

TIME: 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

**MR. SPEAKER, Honourable Peter Fox (Kildonan):** Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 30 Canadian Forces Cadets from Virden, Manitoba. Order please. I'm going to suggest to our visitors, I was going to introduce them too, but first of all, I want you to understand that this Assembly has a procedure by which we proceed, and it means we have respect for each other, and I would hope you would extend us that courtesy while you are our guests. These Cadets are under the direction of Lieutenant Carefoot. These Cadets are from the constituency of the Honourable Member for Virden. We also have a number of visitors from all over the city who represent Griffin Steel. On behalf of the honourable members we welcome you here this morning.

Presenting Petitions.

### READING AND RECEIVING PETITIONS

**MR. CLERK:** The Petition of Frances Mumford praying for the passing of an Act for the relief of Anne Marie Mumford.

The Petition of Peter Martens praying for the passing of an Act for the relief of Peter Martens. **MR. SPEAKER:** Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills.

### ORAL QUESTIONS

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SIDNEY SPIVAK:** Mr. Speaker, my question is to the First Minister. It is regarding the statements by the Finance Minister of the Federal Government with respect to the phase out of wage and price controls. Will the First Minister indicate whether it's the government's intention to follow the scheduling and time tabling of the Federal Government with respect to phase out of wage and price controls?

**MR. SPEAKER:** The Honourable First Minister.

**HONOURABLE EDWARD SCHREYER (Rossmere):** Mr. Speaker, one of the problems is that there is really no definitive schedule or timetable and therefore my honourable friend will appreciate that it is not possible to indicate whether we will integrate our disengagement with that of a Federal timetable which as yet has not been made clear.

**MR. SPIVAK:** Mr. Speaker, to the First Minister. It would appear that the Finance Minister indicated October as probably the earliest, unless management and labour agree, and I wonder if the First Minister is in a position to indicate that at least to that extent Manitoba will conform.

**MR. SCHREYER:** Well Mr. Speaker, I would prefer to put it in the converse, that my understanding, indeed I do have some documentation, although it is preliminary, of the Finance Minister's statement is that it would take place not sooner than October 14th unless certain other things were to transpire. I believe that my colleague, the Minister of Finance here and I have indicated that we were looking to that kind of time frame as the latest, not as the earliest. So there is a point of contact but it is rather tenuous.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SPIVAK:** Yes, Mr. Speaker. I wonder if the First Minister can indicate whether rent control will conform to the timetable of Manitoba's phasing out of wage and price controls?

**MR. SPEAKER:** The Honourable First Minister.

**MR. SCHREYER:** No, nSir.

**MR. SPRIVAK:** Sir, I wonder if the First Minister is in the position of the Finance Minister to comment on the income tax credits that have been given to Manitoba indicating that there will be additional credits provided for Manitoba as one of the slow growth areas in Canada.

**MR. SPEAKER:** The Honourable Minister of Finance.

**HONOURABLE SAUL A. MILLER (Seven Oaks):** Mr. Speaker' one of the wrinkles in this budget last night was what is known as an investment tax credit. This is not new; it has been in force now for the last few years but as announced last night that investment tax credit of five percent would be continued but that it would now be regionalized. Manitoba, Saskatchewan, northern Ontario, Quebec — that investment tax credit will be increased by two-and-a-half percent to seven-and-a-half; the Atlantic provinces — to ten percent.

I frankly will be very interested to see what happens over the next two or three years, the long-term effects, if any, to see whether in fact they do have any effect now that they are regionalized. They can be more easily identified. I frankly don't have too much hope that they are going to result in any meaningful, considerably-more investment in Manitoba and nor will it, I think, affect the unemployment situation particularly.

**MR. SPIVAK:** Mr. Speaker, by way of a supplementary to the Minister of Finance, surely he will acknowledge the recognition by the Federal Government that this area . . . .

**MR. SPEAKER:** Order please. The honourable member is debating. Would he ask a question?

**MR. SPIVAK:** I will phrase it another way, Mr. Speaker. Would he not agree that the recognition by the Federal Government that there is a need for additional tax credits for Manitoba is recognition of a problem, an additional problem area for Manitoba.

**MR. MILLER:** Mr. Speaker, I think I have indicated that I am very pleased that the Federal Government has now moved away from what is usually the approach, that is, a blanket policy across the nation ignoring regional requirements and differences and I am very pleased that in fact they have recognized the difference. How fruitful it will be, to what extent it will make a difference to the major problem I think facing us which is unemployment, I am not quite sure. But I recognize that now the government is recognizing regional differences which is important.

**MR. SPEAKER:** The Honourable Member for Birtle-Russell.

**MR. HARRY E. GRAHAM:** Thank you, Mr. Speaker. I have a question for the Government House Leader and I would like to ask the Government House Leader when we can expect to receive copies of the Legal Aid Services Report which was tabled in the House on March 9th?

**MR. SPEAKER:** The Honourable Minister of Mines.

**HONOURABLE SIDNEY GREEN (Inkster):** Mr. Speaker, I don't think that that falls under my jurisdiction. I believe that if it is a copy of something that was tabled, the honourable member could get it from the Clerk's office. If it is the distribution of a tabled document, I don't think that that is necessarily the case. The honourable member, I am sure, could, if he approaches the Clerk, get a copy made. If there are additional copies of that report sufficient for all the members, which sometimes happens, then I would ask the Clerk to see if they are available and get them to the member.

**MR. GRAHAM:** Mr. Speaker, a supplementary question. Will the Government House Leader endeavour to ascertain whether the distribution system can be checked into to expedite the distribution of reports which have been tabled but members have not received copies of?

**MR. GREEN:** Mr. Speaker, lest there be no misunderstanding, not every document that is tabled receives universal distribution. It is on the table of the House which means every member can see it and what I have indicated is that the honourable member would have it available for him to see it. I am not aware that there are sufficient copies for distribution to every member but if you ask me whether I will check to see whether there are, I have already done so with the answer to my last question.

**MR. GRAHAM:** A final supplementary. Will the Government House Leader endeavour to see that the requirements of the various statutes of Manitoba which require tabling of reports be complied with?

**MR. SPEAKER:** The Honourable Minister of Mines.

**MR. GREEN:** Well, Mr. Speaker, the requirements for tabling are brought to the attention of everybody who is supposed to fulfill those requirements and I assume that they try and do so. If there has been something that has not been tabled, which is required to be tabled, then the honourable member should bring it to our attention. The document which indicates which reports are required to be tabled has been distributed to every member.

**MR. SPEAKER:** Honourable Minister of Highways.

**HONOURABLE PETER BURTONIAK (Dauphin):** Mr. Speaker, I wonder, by leave, if I could make a short announcement.

**MR. SPEAKER:** Does the Honourable Minister have leave?

**MR. BURTONIAK:** This has to do with road restrictions, Mr. Speaker. Starting on Monday, April 4th, at six o'clock in the morning, road restrictions will go into effect and they will start off with 300 pounds per inch width of tire. That's on April 4th, which is Monday morning.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SPIVAK:** Mr. Speaker, my question is to the Minister of Finance. In view of the statements that he made with respect to the tax credit program, the additional tax investment program, I wonder if he can indicate whether it would be the government's intentions to remove the capital tax in Manitoba?

**MR. SPEAKER:** The Honourable Minister of Finance.

**MR. MILLER:** Mr. Speaker' offhand I'd say no. Mind you we've been waiting for this budget in order to finalize our own and everything will be looked at but offhand I would say no and I don't see any particular reason necessary for it.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SPIVAK:** Mr. Speaker, I wonder if the Finance Minister would not acknowledge that there is a contradiction in his last statement and the statement made earlier dealing with the investment credit program?

**MR. MILLER:** Mr. Speaker, to duplicate what the Federal Government has done is simply gilding

the lily and it is gilded enough in its budget.

**MR. SPIVAK:** Mr. Speaker, to the Minister of Labour, would he acknowledge that the serious concerns expressed by the Finance Minister with respect to unemployment in the future in Canada would apply to Manitoba as well?

**MR. SPEAKER:** The Honourable Minister of Labour.

**HONOURABLE RUSSELL PAULLEY (Transcona):** I think the answer to that, Mr. Speaker, is obviously in the affirmative. It is of concern to the Government of Manitoba. And it's a problem that this government is attempting to overcome by instituting various programs.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SPIVAK:** I wonder if the Minister of Labour could indicate whether he believes that additional tax measures are needed to spur on the private sector for future investments.

**MR. SPEAKER:** Order please. The Honourable Member is asking for an opinion. The Honourable Member for River Heights rephrase?

**MR. SPIVAK:** Yes, I'll rephrase it, Mr. Speaker. First of all I wonder if the . . . I will rephrase it but I'd like to ask another question. I wonder if the Minister of Labour is in a position to indicate what his department forecasts for unemployment for the remaining year for Manitoba?

**MR. PAULLEY:** No. I haven't any precise forecast for the balance of the year, but if Manitoba follows its historic pattern in respect to unemployment it will remain two or three percentage points lower than the Federal average.

**MR. SPIVAK:** Mr. Speaker, if the pattern . . . well' no I can't phrase that question again, Mr. Speaker, I reckon it . . .

**MR. SPEAKER:** Order please

**MR. SPIVAK:** Will the Minister acknowledge that his statement is really contradictory to the policy

**MR. SPEAKER:** Order please.

**MR. SPIVAK:** . . . of the Federal Government.

**MR. SPEAKER:** Order please. That's a debatable question. The Honourable Member for River Heights.

**MR. SPIVAK:** I'll phrase it another way. Mr. Speaker, to the Minister of Labour, has he read the statements of the Finance Minister of the Federal Government?

**MR. SPEAKER:** Order please. Not relevant to our procedure.

**MR. SPIVAK:** Well, has he read the statements with respect to unemployment, Mr. Speaker, and his forecast of unemployment for this country?

**MR. PAULLEY:** Mr. Speaker, I don't think I need to say to my honourable friend, you can't read what you're not in possession of and I'm not in possession of any document. If he has been a favourite son as far as Manitoba is concerned and received the information in writing, I am not so fortunate.

**MR. SPEAKER:** The Honourable Member for Portage la Prairie.

**MR. GORDON E. JOHNSTON (Portage la Prairie):** Mr. Speaker' a few days ago I asked the Minister of Mines and Natural Resources some questions with respect to the lapsing of permits for industrial waste with respect to the Clean Environment Commission. Can the Minister give the information now?

**MR. SPEAKER:** The Honourable Minister of Mines.

**MR. GREEN:** Yes, Mr. Speaker, I sent a memo to my honourable friend giving him the figures but I told him I would read them into the record if he wishes me to and he does.

The total number of Clean Environment Commission orders issued is 669. The total number of Clean Environment Commission orders presently in force is 477. The number of Clean Environment Commission orders which have expired and require reissuance on a priority basis, is 19 which apply to 13 separate companies. The number of Clean Environment Commission orders which will expire during 1977 is 61. The estimated number of Clean Environment Commission orders which will be issued in 1977 is 95 to 100.

