussen-Moss legislation does two things. First it deals with the question of false advertising. It secondly deals with assuring that the buyer knows the warranties that the buyer is receiving.

Now, Mr. Chairman, the other area that seems to be overlooked and is a particular concern to me and I suspect to the Minister's Deputy is the equal credit opportunities. To move in

that direction and I suppose it would be asking too much to say that should have been included in warranties legislation. Clearly it could not, but I am surprised, Mr. Chairman, that the department having done a fair review and having brought in the warranties thinking has gone no further. I am not at this point challenging their work, but will speak to it when the Bill comes up.

But I am surprised that having done that major review that the Government chose not to pay any attention to the problems that women face in obtaining credit and in obtaining separate credit legislation. As Mr. Chairman may recall that again is one of my particular concerns. I introduced legislation in the House in that regard last year and the Government, in its infinite wisdom, decided to ignore that legislation. The Ontario Government for all its lack of enlightenment is moving in that direction and I suspect that means that Ontario Tories are perhaps more enlightened than Saskatchewan NDP.

MR. WHELAN: — Could I answer the last question first. It is my understanding that the department has worked very closely with the credit grantors of Saskatchewan to establish guidelines which take into consideration the very point the Hon. Member is raising. It is also a fact that the Ontario guidelines are exactly the same guidelines that have been agreed to and are invoked and operated by the Credit Grantors Association in the Province of Saskatchewan.

The other point the Hon. Member was raising was about deceptive advertising and I am not quite sure what point he was raising. I know that in the legislation that we are proposing regarding trade practices this is very carefully taken into consideration. The whole area of advertising is covered in that proposed legislation that was introduced in the House as a White Paper last December.

MR. MERCHANT: — I have one more question and my colleagues will have some questions. I wonder while I am on the topic of important areas that appear to be overlooked, if the Minister could advise the House whether there is any intention to move on equal credit opportunities that I just mentioned in this Session or before the next election and secondly, is there any intention of the Government to move on home warranties in a specific way as the Province of Ontario has? I realize that the voluntary home warranty program of the Ontario Government has not met with much success. I believe that above one-third of the manufacturers have gone into the program. I wonder whether the Government intends to move either in a voluntary way or in a specific way on home warranties?

MR. WHELAN: — I am advised that the legislation in Ontario is exactly the same as the program HUDAC (Housing and Urban Development Association of Canada) has here in this province, which is a voluntary organization. We have a representative on the board and the guidelines that are followed regarding house warranties by HUDAC are exactly the same as the legislation that has been introduced. If this doesn't work, we are watching it very carefully and if it doesn't work satisfactorily there is a possibility that we will move towards legislation in that area.

Regarding the equal credit opportunities if this equal

credit opportunities proposal that the Credit Grantors have set up with the same guidelines as they have in Ontario, if that doesn't work we'll again, I say we will move in that area.

MR. MERCHANT: — Could I just ask one further question then, Mr. Chairman. Can the Minister give us some kind of a timetable with regard to the equal credit opportunities legislation, and secondly, the Ontario experience with the voluntary home warranty program has been bad, they have had the program for a longer period of time than we have had in Saskatchewan, only about one-third of the builders have voluntarily gone into the program. Has the experience in Saskatchewan been better in terms of percentage terms and is the Minister then satisfied with HUDAC in the way that things look in this province?

MR. WHELAN: — I am advised that the legislation in Ontario has just begun. It isn't under way at all and it is very difficult to assess how it is going to work. As far as the HUDAC voluntary arrangement is concerned it began in this province last July and we will have to have some time to assess it. To say at this point in time that one of them worked or didn't work, I don't think we have had ample time to assess either one of them. The Ontario legislation I am advised hasn't really got under way as yet.

MR. MERCHANT: — The Minister in Ontario, and I am going from memory from reading the reports, but the Minister in Ontario in late December indicated that one-third had gone in and they weren't satisfied with that and they were looking at moving in some other direction. Could you indicate what kind of percentage terms you would want for participation before you would be satisfied to continue on a voluntary scheme as opposed to something specific?

MR. WHELAN: — The legislation in Ontario is compulsory so if they only have one-third in, that isn't very satisfactory at this stage of the game. I understand that HUDAC here has a higher percentage on a voluntary basis and they have just begun so I think we have to have more time to assess both operations.

MR. J. G. LANE (Qu'Appelle): — Mr. Chairman, does the department — the annual report indicates some liaison with other departments — do you now have liaison with the Saskatchewan Housing Corporation as to the particular problem and if so, what have you determined to date?

MR. WHELAN: — I'm sorry, which particular problem are you talking about?

MR. LANE: — Home warranties and home construction.

MR. WHELAN: — Yes, there has been continuous liaison between the Saskatchewan Housing Corporation and the Department of Consumer Affairs over the last two years, I understand.

MR. LANE: — My second question is, what have you determined to this

point? By implication you are saying that you have really come up with nothing.

MR. WHELAN: — The assessment of the builders who are in the organization is good, but not all the builders have joined HUDAC as yet. There are a number of them that are still outside HUDAC and they are joining the organization continually. We hope that they will all be members, it's on a voluntary basis.

MR. LANE: — Well, is it your intention to proceed, or the other side, are you monitoring the co-op housing program and the quality of construction and manner of construction?

MR. WHELAN: — Yes, that's. . . There are a good many of them in my constituency and I've seen them. I know exactly what is going on in those areas.

MR. LANE: — I'm prepared to ask you to give us your expertise, however, I think that that may be a waste and how much time you are spending on it.

On that 'cease and desist' order under Section 8, one of the concerns that have been brought to the Assembly's attention in the past is not just the use of the cease and desist power, but the threat of the use of the 'cease and desist' power. Under your annual report on page 23, you indicate, this is under the Trades Practices Division, that if a particular practice is found to be unacceptable or not in the public interest, steps are taken to eliminate the problem or bring about the change which will be acceptable. Now your previous answer indicates that the 'cease and desist' order was only used once. On how many different occasions did your department advise companies or businesses about a particular practice that the 'cease and desist' power existed and that you were prepared to use it?

MR. WHELAN: — I am advised that the department never approaches a merchant on that basis. They attempt to negotiate and try to work something out, but I think that approaching it on the basis that is being suggested would be misusing a power. I recall vividly working for a board that had some pretty tough legislation, The Moratorium Act, it was on the books for a long, long time and it was very seldom used. I don't think legislation because it is on the books has to be used. It is sometimes necessary in very difficult negotiations but people who administer legislation of that kind I think use it wisely. There are many examples that you could quote by different governments of every stripe where there is some pretty tough legislation that is written because it is necessary.

MR. LANE: — Well, we submit that it is not necessary and, in fact, the Act has been in for approximately five years. According to statements that you have made it has been used once in five years. If it hasn't been used as a weapon to force people to change their activities without the use of the cease and desist order, so we submit to you that, in fact, by keeping that cease and desist order on the books you are giving the public the impression that the business activity in the Province of Saskatchewan is such that the Government has to have the awesome power in order to function and in order to control business. What you

have admitted today is that the Government doesn't need this power, in fact, it has only been used once and really you have an awesome power that is perhaps giving business a bad name and an awesome power that is unwarranted and unnecessary.

MR. WHELAN: — The Hon. Member puts words in my mouth, I never said, and I thought he understood, and I felt that he would accept it but perhaps he won't. I said that when we brought in The Trade Practices Bill we would have a look at the legislation and see if it was necessary. We might consider changing it at that time. We'll have The Trade Practices Bill, we hope, in some form before the Legislature later on this year and at that time we will have this debate all over again. He can raise the matter at that time. I hope he does. I think that is his prerogative, I think it is something we should keep track of if we don't need the legislation, we should take it out. I know that we have only used it once, but we should examine the possibility of taking it out at the same time we are examining the possibility of bringing in The Trade Practices legislation.

MR. LANE: — Well, of course, the other side of the coin is with your statement that it is not a sound practice for governments to bring in awesome powers and then decide later whether they need it or not. Really the approach to be taken, I would suggest, the proper approach is determine whether there is a need before the Government takes the power, so you stand condemned on that point as to the governmental practice of taking powers unto itself, as I say, unnecessary powers.

But on the same page in the annual report in the Trade Practices Division, you emphasize the importance of deterrent action to protect consumers in this particular division. You go on:

In the past year it was possible to identify certain practices which were questionable and through agreement bring about change.

Would you list for this Assembly the practices you found questionable and the companies involved?

MR. WHELAN: — As a general principle we would not list the names of the companies, but I think the types of companies are shown right there in the report.

MR. LANE: — Well, there are several under various headings and if you are referring to what is on the Trade Practices Division, there are two specific actions, then surely we should vote against any increases in the Trade Practices Division because you have got two particular instances and that is all you are referring to. If you have a whole division for two incidents then it is an absolute waste of money.

MR. WHELAN: — I am advised that the department works on trade practices problems all the time. There are a great number of them, but we don't have them listed here on hand where we can give it to you without divulging the names of the company.

MR. LANE: — Well, you've told us you won't give us the names of the companies, but I ask you again, what types of practices and you keep going back to the two that are on the page. So far that doesn't justify the existence of the division. What are the practices?

MR. WHELAN: — Well in total during the year under the Trade Practices heading we had 277 investigations. Now I am not sure whether you want the type of company that was involved in each one of them, that would take a considerable length of time and we don't have all that information here today.

MR. LANE: — I want the types of practices that were carried on, that were investigated. I am quite prepared if the Minister will undertake to supply me with those, the number of investigations in each one, although I do suggest that the Minister should have that information.

MR. WHELAN: — The staff have given me a few examples that come under this heading, unfair contracts that have difficult terms, unfair handling and unreasonable disposition of a complaint by a consumer, improper disclosure of credit, taking large deposits and not performing after taking the deposit, taking orders for goods and not delivering the goods.

MR. LANE: — Under what legislative authority is your department dealing with so-called unfair contracts?

MR. WHELAN: — Under The Department of Consumer Affairs Act, we have the authority to deal with consumer complaints.

MR. LANE: — The Unconscionable Transactions Act is not the provisions under which the Minister is going. It seems that the Minister is using the so-called moral suasion powers of the department, rather than any legislative authority for his actions or the reverse is true, that he is taking an Act and extending the use of that Act far beyond the intent of the Act or what this Assembly was told when the Act was introduced. I would suggest to the Hon. Minister that when his new legislation is brought before this Assembly, that he would be doing, I suggest, the department and the public a favor by assessing the needs of the public for protection and acting accordingly. No government can justify the blanket powers given by that Act and the fact that only one particular activity has been stopped because of it.

Now, I would like to shift to another topic and that is the Information Division of the Department. Can you advise me of the duties of the Supervisor of the Information Division and the background of the Supervisor?

MR. WHELAN: — Is this on Item 3? Is this what you are asking?

MR. LANE: — I am using the Annual Report, page 10.

MR. WHELAN: — You mean the Director?

MR. LANE: — Your Annual Report says Information Division, Supervisor — A. W. Gill is the name.

MR. WHELAN: — Allan W. Gill? Do you want the qualifications of the Director?

MR. LANE: — Yes.

MR. WHELAN: — He worked for a Regina radio station. He worked for Electric Motor Service. He was an announcer. He was a salesman with Electric Motor Sales Service. He was an announcer and later promoted to production manager with one of the radio stations. He worked for another radio station as a script writer, and he was promoted to production manager, music director, news director, sports director, program director. He attended Central Collegiate in Regina and obtained Grade XII standing in academic subjects. He attended the University of Saskatchewan, Regina Campus and obtained his Senior Matriculation.

MR. LANE: — Now, I notice on the Public Accounts, first of all that that particular individual's travel expenses in the year were within \$26 of the Deputy Minister's travel. Can you forward to me a list of the various destinations and the travel that that particular individual took?

MR. WHELAN: — He handles extensive public speaking engagements and during the last year was at, attended, 23 meetings of one kind or another, as a representative of the Department of Consumer Affairs.

MR. LANE: — Was all his travel within the Province of Saskatchewan?

MR. WHELAN: — The 23 that I have in front of me are all in Saskatchewan.

MR. LANE: — We note too, from Public Accounts, that this particular department spent, or paid, Struthers and Associates for advertising, I'm assuming, \$137,658. Now, that's over 10 per cent of its budget went to a political advertising arm of the Government. We've had a series of questions at the outset that legislation is being introduced that the legislation of itself indicates that the Government is bringing some massive changes which are going to increase, or put a much heavier demand on the activity of the department, and yet only one individual is hired. On the other side of the coin, we have what I would suggest are abnormally large expenditures by the department. When you fail to get adequate staff to enforce what you, yourself, have called major legislation to protect consumers and give one individual; and on the other side are quite prepared to pay about 11 per cent of your budget to an in-house political ad agency, I suggest that what is happening to the department is, it's becoming purely a promotion agency for the Government offices, and really is not so concerned about actually solving consumers' problems. That, in fact, the Government is using Consumer Affairs for political reasons as kind of a sop to the public and failing to come to grips with the actual problems of consumers of Saskatchewan.

