

Supply—Labour

Mr. Howard: The minister cannot have it both ways. He cannot say in one case that it is all right to invade the jurisdiction of the provinces because it involves something that has not happened so far in Canada, and when it comes to a question that has not arisen in Canada until recently, when it arose in one province, take the opposite view. We have to be consistent.

Mr. Starr: Mr. Chairman, this is an entirely different convention from any others that come within provincial jurisdiction. In my opinion we have not in this case violated the jurisdiction of any province. There is no legislation to that effect, nor do I expect there ever will be.

Mr. Howard: Until two months ago no one in this country expected that a province or the federal government would take the kind of action that was taken in Newfoundland, where political interference in the right to organize a labour union occurred.

The Chairman: Order. I regret to interrupt the hon. member, but I must remind him that we are discussing the estimates of the Department of Labour, and it is quite out of order to discuss a hypothetical situation that may arise in a province and speculate about what course of conduct the federal government would follow in such a case. Furthermore I believe the discussion being carried on relates to federal-provincial relations, which do not come within the purview or scope of these estimates. I must point out to the hon. gentleman that he was quite out of order in his latter remarks and it would be appreciated by the Chair if we could confine the debate to the item under discussion.

Mr. Argue: Mr. Chairman, speaking to the point of order you have raised, surely it is a long-standing practice in this committee that on the first item of any department, which is the administration item, a great deal of latitude is allowed hon. members of the committee to discuss general matters coming under that department. Surely the question of Canada's action or lack of action with respect to an international convention is an appropriate subject for discussion under this item.

As far as reference to something that has happened in the provinces is concerned, I would suggest that is only a matter of opinion anyway, and I feel therefore it is entirely within the right of any hon. member to discuss labour matters within the provinces.

With respect to a discussion of specific actions in Newfoundland, there are many precedents in the records of this committee which support the view that it is within the

right of hon. members to discuss certain laws that have been passed in the provinces, provided an hon. member does not seek to discuss any question of disallowance which is under consideration by the cabinet. The hon. member for Skeena made no reference to the question of disallowance, and in my submission was discussing in a proper manner the general field of labour under item 1 of these estimates.

The Chairman: I think the hon. member for Assiniboia has failed to interpret my remarks correctly. It is quite true that on item 1 of the estimates of any department a certain latitude is permitted by the Chair concerning the matters to be discussed under the particular department involved, but this latitude does not extend into every field. The rules of relevancy must be strictly applied.

At the present moment we are discussing the estimates of the Department of Labour. As long as hon. members confine their remarks to the estimates of the Department of Labour they will be in order, but when they embark on a discussion of federal-provincial relations or what course of conduct the government might follow in a hypothetical situation, the Chair will call such remarks out of order. As long as I am in the chair I shall enforce strictly the rules of relevancy, and this will apply to all hon. members of the committee.

Mr. Howard: Mr. Chairman, in accordance with your ruling I shall confine my remarks to this particular item. I think I would be in order in this instance—and I ask your guidance if I am not—in discussing the parliament of Canada, the nation of Canada, the government of Canada, and its participation in international labour organization conferences. As I understand it, we are sending delegates to this conference. I understand the minister will be one of the participants in the I.L.O. conference this year, and that from time to time various conferences of the I.L.O. do endorse conventions. It is then up to the member nations, in this case Canada, to determine whether it desires to ratify any particular convention.

We were discussing that phase of it, and I queried the minister as to why Canada had not as yet ratified one particular convention, namely I.L.O. convention No. 87. The minister indicated that this was because jurisdiction over labour matters was divided between the provinces and the federal government. I hoped we might be able to develop that particular theme because of the divided jurisdiction of the parliament of