If the honourable member wishes information with respect to any particular company, I would be happy to give it to him.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SPIVAK:** Mr. Speaker, my question is to the First Minister. The Finance Minister's budget yesterday indicated that Canada must face up to the prospects of higher energy prices and indicated higher energy prices will be forthcoming. Will Manitoba protest the increase in energy prices?

**MR. SPEAKER:** The Honourable First Minister.

**MR. SCHREYER:** Mr. Speaker, I believe that on Monday last, the Honourable Member for River Heights asked the same question, if not him certainly one of his desk mates, and at that time I indicated that Manitoba's position at the Energy Conference would be to oppose any further increase in the pricing of oil and natural gas, given that these commodities have increased already more than 200 percent in the course of the past few years. And that, furthermore, given the fact that so much of the increase has been justified not on the basis of cost pass-through or cost recapture, but because

of speculative anticipation as to how much will be needed by the major oil companies for further exploration and development. Not all of those funds have flowed for that purpose, they are in the coffers of who knows, the oil companies and/or the royalty charging provinces. And that for all of these reasons, there is no justification, in our opinion, for any further increase.

**MR. SPIVAK:** Mr. Speaker, I appreciate the First Minister's answer but in view of the fact that the Finance Minister again reiterated a price increase in the price of oil and gas, when will the government protest this officially?

**MR. SCHREYER:** I believe, Mr. Speaker, that that message has already been given but it will be reinforced at the conference on energy pricing which I understand is taking place within the course of the next ten days, April 6th or thereabouts.

### ORDERS OF THE DAY

**MR. SPEAKER:** The Honourable House Leader.

**MR. GREEN:** Yes, Mr. Speaker, I wonder if you would now proceed to the Order Paper and we would like to proceed along the lines of dealing with all the bills first and then to go into Committee of Supply.

### ADJOURNED DEBATES — SECOND READING

**MR. SPEAKER:** Thank you. Adjourned debate Bill No. 4, proposed by the Honourable Minister of Public Works. The Honourable Meer for Birtle-Russell.

**MR. GHAM:** Four and five please stand, Mr. Speaker.

**MR. SPEAKER:** Thank you. Bill No. 8, proposed by the Honourable Attorney-General. The Honourable Member for Roblin.

**MR. J. WALLY McKENZIE:** I beg to have the matter stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 18, proposed by the Honourable Minister of Labour. The Honourable Member for La Verendrye.

**MR. BOB BANMAN:** Stand please, Mr. Speaker.

**MR. SPEAKER:** Bill No. 20, proposed by the Minister of Health. The Honourable Member for (Stand) inland.

**MR. SPEAKER:** Bill No. 21, proposed by the Attorney-General. The Honourable Member for Sturgeon Creek. (Stand)

**MR. SPEAKER:** Bill No. 22, proposed by the Attorney-General. The Honourable Member for Fort Garry. (Stand) Stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 26, proposed by the Minister of Labour. The Honourable Member for Swan River.

**MR. JAMES H. BILTON:** Stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 30, proposed by the Honourable Minister of Highways. The Honourable Member for Roblin.

**MR. McKENZIE:** I beg to have the matter stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 35, proposed by the Minister of Highways. The Honourable Member for Roblin.

**MR. McKENZIE:** I beg to have this bill stand, Mr. Speaker.

**MR. SPEAKER:** The Honourable House Leader.

**MR. GREEN:** Mr. Speaker, I move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

**MOTION presented and carried** and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

COMMITTEE OF SUPPLY

ESTIMATES — CONSUMER AND CORPORATE SERVICES

**MR. CHAIRMAN, Mr. William Jenkins (Logan):** Order please. I would refer honourable members to Page 14 of their Estimates Book, the Department of Consumer, Corporate and Internal Services, Resolution 31, General Administration' (a) Minister's Compensation, Salary and Representation Allowance. The Honourable Minister of Consumer, Corporate and Internal Services.

**HONOURABLE RENE TOUPIN (Springfield):** Mr. Chairman, as Minister of Consumer, Corporate and Internal Services, I have the pleasure of introducing to honourable members the Estimates of my department for the fiscal year 1977-78. This department, as the name suggests, has three distinct areas of responsibility. The Consumer side of the department is concerned with improving the consumer's position in the marketplace and with encouraging business to accept its responsibility as an important unit of society. The Corporate side registers, regulates and safeguards businesses through such things as business name protection, protection through corporate registration and the Securities Commission, and the regulation of the public utilities. The department's Internal Service division is mainly concerned with various aspects of government communications. As such it performs a central government function by supplying other departments with stationery and printing and ensuring that those of the general public who need government services are aware of the programs available to them.

All branches of the department experienced continued high demand for their services during the last fiscal year. While our Estimates for 1977-78 show an increase of \$286,800, most of this for increased costs and higher salaries. No new programming has been included in these Estimates and through effective utilization of resources, one half staff man year has been reduced from the department's complement. The total increase in estimated costs is nine percent.

In more detail my Corporation Branch incorporated 2,280 new companies during 1976, an increase of 92 over the previous year. This was once again the largest number of new incorporations. I feel it is important, Mr. Chairman, to note that November 1, 1976, was the proclamation date for the new Corporations Act, an Act designed to facilitate the use of corporate vehicles and encourage the formation of new businesses in this province. With the implementation of this Act, 1977-78 should see the continuation of the trend in incorporations in the upcoming year. To respond to the increased demand for services, an additional \$43,100 over 1976-77 is projected for this branch which includes the administration and the accounting for the department and the expenses of my own staff, not including my salary as Minister.

Turning to the Consumers Bureau, activity in both the consumer and landlord and tenant areas has increased. There was a net increase in consumer complaints for 1976, up thirteen percent over the previous year. Personal visits and inspections were also up to 504, as compared to 160 for 1975. These personal visits and inspections were carried out by Consumer Service officers to either mediate complaints or to call upon companies who required to be licensed.

Additionally, calls were made with the business community to inform them of legislation in consumer protection and to allow the business community to become more familiar with the role of the bureau. This activity opened avenues for communication between the parties should problems arise in the future.

In the Office of the Rentalsman activity was up over 1975 by 8.3 percent. Security deposits and repairs to premises continue to be the areas where disputes between landlords and tenants most often involve the rentalsman.

In the Consumer Education and Public Information Program school presentations, lectures and seminars for interested groups, up 58 percent over last year. As well the distribution of pamphlets explaining consumer services and outlining consumer rights is continuing. Some of the most requested pamphlets have been translated into other languages on a trial basis and have been enthusiastically welcomed by all the people concerned.

More detailed information on the operation of this branch may be found in the department's annual report tabled in this House.

The record dealing, Mr. Chairman, with the Estimates for the bureau, which you have before you, I wish to report that the increase in salary appropriation by \$67,800 represents the usual salary adjustments. No new staff are included.

The next branch of my department to which I now wish to direct your attention is the Securities Commission. In the course of the calendar year 1976 the Manitoba Securities Commission held 53 meetings at which the Commission dealt with a total of 384,284 items and applications under The Securities Act. A total of 124 formal orders were issued including eight investigation orders, 39 cease trading orders or extensions thereof, thirteen Section 20 orders, conditional orders waiving registration or prospectus requirements, 28 exemption orders with regard to insider trading and

financial disclosure, and 20 Section 59 rulings under which proposed distributions were ruled not to be primary distributions to the public.

The Commission's basic responsibilities under The Securities Act are to protect the investing public through the ensuring of full and true disclosure regarding securities being publicly traded in the province and the regulation over its complete spectrum of the securities capital market and the matters consistent with the first objective and with a view of facilitating in every way the raising of capital for new industry and plant expansion.

In discharging these responsibilities the Manitoba Securities Commission and its staff processed the following items of business. The following were the filing actually processed in 1976: prospectus filing 200; prospectus amendments 36; private placement 26; Section 59 rulings 20; rights offering 42; takeover bids 44. In addition, the following registrations were issued. In 1976 again: sales people 289; brokers and investment dealers 42; security issuers 11; mineral interest brokers 9; mineral interest sales people 11. In addition, 138 amendments to brokers, investment dealers and security issuers registrations were affected and the registrations of 17 sales people were transferred.

Under the Real Estate Brokers Act the Commission is responsible for the licensing and regulating of the activities of real estate brokers and sales people. The total number of registrations under the Real Estate Brokers Act as of December 31st, 1976 as compared with those previous years, are as follows: Brokers December 31st, 1976 - 618; December 31st, 1975 - 560; December 31st, 1974 - 520. Sales people December 31st, 1976 - 2,450; December 31st, 1975 - 1,842; December 31st, 1974 - 1,469. For a total as of December 31st, 1976 - 3,068; December 31st, 1975 - 2,402; December 31st, 1974 - 1,989.

Not including movement within the industry, these figures represent a 30 percent increase in sales people and a 10 percent increase in brokers over the previous year.

During 1976 the Commission, together with the real estate industry, implemented a pre-licensing course for anyone wishing to become registered as a real estate sales person in the employ of a broker whose office is located in Winnipeg or within a 30-mile radius of the perimeter highway. The course consists of approximately 60 hours of lecture time and concludes with a three hour examination. Both the course and the examination are conducted under the auspices of the Winnipeg Real Estate Board.

When feasible, the Commission intends to introduce the pre-licensing course for sales people to other areas of the province and similarly, intends to develop a pre-licence broker's course which, when implemented, will replace the Commission's present broker's exam.

These Estimates, Mr. Chairman, reflect only the general salary increase of \$19,400 and other cost increases in operating expenditures of \$4,100.00.

The next area of my department is the Communications Division which includes a communications section under the heading of General Administration, the Public Information Services Branch, the Telecommunication Development Branch, the Queen's Printer and the Advertising Audit Branch.

The Public Information Branch continues to inform honourable members and the public about the numerous government programs and policies. The Citizens' Inquiry Service, operating as part of the Information Services Branch, continues to handle approximately 42,000 telephone inquiries each year and is performing a valuable service in answering general questions and directing people to the proper government office for them to obtain detailed information.

The Telecommunication Development Branch is responsible for development and co-ordination of the telecommunication policy in Manitoba. It is primarily concerned with providing a greater opportunity for provincial participation in the planning and extension of broadcasting and cable television service. Budgetary restraints have necessitated a reduction of one staff man year position for this branch.

The Queen's Printer is responsible for the printing, stationery, advertising and similar services for all departments and agencies of the province. Appropriation 7(a) covers the salaries of the senior management and the printing brokerage aspect of this operation. No additional staff are being requested here and the increase is merely to cover annual increments and salary adjustments.

The open ledger operation supplies the departments with stationery, photocopying and printing needs, pays for the same and charges the user department for the goods supplied. No sums are voted for the open ledger as the costs are balanced by charges for services.

The additional funds being requested in sub-appropriation 7(b) merely provide for increases in salary under the current employees' agreement, while inflation and larger demands of various departments for printing and stationery supplies are reflected in the increase of proposed expenditures under the heading Other Expenditures.

