

Department of Labour Act

passage, but it is interesting to read the debates of that day. It is perhaps unfortunate that the hon. member for Don Valley West (Mr. Bosley), who is our spokesman on labour matters, was not able to be here to debate this bill on the day it came forward because certainly in the committee he was very active and, as we read the transcript, we can tell that not all of his concerns were satisfied.

● (1500)

One of the interesting parts of that transcript should be read into our record in this House. At the instigation of the Minister of Labour (Mr. Regan) the deputy minister of labour said the following in the committee, in response to a question by the hon. member for Don Valley West:

—we were faced with the requirement to reduce our 1978-79 budget by \$1.2 million and our 1979-80 budget by \$2.4 million, and we came to the conclusion that the view of the public, because of that experience, was that perhaps we could dispense with the *Labour Gazette* since there were many other publications that occupied the field. The field had become very sophisticated. So we did do away with the *Gazette*.

Going back to 1978-79, a labour law was passed by the elected representatives of the people of Canada who sit in this House of Commons. That law says that the minister shall publish a labour gazette. That is what the law said back in 1978-79, and that is what the law says today. At this very moment the law says that the minister shall publish a labour gazette, yet in rather cavalier fashion, before a standing committee of this Parliament, the deputy minister said: "We were faced with a budgetary need to reduce expenditures; therefore, we broke the law."

Mr. Kilgour: Shame.

Mr. Hawkes: The department stopped adhering to what the law said it must do. Perhaps it is not the most important law on the books in Canada, but I think we in this House must be very concerned when a deputy minister, acting on ministerial authority approved by the bureaucrats from the deputy minister on down, does not say, "We must go to Parliament and change the law", but simply, "For budgetary reasons we will break the law."

Mr. Regan: Mr. Speaker, I rise on a point of order. Would the hon. member permit a question?

Mr. Hawkes: As long as it does not eat into my time, Mr. Speaker, I would be glad to permit a question.

Mr. Regan: Is the member aware that the department ceased publication at the time the original bill was introduced into the House, not under the former government but under the government before that, and is the hon. member aware that the publication had not come out for about a year and a half before the time I became minister, that the former ministers, Lincoln Alexander and the present Minister of Indian Affairs and Northern Development (Mr. Munro), had ceased publication only after a bill had been introduced in the House and that as a consequence of the passage of time, two governments went out of existence in the interim?

Mr. Hawkes: Mr. Speaker, it is seldom that I can express so much pleasure at a question. Yes, I am aware that the government introduced a piece of legislation and then, with impunity, began to break the law. No legislation has been passed by the members of this House, and that is a further example of the arrogance of a cabinet which, the minute it introduces a piece of legislation in this House, deems it to have been passed and acts on it.

In the thick book of bills presently before this House, one which is in my area of responsibility concerns the Adult Occupational Training Act, and it has a retroactive clause. The first piece of legislation I as a representative of our party was forced to deal with was the employer tax credit, and it had a retroactive clause. We considered it in June of 1980. It was retroactive to April 1 because the government had been making commitments—illegal commitments—since April 1. I can think of no reason to blame this minister for this particular situation because he is correct when he says he was not the minister, but the government has not changed, and what we see here is that the basic philosophy of this government has not changed one iota. When the cabinet chooses, certain things are deemed to be law. The government acts accordingly and seeks the approval of this House retroactively time after time. That is wrong.

Mr. Kilgour: It is also a crime.

Mr. Regan: What about your government?

Mr. Hawkes: It is wrong.

Mr. Regan: Your government did the same thing.

Mr. Evans: We agree; your government was wrong.

Mr. Kilgour: Breaking laws is considered a crime under the Criminal Records Act.

Mr. Regan: That is a criminal authority sitting beside you.

Mr. Hawkes: Mr. Speaker, I would like to move on from that issue because, as the hon. member for Winnipeg North Centre (Mr. Knowles) said, that is history. The law has been broken in this country for 29 months. A government which was concerned about that when this bill was reported back to this house on June 26, 1980, would have put it on the agenda before June 12, 1981. The government is acting with impunity, and I suggest that is the responsibility of the current Minister of Labour.

Mr. Kilgour: Contempt of Parliament.

Mr. Hawkes: The minister has been acting illegally for one year in not publishing a labour gazette.

Mr. Evans: Mr. Speaker, I rise on a point of order. I think there are clear rules about abusing the microphones. The hon. member who has the floor should be the only one to use those microphones. The hon. member sitting next to the hon.