

improved the situation in that area. Therefore, I think that the hon. member has no reason to become excited.

[*English*]

**Mr. Speaker:** Order, please. I wonder whether we might not go to another question. The minister has risen on a question of privilege which is really an explanation of a statement made outside the house. I suggest it should not be pursued further.

### HUMAN RIGHTS

#### REPORTED DISCRIMINATION IN EMPLOYMENT CONTRACT IN NORTH

On the orders of the day:

**Mr. Frank Howard (Skeena):** Mr. Speaker, I wish to direct a question to the Prime Minister. I ask my question in light of the Supreme Court decision last week upholding the validity of an employment contract clause that forbade a relationship between members of different races. Because of our concern for equality in this regard, I wonder whether the Prime Minister can advise the house of the intention of his government to introduce legislation to make such contracts or impositions illegal in the future.

**Right Hon. L. B. Pearson (Prime Minister):** Mr. Speaker, I have asked for a report on this matter from the Department of Justice. The Minister of Justice received the report only at lunch time, and I would prefer to examine it before I reply to my hon. friend.

**Right Hon. J. G. Diefenbaker (Prince Albert):** A supplementary question, Mr. Speaker. There have been instances in the past when the Supreme Court of Canada has seen fit to permit a rehearing before the full court. As the decision in the Canadian Marconi case is one that, regardless of its merits as a legal proposition, will place Canada in the position of being regarded internationally as a country in which the highest court has determined that discrimination is in order—for that will be the misinterpretation—would the government consider doing that which has been done in the past, namely asking the Supreme Court to have a full panel of judges sit on this question instead of five judges, in view of the importance of this matter to Canada's international face, if I may use that expression, or image all over the world?

**Mr. Pearson:** Mr. Speaker, I have said that I would look into this matter in all its aspects and with all the facts before me. I think that

### *Inquiries of the Ministry*

is a wise procedure to follow before coming to any decision or making any statement in connection with such an important question.

**Mr. David Orlikow (Winnipeg North):** A supplementary question, Mr. Speaker. I should like to ask the minister of northern affairs whether his department still requires companies that employ men in northern parts of Canada to write this kind of clause into their employment contracts.

**Hon. Arthur Laing (Minister of Indian Affairs and Northern Development):** Mr. Speaker, I think I can say confidently that no contracts are written in either of the territories, but in all instances they are consummated in one of the provinces; and the law respecting any such contract would be the law of the province in which the contract was written.

**Mr. Orlikow:** A further supplementary question, Mr. Speaker. May I ask the minister whether it is true, as has been reported, that this clause in the contract was written in at the request of his department some years ago?

**Mr. Laing:** Mr. Speaker, I think that is an aspect of the matter that might well be disclosed when the Prime Minister makes the comprehensive statement that he has indicated.

**Mr. Howard:** May I address a further supplementary question to the Prime Minister. Considering what the Minister of Indian Affairs and Northern Development said, that the contract in question was written in one province and was to be applicable in another jurisdiction, the implication being that such province has extraterritorial jurisdiction to make a contract which is to be effective in areas which are exclusively under federal jurisdiction, will the Prime Minister look into that aspect of the matter as well?

**Mr. Pearson:** Yes.

[*Translation*]

### INQUIRIES OF THE MINISTRY

On the orders of the day:

**Mr. Alcide Simard (Lac-Saint-Jean):** Mr. Speaker, I should like to put a question to the Secretary of State for External Affairs.

Could he tell the house whether the Canadian government intends to shake its