MR. WHELAN: — Mr. Chairman, it's all bunk. Most of the expenditure was for the Rentalsman. When the rent control got under way, the Rentalsman was under the Department of Consumer Affairs and I'm \$137,000 was for the introduction of the rent controls.

MR. LANE: — Well, I'll await your information. Can you tell us then, what the payment to the National Farmers' Union is for, and the details and what benefits the Government has got as a result of the payment of \$2,500?

MR. WHELAN: — This was a grant to assist the Status of Women Committee and it was \$2,500 and went to the Farmers' Union to assist them. It was a part of the approval of grants for International Women's year.

MR. LANE: — And, what were the payments to the — and what is the Southeast Area of Saskatchewan Action Committee, and what is the Prairies Ladies Club for \$1,350?

MR. WHELAN: — The total to the women's committees is \$55,000 and these are all the grants that went to the Status of Women Committee and other women's committees. Are you objecting to grants that are made to the Status of Women? Is that..

MR. LANE: — I want to know whom they are made to. Now, surely there must be a better explanation than the Prairies Ladies Club. Now can you tell us who they were, where they were located and to whom the payment was made? And I ask exactly the same question for the Southeast Area of Saskatchewan Action Committee. Now who was the chairman of that, where were they located?

MR. WHELAN: — Well, there are so many organizations that were in that group that I think it's unreasonable to expect us to give you the officers of every one of them. We'll be glad to table the information and see that you get it. I am sure that they are Saskatchewan citizens and you will recognize their names when you see them.

MR. LANE: — Well, that's a totally inadequate answer. The figures that I am quoting to you and the names are ones that are tabled in the Public Accounts. You should have that information at your finger tips. Now, I asked you very specifically to whom the cheque was made payable, who was the president of the organization. Now you should have that information handy, it's in the Public Accounts. That's all I asked you. I didn't ask you the names of their directors or anything else.

MR. WHELAN: — The coordinator's Annual Report has the specific undertakings of each one of these organizations and Prairies Ladies Club, Buffalo Narrows, assisted isolated women in northern Saskatchewan, organized for regular communications regarding common needs and concerns. They are all here. The Status of Women, Saskatoon, carried out a study to determine

the needs of Saskatoon women, how the Status of Women can relate to those needs. The Saskatchewan Advisory Council on the Status of Women created an International Women's Year banner and lent it to various groups upon request. The Lestock Native Women's Organization..if you, do you expect us, are you asking us to give the secretary and all the officers of these organizations. We'd be glad to make that available to you.

MR. LANE: — I told you I wasn't asking for that, but I was asking whom you made the cheque payable to in the organization. There must have been some contact person with whom you were in touch. Now, how much did you spend on a banner?

MR. WHELAN: — I was reading you the report on the International Women's Year which was made available to Members of the Legislature. I think that all of these expenditures are on behalf of International Women's Year and the idea of making money available for different women's groups strikes me as being reasonable and practical and we will be glad to give you the officers, the names of the people we wrote the cheques for and so forth. These are expenditures that were made last year and we just don't have them on hand, but we will certainly give them to you.

MR. LANE: — Could you advise me what the purposes of the grants were and then I would like to know whether the purposes for which the moneys were paid were attained? In other words, I would like to know if the department, when it has a grant program, has any way of assuring this Assembly that the money used for whatever the purpose of the grant, is in fact, used for that purpose, and I again go back to another question you have pointedly missed — what the Southeast Area of Saskatchewan Action Committee is?

MR. WHELAN: — I am advised by my staff people that there's a financial statement filed for every grant, every organization that's got a grant from us, and we'll be prepared to file the financial statement in the House, showing how the money was spent. We asked for that when the grant was given, and they have filed the financial statement in each case and they are available. We'll make sure that you get copies of them.

MR. W. C. THATCHER (Thunder Creek): — Mr. Chairman, I would just like to discuss Item 2 with the Minister for a moment and I shouldn't take too long.

Mr. Minister, I wasn't in here when you introduced the people that are with you. Can I assume they are all from the first category Item 1 — Administration?

MR. WHELAN: — No, that's not true. Not all of them.

MR. THATCHER: — Mr. Minister, when setting up your department, I see you've got four major categories. Is it safe to assume that your key people, or the people with which your department is contingent upon running smoothly would basically be found in the category of administration; is that a safe assumption?

MR. WHELAN: — As a general rule, in any department the people that are responsible for making sure that the program runs smoothly and properly and is carried out in each of the areas, is the Branch Head. This is the way it's always been in departments where I've been and where I've worked, and I assume that that's the answer to the sort of question you are asking.

MR. THATCHER: — Well, Mr. Minister, the reason I asked this question is that last year your department, in your departmental budgeting, your Item, administration — the average salary in there was considerably higher than what it was in categories 2, 3 and 4. For instance, last year your average salary in administration was \$15,130. Going down to Item 2, it was \$11,328. On Item 3 it was \$12,788. On Item 4 it was \$12,801. I notice that that gap has narrowed very, very considerably. In other words, it appears that last year the people in administration were your key people; they were paid accordingly as far as your average salary was concerned. But this year when you were budgeting, there is really not very much discrepancy. Your people in administration are still the highest paid, but there is not very much room between the average salary in Items 2, 3 and 4. Certainly not percentage wise as there was last year, in fact, not even in terms of absolute dollars. Would you explain this apparent shift in policy?

MR. WHELAN: — Well, first the Deputy Minister's salary is in the administrative vote, which automatically raises that. And then you have to look at the clerical mix that's in each of the different branches to arrive at a conclusion. I think that has a bearing on the figures that you are quoting.

MR. THATCHER: — Well, Mr. Minister, I'll try to reduce the level of debate down so that perhaps you can understand this. Last year in administration you had six people. The average salary there was \$15,130. This year you have raised it to nine people. The average salary there now is \$16,782, and I am basing that on permanent positions.

Now let's go down to licensing and investigation. Last year your average salary was \$11,328. This year it is now \$14,757, an increase of 30.3 per cent, where in the previous category they got an increase in salary of 10.9 per cent. I suggest to you that education and information has obviously been upgraded for some reason because they are now making very nearly the same number of dollars as were your people in administration and such was certainly not the case last year. Let's take a look at Item 4, policy and planning. Last year your average salary there was \$12,801, this year your average salary there is \$16,195. That is a pretty hefty output in terms of salary. What I am interested in is why the downgrading of your administrative people? Your answer previously has no relationship whatsoever and I am sure that there must be clerks, etc. in all these other departments. Now could you answer the question?

MR. WHELAN: — I said this before and I am still at the same level and I am still going to repeat it regardless of how sarcastic the Hon. Member for Thunder Creek gets. It depends entirely on the mix of the people that you hire in each one of these areas. If you have a large number of research people and fewer clerical

people, the mix can vary as the Hon. Member for Wascana said and it has varied in each of these areas and that is the answer to it. I can give you in detail the people who are involved, but I think that is the reason for it.

MR. THATCHER: — Mr. Minister, I really don't care to get down to the point of asking what every individual's salary is. But in a moment if you don't get a little more concise in your answers, I am going to have to ask for it.

All right, you have six people employed last year in administration at an average salary of \$15,130. Now you have raised that up to nine people for this year. These extra three people that you have added, who are they, what is their job, are the other six the same people you had last year? Let's do it that way if we have to.

MR. WHELAN: — Last year there were no Minister's staff because they were taken out of the Department of Co-ops and three people who are Minister's staff were added. They are two secretaries and an executive assistant. That is why it lowers the average. As I said the clerical mix reduces the average. That clearly explains what happened.

MR. THATCHER: — You are saying that the extra three people who have been increased, that you have the basic rate, you have exactly the same original six, am I correct on that before I go on?

MR. WHELAN: — There is one different one in the six. The range was — the person who replaced someone who moved out was hired at a higher rate in the scale.

MR. THATCHER: — Mr. Minister, that is not much of an answer now. I don't want to ask for individual salaries here, but unless you get a little bit clearer than that, I am going to have to in a moment.

MR. WHELAN: — What I am saying is that the Minister's secretaries and executive assistant don't get as much as some of the other people that are there. The three who were added are in the salary range of about \$11,000 to \$12,000, and of course, that lowers the average. The other administrative people who were already there were at a higher range. It is the clerical mix that changes the average.

MR. THATCHER: — Well, then let's take a look at the Item 2 portion of it. Mr. Chairman, I beg your indulgence.

You have increased the number from 19 to 26. Now last year your average salary there was \$11,328. We have the reverse situation, you have now gone to 26, their average salary is \$14,756. That is about a 30 per cent increase. Are you telling me that in this case everybody who came in was above the average, that the mix went up, etc.? I don't think that is probably true, but that is how ludicrous your argument was a moment ago.

MR. WHELAN: — There is a reclassification of four division heads and hiring of in scope people at the top of the range, people who were working inside the Government and they were hired at the top of the range.

MR. THATCHER: — Why for a department, such as licensing and investigation, why do you require only top of the range people in a division such as this, whereas administration should be your most predominant department, the department or the area that makes your whole department tick, why would you then be hiring them at supposedly, by your own description, people not at the top of the range?

MR. WHELAN: — Often times . . . in answer to the Hon. Member's question, you don't have anything to say about salary if they have been working for a long time for the Government and they are at the top of the range, they apply on a seniority basis they are eligible, then you pay them at the top of the range. That is what happened in one case in the administrative group. The standard rate that is paid for Minister's secretarial staff is much lower, it is not in the same sort of scope and this automatically brings down your average. That is what happened in the administrative personnel. I think that the licence people whom we have, we don't have that many, but we try to get the very best people that can be found. They have to have good qualifications; they have to know a lot of work that is of a legal nature, in addition they have to have a good deal of experience of working with the public. We found that the people — maybe we had to pay them at the top of the range — but it has been profitable in the long run because they have done an excellent job for us.

MR. THATCHER: — I am interested in the Minister's comments that some times you don't have any choice. This isn't all that big a department. In fact, I suppose it is even questionable in such a small department, whether we even need a separate Minister for Consumer Affairs, of course this opens up a can of worms which I am sure we are not going to get into today.

However, Mr. Minister, when you say you don't have any say in whom you are hiring, are you trying to tell us that you don't have any say in the running of your department, that you cannot choose your own people when a vacancy opens up, that you simply have somebody else make the choice for you? Are you trying to tell us that you are running a department? Are you managing your department or is your department managing you?

MR. WHELAN: — Mr. Chairman, I didn't say what the Hon. Member has attributed to me. I said if there is only one application when you advertise and only one person answers the ad and only one person is qualified and that person is at the top of the range and if you need that employee, then what is your choice. If you want the employee and you need the employee, you take the person at the top of the range if he is in scope. You advertise, you follow all the procedures that are set out. I am sure the Hon. Member is aware of the procedures. But maybe you only have one applicant, this applicant happens to be at the top of the range and may be entirely suitable. So you take the one that applied.

MR. THATCHER: — Is the Minister trying to tell us that where we have ten increases in the size of the civil service, is the Minister trying to tell us that under licensing and investigations, seven people applied and you only had one application? Whom are you trying to kid? On Item 1 where you had an increase in three, that somehow we had multi-applications and that the Minister was able to select the one at the bottom of the range, but on Item 2 we had nothing but people at the top of the range and only one person. Come on, Mr. Minister, you can do better than that.

MR. WHELAN: — We haven't hired the seven that you are talking about. We haven't hired them yet.

MR. THATCHER: — If you haven't hired them, then why are you pricing them in at the top of the range? That's even more ridiculous. You are budgeting to bring them in at the top of the scale as you just said; now you tell us that you haven't even hired them. What kind of a department are you running?

MR. WHELAN: — We were talking about the ones who have been hired during the year whom we hired at the top of the range. We can't talk about the ones we haven't hired yet. That's surely. . . I thought that was pretty clear. But again I come back to the sort of people that you asked for, the kind of qualifications that we have set out for the personnel and required in licensing and investigation. We just don't get that many applications because we insist on a pretty high calibre personnel and I don't think the Hon. Member would suggest that we set out qualifications very carefully and if we only get one person who qualified that we should keep advertising until we get two or three. If we get one person who is qualified and we need to put the program into operation, I'm talking about not the year ahead, I'm talking about the year we've just gone through, we should hire them.