You will find the Advertising Audit office functioning under the Queen's Printer umbrella and this office operates outside of the open ledger but under an account which permits recovery of most of the office's expenditure for requisitioning departments. Only the salaries of the staff of five and their miscellaneous office expenditures are voted in the Estimates. This office acts as a media buying agency for government departments, agencies and Crown corporations. Advertising space or time is

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purchased by this office which pays the media and charges the department or Crown corporation. Savings, as a result of the volume and prompt payment discounts, are passed on to the departments. Any advertising agencies which are involved in media advertising are paid on a fee-for-service basis and not on commission. The cost of public sector advertising is being retained at \$1,900,000, being the same as the previous year, and every effort will be made to hold departments to their previous year's costs.

A point of interest is the effect that the Advertising Audit office has had on advertising expenditures since it went into operation three years ago. Last year the government departments and Crown corporations spent \$1,780,200 on advertising. This, Mr. Chairman, is 14 percent higher than the \$1,562,593 which the government and Crown corporations spent eight years ago, in 1967-68. During this eight-year period, media advertising costs alone have risen over 50 percent. This saving has been achieved by eliminating wasteful advertising, the recycling of existing advertisements and the more prudent purchasing of advertising time and space.

The Public Utilities Board through the regulation of utilities has one foot in the Consumer Services side of the department and one in the Corporate Services. This Board has been under considerable pressure due to the workload increase of the past few years as a result of the greatly increased volatility of utility prices brought on by continuing energy problems and inflation. During 1976, activities of the Board were as follows: Regular board meetings 44; formal hearings 33; special meeting 1. As a result of these and other board activities, 196 orders were issued under the Public Utilities Board Act with 9 orders issued under The Highways Protection Act and 23 licences were granted under the Prearranged Funeral Services Act.

The increase of \$34,800 in the 1977-78 Estimates over the previous year, reflects the heavy workload faced by the Board.

The final branch of my department is an important part of the Consumer area of the department. The Rent Stabilization office is responsible for matters concerning rent increases in residential premises. It has faced the enormous task of regulating such rent increases. During 1976, in the office's first year, rents were permitted to increase on July 1st, 1975 to September 30th, 1976 by a general allowable increase of ten percent. Phase two commenced October 1st, 1976 to September 30th, 1977 during which period an eight percent increase was permitted. The objective of this program, Mr. Chairman, was to restrain the amount of the increases rather than to set rents. For any increases above these amounts, landlords had to make application and justify the additional increase based on their operating costs as permitted under the regulations. One thousand and forty-six applications for rent increases were received and 298 Board hearings were held.

The increase of \$63,400 in the 1977-78 Estimates over the first year, represents the general increase in salary costs but does not include any new staff. It is anticipated that with the continued use of seconded staff from other departments during peak periods, staff levels will be somewhat reduced or at least maintained at current levels.

My department, Mr. Chairman, for the most part, is a servicing arm of government and must respond to demand for such services. As I have already mentioned these demands on most branches are increasing each year. These Estimates for my department do not include any staff increases and the dollar amount of the increase over last year is \$286,800, or 9 percent.

I wish to assure the members that we are making a very determined effort to maintain a reasonable level of service at a minimum additional cost and to accomplish this we are continually reviewing programs and processes. We are curtailing all non-essential travel and advertising and are making every effort to effectively utilize our resources.

Mr. Chairman, the Honourable Member for Wolseley had asked of me the staff breakdown of this department and I made copies available of the staff breakdown of Co-operative Development yesterday. I do have the staff breakdown for Consumer, Corporate and Internal Services here and we can circulate a copy for each party in the House.

I would like to dwell a few moments on the Meat Inquiry, the part that falls under the Department of Consumer Affairs and then go back to the general overview of the Department of Consumer, Corporate and Internal Services.

The commissions at both the provincial and federal levels indicated that consumers in Winnipeg and generally the west paid higher prices for meat than consumers in central Canada, and especially in Toronto. The reason for the apparent discrimination is the level of competition for consumer dollar among respective cities. More simply, there is a higher level of concentration and therefore market power in the west as opposed to central Canada. The Winnipeg market is highly concentrated with about 70 percent of retail sales maintained by four chains. Half of this is maintained by the dominant chain, Safeway.

Neither commission made conclusions with respect of whether or not profits from retailing beef and other meats were excessive. This results from the apparent difficulty of obtaining specific cost revenue data as opposed to highly aggregated data and from the lack of an adequate bench mark as to what is or what is not excessive profit.

If profits are significant in the retailing of meats then this should be significant inducement for entrants to emerge and compete with the major chains either in the form of speciality stores or the more general supermarket types.

We have, Mr. Chairman, already moved in the direction of competition to a small grant to Boni Co-op in St. Boniface. This, Mr. Chairman, we believe will be a direct charge type co-op, the first in Winnipeg, and if successful will provide competition at least in that area of the city. This type of co-op has been successful in other cities and could possibly develop an effective form of countervailing power to the major chains by expanding into other parts of the city, as it is in other parts of the province already, and I so indicated last evening. Boni Co-op is not the first, it's the fifth or the sixth in this province already.

The provincial commission concludes that the chain stores discriminated on price among the types of meats that are sold. From meetings I have had with retailers, and I met with all four major chains, I was not convinced that this does not occur. No amount of jawboning on my part is going to change retail practices whereby margins are based upon cost alone. There is, and will continue to be, a certain amount of pricing based upon what the market will bear. Effective competition based upon cost such as from a direct charge co-op may — I only say may — in the larger term change such practices.

Consumers have an important role to perform in enforcing a competitive marketplace. Their role is to shop wisely by being price and gimmick conscious and purchasing according to their needs and abilities. When prices rise the consumer should look for substitutes and/or reduce consumption of highly priced products. We have ample evidence in the recent sugar market, and probably now in the coffee market, that consumer resistance can turn markets around. Competition, Mr. Chairman, is a long run phenomenon and the actions of entrance on the retail side and of consumers will change some of the practices at the retail level.

I must say, Mr. Chairman, that in regards to what has been attempted by direct charge co-operatives in the province, Boni Co-op being the last one to go into operation in June, could have some impact. But this is really based on the desire of people to serve themselves directly at what could be considered by some to be a more reasonable cost.

I'd like, at a later stage, Mr. Chairman, to dwell a bit more on the Commission of Inquiry into the price of beef because I did have good meetings with all four chain stores. The last one that I did meet was Safeways, and they were able to bring forward good data in regard to their reasons why there is a considerable difference in price or, at the time the Commission of Inquiry report, a difference in price between Winnipeg and Toronto.

I therefore, Mr. Chairman, wish before closing my few remarks now indicate to honourable members that I'll be moving to the front benches, that I will be taking notes and like I did yesterday on Co-operative Development, I don't intend to jump up and down. I'll take notes and answer whenever I feel that honourable members opposite, or from this side of the House, have ended their questioning or comments.

I would therefore wish again to recommend to all honourable members of the House the Estimates of this department being the Department of Consumer, Corporate and Internal Services for your earnest consideration. Thank you.

**MR. CHAIRMAN:** We will now leave the Minister's Salary until the end of the discussion on the remainder of the department and proceed to 31(b) Communications (1) Salaries \$74,200.00. The Honourable Member for Wolseley.

**MR. ROBERT G. WILSON:** In reply to the Minister dealing with his department, of course he is now moving down to the front, but I think one has to look at where we are going and talk about the problems of his department and suggested solutions.

It would seem to me his last comments deserve something first. I realize, Mr. Chairman, that he is a new Minister and I would like to thank him for his report and as a new Minister coming from that flashy portfolio of Tourism to the problems of small business and the consumer, it's quite a change. We sort of hoped this sudden transition would have wanted the Minister to pull up his socks and to cut out waste mismanagement and the feather-bedding that has existed in this department due to the low priority that has been given to it by Ministers in the past and we would hope that he would want to impress his peers by getting out the knife and cutting out a lot of this duplication of services and feather-bedding that goes on.

We only have to look at 1969 where we had \$431,284, in 1970 we had \$690,000, and now the Minister comes in and tells us he has only got a 9 percent increase and we should pat him on the back because he has only got \$3,551,000.00.

He talks about in entering the field he is going to solve all the prices in Manitoba and he again showed his bias by his enthusiastic remarks in his area of likes, which namely is the co-ops. And somehow or other I kept quiet yesterday when he was on that particular section because I felt that he would get it out of his system but he had to slip it back in under Consumer and Corporate Affairs and again remind me of this solve-all thing of his called Boni Co-op. And it's very interesting that eastern



provinces seem to be able to use the Federal Government. The consumer resistance is the answer to creating some kind of level of competition to keep prices in line. And this Minister has a different solution. He is going to get involved himself and Boni Co-op, as he says, "shall" or did he say "may", will return an effective form of competition.

Well first of all he better tell the people of Manitoba where they can find this Boni Co-op because it certainly hasn't been very well advertised.

I do think that his department should stick to remedial action and possible preventative actions since we have gone to the trouble of spending huge sums of money on printed material.

I will be speaking later of the Minister's new crusade throughout the school system and this very exotic advertising that he has put out called "Me and My Shadow", or something to that effect. And I would think some explanation is due of the Minister as to the cost of this very elaborate presentation, not just the tapes, and the slides, and the material attached, but also the card game. How do we get to play this game, the rules of the game, and what it helps to accomplish. —(Interjection)— Well, yes, the Minister seems to be following the line of other Ministers. They all have a game to hand out and so he'll have a chance to be able to explain his game.

I really do think that his department really was created as a luxury of good times because it seemed that the Federal Government really wasn't giving priority to the west. So the result was they came in and filled out what was obviously a job that they weren't properly doing. I think the Federal Government has the structure and place. You can go down on Main Street. They have a federal building there, at Pioneer and Main, and I'm going to issue a challenge to the Minister to . . . We need a new Minister. The last Minister didn't care. He was very disinterested. He never smiled. He had nothing but very surly and uncomplimentary remarks whenever you talked to him, and now he's in a new portfolio he's all smiles and he's posing for pictures all over the place. He's very happy in new portfolio.

But I think we need a Minister who is willing to take the Federal Government on and to go into them and say, "We demand consumer protection for Manitoba." And I'll be speaking later on about whether it's the Bankruptcy Act, The Weights and Measures, or whether it's The Food and Drug Act, the Federal Government has got it all there. It's got an elaborate system and it's a case of either they're going to do the job or give us the money to do it. And here is a saving to the taxpayers of Manitoba by getting money out of the Federal Government to perform these duties, if they're not going to do them. I think he has to go down to the Federal Government, come back and tell us what he is going to do for the future pertaining to consumer protection for Manitoba. Because what's happening now is they are simply taking away cases from federal responsibility and shuffling people back and forth and they're competing for storefront operations at the most very expensive rental. The provincial government is renting from the private sector and I don't know what type of long-term lease they sign but they've moved several times all of which costs the taxpayers money. It seems there is some lack of planning, because when are we going to move again. It seems that the Minister seemed to be bragging about his new role of sending out inspectors. I believe he talked about there was 504 personal visits this year. In other words it seems that wow, we've got a large staff here, we've got to justify our existence, so now we're going to have an outreach program and we're going to go out into the business community. And it seemed to me that inspection, packaging, electrical infractions, were all clearly government roles. The government federal inspectors have always been part of our community where we knew the meat inspectors. We knew all these people were federal people and now we're not going to be able to tell them unless they have a different coloured badge as to if they're with the province or with the Federal Government, and so we're very concerned about this Outreach Program, this new thrust.

