

Government Organization

whether he forgot it or whether it was to avoid discussing the subject at this time, but there is a matter on which we would like to have an explanation.

In the province of Quebec, I think—in fact, I am convinced of it—there is an ideological dispute concerning the role of the minister of manpower, namely concerning encroachment on certain fields of provincial jurisdiction.

Thus, when it is contemplated, in the field of manpower, to move a worker from one area to another, from one province to another, then certain problems may arise. The minister is aware of the statement made by the Quebec minister of labour not long ago. Could we have an explanation, from the federal minister concerning that statement? What are the intentions and what will be the role of the federal minister of manpower in that connection?

Mr. Marchand: Mr. Chairman, I do not see how I could be compelled to speak about constitutional problems while discussing the alteration of the name of a department. This question could be directly put to me and I do not think that I can be accused of trying to avoid the subject.

Anyway, we know that in that field, there is undoubtedly a provincial jurisdiction, that is all matters concerning vocational training such as the establishment of programs, of lectures come under provincial jurisdiction and are related to education. We do not intend to encroach upon that field.

There is the entire field of employment offices which has been under the federal jurisdiction for many years, namely for 25 years, and which the province in its turn would like to invade.

Therefore in this case, Mr. Chairman, I submit we do not face the threat of federal encroachment upon provincial jurisdiction, but that of provincial *ipso facto* encroachment upon a field which has been under federal government jurisdiction for 25 years.

Anyway, this is not a constitutional argument, but merely a field which has been occupied, and it does not necessarily mean that the government has exclusive jurisdiction in this field. This is a field in which we are really ready to co-operate with the provinces, taking into account the fact that Canada is a country united under a constitution and that, for the common good, the Canadian population, the workers, have the right to be protected and to receive the best possible service, in any province.

There has been talk about manpower mobility. Neither the minister of manpower nor the government has ever intended to move Canadians without reason from Halifax to Vancouver or from Quebec to Toronto. These policies of manpower mobility obviously apply within a certain natural region where people have roots and want to stay.

I think we will respect this wish of the population and this holds true not only for Quebec, but for people living in Newfoundland or British Columbia; in other words, as far as possible, everyone will be able to go on living in his own town, village, region or province.

A manpower mobility program which would not take this fact into account would be a failure, and we intend to consider it; we are ready to co-operate with all the provinces, and particularly with Quebec.

[English]

Mr. Baldwin: Mr. Chairman, I had intended to deal with this matter later on when we reached clause 13, but since it has been raised I might as well deal with it now. I think it can be related to this clause 11. I should like to preface my remarks by saying that I agree with what already has been said on second reading with regard to these subclauses. Most of this bill simply is window dressing, and as a matter of fact I think the government could have been prosecuted successfully under the Criminal Code for misleading advertising. There is however one exception. They attribute to the new department of manpower the development and utilization of manpower resources in Canada. I was going to ask the minister precisely the same question which has been asked. Is this to be taken, in its ordinary meaning and interpretation, as conveying to the government in the fullest sense the powers which are indicated by implication in that particular phrase?

We cannot look at that without having some regard for the history of that particular aspect of federal jurisdiction and the attempt by the Bennett government in 1934 to pass good legislation which subsequently was declared invalid by the Supreme Court and confirmed by the Privy Council and the amendment of the British North America Act in 1940 which simply was giving to the federal government and to parliament the right to deal with the matter of unemployment insurance. The passage of the Unemployment Insurance Act that year contained reference to an employment service and dealt