MR. THATCHER: — Perhaps the Minister. . . and then while he has the staff handy he could tell us. On what date was your last hiring made in licensing and investigation; how many people applied for it? You should have that information handy right now. You might as well tell us what position that was, while you are at it.

MR. WHELAN: — The last person who was hired was a clerk typist II and three people applied for it.

MR. THATCHER: — And it just happened that they were all at the top of the range.

MR. WHELAN: — Well, I've been giving general answers I suppose and you can't apply a general answer to every specific situation. I was thinking in terms of investigators and now we're talking about clerk typists. No, this person wasn't hired at the top of the range.

MR. THATCHER: — Mr. Minister, in Item 1 you are showing salary increases of 10.9 per cent. In Item 2 where you're increasing the size of your staff by seven, you're showing salary increases in excess of

30 per cent. Under Item 3 you're showing increases of 27 per cent and the staff is staying the same, nine to nine, 27 per cent in this area. In Item 4 you are showing a reduction of six to four, mind you you're increasing the salary from \$12,801 to \$16,195 and that's a 26.5 per cent increase according to your own numbers. Now what is going on in your department? Why are your top administrative people, why are they getting the bird?

MR. WHELAN: — Just to give you a breakdown the salary increases in 1975 were about 16 per cent, the increments were 4.5 per cent and the salary increase in 1976 on October 1st, we've provided for an estimate, an estimated 8 per cent.

MR. THATCHER: — Then why these figures? Verify them for yourself. I'll send them over to you. They're just taking your figures. Why 30 per cent? Why 27 per cent? Why 26.5 per cent? But under administration, 10.9 per cent. That hardly jibes with the figures you have just given. Who made up your budget?

MR. WHELAN: — I should tell you I guess there's a mistake in the administrative vote. For last year you're showing 90,780 and it should have been 79,560. You have the three new staff; you have to add the percentages.

MR. THATCHER: — So last year, Mr. Minister, you're telling us that your average salary in administration was \$13,260. Am I correct on that? Mr. Minister, congratulations. It comes out. You're giving your administration staff 26.6 per cent increase. I'm very glad to see that administration is not being discriminated against. If your people, after having only about eight months to prepare this, could have perhaps done it correctly, we could have saved some time in the Legislature. We perhaps would have let you people get home a little bit earlier. I'm very sorry. Perhaps next year they could start perhaps a year in advance and the figures would be done properly.

MR. LANE (Qu'Appelle): — I have some questions of payments that were made again under the Listed and Public Accounts. Could you tell me what payments to C. Ambler and Associates Limited were for and also for the G. Devine Farms and Consulting Services?

MR. WHELAN: — Amblers are the people who did the price survey and what was the other one you were asking for?

MR. LANE: — The G. Devine Farms and Consulting Services.

MR. WHELAN: — He was the person who designed the price survey.

MR. LANE: — On the price survey we spent approximately \$26,000. In the Annual Report you stated that the branch, that the Planning and Policy Analysis Branch also designed to conduct special research projects such as the Comparatively Weekly Food Price Index. Now if, as you've just said, the two consulting firms did it, then why are we paying money to the staff of the department to do it?

MR. WHELAN: — Mr. Chairman, I am advised that the work was undertaken jointly by the department, by Devine and by Ambler.

MR. LANE: — Did the department, in fact, spend on the Comparatively Weekly Food Price Index? How much did that fiasco cost the people?

MR. WHELAN: — The total figure for the food prices survey was approximately \$65,000 and it lasted 20 weeks and that included the money that we spent as indicated here as well as the time the department spent.

MR. LANE: — Approximately \$60,000 did you say?

MR. WHELAN: — \$65,000.

MR. LANE: — I'm sorry. I'm assuming you are prepared to table now, the results of your study and what effect or impact the study had?

MR. WHELAN: — We haven't completed the study, but when it's completed, we will be glad to table it.

MR. LANE: — When did you pull the study off? You started in October, I think it was, October of 1975. Now, you've had well over a year. Does it take that long?

MR. WHELAN: — I am advised that the monitoring of the work was completed at the end of April. The staff that we had on the job, the director particularly, resigned to work in another department of the Government and this is the reason for the lapse. We had to hire another director, we got another director in place in the summer and the work is now being completed.

MR. LANE: — You are still taking just about a year since last summer and we still don't have the results of the studies. Why then, when you give us your Annual Report do you try to take the credit for the decline in food prices in Saskatoon and Regina? I'm referring to pages 14 and 15 of your Annual Report. Now I think quite frankly that the truth is outside of the report. You attempt to tie the study to a decline of food prices during the publication period of 5.6 per cent for Regina and 4.6 per cent for Saskatoon. You do say that these declines cannot be totally attributed to the publications program. Now, I would like to know and I would like to have tabled today what decline can be even partially attributed to the Comparative Food Price Index.

MR. WHELAN: — I think if the Hon. Member will read the report instead of just quoting from it in part, it really says that we do not take credit for all of it and that we will file the full report, a detailed report of the project. It will be filed as soon as it's finished and it isn't finished. We don't suggest that we are taking credit for it. I can't read that out of the report.

MR. LANE: — Well, you don't take full credit but we spend three pages of a report, page 13 to page 15, you don't take full credit but you certainly take partial credit. You take partial credit although you don't even know what you are talking about by your own admission because you don't have the report yet. You indicate that a detailed report will be given and yet we have had press statements from either yourself or your department some time ago that you were considering re-implementation of the Comparative Price Index for Food. Now why would you proceed when the particular project — and you have indicated that you were considering re-implementation of the comparative food pricing — why would you even consider such a project if you haven't done the studies of the first, and I suggest to you that it's just another example of the politicization of that particular department, that particular project was a complete and utter waste of time? The Hon. Minister knew it when the previous Minister was questioned in the House at the time of what they expected to get out of it, nothing. They didn't know, they didn't have goals set, and they didn't have goals established. I suggest to you that that project had no effect on food prices, notwithstanding the attempt to get partial credit for it and in fact, that it was a political gimmick at a high cost to the taxpayers of this province.

MR. WHELAN: — First the Hon. Member says that there are three pages, there are only two, he can't even count. Second, at no time have I indicated or have any of my staff indicated that we were going to do the food survey. Third, we haven't taken credit. Even in the copy that's here we have suggested that we were studying it and that we'd make a report and that's what we say here and that's what it says in the report.

MR. LANE: — I can see why the Hon. Member for Thunder Creek (Mr. Thatcher) was able to get you on your arithmetic. I look at page 13 and I see a reference to the branch designing research projects, designs and conducts special research into commodities and selected products, comparative weekly food prices, and that goes for page 13, which for the Minister's edification is page one in my calculation. It then goes through page 14 and there are major references to the Comparative Food Price Index and then we go . . . and that's page two . . . one and one . . . and then we go to page 15 which refers to the Comparative Food Price Index and takes another page. So I suggest that the Hon. Minister should go back to answering the question and leave the arithmetic to the Opposition and perhaps the Minister can re-assess his position with regard to this particular project that there's been a notable failure by the Government of Saskatchewan to take a comprehensive non-political approach to food prices in Saskatchewan. I suggest that your failure to do so and the reason that you have taken the political approach is that you're really torn between your marketing boards on one side that you advocate which will mean higher consumer costs by any other independent study and the fact that you're trying to take a political approach to say you took some credit for lower food prices in Saskatchewan. I suggest you would be doing a service to the people of this province if, in fact, you took a non-political approach and attempted to determine what, in fact, are the costs and why food prices in Saskatchewan and in particular to the two centres. I don't expect you to go beyond that, come up with some true answers and some fair answers and do a solid study instead of taking a slipshod political approach of running an advertising campaign doing some comparative

food costs to back your government policy on food pricing is in conflict with other government departments and I suggest that that is the real reason why you've got political on the question of food prices. I suggest in the interest of the people of the province and the consumers of the province that we start looking at some very practical answers and some serious studies instead of the tokenisms we've had in the past.

MR. WHELAN: — You said there's a three page report and honest to God, I can't find it. I think it's hilarious. For the Hon. Member, Mr. Chairman, who represents the Conservative Party, criticizing marketing boards when the Province of Ontario has them left, right and centre and is very successful, I think that must be embarrassing to the Conservatives in Ontario to have a representative going on with that sort of bilge in this House. I don't know how the Conservatives could possibly stand up for that position, under that kind of policy, which is surely contradictory. I think that we have never said that, that we would make a report in due time and make a complete study, that's what it says in the report..

MR. CAMERON: — Mr. Chairman, may I ask the Minister in respect to a totally unrelated area what is the policy of your department with respect to disclosure of information to people about whom it's collected in the course of the investigations that you do?

MR. WHELAN: — Confidential. The policy is that it's confidential.

MR. CAMERON: — Can I then ask you, you indicated that you did 270 some odd investigations in the course of the past year under one of these items. Files, I presume are kept and maintained. How long do you maintain those files with that information on them?

MR. WHELAN: — That was in only one area of the 277. To answer the Hon. Member's question, they are maintained for five years and then they are destroyed.

MR. CAMERON: — Now, suppose I was a person who was the subject of some sort of enquiry by your department in respect to a complaint and your department investigated it and acquired a good deal of information with respect to it, could I as the person being investigated have access upon request, to the file that you have acquired?

MR. WHELAN: — I suppose in this day and age everybody wants access to information, if that's what the Hon. Member is suggesting, but if we investigate and you're asking if the person that's investigated has access to his or her files? As a general rule, no, because we pick up the information from a number of sources and in many instances they are acquired on a confidential basis.

MR. CAMERON: — Okay, thank you very much. One last question. Do you have a policy with respect to access to information of that kind by Members of the Legislature acting on behalf of the constituent who may have been the subject of an investigation?

MR. WHELAN: — I'm sorry, I was listening but there's some noise around me and I didn't quite hear what the Hon. Member said.

MR. CAMERON: — I understand that the policy as I now understand it is that you acquire information in the course of these investigations that you put in a file which you maintain for five years and generally the files with the information in it are categorized as confidential. Generally, persons themselves who are the subject of the investigation are excluded from seeing the files because of the general confidential status assigned to them. I am now about to ask you, what other classes of persons might have access to these files apart from those persons themselves who are investigated? So I ask you first whether your policy includes examination of those files by Members of the Legislature on behalf of the constituent who may have been the subject of an enquiry?

MR. WHELAN: — I am told that the policy is that no one sees them as a general rule. The rule is that a Member of the Legislature does not have access to them.

MR. CAMERON: — And I would presume that would apply likewise to the person's solicitor?

MR. WHELAN: — Yes.

MISS L. B. CLIFFORD (Wilkie): — At a time when there are planning and policy changes and an example is the new consumer legislation, could you tell me why the number of posts in that Item No. 4 have been eliminated?

MR. WHELAN: — It's part of the general approach. We had openings for a couple of positions that hadn't been filled and they were just eliminated.

MISS CLIFFORD: — You had a number of openings for positions that hadn't been filled. I'm asking you why you went from six to four people in Item No. 4 in the planning and policy area? I don't think you've explained that. Could you try again?

MR. WHELAN: — I guess you could say that it was just the overall policy of the Government where we were trying to reduce expenditure. The department had felt the need for these two people, they hadn't actually been advertised for, but they were cut out of the expenditure and we didn't include them this year.

MISS CLIFFORD: — Then I understand that perhaps they weren't needed last year either, but you've indicated in Item 2 that there will be one person who will be assigned to the investigation area for the new legislation. You've spent a little more money in the education and information branch. I want to know, because you've got the minimum number of people to investigate any complaints that the new legislation might have, have you consulted with the federal agency in this same area, their Consumer Department, to see what areas might have the same complaints brought to them?

Have you consulted with the federal department at all as far as consumer legislation?

MR. WHELAN: — We work pretty closely with the federal people and our staff people are in contact with them all the time. If you are making specific reference to the warranties legislation, there is no overlap. Our legislation and any legislation that they have in that particular area will not overlap and we need some extra people. I had an estimate of the number of extra requests for assistance that we thought we would have. It's not a great number, but we do need the extra person because as I indicated earlier, we have been handling them up until now, but we were without jurisdiction to negotiate a settlement. That's why the legislation has been written.

MISS CLIFFORD: — Mr. Chairman, Mr. Minister, you've indicated that they do not overlap. Would I not be right in assuming that you have lowered the number in your planning and policy, you only have a minimum of people that you think will be required for investigation in your licensing, in fact, is it not true as many business people think that your legislation does overlap the federal legislation, in that, the overlapping perhaps might make more of a problem for business people than you estimate right at the moment?

