

*Copyright Act*

remember that when this bill was before the House a few days ago, the hon. member for South Wellington (Mr. Guthrie), presented considerable opposition to this section that is now under consideration. I have had a conference with my hon. friend and have submitted to him an amendment which we hope will meet with the approval of both the authors and the printers and publishers, but I am bound to confess that to-night I am somewhat confused to find that my hon. friends opposite, who I thought were opposed to our bill as originally presented, now seem to indicate that they might be opposed to the amendment I had in mind to present to satisfy those whom my hon. friend for South Wellington represents. I am bound to say on behalf of the government that if the committee is willing, the government would be quite prepared to allow the bill to go through as originally presented, but my hon. friend for South Wellington presented an argument the other evening which almost convinced me that there were others who had some rights, and I was hoping that the amendment would satisfy all interested.

Sir HENRY DRAYTON: I must say that I have been taking no stand at all on the bill or the proposed amendment. I was simply asking for information, and I have not been given any information yet as to what the minister thinks of this telegram or as to what is going to be done. Perhaps it would be fair to ask the minister just what is being done by this bill. What rights are being created on the one hand, and what rights are being taken away on the other, either from the publishers or authors?

Mr. ROBB: Perhaps my hon. friend for South Wellington would present his argument again to the House.

Sir HENRY DRAYTON: I would think the government would have some idea of what they were about. I would think that the minister ought to be able to tell the House what he thinks should be done. He tells us that there was an argument made against the bill the other day by the hon. member for South Wellington, but it does seem to me that the responsible minister in charge of a highly important bill like this should tell the House just exactly whose rights the bill will interfere with on the one hand, and what rights it will create on the other, and generally what the effect of the legislation is.

Mr. ROBB: Perhaps my hon. friend was not in the House when the bill was presented a few days ago. Had he been here

[Mr. Robb.]

then he would have known that not only the hon. member for South Wellington but the chief whip of the Opposition, the hon. member for South Simcoe (Mr. Boys) presented considerable opposition to this particular clause. My hon. friend will remember that the government of which he was a member put through a Copyright Act in 1921, which was assented to on the 4th of June, 1921, but after having passed both Houses of Parliament the government for reasons which I am not called upon to explain never proclaimed the act although they were in power all the balance of that year. It was contended that the act passed in 1921 failed to comply with the requirements of the Berne convention, and that consequently Canadian authors were deprived of privileges which they might otherwise enjoy. This amendment now presented to the House is to make the bill of 1921 acceptable to the authorities of the Berne convention and to allow Canada to become a member of that convention.

Mr. GUTHRIE: Has the minister been able to find any correspondence with the Berne convention to show that the convention itself objects to those particular clauses of the act of 1921? I might say that I made the statement when the bill was before the House on a former occasion that information had come to me that the only objection that had been made by the Berne convention was an article which appeared in a newspaper published in Switzerland which is supposed to be the official or unofficial organ of the Copyright convention. I stated that my opinion was that the article had been written by a civil servant in Ottawa, and that that was the only objection which the Swiss authorities had so far taken. Since that time the gentleman whom I have named, the member of the Civil Service, has done me the honour of calling upon me and explaining that the article in question which appeared in the newspaper in Switzerland was not actually written by him. He says he supplied the material and the records to the newspaper, but did not actually write the article. I think in justice to this gentleman named I should make that statement to the committee. While I am on my feet permit to say this: I was satisfied when the bill was up before, and I am just as firmly satisfied now that apart from the minister himself there is not a man in the committee at this present moment who understands this legislation.

Mr. ROBB: You might include me.

Mr. GUTHRIE: And the minister himself admits that I may include him. I have tried