It seems to me that I would have imagined, talking to other people across Canada, that the role of the Consumer Protection Branch would have been one of mediating disputes, a remedial role, and again I talk about the problem we have today and my solution would be that I could probably suggest that I could cut this down around 200,000 by simply referring matters to the solved-case drawer, by referring them to the Federal Government where they belong, referring the matters to politicians if they happened to be political in nature or can be solved through the political arena, and referring them to lawyers or accountants, depending on what they are, and if they are very serious to turn them over to the Better Business Bureau, and if beyond that if possible to the Attorney-General's department for solution and prosecution.

What we have here now is we have, it seems to me, an empire that has been created and it would seem to me they want to act as sort of agents for . . . In many cases they always seem to have a great rapport with Legal Aid. They might as well move a Legal Aid office into the Consumers' Bureau. They seem to inflict a lot of expense and wasted time on all parties and they compile a large file, very very many large files of paper work, which to me are all meaningless and a waste, because it would seem to me that the answer would be most of it could be done on the telephone. Because these problems can be solved and you've got to have some trust in your staff. I think if your staff is doing the job, they

don't have to bring you 2,600 files piled a mile high to show you that they've done their work. The results is in the public opinion that the Consumers' Bureau is doing their job not in the amount of paper work that you create.

I believe this department started back in 1970, so it's a fairly new department. It was an offshoot, I guess, of the Department of the Provincial Secretary. I'd like the Minister to give us a history lesson of his department to show us that he knows what department he is running and that would be interesting. And also an explanation of the Internal Services aspect of it.

I am reminded of these people who are, again, not lawyers and not judges but they are hired in a fairly new department and they are given a number of very vague Acts to administer and this becomes a matter of interpretation. So what you've done is, rather than left the interpretation up to a qualified judge, you've put it in the hands of a civil servant who then gives his own interpretation.

I am reminded that in Manitoba it is illegal to sell elk's teeth, when you talk about laws, in Toronto it is against the law to wear a felt hat in the steam bath, and it's a case of law enforcement as a decision of reasonable trained people. So when you create these new paper tigers, and people who will spend our money protecting us from whom, to whom, then we've got to ask ourselves what power are we giving these salaried employees. And it seems to me that this is the old story of a growing empire which the Minister

says is only growing at 9 percent this year, and I would like to see some effort in a solution area to cut down the mounds of paper that are being created. My envisionment of his department is one of public relations. I think his staff should immediately be given a particular course in public relations because we could, as I said, solve many of the problems by telephone and I think if you have an honour system you wouldn't have particular staff filing a report that in 1975 they received 2,666 calls and in 1976 they received 2,663. The similarity in these figures seems to be a case of a tired Civil Servant just picking a figure out of the air, because it's too much of a similarity to say that the telephone rang exactly the same amount of times from one year to the next.

These are the things that I'm talking about. These figures really don't mean anything. I think it's the overview of the department, to say, what are we here for? It is not a role of judge and jury, it is one of public relations to solve the problem that the consumers have. Consumers need more protection. Certainly the Federal Government has given very low priority, so maybe the Minister in his remarks to me could justify his department by saying the Federal Government hasn't done their job in some areas.

I really think it's time he dropped his nice guy image and got down to giving this department some priority because, you know, Eaton's and The Bay, they never lose money. All this bureaucratic red tape is passed on to the consumer by increased costs. Because it's the little guy who has to pay the cost, because a business never loses money. So these road blocks that this Minister throws up in the way of mounds of paper work, when Eaton's Legal Department has to go against the Minister's Civil Servants and Government Legal Departments who shuffle paper around, that cost of time' the cost of the court's time is being passed on to the consumer and is another form of inflation.

I'll be dealing with each specific item by item, but I do think that we have to look at all aspects of it. I do feel there is a parent responsibility to teach the children the cost of credit and the dangers of credit. I don't know whether another branch of the educational department creating another course in the school system is the answer because in reading the Minister's material it seems to me, in a lot of cases, he's opening not only the area of what the youth of today didn't know before but he is also educating him in the areas of what he now will be able to consume. One is reminded of the . . . it starts out the program in talking about one should only engage in his needs and try to avoid his wants. But one only has to look at the youth of today and the type of education the Minister is taking into the school and all of a sudden the needs section of his educational program is lost and it becomes a case of "wants" and the availability of the plastic world under this Minister's responsibility and his education of the youth is going to lead to a very very serious problem for our youth with the amount of credit they are going to be involved in.

With those few remarks, I will get into the Minister's Estimates section by section.

**MR. CHAIRMAN:** Resolution 31(b)(1) Salaries — pass; 31(b)(2) Other Expenditures, \$24,500 — pass; (c) Administrative Services and Companies Branch (1) Salaries, \$388,100. The Honourable Member for Wolseley.

**MR. WILSON:** Mr. Chairman, you didn't see me. I was backing up because I did want an explanation from the Minister, if I could, what Mr. Doug Smith does for \$30,000 a year in this particular area and what the other expenditures do? I notice this has been a fairly constant thing and it might be good for the record to explain what this communication section involves.

**MR. CHAIRMAN:** 31(b)(2)?

**MR. WILSON:** Yes.

**MR. CHAIRMAN:** The Honourable Minister of Consumer and Corporate Affairs.

**MR. TOUPIN:** Well, Mr. Chairman, first of all in regard to the item before us, 31(1)(b), Mr. Smith is not alone in this office. There is a professional officer, Administrative Secretary IV and Administrative

Secretary II. There has been a reduction in the amount here in regard to the amount sought initially. There is a salary component which the honourable member has; there's the professional fees of 6.9; there's furniture and furnishing rentals \$3,000; there's printing and stationery supplies 2.5; postage, telephone and telegraph \$2,000; there's machinery equipment \$600; automobile \$300; advertising exhibits 3.1, \$3,800; publications \$700; freight express cartage, there's none for 1977-78; travel expenses \$4,000; transportation - other than employees, none for 1977. Total \$24,500.

Mr. Chairman, in case the honourable member is wanting to have the program objectives of this section of the department it is (a) to provide executive direction for the operation of various components of the communication division; (b) to act as advisors and co-ordinators to departments and agencies in the development and implementation of publicity about provincial government programs; policy guidelines, the general policy guidelines for the operation of this program to provide direction to the components of the division so that maximum efficiency is achieved in the implementation of government information communications program; in telecommunication, to direct the development and implementation of policies that will ensure the orderly development of new telecommunication services in Manitoba. There is no program change anticipated for 1977-78.

I could go on Mr. Speaker, if the honourable member would like more information. I did take notes on the initial comments made by the honourable member. If he so desires, I'll go back and take a wide sweep at him during the consideration of my salary.

**MR. WILSON:** I'd like to have that wide sweep now because I want to know where the Minister's philosophy is in his thinking pertaining to consumer protection in Manitoba. We deserve some protection.

**MR. CHAIRMAN:** Order please. The procedure of this committee is we are to deal with the items, item by item. I think that if there is a philosophical debate, it can take place under the Minister's salary.

**MR. TOUPIN:** Mr. Chairman, that's the reason why I indicated that I would rather wait until I'm able to be a bit more flexible. It's not that I'm afraid to indicate my philosophy, I've put it on the record many times in this House.

**MR. CHAIRMAN:** Resolution 31(b)(2) Other Expenditures \$24,500 — pass; (c)(1) Administrative Services and Companies Branch (1) Salaries \$388,100. The Honourable Member for Wolseley.

**MR. WILSON:** This information sheet the Minister has handed out indicates there is approximately 30-½ employees in this department. I wonder if the Minister could talk about the new Companies Act which has come in. From what I understand, it has been a great boon to the legal profession and this has been an extreme hardship on companies that had three or four directors in the past and now were told and led to believe by the Minister, that we were now going to have one man corporations and from what I understand, he can correct me if I'm wrong, that corporations prior to the Act now must go through expensive legal letters patent in order to get down to the concept that the Minister talked about. I wonder if the Minister could also explain why what he envisions the reason for, what I consider a very inexpensive registering of names, there's over 2,000 last year, I wondered if there was any suggestion in the future we were going to make it a little more costly to continue to register business names for the sake of some fad?

**MR. TOUPIN:** Well, Mr. Chairman, again I've consulted with my Directors of the Companies Branch and there's no indication given to us by companies that they are suffering any excessive cost or bureaucracy involved under the new Companies Act.

In regard to The Change of Name Act unfortunately the honourable member was not in the House when we made that change, lowered the cost, making it more accessible to the ordinary person to change his or her name. There will be an increase on business registration on April 1st increase from \$11.00 to \$12.00. That will, according to what I'm informed, cover the cost of the operation of the branch and costs related to the change.

**MR. CHAIRMAN:** The Honourable Member for Pembina.

**MR. GEORGE HENDERSON:** Mr. Chairman, when we look at this amount under the Companies Branch, we know that when companies are formed and that they pay registration fees and such, now are the fees that are paid in in this thing deducted from this fee and is this the amount that's left, or is that listed separately?

**MR. CHAIRMAN:** The Honourable Minister of Consumer Affairs.

**MR. TOUPIN:** No, I'm informed Mr. Chairman, that it is not deducted. The revenue is completely separate.

**MR. HENDERSON:** Where does the revenue show up then?

**MR. TOUPIN:** That would be contained, Mr. Chairman, within the Supply Bill, the Revenue Bill that will be presented to this House.

**MR. HENDERSON:** Do you suppose that if the revenue was deducted from the cost in some of these cases, that they would pretty nearly balance out?

**MR. TOUPIN:** Mr. Chairman, the revenue would be in excess of expenditure. 1.2 times, about, in excess.

Friday, April 1, 1977

**MR. CHAIRMAN:** Resolution 31(c)(1) Salaries \$388,100 — pass; 31(c)(2) Other Expenditures \$56,300 — pass. Resolution 32 The Consumer Bureau (a) Administration (1) Salaries \$582,700. The Honourable Member for Wolseley.

**MR. WILSON:** Would the Minister be able to state if the total under 32 for staff would be 38 and maybe give us a comparison of this growing department and maybe this is the department we should be getting into with some examination to examine the possibility that maybe we have an overlapping of investigative services pertaining to the Federal Government. I notice on the complaint sheet that he handed out that we were dealing with increases in automotive complaints as one of the main sectors. Whatever happened to this organization called The Automotive Trades Association? In the Home Improvement Section, whatever happened to the Winnipeg Builder's Exchange and those particular outfits in the private sector which were supposed to police their industry? Under the appliances and toys which would come under The Hazardous Products Act hazardous and things under the Federal legislation, whatever happened to the Federal Government's presence in the Winnipeg community? I wondered if under the Professional Services, whatever happened to the \$338,000 we gave the Law Society to police their own industry and certainly the Real Estate it would seem to me 109 complaints in that area deserve some explanation.

I wonder, before I go on, if the Minister would care to elaborate his concept of their role pertaining to, as the government inspectors down at the Federal Building on Main Street.