MR. WHELAN: — In answer to the Hon. Member's question, there are some areas I concede where Consumer Affairs legislation overlaps federally and provincially, but in the warranties area, there is no overlap because there is no federal legislation on warranties and no indication that there is any forthcoming at the present time. We had lengthy discussions with the federal Minister at a conference in December and we talked to the other Ministers across the country about warranties. We're the first province, though others have considered it, to have investigated, to have made some attempts with some other legislation, but I think we're the first province to actually write a warranties bill.

MR. R. A. LARTER (Estevan): — Mr. Chairman, I'd just like to carry on where the Member for Wilkie left off and I'm concerned that there's a possibility there is an overlap. I'll tell you why I'm concerned. We've budgeted for this new bill, this Warranties and Consumer Products Protection Bill, and I think everyone here is not naive enough to believe any different, that whatever you pass here is going to be passed on to the consumer. This was proved, I think, very adequately in The Family Farm Protection Act, which was adopted by this Government and dropped about six or eight months later. I'm concerned that we are budgeting, staying within the confines of what I'm supposed to be talking about, I'm concerned that we're opening a hornets' nest here as far as encouraging complaints and that's exactly what The Family Farm Protection Act did, it opened a whole hornets' nest. They had an arbitration board that could have taken care of any question to do with farm machinery, but they insisted on ramming it through and ram it through they did, only to find out later that it did truly add to the price of farm machinery and I'm concerned with the allowance you have in here for this Bill 65, it's going to have exactly the same action.

MR. WHELAN: — Is the Hon. Member suggesting that the consumers shouldn't have any legislation to help them with warranties? Is that what you are suggesting? Can I quote you in that respect?

MR. LARTER: — Yes, would you answer the question I asked ? Are you not worried about what this is going to do; what you have allowed here in your budget is just impossible? You are going to snowball the staff in that department, I can tell you that right now. And sure we want to protect the consumers but if you already have the power to protect them why go on and put in more acts to protect them further? Just act on the ones you have now.

MR. WHELAN: — I indicated earlier and I think it's still accurate to say that up until now we have looked after these complaints in this area for a number of years, and as a general rule we have been able to negotiate a satisfactory arrangement or settlement. The need for legislation arises in the small number of cases where this isn't possible because there is no legislation to help enforce or help in the final arrangement of a settlement. The legislation won't increase the number of complaints, but it will give the department an opportunity to settle. We sent, as I pointed out, over 600 copies of the legislation. The business people had a year to study it. We have had 17 returns. Even the Manufacturers' Association agreed with it in principle.

MR. LARTER: — Mr. Chairman, I would like to ask the Minister — do you have any proof that this isn't going to increase the price of this to the consumers? Do you feel it won't? And you definitely feel it won't increase the complaints? I like protection for the consumer, but if we already have something in place, Mr. Minister, I don't like to be adding more pieces of paper that we seem to be doing every day in this Legislature.

MR. WHELAN: — I don't think there will be any great increase, and that's what I am saying to the Hon. Member for Estevan, and if we thought there were, we would be budgeting for more staff.

MR. MERCHANT: — Mr. Chairman, thank you. I wondered if I might direct a further question to the Minister related to the Food Comparison Study. I think the former Minister, and probably members of the department did not find the Food Comparison Study was as successful as they had hoped. I still, nonetheless, when it was going through and now, don't think that that kind of a concept is a bad one. I wonder if the Government has considered a program, an advertising program, in which you would advertise, not prices vis-à-vis different stores and operations, because clearly, I think all Members of the House would agree that the Government shouldn't get involved in advertising that Safeway is a little cheaper or Dominion Stores is a little cheaper. Indeed, that's the problem with the Food Comparison Study. You knew who was cheaper, but nobody else knew. If the Government had then been able to go on and do some kind of an advertising program, it might have had some effect. But to expect the consumer to find out, when in fact, people aren't that aware of what government is doing, was a bit much. Would the Government consider an advertising program that deals with areas of food that are cheaper at a particular time? As the Minister well knows, there are trends in food, so that there will be a period of time when

people buying food should be encouraged, for instance, to moderate their eating habits to some extent. They should be encouraged to cut back on bacon at one particular time; eat more beef, to perhaps move into fish at one particular time, to eat well in fresh vegetables. I wonder if the Government would consider, given the failure of a program that tried to help consumers at a product level, if the Government would consider a program that tries to help in a broader way; tries to affect the eating habits on a temporary basis for the province as a whole, at any particular time?

MR. WHELAN: — One comment I would like to make before I reply to this suggestion, and that is that I'm told that we did extensive.. advertised extensively giving the exact findings over and over again in the Leader-Post and the Star-Phoenix. The public kept track of it. We were pretty well aware, by the response that we got in the mail. But, I think your suggestion is worth considering and we will look at it. The staff listened with interest as you outlined your proposal.

MR. LANE (Qu'Appelle): — On the warranty legislation that's proposed, I'm assuming that the department has done studies as to the possible effect of any type of warranty legislation, before it's introduced. Can you give us the copies of those studies as to estimated costs, if any?

MR. WHELAN: — As was earlier indicated, when we were discussing with some other consultants, these kinds of studies are expensive so we relied on the Ontario Law Reform Committee because they made a very extensive study of warranties. We relied on the British legislation in the warranties area. We also looked at the warranties legislation in some of the United States jurisdictions and we made some careful analyses and scrutinized these different studies carefully before we put together the warranties legislation that we have.

MR. LANE: — I think all of those studies indicated that there would be a higher cost to the consumer. Particularly American studies have shown that. Now, if you've done that much research, you can give us an estimate, and it certainly has to be a very broad estimate of the cost to the consumer of a type of warranty legislation.

MR. WHELAN: — There is no doubt that the consumer is paying now for defective products, or a lemon as you might suggest. As far as the cost, there are so many products and it's such a wide range when you look at retail merchants' goods, the wide variety of goods that people buy as consumers. I don't think it's possible to give an accurate estimate of the cost, but we certainly take careful note of a reliable organization like the Law Reform Committee in the Province of Ontario.

MR. LANE: — You are saying then that you don't have any estimate of the cost; that's what you have said. Now, who drafted the legislation? Was it done by the Attorney General's department or staff of your department?

MR. WHELAN: — We had a consumer law professor from Saskatoon, lawyers from the Attorney General's branch and the Deputy Minister worked on the legislation.

MR. LANE: — Why did you proceed to spend \$65,000 on a Food Price Study which you've admitted had very little impact, if any, that you still can't even get the Study done and you take a very cheap approach to something major like warranty legislation where you surely should know any potential costs to the consumer? Why would you do one on the cheap and the other throwing money around, other than for promotional and political purposes?

MR. WHELAN: — We never at any time suggested that, one way or another, that we've come to any conclusion regarding the Food Prices Survey, so I would certainly hope that the Hon. Member wouldn't put words into my mouth. And second, regarding whether we did it on the cheap or not, I can certainly assure you that lawyers like the Law Reform Committee, the lawyer whom we hired from the University; these people, to suggest that we call that being cheap when you pay one of these people and you do all the research that our people did, and you realize that we sent out 600 copies, complete with background, of the legislation and the time that it took to contact and to analyse their replies, I don't suggest that we were taking a very cheap approach. I was almost expecting you to criticize us for the expenditure that we made in this area.

MR. LANE: — What briefs did you receive; will you advise me as to the representations that you had in reply to your White Paper, the name of the organization replying, and a copy of that particular organization's brief, if you would please?

MR. WHELAN: — We'd have to get permission from the people who submitted the briefs before we could make them available to the Hon. Member but if those who presented briefs to us were willing to do that, we would be prepared to give them to him.

MR. LANE: — Well, wasn't this supposed to be a public discussion on the particular White Paper, I think that's what you had indicated when you introduced it? If it was supposed to be public then I am sure that there shouldn't be any question, but that the suggestions and proposals would be available to Members of the Assembly.

MR. WHELAN: — Well, the White Paper was public and the background to it was public, and the covering letter that came from our department was certainly public, but I think it would be a breach of confidence if we were to make available the material that we got back, without consulting with the organization or the individuals who mailed them to us.

MR. LANE: — Did any individuals or organizations write to you in reply to your White Paper, in confidence?

MR. WHELAN: — I would think as a matter of form that we should contact them before we make their comments available. I don't anticipate any difficulty getting it.

MR. LANE: — Just a couple more questions. The department performed research into prices and market conditions of a number of commodities such as propane, bread, cement, glass and home canning supplies, according to your Annual Report. What were the results of these pricing studies in each of the commodities and secondly, why did you choose the commodities that you did?

MR. WHELAN: — The Department of Consumer Affairs, Mr. Chairman, is sensitive and these investigations were undertaken in each case as a result of numerous letters from citizens of the province.

MR. LARTER: — Mr. Chairman, I should like to ask the Minister on licensing and investigation, I notice in licensing and investigation you have increased by seven employees and yet your other personal services have dropped by \$10,000, and yet and with these seven more employees you mean to say there's not more expenses on other personal services? Could you tell me?

MR. WHELAN: — Mr. Chairman, the other personal services were temporary help and they've been transferred to permanent staff, and that's why it reads as it does.

MR. LARTER: — I notice, Mr. Chairman, that also your other expenses have more than doubled, and I wonder where this comes in, could you explain that?

MR. WHELAN: — That is as a result of the change in the method of charging telephones to each branch. Before it had been under administration and now it's been put in each of the subvotes.

MR. LARTER: — I wonder if the Minister could tell me then, why just a few years ago, I noticed that under every one of the people in the department they used to list their expenses separately and now they have it hidden, and it's pretty hard to tell just what these people do, where they go. There are only two under Consumer Affairs, only two where they show the expenses and just for an example, the gentleman in charge, head of investigation and licensing, I wonder if you could tell me his present salary, I just want to find out a couple of things here.

MR. WHELAN: — The salary for the person who holds that position is \$2,086 per month.

MR. LARTER: — Could the Minister tell me what this salary was in January, 1972?

MR. WHELAN: — The department wasn't organized until later on in 1972 and there wasn't a position of this kind until January, 1973.

MR. LARTER: — Could you give me the figure on January, 1973 then, Mr. Minister?

MR. WHELAN: — We don't go back that far, Mr. Chairman, but my officials tell me a little over \$1,200 as a guess.

MR. LARTER: — A little over \$1,200. I wonder if the Consumer Affairs is practising restraint then, and I would like to know how you could calculate the increase to this year? Another point on F-49, I notice that payees under \$2,000, \$29,000, and yet you only show one person here out of all the people in this department, you only show one person or two people with expense accounts and yet under payees under \$2,000 would this include these people on expenses? Can you tell me that?

MR. WHELAN: — I wonder if the Hon. Member can tell me exactly what he's quoting from, Mr. Chairman, and we'll see if we can answer him? Are you quoting from the Public Accounts records, and for when?

MR. LARTER: — Yes, it is Public Accounts record on F 49.

MR. WHELAN: — Are you asking for the explanation of payees under \$2,000? They could be temporary; they could be people who are having travel payments made during the year under review for less than \$2,000.

MR. LARTER: — Can the Minister tell me where the expense accounts for the gentlemen listed on the left hand side of F 49, where the expense accounts for these members are listed? Where they show up?

MR. WHELAN: — The rule of the book is that we have to list anything where travel expenses are in excess of \$2,000. Those are listed. The others are included in that figure that's shown there.

MR. LARTER: — Could the Minister tell me where on this F 49, I notice a gentleman by the name R. E. Roney, has expenses of \$3,371, and yet he's not listed under Consumer Affairs. Can you tell me where this expense comes from?

MR. WHELAN: — R. E. Roney is shown with travel expenses of \$3,000; he was a temporary employee who did enforcement full time and this took a great deal of travel. This was why the travel amount was shown at that figure, because he travelled extensively throughout the province.

MR. LARTER: — Mr. Minister, I can't see where his salary is listed though. Do you have his salary listed anywhere in this category?

MR. ROMANOW: — Mr. Chairman, on a Point of Order. Mr. Chairman, I would like to state my Point of Order as follows. What the Hon. Member is doing is obviously questioning, using the Public Accounts book to do the questioning, he's asking questions with respect to expenses and salaries and where they are shown and everything of that nature — perfectly proper questions, but this is the wrong forum, is my point of order. Mr. Chairman, the purpose of this

Committee is to study the Estimates for the future year's spending. It is traditional that under clause 1, Members of the House can discuss policy, they can relate to the misdeeds or the lack of policy on the part of Government, and ask specific questions in that regard, but I think that it is improper and it would be a very dangerous precedent of this Committee if we allowed Members to go along the line too much further, too much further along the line as the Member for Estevan is proceeding to do. So my Point of Order is that these are all questions which really should be preserved for the Public Accounts Committee, and don't relate to the Committee of Finance.

