

of mine you are dealing with, hard rock versus uranium, for example, and depending also on the site. So it may be easier and simpler than having regulations which are tailor-made for the specific locality involved. This is more or less what happened in the case of Flin Flon where after consultation, maybe since 1947 or a little later, they finally accepted the Manitoba regulations because, in present circumstances, it turns out that these regulations were made to apply to that operation.

Let us get back to the application of general or coast-to-coast regulations, if you will. As I see it, employees must be treated in Victoria just as they would be in Newfoundland.

I want to give you an example of a system we set up recently, WHMIS, which stands for Workplace Hazardous Materials Information System. After four years of consultation between all provincial, territorial and federal governments, the industry and the unions, we did manage to pass legislation where all information dealing with dangerous materials in Canada will be the same everywhere so that a worker, be he in Newfoundland, in Montreal or in Saskatchewan, will have the same kind of protection and be entitled to the same kind of information concerning hazardous products which he may have to handle in Ottawa today and maybe in Toronto tomorrow, if the product has been transported from one locality to another or from one province to another.

In certain cases it may be the ideal solution but in others, unfortunately, it may not be just as practical as we would wish. Perhaps we might be well advised to review the matter, Senator Molgat. I would point out that in this case this option was discarded because of the particular circumstances and because of the special interest of Manitoba in this locality, especially to draft appropriate regulations.

Senator Molgat: Thank you.

Senator Frith: I have only one question for the minister. When answering the questions asked by Senator Molgat, I believe you said twice that, by definition, the existence of mines in both provinces automatically means that federal jurisdiction is involved.

Do you mean that this change in jurisdiction occurs without a declaration under the constitutional provisions regarding the declaratory power? Just in passing, can the mine operate mechanically in a single province? Would it be possible for a part of the mine located in Manitoba, for instance, to operate without machinery exclusively in Manitoba?

Mr. Cadieux: I am certainly not an expert in mining operations, Senator Frith. Unfortunately, I have never even visited a mine. I therefore have no idea whether or not in this specific case the mine could operate in Manitoba without using the Saskatchewan machinery, or vice versa. However, I am told that, maybe in two years, the Saskatchewan operation will come to an end. It therefore seems that, in two years, the entire operation will be in Manitoba.

To come back to your question, and I thank you for asking it as it will allow me to clarify an ambiguity which I may have created, in 1947 there was confusion about who had jurisdic-

[Mr. Cadieux.]

tion over a mine which overlapped provincial boundaries. It was decided to put an end to the confusion.

Senator Frith: This was one of the issues which were unclear at the time, and this is why I asked the question.

Mr. Cadieux: It was unclear at the time whether the mine came under strict provincial jurisdiction in one province or the other, or whether it came under federal jurisdiction because there was an overlapping. I believe that an official declaration that it came under federal jurisdiction was made in recognition of the fact that it had to come under federal jurisdiction because there was overlapping and because there was ambiguity.

Senator Frith: It was a declaration under the declaratory power.

Mr. Cadieux: It was generally in the interests of Canada.

Senator Frith: Exactly, this is why I asked the question. Otherwise, I am not convinced that such an overlapping alone would create an area of federal jurisdiction, but if it was a declaration, it is quite clear.

Mr. Cadieux: Following the overlapping.

Senator Frith: Yes, agreed.

Mr. Cadieux: Something like in the case of interprovincial transport.

Senator Frith: Quite. It was this situation which provided the basis for the declaration, was it not?

Mr. Cadieux: Yes, senator.

Senator Frith: Thank you, Mr. Cadieux.

[English]

The Chairman: Honourable senators, shall clause 1 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 2 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 3 carry?

Hon. Senators: Carried.

The Chairman: Shall the title carry?

Hon. Senators: Carried.

The Chairman: Shall I report the bill without amendment?

Hon. Senators: Agreed.

The Chairman: Honourable senators, before reporting our progress on this bill to His Honour the Speaker, may I say to all of you how much I have appreciated the honour and pleasure of presiding over your sittings, especially today when the spirit of the Christmas message has already filled your hearts—peace on earth to all men and women of goodwill. May I say to all of you, Merry Christmas and a Happy New Year.

Senator Argue: Mr. Chairman, before you leave the Chair, I wonder if you would pardon me if I asked the Minister of