

Mr. GREENE: He wasn't covered under the provincial act and he didn't come under the federal act.

Mr. Stanley Leeson (Assistant Director, Government Employees' Compensation Branch):

The circumstances of that case were that the boat was in Halifax being refitted and this man was hired to work on the boat in the daytime and went home at night. He was not ruled a seaman under the act.

Mr. GREENE: The boat did not move and he was engaged to do some work on it.

Mrs. FAIRCLOUGH: He was working for himself?

Mr. GREENE: He was a carpenter, or something; he was not hired as a seaman.

Mr. BELL: But the point I am trying to get at is this; this federal legislation is primarily in existence to supplement the provincial workmen's compensation acts, and I think that we should be careful to see that the changed act is fulfilling its purpose to make sure that the entire group of seamen are covered, otherwise our original intentions would not be fulfilled. I would like to ask you if the department has had a chance to consider pilotage accidents and to make certain that everybody is being covered in some way.

Hon. Mr. GREGG: I think, Mr. Chairman, we might at this point deal with that case, one in which I know Mr. Bell is quite properly interested, and so am I. Will you outline your discussions on it, Mr. Brown?

Mr. BROWN: I will ask Mr. Greene to do that. He is more familiar with it. Of course, pilots are not covered by our legislation, because they are self-employed people. We have had discussions with the Department of Transport.

Hon. Mr. GREGG: Then, the other group consists of pilots or those who on behalf of the pilots are operating a ship.

Mr. GREENE: First, the two men who lost their lives when the *Magnificent* upset a tugboat, were civilian employees of the navy, and their dependents are taken care of under the Government Employees Compensation Act. In connection with the pilot boat that was lost outside the harbour of Saint John, naturally the three pilots are not covered because pilots are excluded from this act. But this left the question of the four crew members, two of whom were married men with dependents. These two crew members have joined in taking action against the ship, together with the pilots. The other two were single men with no dependents.

As far as the pilot boat is concerned, the pilots themselves are excluded from the act. The question of the crew members employed by the pilots has come up now because of the loss of that boat. As Mr. Brown has said, discussions are going on with the Department of Transport and the Department of Justice to try to get a clear picture as to where the responsibility for the crew members lies. Prior to 1951 the crews of these pilot boats were employees of the pilots. There is no doubt about it. But in that year the Department of Transport changed the arrangement they had with the pilots at Sydney, Halifax, Saint John, Bras d'Or and along the British Columbia coast. The arrangement was that they would reimburse the pilots for the cost of operating their boat, repairs and so on. That meant that the crew was paid by the pilots and the pilots were reimbursed by the Department of Transport from their appropriation year by year. There was an indirect payment of wages. There was the thought that perhaps these crews might come under the Government Employees' Compensation Act. That point was discussed, but at present I think the Department of Transport is seeking a ruling from the Department