**MR. CHAIRMAN:** The Honourable Minister of Consumer and Corporate and Internal Services.

**MR. TOUPIN:** Mr. Chairman, I take it that we're considering both 2(a) 1 and 2 at the same time. Because if we are talking about 2(a)(1), which is, I thought the amount before us \$582,700, I can explain the responsibility of staff involved in that amount, or I can go equally and deal with both, but it's really in your hands.

**MR. CHAIRMAN:** Well, I guess they are interrelated, so if we can consider (a) (1) and (2). The Honourable Member for Pembina.

**MR. HENDERSON:** You're referring to showing the way the expenses are handled in connection with the Consumer's Protection Act and then the other one the Landlord and Tenants Act. No. I would sooner you'd show them separate, myself.

**MR. TOUPIN:** Mr. Chairman, I'll go into explanatory notes here pertaining to the operation that we have before us. And the Honourable Member for Wolseley is talking about a split jurisdiction pertaining to the federal and provincial protection. In light of the federal and provincial initiatives in the area of consumer protection, it is contemplated that there will be need for revising existing provincial legislation. The Federal Government is in the process of introducing what is to be known as the Depositors and Borrowers Protection Act.

By the way I met with the Federal Minister just last evening' to discuss a few, what can be considered as jurisdictional problems between the Federal Government and ourselves and I am happy to report that the communication between the Federal Minister and ourselves is open and we're able to, what I believe, to work fairly close together. They are proposing amendments to the Bank Act which is of some concern to us because of the responsibility that we have for Credit Unions, Caisse Populaire and provincial financial institutions and we don't want the Federal Government to embody credit unions in the coverage under the Bank Act. We want those to remain a provincial institution, and we have so indicated at conferences that we've attended. Not only ourselves, but this was the message received by, to my knowledge, all provinces in Canada attending the inter-provincial meeting that I attended. Introduction of EFTS, being Electronic Funds Transfer System, at the federal level will also have some bearing. On the provincial scene, new product warranty legislation is actively being pursued as well as House warranty legislation. We talked about this in previous sessions and this is being looked at very closely. These funds are requested to retain the services Last year's vote of \$7,600 — this figure was somewhat under-estimated as it would appear the actual 1976-77 expenditure will be in the range of \$13,000.00. The increased cost of printing and stationery supplies and possibly changes to forms used in our licensing system and the registration of manufacturers and renovators are also justification for the increased amount requested. The actual expenditure of 1975-76 was \$13,500.00. Since March of 1976, the Consumers' Bureau Office of the Rentalsman is located at 307 Kennedy or the other function of Consumer Affairs is located in the Woodsworth Building.

The installation of the automatic switchboard at 307 Kennedy Street and a separation of our respective offices, has been a factor of increased costs. Also the costs of listing the telephone numbers of our offices in the rural directory is no longer assumed by the Department of Public Works and has become a departmental responsibility. The revised figures for the fiscal year 1976-77 is \$18,000 and a request for the same amount is being made for the fiscal year 1977-78. The actual expenditure in 1975-76 was 2.5 — higher costs generally and our assuming the Bedding and Upholstery Regulation responsibility reflects the need for an increase. I can't agree with the

Honourable Member for Wolseley that we increase services and cut down costs, it just doesn't work. The actual expenditure for 1975-76 in this area, was 7.9, and on this basis, \$8,000 is requested for the fiscal year 1977-78. In 1977 it is Manitoba's turn to host the annual conference of Consumer Affairs officials. The conference is held in the east and then in the west — last year it was held in Nova Scotia, the previous year in Saskatchewan, and in 1977 to be held in Manitoba.

I would feel, Mr. Chairman, that the honourable members would be interested in hearing some of the program objectives of these branches. The program objectives are: (1) Ensure that the requirements of legislation under the Bureau's administration are met; licence collection agents, vendors and direct sellers; licence private trade schools; licence hearing aid dealers; licence commercial cemetery owners and sales representatives; register manufacturers and renovators of bedding and upholstery material; receive, investigate and mediate consumer complaints with a view to resolution; arbitrate and mediate landlord and tenant disputes and security deposit and repair matters; provide an educational and an information program; co-operate with other agencies and groups interested in consumer affairs.

The policy guidelines and operational targets, the statutes under the Bureau's administration provide the main guidelines. Traditionally the consumer was left on his own and the *caveat emptor* principle was the rule of the day. With the passing of consumer protection legislation and the establishment of Bureau services, blatant inequities in the marketplace have been reduced and the consumer is now placed in a more equal bargaining position. The Bureau provides consumer assistance and through the information program, makes the consumer more aware of their rights and responsibilities in the marketplace. The Bureau's role has been a responsive one meeting consumer needs as these arise and surface from time to time.

The office of the Rentalsman works exclusively in the area of landlord-tenant relations and uses The Landlord-Tenant Act as the basis for enforcement. The objective is to provide equity in the field of landlord-tenant matters. I can say in regard to that point, Mr. Chairman, that we are looking at the Landlord-Tenant Act pertaining to some amendments. We may even have to contemplate possible amendments to the regulations themselves to make it more equitable to both the landlord and the tenant. I felt since my short time back in the Consumer, Corporate and Internal Service Department that that has not always been the case.

**MR. CHAIRMAN:** The Honourable Member for Morris.

**MR. JORGENSON:** The Minister has suggested that there are going to be amendments to the Landlord-Tenant Act to make it more equitable. I wonder if the Minister would care to tell the House in what way he figures that the Act itself or the administration of the Act is inequitable and who is it inequitable to?

**MR. CHAIRMAN:** The Honourable Minister of Consumer, Corporate and Internal Services.

**MR. TOUPIN:** Well again, Mr. Chairman, I indicated that either the Act and/or regulations could be amended in regard to what I consider to be more equitability between landlord and tenants. The specific of the bill and purpose of the bill would have to be discussed in detail in the House but I would like to possibly cite an example of the landlord-tenant dispute that doesn't seem to be equitable in the sense that one can receive adjudication by means of the Rentalsman, but not the other. In regard to possession of assets for whatever reason, the landlord would like to have access to the given premise that has been rented. Let's say as an example, that the windows are left open and there is duress imposed by the tenant not to leave access to the landlord. The landlord in most cases would not have the same treatment. I consider that the tenant may have against the procedure that he would like to take against the landlord and the tenant would go to the Rentalsman, and in some cases receive redress, and the landlord in most cases would have to go to the court. I feel that the services of the Rentalsman should be as equal to the landlord as it is to the tenant.

The bill that I am talking about is now printed and hopefully will be circulated in the House but I don't believe that this would be the time to talk about the principle of the bill, before it is distributed, given first reading, and then talk about the principle of the bill on second reading.

**MR. JORGENSON:** Of course, I am not interested in the details or the contents of the bill, but I am curious to have the Minister elaborate on his initial statement that there were inequities and I want to ask the Minister where the inequities exist. Is it in the application of the existing Act, the existing regulations? Is the Rentalsman himself the guilty person who deems it his responsibility to see only one side of the dispute between the landlord and the tenant? In that connection, I wonder if the Minister would care to give the House some information as to the number of disputes that have been brought before the Rentalsman and the disposition of those disputes whether they be in favour of the Rentalsman or in favour of the tenant or the landlord. I wonder if the Minister would have that kind of information for the House so we can make a determination perhaps on our own, as to inequities that might exist either within the Act itself or the administration of the Act.

**MR. TOUPIN:** Again, Mr. Chairman, with regard to the Rentalsman's office, I would like to indicate that as of December 31, 1975 there was a carry over from the previous year of 828; December 31, 1976 a carry over from the previous year of 979; complaints registered in 1976 that is up to December 31,

3,621; complaints closed as of December 31, 1976, 3,496; complaints outstanding at the end of the year, 571; complaints outside of Winnipeg, 494; complaints within the city, 3,127; telephone calls received, 84,031; telephone calls received toll free, 5,244; office interviews, 5,347; personal visits and inspections, 872; charges carry over from previous year, that is again up to December 31, 1976, 10; charges laid in the year, 44; dealt with, 30; outstanding, 24; disposition of closed complaints closed during the year, 3,496; closed with cash, 181; money involved, \$26,153.14; closed with adjustment, 246; money involved, \$60,198.83; closed with arbitration, 1,181; money involved, \$84,593.61; closed record only, 533; security deposits, 1,425; damage by tenant, 13; repairs, 774; privacy, 42; noise, 38; lockout and locking systems, 41; distraint, 39; rent increases, 169; notice, 286; discrimination, 3; sub-letting, 16; retaliatory notice enforced rights, 11; tenancy agreements, 248; punitive rent increases, 21; miscellaneous, 161; abandonment, 174; arbitration under section 120, 3; property inspection by public authority, zero in 1976; 2 in the previous year; landlords non-payment of utilities, 128; landlords assistance, 26; atonement, 3; this is for a total of 3,621. I don't have the breakdown in regard to decisions, how the decisions were made whether in favour of the landlord or the tenant. I don't have that breakdown nor do I have the decision of the courts in regard to cases referred to the courts. But what I'm saying, it seems to be apparent by my meeting with landlords and tenants, that there has to be some adjustments or some modifications to the Act and possibly to regulations pertaining to having rights available jointly to both. Of thirty-eight and a half staff in total, fourteen are dealing with landlord tenant matters.

**MR. SPEAKER:** The Honourable Member for Swan River.

**MR. BILTON:** Mr. Chairman, I'm quite interested in what the Minister has just related to the members of the committee. I wonder if he could inform the House as to how many landlords went to court and got redress?

**MR. TOUPIN:** Mr. Chairman, I don't have that before me. We could look at the record, and if we find it we could bring it back to him. In regard to the cases referred to the court, in regard to redress I am informed that we don't have that on record.

**MR. BILTON:** Mr. Chairman, I hope I'm not misunderstood by the Minister, but he did say that amendments are coming forward to give the landlord possibly the same rights through the Rentalsman as the tenant. What I'm interested in at this time, is that how many cases did the landlords have to take to court to get redress under the statutes as they are now?

**MR. TOUPIN:** This would have to be an approximate figure, Mr. Chairman, all over the province about 335.

**MR. CHAIRMAN:** The Honourable Member for Morris.

**MR. JORGENSON:** Mr. Chairman, the Minister supplied us with a great deal of information, and I don't want to discourage him from doing that, however, a great deal of it was unsolicited. What I really wanted to know was to what extent the administration of this Act is unfair as the Minister implied in his initial statement. One way that that could be determined would be to let us know how the decisions of the Rentalsman were rendered in total numbers at least so we will have some idea whether the Rentalsman has a one track mind insofar as the application of the Act is concerned or whether there is flexibility enough in the Act to allow him to use some discretion in determining who is at fault and whether or not a landlord or the tenant is the one that is being aggrieved. I don't believe, and I'm sure the Minister doesn't believe that the landlord is always wrong but from what I hear not only from landlords themselves but from a lot of people, the landlords rarely get anything in the way of a fair judgement coming from the Rentalsman. I wonder if changes in the terms of the Act or just a change of the Rentalsman might be the solution to the problem.