MR. R. L. COLLVER (Leader of the Progressive Conservatives): — I would like to speak to that Point of Order if I may.

MR. CHAIRMAN: — Order, please. I think I have mentioned earlier, in fact, I know I have mentioned earlier, that I would like you to relate your questions as much as possible, to the subvote under review. I realize that the Hon. Member is questioning from the Public Accounts, and I also can see perhaps to some degree where it enters into the Administration of Item 1. But, I think there is an area where those questions can be answered and perhaps answered in more detail and that's in Public Accounts itself, and I would like, as closely as possible, for the Member to adhere to administration here; it would expedite the actions of the House, and it would certainly not disqualify them from asking questions in another area, as I say in Public Accounts, and they would have more detail, and the Ministers could be more prepared, those in Public Accounts, to give the answers at that time. Agreed.

MR. COLLVER: — Not yet, Mr. Chairman. Mr. Chairman, in reference to your statement just passed, I don't see how past expenses don't reflect on future expenses, and if there is an area of concern on the part of my colleague that in some way in the current Estimates, certain kinds of expenditures are being buried under, or labelled as one thing and yet when they come out in Public Accounts they are labelled in some other way, it is the only possible way for us as an Opposition, to draw to the attention, not only of the Minister, but the rest of the Members of this Assembly, the fact that these items are perhaps buried in one place and in Public Accounts come out somewhere else, and that's after all, our concern. That was the concern that led us to discuss past expenditures as they relate to future expenditures. Now, we're talking here of a budget of \$1,127,000, an increase of well over \$200,000, or an increase of 25 per cent. The Minister has assured us, I gather, this morning, or this afternoon, he assured us that this will give him sufficient staff, that he has done sufficient studies to ensure that there will not be a sudden and drastic increase in the number of complaints that are going to be received or fielded by his department, is there any intention then of the Minister, over and above the grants that he is making to organizations such as the NFU, is there any intention of the Minister to perhaps, encourage the development of Better Business Bureaus in the Province of Saskatchewan, as it relates to the Department of Consumer Affairs?

MR. WHELAN: — think we wholeheartedly approve the idea of having Better Business Bureaus. The Estimate we have before the House we think is adequate to look after the administration, the

legislation that we've introduced. That's our judgment; if we're wrong, I'm sure that the Hon. Member will draw it to our attention as soon as he possibly can. We think it's a good estimate; we think it's the right amount of staff and we're going to go with it.

MR. COLLVER: — I don't think the Minister has quite answered my question with reference to Better Business Bureaus. As the Minister may be aware, there is assistance granted to Better Business Bureaus in other jurisdictions in Canada by Departments of Consumer Affairs or by governments to assist them in providing the kind of service that it seems that the Government is attempting to set up, by this new Bill No. 65. Is there any potential on behalf of private business in the Province of Saskatchewan to perhaps get the Government's assistance in establishing their own police force, is what I'm getting at, or the Better Business Bureau?

MR. WHELAN: — As the Estimates, I think indicate, we will be making a donation to the Consumers' Association of Canada, which is a very active, effective, and well organized group right across the country. I am told by my officials that in the past year we met with the Better Business Bureau officials who were in the province making a drive to organize Better Business Bureaus in the communities of Saskatchewan. We had discussions with them, but we understand that their drive to set up bureaus in the cities and in the communities of Saskatchewan was not successful. We have had no further discussions with them.

MR. COLLVER: — Is the Minister suggesting that the department did not encourage the formation of the Better Business Bureaus in the Province of Saskatchewan, at least in the major cities, at the very least, through perhaps the potential discussion with these organizations as to shared costs, and so on, as opposed to government employees shared costs of providing the necessary investigative staff and so on?

MR. WHELAN: — We think they're excellent organizations. They are active in many parts of Canada. They provide a good service, we approve of them. When they met us they didn't ask for any grants, there were no negotiations of that kind. We don't think that as a consumers' organization, as a department of government, we should undertake the organization of them. We would applaud their organization in this province if they set them up. We would enter into negotiations I'm sure, we would meet them if they asked for a grant, enter into discussions with them. I can't make a commitment, but I'm certain we would hold discussions with them. They were here eight months ago; we've heard nothing from them since.

MR. COLLVER: — Mr. Chairman, am I correct in my assumption then, that the Minister is suggesting that the Government would look with great favor on perhaps a shared-cost arrangement with Better Business Bureaus in the Province of Saskatchewan?

MR. WHELAN: — No, I didn't say that, I said that we looked upon them as a very good organization; most helpful, and if they were

here and in an organized fashion, we would be prepared to sit down and talk to them about subsidy or whatever grants they requested. Up to now we've had no requests from them and their initial attempts to organize, we understand, are still in the discussion stage. There's no indication that we'll have Better Business Bureaus in the immediate future, and I say in the next month or so in the cities of this province.

MR. COLLVER: — Mr. Chairman, let's put the question a little more directly then. If the Better Business Bureaus approached the Government of Saskatchewan with reference to a shared-cost program of administration, of the kinds of matters that Better Business Bureaus across the country deal with; would the Government of Saskatchewan through your department, look with favor on such a request, and if so, would it look with favor to the extent of say, one half of what it would cost the Better Business Bureau to establish in say, Regina and Saskatoon, as an initial step?

MR. WHELAN: — I think, Mr. Chairman, that is a hypothetical question. I don't think a person should be required to answer a hypothetical question. Sure if they were here we would sit down and talk to them, we look upon them as a good effective organization that helps the operation of business. It's good for the community, good for business, people recognize Better Business Bureaus I am sure as being effective.

MR. COLLVER: — Mr. Chairman, another perhaps more direct question. If the Better Business Bureaus, or if the organizers of the Better Business Bureaus approach your department let's say within the next week or two with reference to a shared-cost program, would you assure them of some kind of support within a month after that or will they be dragged on in discussions for some considerable time? In other words if you say you would look with favor on such discussions, I'm certain that it is not a large amount of money, they usually operate Better Business Bureaus very inexpensively relative to the million, one hundred and some odd thousands of dollars that you are talking about for the Department of Consumer Affairs, and my question to you is, within what time frame if they were to approach you within the next couple of weeks, within what time frame could they get an idea as to how much government support they would get?

MR. WHELAN: — Again, I repeat, Mr. Chairman, and the Hon. Member for Nipawin, there are three or four hypothetical propositions in the proposal and first I should point out that you have to have money in your Estimates to make a commitment and at this stage of the game there is no money in the Estimates. Perhaps the Better Business Bureau should have seen us or talked to us before the Estimates were put together. What I am saying is that we are sympathetic to Better Business Bureaus, we think they are a good idea and we would certainly enter into discussions with them, we would listen to them, we would hear a delegation. I think that is the kind of a commitment that we can make and I think it is a good commitment.

MR. COLLVER: — Would the Minister not agree that he mentioned the amount that was in the budget, would the Minister not agree that the amount of increase in investigative personnel that you have

allocated for in this budget, might possibly be reduced if some of the work were able to be performed through a shared-cost program with Better Business Bureaus, at least in the two major cities?

MR. WHELAN: — I really don't know, I would have to talk to the Better Business Bureau and after we had discussions then we might be in a position to make a decision but we just don't know.

MR. COLLVER: — In other words, Mr. Minister, there is the potential money within these Estimates to perhaps allocate some of your budget, perhaps you have allocated it under wages, but there may be some room to manoeuvre within this budget, if the Better Business Bureaus were to approach you on a shared-cost basis. The reason why in Saskatchewan, why it would be necessary to approach this on a shared-cost basis of course, is the fact that we don't have cities of sufficient size to have significant enough business support to pay for the cost of maintaining on a continuing basis Better Business Bureaus. It seems that somewhere around 250,000 or 300,000 usually seems to be about the number where the Better Business Bureau can get enough business support to operate in any way in a satisfactory fashion but perhaps by adjusting your investigative staff and so on you might get the co-operation of business. I notice that the Member for Regina Wascana mentioned before today that perhaps your Government is not looked on by business with as much positive reaction as you might have hoped they would, and this might be a way of getting them to look more favorably on your Government, by assisting them in policing themselves. One of the concerns, and of the biggest concern that business has of government departments of all kinds is the fact that they seem to develop a lack of, if you want, understanding of the day to day provision of the service, because generally speaking the employees of the Government generally are not people who have had the kind of business experience that is needed and they have a tendency to overreact pertaining to red tape and most businesses find that they are increasing the amount of red tape that they have to put up with from governments at all levels, not just your Government and not just an NDP government but PC governments in Alberta and Ontario and New Brunswick, right across the country, governments seem to be increasing the amount of red tape required from small businessmen. They are concerned about that, they don't have the personnel to put up with that and if they thought that the policing of their business was going to occur by government, they would be less apt generally to co-operate with that organization than they would with Better Business Bureaus. I make this suggestion to you that you might actually encourage Better Business Bureaus to form in Saskatchewan. To ask them to form on their own in cities of the small population that we have, is quite frankly, unrealistic. The business community can't seem to get sufficient support in the cities of the size we have in Saskatchewan to establish a Better Business Bureau of any meaningful import. But it seems to me that you might perhaps consider rather than wait for them to come to you, you might perhaps consider offering this encouragement to them. You might find yourself saving some money.

MR. H. W. LANE (Saskatoon Sutherland): — I would like to ask the Minister if he can tell me who the top senior official is in the Licensing and Investigation Branch? Could you tell me who that is?

MR. WHELAN: — Orville MacGillivray.

MR. LANE: — And is he here with you today, Mr. Minister?

MR. WHELAN: — No, he's on holidays.

MR. LANE: — Mr. Minister, is Mr. MacGillivray at least by salary the second highest civil servant in your department?

MR. WHELAN: — Yes, that's right, yes.

MR. LANE: — Don't you find it rather strange that he would then go on holidays during the sitting of the House? Have you looked into this at all, isn't there some way that he could have been here to answer questions?

SOME HON. MEMBERS: — Hear, hear!

MR. LANE: — Mr. Chairman, perhaps I could ask this question and perhaps he can get by without Mr. MacGillivray. When you had been asked the question before and I refer your attention specifically to parts 2 and 3 under Consumer Affairs, perhaps you could direct your attention first of all to part 3, Education and Information. I see under permanent positions that staff levels were maintained at nine.

MR. CHAIRMAN: — Order! I think I have been fairly lenient with all of you in digressing to other areas from the topic here. I would certainly like to get over with Item 1 and you will have your opportunity to ask your question in 2 and 3 when we come to those items. I don't think you can criticize me for not being lenient with you. I would like to carry on and get this on. I think it is to the interest of all of us and I would ask again is Item 1 agreed?

Item 1 agreed.

ITEM 2

MR. LANE (Saskatoon Sutherland): — My question pertains to both Items 2 and 3 so perhaps we could deal with it at this time. Mr. Chairman, if I could direct the Minister's attention to Item 3 and then correlate that with Item 2, he will see that the permanent positions were maintained at nine and that under Other Personal Services there was an increase from \$26,500 to \$41,670. Now that would appear to be logical. I bring the Minister's attention back to Item 2, under Permanent Positions there is an increase from 19 to 26, however a decrease from \$36,250 to \$26,680. Now how do you justify that in relation to Item 3?

MR. WHELAN: — Mr. Chairman, I have answered that question once, it was asked by the Hon. Member for Estevan (Mr. Larter). You weren't here when we began at 7 o'clock but I will answer it again. It was because two people who were on temporary were transferred to permanent service.

MR. LANE: — Mr. Chairman, I was here at the time, it just was that the answer wasn't completely satisfactory, it wasn't fully explained. Could you perhaps explain in a little more detail how exactly this happened? I realize he referred to the two positions, but I would like to have more information just to assure myself that this isn't a manipulation to allow you to hire people in some other fashion.

MR. WHELAN: — Well the figure was \$36,250 and this was for personal services and two temporary clerical positions were converted to permanent. That reduced it to \$17,510. We were able to get some seasonal help and some casual help from the Budget Bureau after we explained our needs and they allocated a sum of money of approximately \$9,000 and a few cents to us.

MR. LANE: — Mr. Chairman, perhaps we could ask the Minister if he wouldn't want to have an allegation made at some later time that this money was being used to hire political hacks or anything like this, so in particular in a seasonal help, could you explain the positions that were opened up and the names of persons who were brought into those positions please.

MR. WHELAN: — These positions are for next year. We haven't hired anyone as yet. It's for part-time work that we might need in the clerical area, such as addressing and that type of thing.

