

*Oral Questions***ANTI-INFLATION BOARD****SUGGESTED CHANGE IN APPEAL PROCEDURE TO GIVE RIGHT OF APPEAL TO EMPLOYERS AND EMPLOYEES**

Mr. Edward Broadbent (Oshawa-Whitby): Mr. Speaker, I have a question for the Prime Minister. It is a follow-up to the answer he gave to the Leader of the Opposition. In his answer, the Prime Minister said there was the right of appeal after the case got to the administrator. The Prime Minister did not say that in the law, the right of appeal is only open to those against whom an order has been made. Since, as illustrated by the Irving case, this specifically excludes the right of the trade union to appeal such a decision, will the government consider changing the legislation so that the right of appeal is open to both the employers and the employees?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, this is a different problem. It certainly raises a different set of answers. In view of the fact that the whole purpose of the operation is to get at the causes of inflation, it seems proper to me that the law should indicate that the actions should be against the person who is directly causing the inflation. In this case, if the employer is paying wages that are higher than permitted by the guidelines, it seems proper for the order to issue against the employer, not the employee. Therefore, it is the employer who should have the right to appeal if he does not agree with it. In the case of the employee, he is receiving money. If it is no longer paid to him, he cannot claim there has been an injustice operated against him. He is not the party who, by his positive action, is causing inflation. It is the person who is issuing salaries higher than the guidelines who is the cause of inflation. After all, the whole spirit of the legislation is to get at the causes of inflation and not those who are the victims of it.

Mr. Broadbent: Since in all situations like the Irving settlement, and we are going to get many like that in the weeks and months ahead, it is a fundamental fact that there is an agreement involved to which both parties are signatories, both the union and the corporation, is the Prime Minister saying that simply because of the way the law is now written, it is the corporation that would technically be held responsible and that the employees have no direct interest in the outcome of such a decision? If so, does he think this is compatible in any way with an elementary sense of economic justice?

Mr. Speaker: Order. It seems to me, regrettably, that the hon. member is asking both for an interpretation of the law and for an opinion by the Prime Minister as to a question of legality, both of which subjects ought to be pursued in debate.

Some hon. Members: Oh!

Mr. Broadbent: Three o'clock!

[Mr. Baldwin.]

[Translation]

THE CANADIAN CONSTITUTION**REQUEST FOR REPORT ON CONSULTATION WITH QUEBEC REGARDING REPATRIATION—GOVERNMENT POSITION**

Mr. René Matte (Champlain): Mr. Speaker, I would like to direct a question to the Prime Minister.

Could he tell whether there have been new developments with regard to consultations with provincial premiers about repatriating the constitution? Could he also tell clearly what are his government's true intentions in this respect, and whether it is possible that everything be settled on the next visit of Her Majesty Queen Elizabeth II?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, if the hon. member would care to look for it, he would find that I have given a detailed answer two weeks ago to a similar question, except as regards his concern for the Queen. Perhaps I might inform the hon. member that the government of Canada and those of the provinces can act on this matter without the presence of the Queen in our country.

REASON FOR ATTEMPTING REPATRIATION

Mr. Adrien Lambert (Bellechasse): Mr. Speaker, I want to ask a supplementary question of the right hon. Prime Minister.

Since we are still talking about repatriating the constitution and since several federal-provincial conferences have been held on that subject, may I ask the right hon. Prime Minister when was the Canadian constitution expatriated and whether the provinces had been consulted then. If not, why do they have to be consulted now?

Right Hon. P. E. Trudeau (Prime Minister): The hon. member is asking an historical rather than constitutional question. If he will refer to the debates that took place in the 1860's, he will see that as a matter of fact the provinces as we now know them did not exist. There was Upper Canada and Lower Canada and other colonies of British North America, and it was representatives of the people and the delegates of that time who decided, for reasons the hon. member may understand, that the constitution should be made in England, rather than in Canada. So, rather than passing the British North America Act in Quebec or in Charlottetown, it was passed at Westminster, where, I think, no representative of the Social Credit Party was sitting at that time.

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[English]

AGRICULTURE**GOVERNMENT INTENTIONS WITH REGARD TO MILK POLICY**

Mr. James A. McGrath (St. John's East): Mr. Speaker, my question is directed to the Minister of Agriculture. Because of the ill-conceived dairy policy announced by the minister last April resulting in a surplus situation in