**MR. SPEAKER:** The Honourable Member for Pembina.

**MR. HENDERSON:** Mr. Chairman, I'm willing to let the Minister answer the questions first.

**MR. SPEAKER:** The Honourable Minister.

**MR. TOUPIN:** Well again, Mr. Chairman, dealing with the Act itself, the question is relative I guess, no matter what legislation we are talking about, I think we have to use a lot of common sense pertaining to dealing with permissive or very restrictive legislation. I happen to believe that the individual that we have as Rentalsman is using good judgement and using discretion as accorded to him under the Act and regulations. All I'm saying is that I feel within myself that we members of the House have to look at the Act, and we in Cabinet have to look at regulations pertaining to what I consider a possibility of being more equitable.

I'd like to indicate to the honourable members, Mr. Chairman, that with the increased volume of complaints, there was a companion increase in mediation and arbitration in the current year. In connection with the 1,102 arbitrations in 1976, the need for formal hearings of matters in dispute between landlords and tenants rose appreciably. There were 333 such hearings convened and of these, 309 were capable of appeal to county court, six appeals were filed, two were withdrawn, one succeeded in part, and the remainder, the Rentalsman determination was upheld.

In conducting a hearing, the Rentalsman seeks to obtain all of the facts in a dispute. For this purpose he provides an opportunity for both parties to bring forward any relevant information in

order that a determination will be fair, reasonable and accurate.

**MR. SPEAKER:** The Honourable Member for Morris.

**MR. JORGENSEN:** I have no way of disputing that but the facts seem to prove otherwise, and what the Minister hasn't answered of course is the initial question which would give us some idea as to proportion of those cases that are decided in favour of the tenant and the proportion that is decided in favour of the landlord. of The Minister says that the Rentalsman is administering the Act fairly and yet I come back to his initial remark when he said that there were inequities and he has not told us what those inequities are and why he seeks to have them corrected. If the Act is being administered fairly as he suggests it is, then what is his problem, why is it necessary then to have changes if there are no problems? On the one hand he suggested there are and on the other hand he suggested there aren't. I wonder if he could tell us then how many complaints are initiated by the tenant and how many by the landlord in the total volume of complaints that have been registered with the Rentalsman.

**MR. CHAIRMAN:** The Honourable Minister.

**MR. TOUPIN:** For the last part of the honourable member's question, Mr. Chairman, we don't have that on record but again I will attempt in a very brief manner to indicate what I consider to be a desire at least on the part of some landlords indicating that in a lot of cases that the Rentalsman is able to mediate and adjudicate on cases referred by tenants directly and he is not so entitled according to the Act to do so for landlords on other cases. For them this seems to be discrimination yet if you look at the powers that could be allocated or given to anyone, whether it be the Rentalsman or anyone within the Bureau by means of the Act or regulations, that it could be considered by others to be too much power but I happen to believe that the powers given to one person under the responsibility of administering that what is good for one should be good for the other and I am attempting to reflect that within the proposed amendments that will be before this House.

**MR. JORGENSEN:** I commend the Minister for his attitude and for his desire to ensure that there is fairness in the administration of the Act. I never thought that it ever would be otherwise yet he seems to imply that in the past there has not been fairness in the administration of that Act. Well then I know that the Minister didn't say it but the implication in his remarks are certainly there. Why else then would he want to change if there has not been some unfairness in the administration of that Act or unfairness indeed in the Act itself? All I can say is that I commend him for wanting to change an Act that he thinks is obviously weighted too heavily on one side and discriminates against the other party.

But the Minister provides a great volume of information to the House and again I don't want to discourage him from doing so, but he fails to answer the questions that are asked from this side of the House and I would like to have the information with regard to the complaints that have been lodged and who is lodging them and whether or not there seems to be . . . . He talks about the great increase in the number of complaints that are now coming in. Perhaps he can answer this question: Has there been an analysis, has there been a study, have there been any investigations conducted by his department to determine why those complaints are increasing with such great velocity in the last year or so? There must be a reasons for that and perhaps the Minister can give us some ideas as to why that is happening and then perhaps we could take the correct measures that are necessary to remove the source of a great number of those complaints.

**MR. TOUPIN:** Mr. Chairman, again it was indicated to me that we don't have the analysis pertaining to the reason for increasing complaints. We only know that there is an increase in complaints, a significant increase in some areas. I could give the breakdown of where these complaints originate but I can't give you the reason for the hefty increase in some and slight increase in others and even a decrease in some areas in complaints. I have a whole list of complaints that have been descending upon us in 1976.

**MR. JORGENSEN:** If he could give us an indication as to what type of complaints are on the increase he now says that there are some that are on the decrease. What is the nature of the complaint that is causing so much of the difficulty?

**MR. TOUPIN:** At the top of the list, Mr. Chairman, are automobiles. —(Interjections)— Pardon? Oh, I'm sorry, I'm sorry, Mr. Chairman. I was dealing with complaints generally. I will have to go through the area of landlord-tenant complaints. I am sorry.

Security deposits are at the top of the list of 1,425. I gave that list a little while ago. Now I indicated to the Honourable Member for Morris that I could not indicate to him where the complaints originated, whether it be from the landlords or the tenants, but when we talk on security deposits we can assume that the complaints came from tenants' 1,425. Damage by tenants, 13. Repairs, 774. Privacy, 42, so I would assume that comes from tenants. I could go down that list.

**MR. JORGENSEN:** As the Minister goes down that list, could he indicate whether each one of them represents an increase or a decrease from the previous year?

**MR. TOUPIN:** Okay. Starting again from the top: Security Deposits 1,425, as compared to 1,395 in the previous year. Damage by tenants 13, as compared to 18 in the last year. Repairs 774, as compared to 725 in the previous year. Privacy 42, as compared to 45 in the previous year. Noise 38, as

compared to 52 in the previous year. Lock-out and locking systems 41, as compared to 69 the previous year. Dstraint 39, as compared to 49 the previous year. Rent increases 169, as compared to 211 the previous year. Notice 286, as compared to 186 the previous year. Discrimination 3, as compared to 8 the previous year. Sub-letting 16, as compared to 13. Retaliatory Notice (enforce rights) 11, as compared to 8. Tenancy agreements 248, as compared to 177 the previous year. Punitive rent increases 21, as compared to 4 the previous year. Miscellaneous 161 as compared to 176. Abandonment 174, as compared to 165. Arbitration according to Section 120, 3, as compared to 2. Property inspection by public authorities, none, as compared to 2 the previous year. Landlord's non-payment of utilities 128, as compared to 11 the previous year. Landlord's assistance 26, as compared to 29 the previous year. Attornment 3, as compared to none the previous year; for a total number of complaints in 1976 of 3,621, as compared to 3,345 the previous year.

**MR. JORGENSON:** One comparison that seems to leap out at you is the landlord's non-payment of utilities. I wonder in the investigation of this particular complaint if you could tell the House just what he did find and the reasons why the utilities were not paid.

**MR. CHAIRMAN:** The Honourable Member for Wolseley.

**MR. WILSON:** Well, while the Minister is looking up that information, other than the work I do in the House I happen to have a great deal of knowledge in landlord and tenant relationships over the years going back to 1958. I think, and so does the Member for St. Johns, I would suggest that we are really acting out a situation here in which the tenants, rightfully so, have somewhere to go. However I do feel at some point in time there has to be a removal clause if it turns out that the Rentalsman has an unbelievable bias towards the property management people in this city. There has to be somewhere where they can go. So what they have done is simply stop going and that is drawn out by the fact that damage by tenants in a city of this size, do you mean to say only thirteen property management people complained? I find the figures possibly true but I can guarantee you there have been more than thirteen apartments and that damaged throughout the City of Winnipeg.

The power given to this particular person and the possible bias he may create is one which is shocking to low-income property management people as well as landlords in general.

In my own particular riding one of the traditions since I was a teenager was that many of the landladies in this particular rooming house district had house rules in which they said no visitors after 11. It was this particular rule which the Minister's department put pressure on one particular lady to say that this was against the human rights and all the rest of it, that she could not dictate, their home was their castle, but she could not, as owner of the particular property, dictate the behaviour of the tenants in her particular rooming house. This is one of the historical situations which was the fibre of our community which created a second mother for some of these very young people that came into the city and the very fact that they had some sort of a mothering by the old-fashioned landlady did a great deal to arrest the fears a lot of the rural parents had when their youngsters came in to go to school and other particular situations.

Another complaint they have is in the area of the damage deposits, that the government consistently never at any time sides with the landladies. Many complaints I had, some of them I forwarded on to the Minister, when landladies would get down on their knees after a filthy place had been left, a pig pen, and they would go in and say, "All right, can I have the \$40 damage deposit?" And the Rentalsman would say, "Produce the bills. It is all normal wear and tear." So she would have spent a week scrubbing this filthy apartment block and have to see all the money go to the tenant. The word is out. The word is out in the community that the only thing a tenant has to do is go down to the Rentalsman and he will get his deposit back.

I do agree under the old system it used to be called "mad money," where at one time you would never expect your security deposit back because it stood to reason if you lived in a particular three-room suite for two years, you would punch holes in the walls by hanging up pictures and doing certain things and certainly in many cases you would not leave the apartment in as good a condition as you might have before.

So the very fact that you have only 174 abandoned situations . . . One of the greatest complaints that landlords have is that these welfare tenants abandon them and there is no clause, any protection for them.

And also the area of security shut-off. A lot of them out of desperation, I would suggest, have begun using whatever means at their disposal to force tenants to leave. I am not saying this is correct but if they cannot get a fair hearing with the particular Rentalsman, they are going to use the old game of changing the locks, saying the lock was faulty, or using the old game of lowering the heat and all this. And I say to the tenant, "You have all your rights there, go after them." But in many cases rather than discussing it with the landlords they go into that situation.

The tenants — I do think something has to be done to protect them against — I call it — the corporate landlord. I think it is time that in the area of a couple of the more famous low-income and slum landlords like Shuckett and Pearlman that we have to have something to help the department



take these people to court whether it is under a health infraction or whether it is under the rentalsman section. The Law Society doesn't seem to want to do anything about these lawyers who are slum landlords so it is time that the government put some teeth into it, that when they have five or six corporations, Corporations A, B, C, D and they shuffle them around and it is a known fact the only reason they got these houses on the property is that so long as they have it there they can take the losses from that property and apply it to the more lucrative properties they have and this is the interchange. And I think so long as that particular slum is left without any teeth in the Act, and I know it is not all the Rentalsman's position, something has to be done to protect the tenants there.

I simply say that a lot of this has come to the fact that it could be one of the areas of dispute, if there is a measure of fairness. I do believe that the Minister back in 1970 when the late Mr. Mackling, did away with the right of collection by landlords, which was praised by the Member for St. Matthews as a means to bring Americans to our city, this particular Act when it was passed simply . . .

**MR. CHAIRMAN:** The Member for St. Matthews on a point of privilege.

**MR. WALLY JOHANNSSON:** Yes, the member is attributing a statement to me that I never made. If he wants to speak in this House, let him speak the truth.

**MR. CHAIRMAN:** Order please. The Honourable Member for Wolseley.

**MR. WILSON:** Mr. Chairman, I will be very pleased to forward a copy of the newspaper article to the member. I realize 1970 is six years ago but I remember it well.