MR. LANE: — Mr. Chairman, so what you're getting at is then you've opened up an allocation of a fair amount of money to hire a fair amount of part-time or seasonal staff as it were. That accounts for the juggling that takes place in here. Is that correct?

MR. WHELAN: — It represents a decrease from \$36,000 to \$26,000.

MR. LANE: — Mr. Chairman, perhaps we could ask the Minister how many positions he intends to open up through this change in the Estimates?

MR. WHELAN: — I suppose it depends on the need we have for clerical help and typists and that sort of thing. According to the new program, we will have to do some mailing regarding the Warranties thing and there is — you just can't estimate it — you have to get a figure in there. You don't want a full-time employee until you have a need for a full-time employee, so in order to bridge the gap, this is something that's been done in government for many years. I see nothing unusual about it.

MR. LANE: — Mr. Chairman, the Minister referred to two job categories as clerical and typist. Does he anticipate any other types of jobs and perhaps he could give their descriptions?

MR. WHELAN: — You probably heard the Hon. Member for Estevan ask about the expenses that we paid to a part-time investigator who travelled extensively in the province. This is always a possibility. We have done this in the past. They could be hired

for five or six months. Someone who's qualified, •who could do the work when there's an overload during the summer months, this sort of thing is done in departments. You need someone on hand to do the work at a certain time and you hire him on a part-time basis. You don't hire him on a full-time basis.

MR. LANE: — Mr. Chairman, the next question will require the Minister to some degree to speculate, but that's what we're doing, we're in Estimates. Could you put a rough number on the number of positions which you figure are going to be opened up in this fashion?

MR. WHELAN: — It represents about 15 months clerical and it could be spread over one or two or three people and about eight months investigation and could be one or two people.

Item 2 agreed.

Items 3, 4, 5 agreed.

Consumer Affairs Vote 4 agreed.

Supplementaries agreed.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder that Bill No. 38 — **An Act respecting Annual Holidays, Hours of Work, Minimum Wages and Other Employment Standards** be now read a second time.

MR. G. N. WIPF (Prince Albert-Duck Lake): — Mr. Speaker, I should first like to commend the Department of Labour for the job they've done on Bill No. 38 by incorporating all the amendments into one Bill. Also, in reading through the Bill, I found that many points have been clarified and clauses have been made easier to read and as a past labor man and shop steward, it used to be a problem when we used to have to try and find all these amendments in or under different bills. It's going to make the job a little easier and I am pleased that small business places and small work forces will find it more convenient, the same as large unions and large industry will find that this consolidated Bill is easier to work with.

I believe it will clear up some of the conflict due to the misinterpretations of the labor code by labor and management. However, in Committee of the Whole we will be seeking further clarification on some parts of the Bill.

I agree with the Minister's statement that most of this was mainly housekeeping and again there are some problems in the averaging area which the Member for Rosthern (Mr. Katzman) will be speaking on.

We are in favor of the basic principle of the Bill and although certain parts do bother us, we will be discussing those further in Committee of the Whole.

MR. E. F. A. MERCHANT (Wascana): — The Act in question is a very complex Act and I have not, though I have spent some amount of time looking at this legislation and obviously this legislation has been around for some time, I looked at the legislation and looked at the comparable Ontario legislation, nonetheless, Mr. Speaker, I am not in the position to deal with the legislation in proper detail this evening and I beg leave to adjourn the debate.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. MacMurchy that Bill No. 58 — **An Act to amend The Gas and Electrical Rates (Public Corporations) Act** be now read a second time.

MR. A. N. McMILLAN (Kindersley): — Mr. Speaker, I don't have much to say about this other than to bring to the attention of the House something that has come up since I have been a Member of this House, something that our Opposition has suffered with quiet dignity in a way, because to respond to it was perhaps lending some pretence to it. I refer specifically to the moaning of Government Members regarding natural gas in Saskatchewan and the position that this Government has been put in, supposedly as a result of actions taken by the previous administration. Many Members and particularly the Member for Tisdale, the Minister responsible for Sask Power (Mr. Messer) at least at one time, have continually referred to the situation where, in seven years of government, the former Liberal administration continually sold out the people of Saskatchewan with respect to natural gas, millions and millions of cubic feet of gas, sold out and put us in rather a bad position, and one in which I suspect Members opposite claim is responsible for the high gas rates that Saskatchewan consumers pay today.

It became obvious the other day in Crown Corporations that, if there was any guilt to be placed on governments for selling out Saskatchewan resources, that, far and away this Government would have to take the cake for having made one of the most questionable deals in Saskatchewan and I'm referring specifically to the Many Islands Pipe Line Company that the Saskatchewan Power Corporation owns. It's a subsidiary company which operates in the Medicine Hat area of Alberta. It came to the attention of our committee that the Provincial Government of Saskatchewan is currently producing and delivering natural gas to the city of Medicine Hat and Alberta citizens in general at the tremendous cost of 16 cents per thousand cubic feet while only a short distance away they deliver the same gas to Saskatchewan residents and I believe the cost to them is probably in the neighborhood of \$1.20 to \$1.23 per thousand cubic feet.

I wanted to bring to the attention of Members opposite that we discussed this in Crown Corporations, why the Government should be in a position to do this, and Members said, well this was the arrangement that was made in 1957 under the CCF Government and it seemed like a good idea at the time and we're locked into this deal until 1992, interestingly enough. Thirty-five years at 16 cents per thousand cubic feet. We talk about sellouts of our resources and we asked . . . I do realize it does strike a tender nerve in Members opposite. We asked the Government why they continued in this negotiation or in this contract when they have been so quick to break their contracts and contracts of both governments with other individuals in Saskatchewan, with corporate

individuals and with private individuals. We didn't really get a satisfactory answer from that as we haven't from many other questions we've put to the Government and it seems the only reason that this Provincial Government is reluctant to break this agreement which sells our Saskatchewan natural gas to Alberta citizens for 16 cents per thousand cubic feet. It's because the Alberta Government is in the position to blackmail the Government of Saskatchewan as far as export permits for natural gas is concerned.

I wanted to bring it to the attention, particularly to the curly headed whip for the Government who shouts long and loud about poor deals in the past. You question, you backbenchers on that side, question your Government Members, your Cabinet Members about the increases being put to the people of Saskatchewan. Ask them what justification there is to charge Saskatchewan residents \$1.23 per thousand cubic feet for gas, the same gas that you are selling to Alberta citizens for 16 cents per thousand cubic feet. I realize it strikes the tender nerve of the Attorney General as well. I am not surprised that you would be a little ashamed about that kind of a deal, but I'll be interested some time in the future of hearing your Minister get up and justify that sort of a transaction.

In view of the fact that you have been so quick to break contracts in the past which you consider to be not in the best interest of the people of Saskatchewan, I wanted to bring that point to your attention.

The whole question of the increase in gas and power rates to Saskatchewan residents is a complex one perhaps. We have talked in the past about increased power rates, particularly in the rural sector, being a real burden on farmers at a time when their net incomes are being reduced substantially due to world markets. We have suggested that this Provincial Government has the opportunity to lessen the burden that is being imposed upon all Saskatchewan ratepayers and certainly, and particularly our farmers. The Government seems reluctant, of course, to listen to commonsense arguments and has gone ahead and raised the rates far beyond inflation rates. I hope that people who are suffering these increases and particularly those people who have the greatest difficulty in meeting their obligations to Saskatchewan Power, I hope that every time they pay their power bills, be it natural gas or electrical that they stop to think that the power rate that they are paying for the gas they use is being sold to Alberta citizens for the tremendous price of 16 cents per thousand cubic feet. I wanted to bring that to your attention, particularly, your backbenchers, who I am sure would have a little trouble stomaching that. I hope that you will consider making some necessary adjustments in the provincial power rate in Saskatchewan to make it more equitable for people to live in Saskatchewan.

MR. R. A. LARTER (Estevan): — Mr. Speaker, I am speaking to Bill 58. I originally didn't have any more than to say that we considered it a housekeeping Bill, but I feel that having sat on Crown Corporations the other day and heard the same arguments, I feel I must make a comment. I think the comment I made then was I think both the Liberal Party of the past in regard to the Hatton gas field and poor negotiating ability of the present Government, have done much to give away millions and millions of dollars and do away with possible lower gas fees for the future of this province. I believe that both the Members to the right and the present

March 28, 1977

Government have done more to give away the resources of this province than any future government could possibly do.

I thought I would mention those few pleasant words and we consider this Bill 58 a housekeeping Bill.

MR. R. E. NELSON (Assiniboia-Gravelbourg): — Mr. Speaker, I believe rather than take the twenty some million dollar profit they have, they could be spending a little time researching, exploring for more gas in this province. Certainly they may be able, by doing that to give us a little better deal than the \$1.23 they are paying in Maple Creek. Maybe we could get a little closer to the 16 cents they are paying over-there in Medicine Hat, Alberta. I have more to say on this Bill, Mr. Speaker, and I beg leave to adjourn debate.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Kaeding that Bill No. 67 — An Act respecting the Restraining of Animals from Running at Large be now read a second time.

MR. L. W. BIRKBECK (Moosomin): — Mr. Speaker, the Minister of Agriculture (Mr. Kaeding) wasn't in his place the day that I was. . . Mr. Speaker, if I might continue.

Back to the Minister of Agriculture. You weren't in the House when I made my comments on this particular Bill, and I had made some comments with regard to some of the sections in the Bill which are not clear, and I expressed my hope that when you reply in winding up this Bill that you would make those explanations.

First of all the item that I was most concerned with, was Section 5, and I would ask that you take a look at it so that when you reply you can clear this up for me.

The other thing that concerns me is that we have not defined clearly whether or not a person appointed by a municipality has the right to refuse, except possibly through subsection (3) that is whether or not he is going to be a pound keeper or not. And I think that he should have that right to refuse.

In Section 14 and subsection (2), it says that:

The finder will deliver the stray to the owner,

and then it says right after that in subsection (3)that:

The owner shall claim the stray for removal to lawful property.

Now I would like clarification there and I will get into those most definitely in Committee of the Whole on this Bill, and therefore, will not take up a great deal of time in going

But Mr. Speaker subsection (4) of Section 24 states clearly that if an owner does not claim the funds derived from the sale of a stray within 12 months of the date of sale he will lose his

right to claim those said funds. Now if this is the case I fail to see the rationale for Section 23 which requires the secretary of the municipality to retain all records for not less than 24 months following the sale of a stray animal.

Furthermore Section 25 covers valueless strays, and it could become a problem in the event, I would suggest, that every effort be made to let the owner determine whether his stray is valueless or not. In the Act it clearly states that the secretary can instruct, that is with your permission which again, of course, like most of these Bills, there is too much power put in the hands of yourself as Minister of Agriculture. But through you, direction to the secretary of the municipality, she or he could appoint a person as a pound keeper and they couldn't refuse, they could get into this and the section covering valueless animals and they could go out and say, "Look, that animal is valueless, have it destroyed." The owner would be liable for any damages and costs of disposing of the animal, and I would like every effort to be made in this Bill, if there are no provisions, and I do not see where there are, that that owner should determine whether that animal is valueless or not.

The other thing that I would anticipate having problems in is that you have repealed The Open Wells Act, which is all right in a sense, if you are going to enforce the provisions that are made in this Act, which requires that the proprietor be liable if a stray is damaged in any way, by way of excavations on his property that are not fenced. That's pretty much what was said in The Open Wells Act. But, just to be hypothetical, if you take many basement excavations for instance, in the rural areas, there's no way that they're going to be fenced. And yet, according to this Act if you did have such an excavation, if you were planning to build a home and you had your basement excavated ready to go to work on it, and some strays 'came on to your property and fell in or broke a leg, or whatever, then you would be liable, and I definitely can not go along with that. I want to see changes made so that the owner of the land is not liable because of that type of excavation. I think, in being reasonable, if you had an old well or something on the farm and there wasn't a fence around it, I think that would be more acceptable. I can understand that. But I think that that's really all there is to this Act. I think basically as I said before, I agree with it basically in its principle. There are a few sections though, that are not clear enough and maybe not broad enough to cover all the problems that we are going to encounter. I just hope that you can clear up some of those areas.

HON. E. KAEDING (Minister of Agriculture): — Mr. Speaker, the Member for Moosomin asked a few questions about The Stray Animals Act, and I have noted some of them down. The first problem that he appears to have is with Section 5, which refers to the number of animals permitted to graze in an area where there is no herd law, and the Act says that the municipality may, by law, set the number of animals which will graze in a municipality; and you would probably know and I would suggest that in his own area, there are situations where animals are allowed to graze at large, and some times there are too many cattle put on an area for the grazing that's there. It simply creates a problem for everyone, and so the municipality has a right, by law, to set the number of cattle which can go on there. Now he's upset because the Minister has some powers and it says here that with respect to LIDs, the Minister may, by Order, determine the number of cattle. And, of course, as you know in

an LID, the municipality doesn't have powers of making bylaws, so the Minister must then intervene.

