

Unemployment Insurance Act, 1971

quick conclusion was reached that it really was not a very practical arrangement to try to cover fishermen.

The only other point I should like to emphasize before I sit down is that in the brief of Mr. Rigby there is a very penetrating analysis of the question sometimes referred to as the difference between self-employed people and those who have a direct hourly contract for the payment of wages. He points out that unless one were to accept the principle that anyone whose income comes from a piece-work system is to be excluded from the coverage of the act, there is really no more logical basis—if one understands the nature of the fishing industry and the historical pattern on which it has developed—under which to exclude fishermen, whether they be sharesmen or lone fishermen, from the coverage of the act than there is to provide coverage to any other group of industrial workers.

Hopefully, some day I shall be able to say the computerizing of administering of the act has been a good thing—but surely the necessary data upon which a reasonable plan could be developed on a permanent basis is much simpler to obtain today than it was in 1957! Therefore I would seek the support of the House on these two amendments which in effect say that the commission would be directed to provide proper coverage for fishermen and a plan which would be in effect unless and until it was amended by direction of the Parliament of Canada.

• (4:10 p.m.)

Mr. Lloyd R. Crouse (South Shore): Mr. Speaker, I rise to speak briefly—and I assure the minister that I will be very brief—on the two amendments before the House. The amendments were moved by the hon. member for Comox-Alberni (Mr. Barnett), but I assure the House that there are other reasons for opposing them. The bill states that notwithstanding anything in this act, the commission, with the approval of the Governor in Council, may make regulations for—

(a) including as an insured person any person who is engaged in fishing (hereinafter in this section called a "fisherman"), notwithstanding that such person is not an employee of any other person;

Those of us who have been closely associated with the industry for many years realize that a fisherman is a self-employed person. He has been classified as being a sharesman in a joint venture and as such he can be classified as a self-employed worker. However, in an effort to take care of some of the exigencies of the industry and some of the hardships with which fishermen have been faced over the years, it was decided, although they are sharesmen in a joint venture, to make them eligible for unemployment insurance benefits and therefore fishermen pay a certain percentage of the cost while shipowners at one time, and now buyers of fish, pay the other percentage. When the weather is inclement, or during the winter months when it is impossible to carry out fishing operations, fishermen in turn receive benefits.

[Mr. Barnett.]

This is spelled out in the bill and I find no fault with the wording. Paragraph (b) of clause 146 provides:

including as an employer of a fisherman any person with whom the fisherman enters into a contractual or other commercial relationship in respect of his occupation as a fisherman—

These words adequately cover the situation. There are, for example, many forms of fishing activity. They start out with inshore fishermen operating alone in their boats and they carry on through to the deep sea operation where 20 or 25 men operate a commercial fishing trawler or dragger. In all cases there are times when these men may, through no fault of their own, find themselves unemployed.

We know of the recent example of mercury pollution which affected a large segment of the fishing industry which operates out of my home town of Lunenburg, Nova Scotia. I refer to the deep sea swordfish fishermen. Without the benefits provided by an act of this type it is certain that some of these people would have suffered genuine hardship. Therefore I find these amendments rather strange and complex. I find it almost impossible to understand them. Amendment No. 18 seeks to delete the following words from clause 146:

Notwithstanding any other provision of this act, premiums collected pursuant to any regulations made under this section shall be paid into and credited to the Consolidated Revenue Fund—

These are the key words.

—and benefits paid pursuant to any such regulation shall be paid out of and charged to the Consolidated Revenue Fund.

The key words are "benefits paid", as I read this section of the bill and I for one cannot vote for the deletion of this section of the bill.

Mr. Barnett: Would the hon. member permit a question? Does the hon. member not realize that what this means is that these moneys are to be paid into and credited to the Consolidated Revenue Fund, instead of generally being paid out of the Unemployment Insurance Fund account as is the case for everybody else who is covered? The point is not that the money would not go in and out of the fund, but that it would go in and out of the unemployment insurance account of the fund.

Mr. Crouse: I can only interpret what I read in the bill, and these are the words that become part of the statutes of Canada. The words are very clear. They say that benefits will be paid out of the Consolidated Revenue Fund. As I understand it, this wording is used in view of the circumstances under which fishermen operate. But I would point out to the House that our fishermen, in times of real hardship, are not overly concerned about the source of payments under unemployment insurance. They are concerned about the protection provided by the unemployment insurance plan. I am a representative of a large area where inshore fishermen as well as deep sea fishermen operate and I would be loath to see any changes made which would affect their benefits.