**MR. JOHANNSSON:** If the member is going to make a statement about what I said, he either produces the proof now or he keeps his mouth shut.

**MR. WILSON:** Mr. Chairman, if the Member for St. Matthews did not say that the non-payment of rents and the availability of not having to pay rent would encourage more Americans to come to the city, then I withdraw the remark but as I recall it that is what he said at the time.

Anyway, far be it for that. What I am trying to say is what we have done, we have got to realize here again, the consumer, the tenant, is the one who suffers. You pass all these tough laws and believe you me, the owner of a block in many cases is in the position of a business and he does not lose money. He simply takes the non-payment of rent by the irresponsible tenant, the non-payment of rent by the non-paying tenant, the cost of taking this man through the court system, and invariably he is a skip so they never collect, all of these costs are passed on to the honest tenant.

So this great wave of consumer protection introduced by the government opposite and other governments across Canada has really created the inflation and is one of the problems of increasing rent. If you would have allowed the man to run his business as a business, then I am sure that there wouldn't be the problems that we have today. I am simply saying we are dealing with a Consumer Protection/ Act which I haven't got into yet, but under The Landlord and Tenant Act section, I think there has to be an examination to determine, not just an examination by politicians, but an examination by means of a confidential questionnaire to ask the property management people what is wrong with the Rentalsman's Office. Get those replies to come back in and say, "Will you use the Rentalsman's Office if certain changes are made?" And you will find that many of these particular landlords will stop taking the law into their own hands. And the reason they are is the fines are so low that they say, "Well, why bother." But it is a terrible state when people in this province have to break the laws of this land in order to accomplish an end which is mainly to get rid of undesirable tenants who want to pay no rent, damage the premises and not be able to get rid of them in a fairly expedient manner.

I think also, when we are dealing with senior citizens and people who are afraid of officialdom, there should be somebody down at the Rentalsman's office who they feel has compassion, who has the public relations and the know-how to be able to deal with these people that create this fibre of my particular rooming house area, and give them somewhere to go to get what they feel is a reasonable hearing.

With those few remarks on the Landord and Tenant section, I'm satisfied that improvements have to be made.

**MR. CHAIRMAN:** The Honourable Member for Pembina.

**MR. HENDERSON:** Mr. Chairman, it is no surprise to some of us on this side that there are going to be changes probably in the regulation and probably in the application of the Act because many of us pointed this out earlier, that one-half a month's rent as a security deposit was not enough. With the damage that can be done in houses and suites, anybody realizes that half a month's rent does not go very far. We always said that that wasn't enough and on top of that it had the other fault, which was that when there was damage done you were always told you could sue the tenant. And we know that the type of tenants that do the damage are the type that usually have no money either. They leave at night and you can't find them, you have a problem locating them, then you have to hire a lawyer to try track them down and try to bring a case against them and then they have no money. So you find that the landlords just haven't got a chance of getting that money and half a month's rent was never sufficient and it is one of the things that definitely should be raised.

Another thing under this same department there, under the Consumers Protection Act, I just

wonde does your office work with the Better Business Bureau at all, because I am one of those who has a feeling that the Better Business Bureau does a real service to the business people and to the community. I feel that if anybody feels that some business isn't proper or legal, if they phone up the Better Business Bureau that they will get a good honest answer and that they can often guide themselves from there.

Now I know in this day and age we seem to need a lot of consumer protection legislation and really there is a great deal on the books between the Canadian legislation and the Manitoba legislation. But I really think that somewhere along the line that people still have to be able to use their own brain because if they don't, you know, apply good commonsense when they are getting involved in different things, they are bound to be taken, because it's just the way business is. I think that some of these people should be told to open up their eyes and use a pencil and do a little figuring on interest and what their income is and a few other things, so that they don't get, as we say, in over their head and then have to go to people for protection all the time. How many people do we see from time to time who really spend more than they make and then they wonder why they can't pay their proper bills. This is where the landlords lose out in many cases, some of the tenants have all sorts of money for other things but the landlord's bill seems to be left to the last.

And in many cases where we have landlords, they are people who are in the community, they are established there, their reputation means something, and they are not as likely to be tough on that tenant, as the tenant is who just comes in, who has taken a job and then he is going to another town anyway. He is moving out anyway so his reputation don't mean anything. Anybody who is going to stay in business, whether it is renting apartments or whether it is in the car dealership or anything else has to be reasonably responsible if he is going to stay in that business.

So I feel that by having nursed people to such an extent all the time and telling them they can always come for help, is just like telling children when they start to school, "Everytime somebody does something to you, come home to Mommy." You know, protect them and protect them no end and I think that sometimes people should be taught the realities of the world and say, "Now listen, it is about time that you think for yourself once in awhile and do things that you know you can handle."

**MR. CHAIRMAN:** The Honourable Minister.

**MR. TOUPIN:** Mr. Chairman, in regard to the question posed of me by the Member for Morris, the prime reason indicated to me for the increase in utility non-payment is mostly in respect of gas listing bills to multiple dwelling buildings and in some cases the gas bill for a large number of houses owned by one landlord. So that is the reason given for the hefty increase.

I agree with the Honourable Member for Wolseley, Mr. Chairman, that we should do everything in our power jointly to deal with slum landlords and we should deal with tenants that sometimes leave to be desired, like the Honourable Member for Pembina indicates. And by all means we should use, at all times, commonsense pertaining to dealings with people or dealings with Acts or regulations of any level of government.

I would like to indicate to the Honourable Member for Pembina, yes, we do work with the Better Business Bureau. I am informed that our working relationship with them is good. We do work with the Department of Consumer and Corporate Affairs federally and we attempt to avoid duplication of services that is offered by those two levels of government. I agree with the Honourable Member for Pembina that if one always used his brain more often that we would have possibly less trouble in society than we sometimes have.

The Honourable Member for Wolseley indicated . . . called the now Mr. Mackling as the late Mr. Mackling. I am informed that he hasn't passed away, he is well and probably will be back.

**MR. CHAIRMAN:** The Honourable Member for Birtle-Russell.

**MR. GRAHAM:** Mr. Chairman, I just want to ask a couple of questions of the Minister, dealing with security deposits. At the present time, what is the interest rate that a landlord has to pay on security deposits?

**MR. CHAIRMAN:** The Honourable Minister.

**MR. TOUPIN:** Four percent.

**MR. GRAHAM:** Mr. Chairman, I believe in your report that we have, as of December 31st last year, the office of the Rentalsman handled a total of \$170,955.58 through the various problems where money was paid to them. Do they pay interest on that money to the people involved as well?

**MR. TOUPIN:** The Rentalsman doesn't pay interest.

**MR. GRAHAM:** Mr. Chairman, these moneys are moneys that in all probability, had they been left with the landlord, he would be forced by legislation to pay interest to the persons involved. Would it not seem conceivable that if that money is transferred to the province — I imagine the province handles the money in trust for the Rentalsman — would it not be somewhat consistent that interest should be paid there as well?

**MR. TOUPIN:** Well again, Mr. Chairman, the Honourable Member for Birtle-Russell is asking me to review a policy and that is something that I am certainly willing to look at but I only indicate what the existing policy is.

**MR. GRAHAM:** Mr. Chairman, I am sure the Minister was also a member of the committee, that when we dealt with the Landlord and Tenant Act there was a great deal of representation made dealing with that very point of the payment of interest on security deposits, or money that was held in trust, whether it be by landlord or anyone else. I would hope that the government would not place themselves in a special position where they demand one thing of an individual in society where they themselves are not prepared to live up to the same standards that they impose on others.

**MR. CHAIRMAN:** The Honourable Member for Wolseley.

**MR. WILSON:** Before we leave the Landlord and Tenant section and get on to the Consumer Protection Act, I wondered . . . I received a number of calls pertaining to government's role with landlord and tenant relationship and I wonder if the Minister studying possible future improvements in this area, if he might look at the possible standard, and I realize this possibly comes under the health section but there may be a role here for a meeting of the minds of this Minister and the Minister of Health and possibly the Minister of Labour who is in charge of fire safety. There doesn't seem to be any information available where a particular small landlord can go to find out standards pertaining to equipment that he wishes to put in his particular rooming house, pertaining to fire protection, what particular gadgets are useful, what particular gadgets are not. Is the \$2,000 installation fee a rip-off compared to if he did it himself for say \$250.00? Is somebody not concerned that this cost will be passed on to the tenant? Is there no information that could be made available — and I'm talking about education now — to be able to have the landlord go somewhere? I understand one particular landlord that called me said he went to the Federal Government, he went to the Provincial Government, he went to the fire safety office, he went to the City of Winnipeg, and no one could tell him anything about the equipment that was being flogged on the market; and that is a thought I have in pertaining to the upgrading.

There is also the question of many of the by-laws of which the City of Winnipeg are putting out, are unrealistic, because in my area the rooming houses might be 40 to 60 to 70 years in age, and the third floor of these particular homes do not lend themselves to six-foot high doors, because in many cases the ceiling is five and a half feet; and also the attachment of metal fire escapes to the outside of the building, it seems there has to be an overall review of making landlord and tenant relationships more meaningful.

I do wonder if the Minister might comment on the landlord's suggestion by the Landlords Association, that they are now going to keep track of tenants who damage property and tenants who don't pay their rent. I wondered if the Minister or the Rentalsman's office was going to attempt to stop this or are they encouraging it?

**MR. CHAIRMAN:** The Honourable Minister of Consumer Affairs.

**MR. TOUPIN:** Well, Mr. Chairman, the Honourable Member for Wolseley is throwing quite a curve at me in the sense that he's wanting the department to take an additional responsibility. Because he knows the responsibilities we have pertaining to equipment that is made mandatory by the Fire Commissioner and/or the given municipality and he knows that we don't have that responsibility. In knowing that and asking us to correlate or to act as a central agency, and if we do that if I instruct my staff to hire somebody else to do that, next year he'll come back and "wham", you know, why do you have additional staff? Why do you have additional funds in this area? We can't have it both ways, Mr. Chairman. We can't talk about additional services, and yet cut expenses.

There is responsibility that lies now with the Minister of Labour in regard to the Fire Commissioner. There is responsibility that lies with the given municipality in the City of Winnipeg. We deal with the City of Winnipeg. Yes, I agree, that there is indicated to be a problem in regard to communication pertaining to what is desired at least on the long-range basis by some municipalities, and that builders should maybe communicate with the given municipalities longer ahead of time if they want to modify their blocks or build a new structure, so they can receive that in ample time. I think that's where lies most of the responsibility or being the lack of communication.

Surely the Department of Consumer and Corporate Affairs, Rentalsman included, is worried and concerned about damages being caused by less responsible tenants and I have to agree that what is being sought by the *bona fides* landlord is well intended in regard to having a list of damages occurring by less responsible tenants. I think that's their right. I think a tenant that is not able to meet his responsibility and wilfully damages a suite, a home, should be dealt with by the courts, and should certainly not be given the right to have a proper home if that's the way he deals with property of others. You know, there has to be a responsibility there.