He asks the question, can a person refuse to be appointed as a pound keeper, and of course, he can. Section 8 says in clause 3, that no person shall be appointed as pound keeper unless he is in a position to discharge the duties imposed on him. And, of course, this would indicate that if he didn't wish to do so, he certainly wouldn't be required to do so.

Section 14(2) he is concerned about — it says the finder shall deliver, and he didn't read the section properly, it says the finder shall deliver up the animal, which means that he shall surrender it to the owner. So, I think, the confusion he has got there is cleared up on that one.

He asked a question the other day about what would happen if a farmer didn't have feed so he could take care of a stray in the interim period in the 72 hour period when he was restraining the animal, before it would be required to go into a pound. Of course, the Act again says the Minister may appoint the finder as pound keeper or may authorize delivery of the stray to the keeper of a pound outside of the municipality. So, if the finder was not able to take care of the animal, the municipality would have the obligation to move it outside of the municipality.

With regard to valueless strays, I think again you have to look at the original part of the Act, which says that the finder must notify the owner if he knows who the owner is. So the owner would be involved immediately, and he would be notified that there was an animal there, and if it was then determined to be valueless, a veterinarian would make that determination.

With regard to The Open Wells Act, I think if you look at the Act, you will notice that Sections 27, 28 and 29 are taken right out of The Open Wells Act, and will then become part of this Act, and The Open Wells Act is redundant. He talks about old basements and he says there is a difference between fencing an old basement and an old well, and I really don't see why it's any different. I think that's pretty well covered within that section of the Act. So, Mr. Speaker, I would again move second reading of this Bill.

Motion agreed to and Bill read a second time.

COMMITTEE OF THE WHOLE ON BILL NO. 33 — An Act to Amend The Snowmobile Act, 1973 (No. 2)

Section 1 agreed.

Section 2 as amended agreed.

Section 3: — Section 21 amended agreed.

SECTION 4

MR. S. J. CAMERON (Regina South): — Mr. Chairman, I have a question. I indicated to the Minister I would be asking this question when the Bill arose. The present Act requires the posting of signs at intervals of 1,000 yards by farmers, in order to keep people from trespassing on the land with snowmobiles, and the present section would remove that requirement, as I understand it, and have the farmer post it at intervals of every one-half mile, instead of the interval of every 1,000 yards. Now, I think, there are sort of two reasons for wanting to do this. One is that the requirement

to post at every 1,000 yards was requiring a good number of signs by farmers and secondly, the difficulty with posting it at 1,000 yards instead of at every sort of quarter section and so on. But, it seems to me what we are doing here is actually requiring them to post more signs than what would otherwise be the case, because, of course, an interval of one-half mile is smaller yardage than 1,000 yards, so we are really requiring them to post more signs, and could you just explain that a bit to me, because I found a bit of a dilemma there when I looked at it.

HON. G. MacMURCHY (Minister of Municipal Affairs): — Mr. Chairman, I think that as a result of our discussion, the farmers thought that it was every 1,000 feet, and they don't seem to think in terms of yards and feet, but more in half-miles, and they suggested to us that it would be a lot clearer to the farmers if instead of 1,000 yards, every half-mile would be better, and that's the reason for the change. I suppose it's more to give it a better understanding in their minds than to do anything else.

MR. CAMERON: — There was another matter there that I wanted to raise as well, and that ties in with the following section, too. We keep referring here to the liability of the occupier and there are several references to occupier; there are no references to owner, and of course, the owner carries the same responsibility in law as what the occupier does in respect to injury that's sustained on the land. And, I was wondering there, again, whether we had overlooked 'including the owner'; in effect, giving the owner the same protection as we give the occupier.

MR. MacMURCHY: — I'm told that occupier refers to whoever is on the land, whether it be the owner or the lessee, so that the occupier term covers both cases.

MR. CAMERON: — No, I think the point is this; there's no question if the person who owns the land is also occupying the land, that person is fully protected. If, however, the person who is occupying doesn't own, the one who is occupying, in other words the tenant is protected but I don't think the owner is. The owner would still be liable under the old sort of rules of law, and we haven't given him the same protection as we have given the tenant, at least, that's the way I read it.

MR. MacMURCHY: — I suppose our interpreters Mr. Chairman, on this side say that the term will cover the owner in the situation put forward. I think that's that only response I can provide to the Hon. Member.

MR. CAMERON: — I wonder if they could take a little better look at that and show me a section of the present Act that would, in effect, do that. You understand the situation I am putting before you? Suppose it's your land and you've become a Cabinet Minister so you are renting your land to somebody else. Now in this Act, your tenant is fully protected against injury that occurs to somebody who is trespassing on that land with a snowmobile, except in the small area of liability that is still left with him. But, you as the owner, under common law, would still be

liable under the wider common law for injuries sustained by that person, unless this section caught you as well. But the section merely refers to occupier, it doesn't refer to owner. Now if in fact there is an interpretation section in the original Act to provide that owner and occupier are one, I would agree with you, but in the absence of that, I wouldn't and I think as a precaution we had best put owner in the amendment as occupier.

MR. MacMURCHY: — Mr. Chairman, we have Paul Landry with us from the Highway Traffic Board, and he is not a lawyer and, of course neither am I any kind of lawyer. It is our understanding that this will cover it. It is our feeling though that if an amendment of the nature proposed by the Hon. Member were put forward we could agree to it, since it would likely strengthen the legislation, although we don't have any legal opinion here to substantiate our feeling, and I think we would be prepared to rely on the Hon. Member's interpretation in this situation.

MR. CAMERON: — Mr. Chairman, see, here is what I refer to. We are amending Section 25. Section 25 as it currently exists says: "No person shall operate a snowmobile over any privately owned land, whether enclosed or not, without the consent of the owner or occupant of the land." Then the sections go on to set out in some small way the responsibilities that the owner/occupant of the land owes to the person on the land. As you know, what we were trying to do here was to take a very wide area of liability that the owner of land had and reduce it to a very narrow area. We have done it certainly in terms of the occupant, but I can't see that we have done it in terms of the owner because the subsection, the amendment, keeps referring only to the occupier, instead of the occupier and the owner as the original Section 25 does. Therefore, I come to the conclusion that we are okay in respect of the tenant but we are not okay in respect of the owner.

Now the difficulty is that it takes a fairly complex amendment, not a simple one because you appreciate the amendment requires the occupant, the occupier to post. If you said merely the occupier/owner then you would be requiring both to post, and you know, you have to sort that one out in some way. I don't know what the answer is. I guess the answer is to ask you to have the Attorney General's Department or someone there have a look at it and see whether we shouldn't be adding to it to protect the owner of the land in the same way we are protecting the tenant. It is a fairly complex question, it isn't that simple.

MR. LARTER: — I would agree with the Member for Regina South. In our area, in open farm land we have many renters and absentee owners or owners who live in town. It does go further than just the occupier of that land stretching a wire across the path, where normal snowmobile paths go. He would be under prosecution but could the fellow who was injured, even in a case like that go on even further to the owner, even on any of the rules that apply to the occupier. The owner could be liable if this were not amended. Certainly we would support any amendment that could be made to that, but I think it has to go further than just the one clause.

MR. MacMURCHY: — Mr. Chairman, in light of the problem that we face here, I would move that we report progress.

Bill stood and progress reported.

BILL NO. 12 — An Act to amend The Rural Municipality Act, 1972.

Sections 1-10 agreed.

SECTION 11

MR. J. G. LANE (Qu'Appelle): — Mr. Chairman, I am sure the Attorney General wouldn't want anything this important to just run through the House. I am sure he would want ample discussion and fair and reasoned argument.

Who requested this particular provision? Would you indicate the form of the request that the Minister received.

MR. MacMURCHY: — Mr. Chairman, this proposed amendment came forward from the Assessment Branch of the department.

MR. LANE: — Would the Minister admit that this provision gives Cabinet the full discretion to set assessment rates, assessment anywhere in rural Saskatchewan to which the Act applies, in the sole discretion of the Cabinet?

MR. MacMURCHY: — What this does is to provide the outside limits and with respect to this particular section under The Rural Municipalities Act, it would apply to hamlets.

MR. LANE: — I think I indicated when the matter came up the other night that what the section can allow the Government to do is by having different assessment rates in different municipalities can equalize the assessment across the province. Should that be the intent of the Government, then this is an extremely unfair provision and I am sure the Minister would agree with that. Would the Minister not agree that, in fact, it does allow the Cabinet to equalize the assessment across the province?

MR. MacMURCHY: — I think that what is used in assessing property is an assessment manual. That assessment manual has been, yes, approved by Cabinet and this provides the basis for the assessors. In the case of this particular item here dealing with hamlets, the Assessment Branch with their staff do the assessments in accordance with the manual. I think that has been the case for a very long time.

MR. LANE: — It has been the case except that in the past the criteria have been set out in the statute. Now we are giving the Government the discretion to change the criteria whenever it deems advisable or necessary. Can the Minister tell me if he has the new manual ready, if so, can we have a copy of the same?

MR. MacMURCHY: — I am sorry I was trying to get some more information, could the Hon. Member repeat his question.

MR. LANE: — I am assuming that a new manual will be prepared for the purposes of this section. Is that manual prepared and can the Minister table copies in the Assembly?

MR. MacMURCHY: — Yes, we could table the copies, although we haven't them here at this time.

MR. LANE:: — Has the manual the approval of the Saskatchewan Association of Rural Municipalities, the new one?

MR. MacMURCHY: — The answer to that is. No. I am told here that this is a matter, to the knowledge of my officials, that this is something that has not happened in the past and therefore it wasn't done at this time.

MR. LANE: — Well, I see that this particular provision is fraught with danger in the manner of implementation. The municipalities with higher assessed lands may have their assessment criteria changed as a result of the regulations, and that power exists under the proposal before this Assembly. Lower assessed lands can be assessed differently as long as we are giving the Cabinet the power to make regulations, we have no assurance that that is not the case. The criteria that you have established can be weighted. You can put different emphases on different criteria depending on the regulations that you want applicable to a particular municipality. That is a far cry from the practice in the past that we have a set statutory standard which is applicable across the province. The grant provisions have attempted to adjust that for the lower assessed municipalities. This may change the whole basis of assessment in rural Saskatchewan. I have a strong concern about the fact that the assessment criteria are now being given to regulation. I am having trouble justifying it.

MR. MacMURCHY: — I think that I would report once again to the Hon. Member that there has always been a manual with respect to farm land but there is nothing here in this Bill relating to farm land. What this Bill deals with is, assessment of business. And what this Bill deals with is assessment of business in hamlets. It doesn't carry the implications that the Hon. Member indicated relating to the farm land issue.

MR. R. E. NELSON (Assiniboia-Gravelbourg): — Mr. Chairman, in clause 4 does the Minister intend here that the section of an elevator that would clean grain would be higher assessed than the balance of the elevator?

MR. MacMURCHY: — If I understand the question that the Hon. Member asked, it was whether a portion of a grain elevator that has the cleaning capacity would be higher assessed than the portion of the elevator that is set aside for storage, is that your question?

MR. NELSON: — Right.

MR. MacMURCHY: — Our response would be. Yes, that in fact it could be.

MR. NELSON: — Mr. Chairman, could the Minister tell us why this

would be assessed higher. Actually in most cases it is a service at cost to the farmers and certainly as farmers or as legislators we should be encouraging grain cleaning facilities in elevators and it baffles me wondering why he would want to charge more and actually discourage facilities.

MR. MacMURCHY: — I suppose the simple answer would be that it is involving a different function than just a straight handling of the grain. It would then be in order for a larger assessment.

MR. NELSON: — We would certainly hope that it isn't because the Minister anticipates some large bins out in some hamlets that clean grain and store grain.

MR. LANE: — Mr. Chairman, would this provision not in fact allow the Cabinet to assess at a higher rate high throughput terminals, the Pool or inland terminals or anything of that nature?

MR. MacMURCHY: — No, it wouldn't any more than any other facility.

Sections 11, 12, 13 agreed.

Motion agreed to and Bill read a third time.

BILL NO. 1 — An Act to amend The Trust Companies Act.

Section 1: — Revised Statute, Chapter 132, agreed.

Section 2: — Section 61 as amended, agreed.

Section 3: — Section 63 as amended, agreed.

Section 4: — Section 65 as amended, agreed.

