

(5) Notwithstanding any other provision of this Code, the Registrar shall comply with an order made under subsection (4).

(6) Any person who is in possession or"

Clause BII-71 of Schedule III

Strike out lines 29 and 30, on page 83, and substitute the following therefor:

"the discharge."

Clause BII-73 of Schedule III

Strike out lines 25 to 35, inclusive, on page 84, and substitute the following therefor:

"BII-73. Where, with respect to a Canadian registered small craft, a chattel mortgage or document under which transfer of title is reserved is filed or registered in accordance with the law of a province, a notice of such mortgage or document shall be filed with the Registrar by the person who filed or registered the mortgage or document, and such notice shall be in prescribed form and shall contain such particulars of the mortgage or document as are prescribed."

Your Committee has ordered a reprint of Bill C-61, as amended, for the use of the House of Commons at the report stage.

A copy of the Minutes of Proceedings and Evidence relating to this Bill (*Issues Nos. 29, 30, 31, 32, 34, 35, 36 and 37*) is tabled.

(*The Minutes of Proceedings and Evidence accompanying the Report recorded as Appendix No. 145 to the Journals*).

Mr. Herbert, from the Special Joint Committee on Employer-Employee Relations in the Public Service, presented the Sixth Report of the Committee, which is as follows:

In accordance with its Order of Reference of the House of Commons of Tuesday, October 22, 1974 and of the Senate of October 23, 1974 a Special Joint Committee of the Senate and the House of Commons considered Parts I, II and III of the documents entitled *Employer-Employee Relations in the Public Service of Canada*, prepared by Mr. Jacob Finkelman, Q.C., Chairman of the Public Service Staff Relations Board. This Joint Committee was duly organized Wednesday, November 13, 1974 and held forty public meetings between that date and Thursday, June 19, 1975. Thirty-one briefs, including two reports by Mr. Finkelman entitled *Supplementary Observations and Recommendations*, have been received and considered by your Committee. A variety of interested parties have participated, including: bargaining agents representing employees in the Public Service of Canada; unions representing views outside the Public Service of Canada; the Treasury Board Secretariat representing the Government as employer; employer groups in the private sector; the Chairman of the Public Service Staff Relations Board and the Chairman of the Public Service Commission; personnel and labour relations specialists; university professors; and interested individuals.

THE INTERIM REPORT

In the course of these hearings, your Committee was persuaded by the evidence of several witnesses, and especially by that of Mr. Finkelman, that the Public Service

Staff Relations Board was not properly constituted to carry the burden of the various responsibilities placed on it by the Act and that the capacity of the Public Service Staff Relations Board to handle its work load effectively and expeditiously was seriously constrained by its part-time membership. To mitigate these pressing administrative and operational difficulties, your Committee prepared an Interim Report and in it recommended the consolidation of the several functions of the Public Service Staff Relations Board. Your Committee recommended as well that members of the Public Service Staff Relations Board be able to sit in panels, and that sufficient full-time members be appointed to enable the Public Service Staff Relations Board to handle the matters referred to it with dispatch. This Report was laid before the Senate and before the House of Commons on May 29, 1975.

A Bill (Bill C-70), was given first reading on July 14 and was referred to your Committee for comments and suggestions. Minor technical amendments, unanimously supported by the Special Joint Committee, were made to the Bill and Bill C-70 was approved by Parliament on July 21, 1975.

Your Committee continued to hear representations until July 16, 1975 when it began the final evaluation of the evidence which had been placed before it.

Altogether 31 persons or organizations made representations and 49 persons appeared before the Committee and were questioned by members. The names of persons appearing before the Committee and of persons and organizations submitting briefs are listed in Appendix A.

SCOPE AND LIMITATIONS OF THE COMMITTEE'S INVESTIGATION

The task facing your Committee was a formidable one. Employer-employee relations in the Public Service of Canada are governed by several different statutes principally the Public Service Staff Relations Act, the Public Service Employment Act and the Financial Administration Act. These statutes provide for two independent regulatory agencies in the area of Public Service employer-employee relations: the Public Service Commission which derives its authority and responsibility from the Public Service Employment Act; and the Public Service Staff Relations Board which derives its authority from Public Service Staff Relations Act. Although both agencies are concerned with the rights of employees as individuals, the Public Service Staff Relations Board has the additional concern of the relationship of bargaining agents and the employers in collective bargaining. For most employees in the Public Service, the Treasury Board (which derives its authority from the Financial Administration Act) is the employer, working with and through deputy heads on matters relating to personnel management. For other employees, the statutory employer is the agency in which they are employed and these agencies, the "separate employers", also exercise employer status and have responsibilities under the Public Service Staff Relations Act.

From the point of view of employees, and also to a considerable extent from that of the bargaining agents, these statutory divisions of authority and responsibility