But I can't, for the love of me, have the onus put only on one. You know when we talk of those less fortunate in society, not of their own doing, that in regard to damages that have occurred, I think it has to be a joint responsibility if we're talking of welfare recipients.

The Minister of Health and myself, and the Landlords Association, other associations are discussing hopefully what will conclude to be a joint responsibility of what will happen pertaining to some type of security to those who have an asset to protect.

**MR. CHAIRMAN:** The Honourable Member for Wolseley.

**MR. WILSON:** I didn't mean to wander, but I think the Minister is agreeing with me. The reason being is that my questions to the Minister of Labour have indicated to me that he has a particular bias in wanting to accept this responsibility in talking to standards of equipment to upgrade and make apartments and tenancies more safe for tenants, and this is the situation. I felt that you in charge of the Rentalsman department would be able to communicate to the Minister of Labour as a member of that side and indicate to him that these standards and information to the small landlord who doesn't know where to go for information, is missing. It's a void that is there and we would hope that you would be able to convey that message to the Minister of Labour since we, opposite, have not been able to do so.

I have been telling these landlords to write the Minister of Labour and I hope that he gets a flood of mail.

**MR. CHAIRMAN:** The Honourable Member for Morris.

**MR. JORGENSEN:** Mr. Chairman, in this particular branch of the department, the note indicates that it deals with consumer protection, Landlord and Tenant Act, and the Personal Investigation Act. I wonder if there is a breakdown as to the administration of all of those three separate component parts. The item does not indicate it or is . . .

**MR. TOUPIN:** We have some difficulty in hearing the honourable member. Either we have a bit of peace and quiet or if he could speak a bit louder.

**MR. CHAIRMAN:** Order please.

**MR. JORGENSEN:** Well, perhaps the softness in my voice, Sir, was a reaction to last night when the Minister spoke very loudly and I didn't want to duplicate that effort.

But what I asked the Minister is, can he give us a breakdown between the administration of the Consumer Protection Act, the Landlord and Tenant Act and the Personal Investigation Act? It's lumped as one sum in here and I wonder if they are all administered under the same group of people or are there three separate administrative offices?

**MR. CHAIRMAN:** The Honourable Minister.

**MR. TOUPIN:** Mr. Chairman, there is no breakdown as such in regard to the three areas, but I can go through the appropriation itself and that will enlighten the honourable member.

We are talking of 38.5 staff in total; 14 are dealing with landlord and tenant matters and the balance of 24.5 are dealing with other aspects of the subject matter before us. —(Interjection)— About approximately .5 on the Personal Investigation. So there's less than one person involved in that area.

**MR. JORGENSEN:** I take it that the bulk of the administration costs involved to here deals with the administration of the Landlord and Tenant Act.

**MR. TOUPIN:** Two-thirds, I'm informed, Mr. Chairman, is Consumer and one-third, the Rentalsman.

**MR. CHAIRMAN:** The Honourable Member for Wolseley.

**MR. WILSON:** Thank you, Mr. Chairman. I wanted to leave the landlord and tenant section if my colleagues have finished. Again, I do hope the Minister of Labour will read Hansard and talk about my concerns pertaining to the property management people and small landlords of this province wanting help, pertaining to making their places more safe and wanting and desiring to want to make their establishments safe. They don't want any more fire deaths on their conscience and they are looking for leadership from that side of the House. We certainly hope it is forthcoming.

In the area of Consumers Bureau, I wondered if the Minister — before I get into what I think is a situation that we are certainly giving the consumer ample opportunity in areas of which to protect himself after he becomes over-burdened with the consuming of large purchases — I wondered if the Minister might care at this time to explain to the House the possible costs of this very elaborate presentation of which he is going throughout the province preaching, and it is called a "Kit of you and Your Shadow", and I wondered if he might indicate if this is going to be part of the educational system. Is it just for a two-or-three-class-program and then it is forgotten about? What assurance can we have that this information will be hammered home so that the students would have to write some form of examination or what have you? Is it going to be part of the educational curriculum? Maybe he could explain that.

The other aspect is, if he could possibly explain the purpose of the cards — is this part of a new card game that the Minister has got for the children of the school system to use? And was there any particular salary over and above the deputy's salary for having the voice-track on these tapes? I'm referring to the gentleman in front of you, Mr. Mason, whose voice appears on these cassettes. At least I'm wondering if it's the same Mr. Mason on these modules. Did he do this as a public service to the department or was he paid extra for this?

Could the Minister also indicate what cost each one of these kits might be and how many has he got printed? Will they become outdated as the Minister introduces more consumer laws to protect the consumer against the business community? Will it have to be redone again or is there a space — I notice on these tapes that only about a third of the tape was used — is it designed so that there can be

an add-on as laws change? —(Interjection)— Pardon me? Well, in fairness to the Minister, I saw nothing about the NDP in any of this literature. I didn't see the Minister's name mentioned anywhere and I give him credit for that because the former Minister would have had his picture on the screen. I would like an explanation of that before I go on. It's quite an interesting kit. I could loan it to my colleagues, they might want to ask for an explanation of the game personally.

I wondered if the Minister could also explain the slides inasmuch as there is a lot of people involved in the slides, and do we have to pay these people a particular . . .

**A MEMBER:** Modelling fees.

**MR. WILSON:** . . . well, yes, modelling fees, or is there any ongoing cost to us or did we get a release from these people which would allow us to use their pictures pertaining to the program? So, I'll just leave that. Again, I'll pass this on to my colleague from Pembina so that he can maybe offer his comments.

**MR. CHAIRMAN:** The Honourable Minister.

**MR. TOUPIN:** Well I guess, Mr. Chairman, it's difficult to win with the Honourable Member for Wolseley. He had heard I guess through people involved in the creation of this material, that this would be available in the upcoming school year — and here we're talking about "You and Your Shadow" — and it is intended for school kids. I can indicate that the voice of Mr. Mason was put there at the same cost, he's not receiving any additional *per diem*. That's all part of his, either 14 or 18 hour a day job that he has.

I was thinking of putting mine on there and putting a bit of a jingle, but I know the honourable member wouldn't have liked that. So we took what was considered at least by some, to be second best, being the Deputy Minister, in answering questions.

I don't have the breakdown of the total cost of the kits themselves. This has actually been worked on over the last two years. It will be continuously updated in regard to whatever is changing within the Consumer Protection.

The tapes themselves, people that were taken will not receive a Royalty. It wasn't considered to be advisable to have New Democratic propaganda, nor Conservative or Liberal. The costs of the kits themselves, and the number of kits, and the details in regard to this being on the school curriculum will be supplied to the honourable members.

**MR. WILSON:** The kit does explain the system, except that . . . I guess I could save my comments until we do get into the Consumers' Bureau but some of the information is there and I would hope there is some form of examination to see if . . . If you're going to take the time of the educational system to put this through, I wondered if there was some examination to see if the young people of this province did in fact absorb some of the many side-lights of this game, or course that you have before them. Is it part of the educational system, is there some examination, or is it just a two or three day message to carry to them?

**MR. TOUPIN:** Well, Mr. Chairman, I don't know the exact number. I was attempting to find out exactly how many teachers were involved. In regard to the material content, the advisability of having that type of information launched in the school system, it was tested in schools and found to be appropriate, so it's a question now of having it officially launched in the school system this coming fall, that is in the 1977 fiscal year.

**MR. WILSON:** I wondered was this material put together by the Queen's Printer. The Minister did not give me a total cost to date of this . . .

**MR. TOUPIN:** Mr. Chairman, I indicated a while ago when I stood up to answer previous questions that I didn't have the exact cost, that I would get that for the honourable member. I'm informed now that some of this was done by the Queen's Printer and other, say, related material was contracted out. When I do come back with the breakdown of costs that will be contained, in regard to where the work was done and for what cost.

**MR. WILSON:** I think this is a very very important section. I'm sorry it's taking so long but the Consumers' Bureau does deal with the Consumer Protection Act, The Landlord and Tenant Act, and as you pointed out The Personal Investigations Act has really still been left to the private sector and as a result it doesn't require very many staff man hours.

There should be some remedy, in my opinion, to the particular person and I'll deal with this light one called The Personal Investigations Act. There are two things that sort of bother me. One is the fact that spiteful business people can give erroneous information to the credit reporting agency and, of course, there is that type of remedy that the person eventually, when he finds out that there is erroneous information on his file, can have that corrected. Unlike the United States, there doesn't seem to be any penalty for a particular businessman knowingly giving false information to a particular credit reporting agency.

There seems to be another twist in this thing that's again getting into the licensing. I would like the Minister to possibly tell me what a private investigator's licence is. And one of the questions that I raise is why is it impossible for a private investigator to hold down any other job or position in the community? I felt that that was rather an odd twist of the Consumer Services Officer's rulings where

they said that a private investigator could not be . . .

**MR. TOUPIN:** On a point of, I believe, procedure. The honourable member is talking about a private investigator that falls under the Attorney-General.

**MR. WILSON:** Well under the particular private investigation licence and the role of it, he does come under the Consumers' Bureau because it is this Minister's department which tells him and informs him that he is breeching a particular Act because he is attempting to do other workover and above his private investigation duties. And what I am hinting at is that when we get into the Consumers' Bureau I will point out the unbelievable powers that members of this House have given to the Consumers' Bureau research officers and those, of course, powers are being upheld in many cases because they are given such a low priority in the courts that the judge who is sitting in judgment when these cases go to court, in a very boring fashion, has two rulings. One is the person is let off, and two, the person is guilty. And the point that I'm trying to make is that the role of the Consumers Protection Act seem to me to be one that should have been remedial action of looking at particular disputes and trying to solve them without entering into the very very expensive court system. — (Interjection)— Well, this is the particular problem.

I did want to touch upon the area which I think is very important and that is we are really creating a particular debtor's haven in Manitoba because what we have done is we have passed on to the honest consumer, through inflation, many many costs. Look at what the person who doesn't want to pay his bills has to offer in the community. First of all, he has the Consumer Protection Bureau which is there to throw roadblocks in the way of the business person who wants to realize a particular debt. He then has, if he has a large number of debts, can go on OPD. If he's not familiar with OPD he can then go to one of the government funded agencies, called The Community Consumer Credit Counselling Services, of which are free, paid for by taxpayers' money, which will tell him how to avoid his just obligations. He will then go to OPD and even though the particular person in charge of this section is told not to handle anything unless the person can clear off the debts in three years, I challenge the Minister to look at the fact that this particular OPD is really being used as a roadblock and very few of these people have any intentions of ever paying their bills, and the percentage of the 6,000-some-odd cases or whatever it is, you could go over there and find out very few of these people have ever intended to carry out their orderly payment of debts. It would be more like a non-payment of debts, and that's a particular roadblock that has been set up.

In other words, what we need is some responsibility to the government who has set up this section to monitor these people to see if they are working, making a substantial income — how come you haven't come you haven't come in here and made your payment every three months as you have indicated. In other words, there should be some responsibility to monitor . . . In other words people shouldn't be able to just go there and file, and then forget about it.

I did want to comment that the increases in the bankruptcy, which is a federal problem . . .

**MR. CHAIRMAN:** Order, please. The hour being 12:30 I'm leaving the Chair to return at 2:30 this afternoon.