Section 5: — Section 69 as amended, agreed.

Section 6 agreed.

Motion agreed to and Bill read a third time.

BILL NO. 36 — An Act respecting the Registration of Business Names.

Section 1 agreed.

SECTION 2

MR. J. G. LANE (Qu'Appelle): — Mr. Chairman, perhaps the Attorney General in his rush to get us through can tell us whether the definition of business which is defined as including every trade, occupation, profession or venture, the object of acquiring gain or profit doesn't include farming? Would the Minister please advise us if you have any authority which would restrict your definition of business so that it does not include farming?

HON. E. COWLEY (Provincial Secretary): — Mr. Chairman, I am informed by my officials, I noted this from the Member's comments on second reading that the legislation as now drafted would apply to farms which adopt a business name in carrying on a business. In other words if John Smith is farming and remains as John Smith, farmer, and pays his bills as John Smith, farmer, the legislation would not apply to him. If he calls his farm, Smith Farms, I understand that the

legislation would not apply to him. If he carries on business as a farmer under the name of Avondale Farms, or you pick a name and his name is Smith, then the legislation would apply to him and he would be required to be registered under it.

MR. LANE: — Was that your original intention to include farms which may have registered a name with the Department of Agriculture or simply carrying on business in a particular name? I think that is unfair. I don't think that was your original intention, was it? I am sure that the former Minister of Agriculture will defend me on this when the farmers are being taxed a little more than he had thought.

MR. COWLEY: — Mr. Chairman, the intention of the Act was to broaden the requirement for registration of businesses under The Business Names and Registration Act. The Act that the Member is referring to is The Names of Homes Act, which has been transferred from the Department of Agriculture to the Provincial Secretary. It would be our intent to encourage farmers to register under this Act rather than under The Names of Homes Act, although even with this Act passed as it presently is, one could have a farm which he calls "Havendale Farms" and carry on business under the name of John Smith and he wouldn't be required to register under The Business Names Act.

So the intent of the Act is to have those farmers who carry on business, under a name other than their surname, to register under The Business Names Registration Act.

MR. LANE: — Would you give us the estimation of the amount of fees that you expect to recover under the Act. I am sure that you must have done some estimate.

MR. COWLEY: — I am not sure whether the Member is referring to the Act as it applies to everyone including the people who now register under The Partnership Act or just farmers. I am informed there are approximately 800 farms registered under The Farm Homes Act. The fee, it is anticipated, will be \$10 every five years, so on an average the annual revenue will be \$1,600 a year. I think the Member can appreciate that the object of this Act is not to raise revenue, I think that the fee is a minimal one. Do you want the fee for how many businesses we anticipate registering in total? I could get that, but I don't know the answer.

MR. LANE: — Have you the information handy?

MR. COWLEY: — I am informed by my officials that it is difficult to give an estimate, that there are probably now registered under The Partnership Act, some 18,000 to 20,000 business names. A large number of those are defunct, they have been around for a long time and there is no procedure now that wipes them off the books. That is one of the things which we anticipate doing with this.

If one picked a figure of half that, say 10,000, then you would have revenues in the order of \$100,000 every five years or \$20,000 a year.

Sections 2 to 8 agreed.

SECTION 9

MR. H. W. LANE (Saskatoon Sutherland): — Mr. Chairman, I should like to direct a question to the Minister on this section, Expiry of Registration.

I am wondering whether there couldn't be, how much cost there would be in terms of assistance similar to, perhaps, notice of lapse of caveat under the Land Title system, some notification to the person who has the name and his failure to respond within a certain time.

I can appreciate that there are a lot of names on the register that are now defunct and are taking up valuable time for people to keep a record of all these and nobody wants them. But it seems to me that there should be some form of notice. Now would that be a very costly thing to put into the statute, just a 30 day notice provision? I am thinking, in particular, something like the notice to lapse caveat in the Land Title system.

MR. COWLEY: — My officials don't see any particular problem with the way that it is drafted now. I think that one of the reasons why we would like to have companies off the list, is not so much that it is a lot of work to keep them on the list, but rather that if someone 17 years ago carried on a business in the town, and you pick it — Shanghai Cafe — and someone now wants to register that name and then you search and, it takes more time to search through, but also then not knowing whether the business is being carried on or not and you can't give out the name, so you tie up a long list of names. I think it is more for the convenience of people entering into new businesses that you strike them off the record, rather than for the convenience of the officials, although it is obvious there are fewer of them to go through and to cross-check.

It would probably require if one was to notify them, by registered mail and the expense wouldn't be dramatic, but it would be, I suppose, reasonably significant in the order of 2,000 letters per year, I guess it would be. Once it would be rolling by registered mail and the people to process them and so on and follow up whether or not they are being replied to.

We don't foresee any great problem with the system but certainly I will take that under advisement and look at it.

MR. S. J. CAMERON (Regina South): — Mr. Chairman, I am disappointed to hear the Minister say that he is going to take it under advisement and have a look at it, because while it may not cost him very much it is going to cost the business owner, as a matter of fact, a great deal of money.

The provision my friend refers to in The Land Titles Act is this — if you have a caveat filed in the Land Titles Office someone who disputes the right to continue the registration of that caveat can require the registrar of the Land Titles Office to send a notice out to the caveator asking him or indicating to him that unless he takes some action this caveat will cease to have any effect in 30 days. It goes on to say, that the caveator has to then make application by way of notice of motion to a Queen's Bench judge to have this caveat continued. And that is a process which would cost him \$200 or \$300. I wouldn't want to

see us even begin to look at a procedure of that variety here. Because you are the owner of a business who is carrying on, you get a notice from the registrar, the Provincial Secretary, indicating that your business name is going to cease to have any effect after 30 days unless you move by notice of motion in a Queen's Bench to have it continued. That would be nonsense.

MR. COWLEY: — Mr. Chairman, I don't want to get into a debate between the two learned legal colleagues over there, because I am sure that I will be in third place on the debate on caveats and so on.

With respect to The Business Names Registration Act and the provision in there, I am informed that at least in one other province there has been a similar provision since 1965 and there haven't been any major problems that their officials were able to make us aware of, when we talked to them.

MR. LANE (Saskatoon Sutherland): — Mr. Chairman, the way in which I saw the provision working was not at all similar to the caveat provision in the Land Titles Office, just some form of notification. If a person believes that he has a name protected and he happens to omit, at the end of the five year period, you know planning ahead for five years some times you are going to forget and to have that name struck automatically, all that I am indicating is that some form of notice coming out of the Registry Office, stating that you have so many days to renew your name for a further five years at the last address that was left. Now, certainly that wouldn't be an expensive procedure but it would notify the person that the name was coming up for review and it would be struck.

MR. COWLEY: — Well, I think the caveat threw us a little and the suggestion as to how that was done, because under The Companies Act and under this Act, in both cases it is the intention of the Provincial Secretary's Department to advise the holders of a name some time before the five years expires, that they need to re-register to hold on to their name. So it wouldn't be done in the legal sense that you suggest with the caveat, but rather with a notice going out to them in the mail and they would be advised that they have 90 days or whatever before it expires. There are a great number of unlimited businesses that start every year and a large number of them disappear before the five years are up. Obviously when some fellow goes out of business he doesn't worry about writing you to tell you that he no longer wants to protect the name and so it is a matter of keeping them off there and opening up the names as well.

Sections 9 to 22 agreed.

SECTION 23

MR. CAME RON: — Section 23 I think we should have a look at this in respect that this is the penalty section of the Act.

It indicates that if someone is in breach of the Act that person is guilty of an offence and is liable on summary conviction to a fine not exceeding \$1,000. But then it goes on in subsection 2 and it provides for an additional fine in certain circumstances and also for imprisonment. I think that this is the kind of Act which shouldn't call for imprisonment under any circumstances, so it would be my intention to move an amendment,

Mr. Chairman, to strike out any reference to imprisonment so as to prevent people, under this Act, which would be a very minor kind of offence, from going to prison under these minor circumstances. So accordingly, Mr. Chairman, I move, seconded by the Member for Regina Wascana (Mr. Merchant) that:

Section 23 (2) be amended by deleting all the words including and following the word "or" where it appears in the sixth line and including the word "imprisonment" in the eighth line.

If you turn to page 10 and look at the last three lines in subsection 2 it would be those two lines that I have struck out by this amendment.

The debate continues on the amendment.

MR. COWLEY: — Mr. Chairman, I think this was put in, I gather, in the thought that it would probably be seldom used, but there has been some problem from time to time with groups who have come in, particularly from out of the province, health spas and so on. However, I'll take the suggestions of the Member for Regina South to heart here and I think he proposes a good amendment and I intend to, and I hope my colleagues will support the amendment.

Amendment agreed.

Section 23 as amended agreed.

SECTION 24

MR. CAMERON: — Under 24 I will see if we can persuade the Minister to take a look at this one as well. It is not a great point in substance, but a great point in principle and I took occasion, I think, the last time we were in the House to point this out to the Attorney General and drew some sympathetic response from him, but I find Acts are still coming forward with the same provision. Take a look at Section 24 subsection C. Section 24, first of all empowers the Provincial Secretary to make regulations for the carrying out and enforcement and administration of the Act. But then it goes on to say in its last subsection that he can also make regulations to exempt any person or class of persons from the provisions of this Act. I think that's a very, very poor practice, Mr. Chairman. As I say I raised this with the Attorney General before as a matter of draftsmanship to have a section of that kind in the Act is very abhorrent in terms of principle. You say here is the statute, 25 sections, we pass it and then we give to the Minister power under all circumstances to simply, by regulation, exempt any one or any class of persons from the provisions of the Act. I don't think we should be doing that, so once again I raise the point and again I move an amendment. My amendment, Mr. Chairman, is as follows:

That Section 24, subsection C be deleted in its entirety.

That's seconded by Mr. Nelson for Assiniboia-Gravelbourg.

MR. COWLEY: — Mr. Chairman, Mr. Beaudry has been involved in these licensing Acts since 1953 and obviously has been involved in the amendments to them and in the passage of them during that period of time. I'm informed that both under this Government, the

previous government and the government before, that when licensing Acts, such as this which were broad in scope were being passed, the exemptions such as this were provided in the event that when the Act was applied some group came forward who had very good reasons for not being captured within the scope of the Act and indeed this hadn't come to the attention of the Government of the day before. I understand that it's been used in Mr. Beaudry's experience, not very often. But I'm told in the case of The Real Estate Brokers Act, which was an Act passed by the previous government, this clause was in there and it was used in two or three instances for primary technical reasons to exempt certain groups.

I'm also informed that it's in The Trust and Loan Companies Act, The Mortgage Brokers Act, The Motor Dealers Act, The Direct Sellers Act, The Saskatchewan Insurance Act and The Real Estate Brokers Act.

As this is a new and broader Act in scope, it's my feeling and I would recommend to all of my colleagues in the Legislature that they defeat this amendment and leave it as it is. I don't think there is any evidence to suggest that any government has misused in any way, this particular provision and there is good legal precedent which I am told, although I don't know, never having studied it, it's a very important part of law, and this precedent we should follow.

MR. CAMERON: — Yes, I want to make some additional comments, Mr. Chairman. Mr. Beaudry has got 24 years of experience in the area and is very able in the area. I would have thought that that comment would defeat the Minister's argument. The more experience he has and the more capacity he has, the less likely is there any need for a section of that kind, as a matter of fact and I would like to know how many examples therefore, there are that you can possibly conceive of that might arise under this Act. Bear in mind, what this Act is saying is you must, when you have a profitable business, register its name. Very simple.

Now what conceivable circumstance is there for a business in business making a profit, being exempted from the Act? You know it's fairly simple. What you are really saying to us is, is that you, there may be an issue of convenience arise and for the sake of convenience then we should give the Cabinet power to exempt certain people from the Act. What are you balancing against that question of convenience? What you are balancing against it is that you are taking away the power in, I suggest, the most abhorrent way from the Legislature. Because we pass the Act, then you find some situation that perhaps you didn't think about and isn't covered so for convenience you put a section of this kind in. If that happens, the proper thing to do is to come back here and ask us to amend the Act to include or exclude the people you want to include or exclude. I think that's the proper way to do it. To come back to the Assembly and ask for an amendment. • Not to leave with yourself the power which bureaucratically is very convenient I agree, to sort of have the Cabinet be able to exempt somebody from a provision of an Act of this kind.

Amendment negatived.

Sections 24 and 25 agreed.

Motion agreed to and Bill read a third time.

BILL NO. 60 — An Act to amend The Partnership Act.

Motion agreed to and Bill read a third time.

The Assembly adjourned at 9:06 o'clock p.m.