

*Patent Act*

**Mr. Sergio Marchi (York West):** Mr. Speaker, I, too, am very pleased to stand in my place and speak on Bill C-22, particularly with reference to Motion No. 12 proposed by my friend in the New Democratic Party. Bill C-22 is an important piece of legislation for all Canadians. Through Motion No. 12 we are suggesting that in addition to the entire issue of a 10-year patent protection being somewhat unfair, it is unfair with regard to new drugs introduced between first reading of this Bill and the present time. Should the exclusivity clause be triggered, it should not affect those drugs introduced before the Bill was approved by the House of Commons.

Canadians are asking themselves why the large multinational corporations which are discovering drugs are being given a 10-year monopoly. Professor Eastman, a recognized and well-respected expert in this field, has suggested that an exclusivity period of four years is ample time for the multinational corporations to get a return on their investment and register a profit, and that after that time the generic companies in Canada should have the opportunity to duplicate these drugs for the use of Canadians in exchange for a royalty paid to the discoverers of the drug. He suggested that in the end the consumer would also win with a four-year equation.

We must look at the entire equation. We must recognize that the corporations which are investing resources, capital and brainpower to discover new pharmaceutical drugs to cure various diseases and illnesses must have some protection too. The four-year equation recognizes that the generic firms also have to live in this country. I have perhaps the largest of the generic drug manufacturers, Apotex, in my riding. It, too, has invested a great deal of resources and man and womanpower. It has doubled its buildings in the last number of years. It, too, would be affected negatively if Bill C-22 becomes a reality. The resources and jobs in that company are on the line as are the taxes it pays to the City of North York. In addition to the large multinational corporations which propose those arguments, the generic firms which employ Canadians from coast to coast are meritorious of our consideration.

The third player in the equation is the consumer. Under a four-year equation the multinational corporations will make a return on their dollar; the generic firms will be able to compete, expand and pay royalties to the multinational corporations; and the third player, the consumer, will also win. The consumer would be able to obtain drugs at an acceptable and accessible rate. We should not lose sight of the consumer in this equation. We in this Party believe that all Canadians, whether rich or poor, whether young or old, whether living in Toronto, Vancouver or Halifax, who need prescription drugs have the right to have drugs at their disposal which will not cost them an arm and a leg. That was the vision of Professor Eastman in his recommendation of a four-year plan. Canadians want to know why the Conservative administration wishes to increase patent protection from a four-year proposal to ten years. They want to know for whom the Government is introducing such a proposal and who will benefit from this legislation. It will certainly not be Canadians at large,

including senior citizens on fixed pensions who require regular drugs. It will certainly not be single mothers with a number of children who require medicine.

• (1620)

Obviously, the large multinational corporations from the United States who are essentially dictating this policy will be the winners from this legislation. They propose that there will be some \$1.4 billion in research and development, but there are no guarantees. There are no guarantees that the money will be spent in this country or that the spin-offs will take place here rather than in the United States. There are no guarantees that jobs will be created in this country for Canadians. Even the argument of increased research and development is not certain.

What evidence will Canadians have that this process will result in a progressive step in our over-all medicare program? Many of us have spoken to our American friends who told us they envy our system that we have been able to build in this country. They envy the fact that our medicare plan means that a person who needs an operation or treatment for a serious ailment will not have to mortgage his or her house to receive that attention. As great and powerful as American society is, there are horror stories about individuals who must mortgage their homes in order to obtain operations or stay in hospital.

This legislation would run counter to the traditions we have built upon in this country. The greatness of Canada can be measured in part by the way the Government and society treats the needy, the elderly, the homeless, the hungry, and the sick. If this legislation goes through, historians will not be able to regard it as testimony to the greatness of our compassion toward those in our society who need our assistance. It will not make drugs more accessible and affordable to those who really need them on a daily basis. Canadians are telling the Government that if it is going to tinker with the system and modify it, then it should do so in a progressive way by enhancing it on the basis that those in our society who are sick will have a greater chance to get better through increased accessibility and affordability to pharmaceutical drugs.

I notice that you are indicating that my time is up, Mr. Speaker. I hope the Government will at least support Motion No. 12 in principle but will generally begin to understand what it is doing with this legislation, who it is affecting and who is being served by it.

**Mr. Nelson A. Riis (Kamloops—Shuswap):** Mr. Speaker, I am pleased to support Motion No. 12 standing in the name of my hon. friend, the Member for Winnipeg North (Mr. Orlikow). Motion No. 12 deals with retroactive application of amendments to restrict generics. This amendment to the Bill attempts to bring in some competition to the market-place.

I find it incredibly peculiar, to say the least, that the Government is not prepared to welcome competition in the market-place when it comes to generic drugs. Bill C-22 is very unfair because it denies Canadian consumers new generic