

cooperate with the Government of Canada in its international activities.

## PART V—SOCIAL POLICY

### *Chapter 26—Social Security*

81. In the area of social security, there should be a greater decentralization of jurisdiction with a view to giving priority to the Provinces according to recommendations 82, 83 and 84.
82. With respect to social services, the present exclusive jurisdiction of Provincial Legislatures should be retained.
83. With respect to income insurance (including the Quebec and Canada Pension Plans), jurisdiction should be shared according to the present section 94A of the British North America Act, subject to the following exceptions:
  - (1) Workmen's Compensation should be retained under the exclusive jurisdiction of the Provincial Legislatures;
  - (2) Unemployment Insurance should be retained under the exclusive jurisdiction of the Canadian Parliament.
84. With respect to income support measures:
  - (1) Financial social assistance (Canada Assistance Plan, allowances to the blind, disability allowances, unemployment assistance) should be under the exclusive jurisdiction of the Provincial Legislatures;
  - (2) Veterans' allowances and allowances to Eskimos and Indians living on reserves should continue to be the exclusive responsibility of the Canadian Parliament;
  - (3) Demographic grants (old age pensions, family allowances and youth allowances) and guaranteed income payments (guaranteed income supplement) should be matters of concurrent jurisdiction with limited Provincial paramountcy as to the scale of benefits and the allocation of Federal funds among these income support programs. Thus the Federal Parliament would retain concurrent power to establish programs and to pay benefits to individuals under these programs. However, a Province would have the right to vary the national scheme established by Parliament with respect to the allocation within the Province between the various programs of the total amount determined by the Federal Government and with respect to the scale of benefits paid to individuals within the Province according to income, number of children, etc., within each program; provided that the benefits paid to individuals under each program should not be less than a certain percentage (perhaps half or two-thirds) of the amounts which would be paid under the scheme proposed by the Federal Government.

### *Chapter 27—Criminal Law*

85. Since we believe that each Province should be able to regulate the conduct of its own people in such matters as the operation of motor vehicles, Sunday observance, betting and lotteries, the Federal Parliament should have the right to delegate even to a single Province legislative jurisdiction over any part of the criminal law.
86. Because there is some ambiguity resulting from current practice, if not from the Constitution, the Federal power over the administration of criminal justice should be made clear so that the Federal Parliament would be seen to have clear and undoubted jurisdiction to enforce its own laws in the criminal field.

### *Chapter 28—Marriage and Divorce*

87. In keeping with our principle of control by the Provinces of their social destiny, the jurisdiction over "Marriage and Divorce" should be transferred to the Provincial Legislatures, subject to an agreed common definition of domicile.

### *Chapter 29—Education*

88. Education as such should remain an exclusively Provincial power as at present, subject to the guarantees for minorities set out elsewhere in this Report.
89. The Provinces should create a permanent office for cooperation and coordination in education, and Federal participation should be confined to the area of Federal jurisdiction over the education of native peoples, immigrants, and defence personnel and dependents.

### *Chapter 30—Communications*

90. The Parliament of Canada should retain exclusive jurisdiction over the means in broadcasting and other systems of communication.
91. The Provinces should have exclusive jurisdiction over the program content in provincial educational broadcasting, whatever means of communication is employed.

## PART VI—THE REGULATION OF THE ECONOMY

### *Chapter 31—Economic Policy*

92. The Federal Parliament and Government should retain the primary responsibility for general economic policy designed to achieve national economic goals. This means that they must have sufficient economic powers to regulate the economy through structural, monetary and fiscal policies.