

the committee considering tax resolutions and will not be available to appear before our committee until 2.15 in the afternoon.

These are the two reasons for this motion being made at this time.

Motion agreed to.

## TRANSPORT AND COMMUNICATIONS

### NOTICE OF COMMITTEE MEETING

**Hon. Mr. Bourget:** Honourable senators, before the Orders of the Day are called may I be permitted to inform members of the Standing Senate Committee on Transport and Communications that when the Senate rises this afternoon the committee will meet to consider Bill S-9, the Aircraft Registry bill.

## THE CONSTITUTION

### FEDERAL DISALLOWANCE OF PROVINCIAL STATUTES— DEBATE ADJOURNED

**Hon. George van Roggen** rose pursuant to notice:

That he will call the attention of the Senate to an urgent Constitutional matter.

He said: Honourable senators, last week I gave notice that I would today bring to the attention of the Senate an urgent constitutional matter. I do that now by drawing the attention of honourable senators to Bill 103 introduced by the provincial government in the last session of the British Columbia Legislature. The bill was given third reading on April 18, 1973. In particular I draw to the attention of honourable senators clause 14 of the bill.

I might say that this bill relates to the Pacific National Exhibition, which is the Vancouver equivalent of the Canadian National Exhibition held in Toronto. The bill deals with the appointment of the directors and the operation of the Pacific National Exhibition. On third reading of this bill, however, at the last moment, clause 14 was brought in by the government as an amendment, reading as follows:

Any lease or other agreement entered into under or pursuant to the Act repealed by this Act is, unless it expires before the thirty-first day of December, 1975, void and unenforceable unless and until the lease or agreement is approved and ratified, or any amendments thereto are approved and ratified, by the board.

In effect, the clause simply voids all contracts and agreements entered into legally by the previous board operating under the previous act, without any recourse or compensation of any nature to the parties to those contracts or leases.

Senator Lawson, who is not present in the chamber today, spoke in Vancouver recently and was quoted in the *Vancouver Province* of June 11, 1973. You can see the extent of the front page of the newspaper, where it says: "Teamsters Threaten to Void Contracts," with a picture of Senator Lawson. I will read excerpts from this article:

Senator Ed Lawson, B.C. president of the Teamsters Union, threatened Saturday that his union may declare its collective agreements void in mid-term

since the same principle is contained in the provincial government's new Pacific National Exhibition Act.

Lawson said the new PNE act, a clause of which says contracts with the PNE lasting past December 31, 1975, will have to be renegotiated, destroys the sanctity of contract in B.C.

If the clause is proclaimed by the government, making it law, he will recommend the Teamsters either withdraw all support from the government or "adopt the (same) philosophy," he said.

If the Teamsters were to adopt the philosophy, he said, they could declare a three-year contract void in the second year and demand greater benefits. The only justification he has heard from the government for the PNE Act is to the same end, he said—"more revenue."

The article continues:

The Teamsters rejected in 1965 calls by organized labour for a general strike, and still will have no part in wildcat strikes, because the union believes in the sanctity of contract, he said.

"But how in the name of heaven can you say to the men 'You must go back to work' when they can say we have a policy in this province of voiding contracts for more revenue," he said. "... I don't think the government or the minister are aware of the seriousness of what they're doing."

Later, the article goes on:

In the panel discussion, King—

The Minister of Labour in British Columbia.

—told Lawson to look back on some of the expropriation deals the former Social Credit government made, such as the B.C. Electric take-over, which he said also violated sanctity of contract.

Lawson responded in the interview that the new government is "no less despicable" for doing what amounts to the same thing.

I might say, honourable senators, that that news item was followed by a very complimentary editorial in the *Vancouver Sun* on June 12, 1973, headed "Mr. Lawson said it all and said it well." I shall not take the time to read the editorial. It was followed by a further editorial in the *Vancouver Province*.

The purpose of my remarks today is to develop my reasoning as to why it is not only the legal right, but also the solemn duty, of the federal government to disallow legislation such as this pursuant to the provisions of sections 55, 56, 57 and 90 of the British North America Act. If I may summarize the pertinent provisions of the BNA Act and—

**Hon. Mr. Martin:** Just so that I can follow, what is the date of the act?

**Hon. Mr. van Roggen:** The provincial act I refer to passed third reading on April 18, 1973. I might say that this act has not yet been presented to the Lieutenant-Governor of British Columbia for royal assent.

**Hon. Mr. Martin:** Then it is not law now. Is that what we are to understand?