

seemed to me that there were hundreds, but I cannot account for 1,300. However, to avoid interference in what had previously been provincial rights, and to avoid causing federal-provincial concerns, I hope the Minister will be very cautious in writing up his new rules and regulations.

No one should have absolute power, because absolute power corrupts. I believe that when the Minister acts, it will be with limited and accountable powers. They would only be the norm and the expectation of House of Parliament in Canada. That is what I expect from the Minister when he studies this Bill.

What is good for the people I hope will be considered in the Bill and will be considered very carefully in the regulations. The Government has undertaken a few measures which make me rather sceptical. I hope this is a Minister of goodwill who has not only thought of cuts, but who has thought of consultation with the people who will be affected by the Bill. Giving the Minister ministerial control, with responsible controls and proper dialogue with all parties concerned on the federal-provincial level, I hope is what is behind the initiatives of this Bill. A British Columbia Supreme Court judge may well have ruled, and the Minister has come down with a Bill to try to redress that decision. I hope great care and caution will be taken.

Earlier I discussed the idea of husbandry and conservation. I believe that to be key, because if that is done, when I go back to being a housewife and a consumer in an urban area, perhaps, eventually, the cost of my food basket will decrease because the careful monitoring and developing of our fish stock will result in an abundance of stock which will be provided at a lower cost.

**The Acting Speaker (Mr. Charest):** Questions or comments?

**Mr. Baker:** Mr. Speaker, I want to congratulate the Hon. Member for outlining the outright discrimination against women as it relates to the fishery and unemployment insurance benefits. I do not know if I would go that far, but I can see her point.

Historically, if we looked at the patterns of referring names to the Department of National Revenue from the Unemployment Insurance Commission as it relates to the fishery, one would have to agree, in looking at across the board decisions, that most of those decisions affecting the determination of a question related to women. I would like to cite as an example the squid fishery. When Japan bought dried squid from the East Coast of Canada, a great number of women became involved. The squid were dried and sold to Japan. All of a sudden, there was a request from the Unemployment Insurance Commission for the Department of National Revenue to do an audit to determine whether these people were actually fisherpersons. Consequently, hundreds of women had to appear before appeal boards, and eventually a federal judge had to attempt to prove that they were fisherpersons as it related to the Act.

Apart from the over-all problem, if we looked at the specifics of judgments from appeal courts in Canada, we would find

### *Fisheries Act*

that there were many requests which were made to the courts to determine whether a particular person was a crew member. As the Hon. Member has stated, if there is a husband, his wife and two sons in a boat, usually the woman's name will be referred to the Department of National Revenue for a judgment. Of course, the reason for that referral is that the Unemployment Insurance Commission is wondering whether the woman is a crew member or a fisherperson. A crew member cannot be someone who does work on shore, in other words, when the catch is brought in from the boat. A fisherperson baits and hooks on shore so that the crew can go out on the ocean. Certainly it is not accidental. Most of the cases which are referred to the Department of National Revenue for determination of a question end up being cases which involve women's names. If anyone doubts that, all they have to do is to look at the records of the appeal courts with respect to the definition of a crew member. Most of the decisions which were made related to groups of women. It is somewhat unfortunate that the Unemployment Insurance Act and the regulations which define a fisherman and a crew member are so loose and convoluted in their definitions. They define a fisherperson or someone who actually participates in the catch. A fisherman who comes in after the catch, who salts the fish, or cuts the fish, or does up the gear or fixes the boat, is still considered a fisherman. Of course, the distinction is made whether or not that person was actually in the boat and took part in making the catch. Then we note that someone who steers the boat is defined as someone actually taking part in making the catch, whereas someone who baits the hook does not take part in making the catch.

● (1630)

It is unfortunate that most of the referrals made to the Department of National Revenue for determination of a question are actually women. The Hon. Member who previously spoke made an excellent point, and I want to ask her one question. The Department of Manpower, in conjunction with the Department of Fisheries, in supporting fisherpersons—if I can call them that—has had employment programs in the last two years when the fishery has been bad. Could the Hon. Member tell us whether she has looked at the hiring criteria of those programs, which are commonly referred to as Canada Works as they relate to her particular area of critique in this House, and whether or not she finds that the hiring criteria of federal works programs utilized in this manner are discriminatory toward women?

**Mrs. Finestone:** Mr. Speaker, yes, I would say that I have looked at the hiring criteria and, yes, they are discriminatory. However, yes, they are allowed to be discriminatory under the Canadian Human Rights Act. Affirmative action programs are part and parcel of the employment equity about which we have been talking so that we can assure the right of not only women but of native people, visible minorities and the handicapped to enjoy the fruits of their potential in the marketplace. In order to get there, we require certain kinds of measures which allow them access. Given the same kind of