

**Senator Roblin:** They may be subject to it, but they don't. So why would we toss out a perfectly reasonable price control mechanism when we had it already in the bill? So when I get back home, I will have to tell my people why we have increased the generic prices by 10 per cent right off the bat, and why we have deprived ourselves of this method of controlling drug prices in the patent section and the others. So, it appears that I will have a very tough argument.

But I know when I am beaten here. I know that I have lost the argument here; but I really cannot see the logic of this arrangement. I am sure that the committee could have made other recommendations to deal with this problem. I am not one who will say that Bill C-22 is a perfect bill. I do not believe it is; but it seems to me that we have not done a very good job of remodelling it in the interests of the people whom we say we are trying to serve, namely, those who will find increased drug prices a burden. We are certainly not doing that.

There is another thing that we are overlooking altogether. I suppose I should not get into this argument too deeply, because I know that it has no weight in this chamber. There is in my mind a lingering dissatisfaction that we are not willing to recognize that intellectual property has a value and therefore should have a right. If we were talking about someone who was inventing something else besides drugs, we would understand the value of intellectual property and we would have no concern about it. We would consider it to be a natural requirement. But we are now, apparently, turning our back on that argument altogether.

It is bootless for me to mention people of some repute—Dr. Polanyi, for one, whose name might be familiar in this chamber—who are engaged in research, or who saw some advantage in recognizing intellectual property, because this house obviously is determined that this form of asset deserves no real respect in Canadian legislation. Of course, its long-term effects are, I believe, perhaps unquantifiable but certainly are identifiable—because what is the advantage of a new drug? The advantage of a new drug, no matter how we get it, is to help people who are sick to get better. But there is something more than that about it. We know that the introduction of new drugs in this country, all from foreign sources, has been an important element in restraining the price of medicine, of doctors and of hospitals. We ignore that issue entirely as though it did not matter. I say that you cannot quantify it, but experience teaches us that the introduction of new drugs, which will help people who are sick of diseases which now we cannot treat, is not only of value to them but it also has an important application with respect to the cost of medicine in this country as a whole in keeping people out of hospital—which is the most expensive aspect of the matter—and so on.

I know that those arguments have been thoroughly canvassed and have been rejected by the Senate, so it is bootless to press the point. I simply say that on the basis of the bill that we have before us now, I do not really understand how it is helping the poor in the way that it is being presented as a help to the poor. I hope it is not harmful. I will not say that it is. I was not present at all of the discussions that took place in

[Senator Roblin.]

committee, and possibly my knowledge is somewhat limited; but I can simply say as a relatively impartial bystander—if there is such a thing in this argument—that the amendments we have proposed may or may not be good, but in my opinion they are defective, and I regret that this house seems determined to support them.

**Hon. H.A. Olson:** Honourable senators, I rise to intervene briefly to express our appreciation to the members of the Special Committee who spent a great deal of time—particularly when some of the rest of us were away on summer recess in July—listening to the people of this country, from one end to the other, giving their views on the provisions of Bill C-22. In particular, I do so because of the speech made by Senator Flynn. He began his speech by imputing motives to the members of the committee, and, I guess, even to the supporters of the government on the committee, which he knows very well is absolutely against the rules. Nevertheless, he, the great champion of making sure that the rules are followed, begins his speech on the basis that there was no motivating concern, that it was strictly a political, partisan motivation that propelled the members of the committee representing the opposition.

• (1340)

**Senator Flynn:** I was never ruled out of order.

**Senator Olson:** No.

**Senator Flynn:** So try to understand.

**Senator Olson:** Anyway, you are always out of order—

**Senator Guay:** You are out of order now, Senator Flynn.

**Senator Flynn:** I could rise on a question of privilege, if you like.

**Senator Guay:** We are getting used to you anyway.

**Senator Olson:** I was not a member of the committee, but I can appreciate what the members of the committee have done, and particularly the timeframe in which they did it. I think the record ought to show that there are many senators here who understand that what has been reported by the committee, including the proposed amendments, is an honest and sincere response to what the committee heard across the country.

There is one other thing that should be on the record, and it is really why I am standing. I know that Senator Flynn really made his whole speech tongue in cheek.

**Senator Flynn:** In part.

**Senator Olson:** In part, yes. However, this attitude would not show up in the record as well as it does to me, as I sit right across the aisle from him. I would like people who read the record—and, by the way, several thousand do so—to understand that Senator Flynn was trying to take a politically partisan position by moving the amendment, which he knew was out of order.

**An Hon. Senator:** Now you are out of order.

**Senator Olson:** Now I am out of order! Oh dear, I am out of order, just as Senator Flynn was out of order. Senator Flynn