

had received ample consideration and they were anxious to have it reported.

In view of these circumstances, I am rather of the opinion that we would serve ourselves well if we were to allow third reading to proceed at this time. I think that is the reasonable thing to do.

Hon. J. Harper Prowse: Honourable senators, I rise on a point of order. It seems to me that to move that the bill be read the third time on some future occasion, and particularly on a rather distant future occasion, is nothing more than putting it over for six months, which is a way of killing the bill. If further consideration is required a motion must be taken in committee. If there were before us a motion that the bill be not now read the third time, but that it be returned to the committee for further consideration then, with all respect, that motion should be agreed to.

The Hon. the Speaker: The proceedings as they have developed are perfectly in order. There was a motion for the third reading of the bill, following which, of course, there could be a debate. That debate began with the speech of the honourable Senator Lang, followed by the honourable Senator Macnaughton. After giving some explanations, Senator Macnaughton moved that this debate be adjourned until September 7 next. We are now faced with a motion to adjourn the debate.

Hon. Mr. Prowse: Honourable senators, I rise on a point of privilege, and not to debate the motion. It was agreed that there should be a motion for third reading, on which honourable senators may vote as they please. Now we have a motion to adjourn consideration of the bill which, if agreed to, will effectively kill it.

Hon. Mr. Flynn: No.

Hon. Mr. Prowse: I submit that we should have before us a motion to refer the bill back to committee. To adjourn consideration, when everyone has the necessary information, negates the work that has been done.

Hon. Allister Grosart: Honourable senators, I find myself in the position of being in favour of third reading being given to this Government bill today. On the matter of the suggested delay, as Senator Connolly (Ottawa West) referred to it, although I find myself in agreement with his remarks otherwise I do not agree with his statement that the minister suggested that the question of the public interest in the bill might be considered, and that we hear witnesses from the Economic Council. With respect, that was not, as I heard it, the suggestion of the minister. A specific question arose as to the nature of the property right in copyright. The Economic Council of Canada had reported on that particular point. The minister suggested that the committee might wish to hear representatives of the Economic Council. A motion that those witnesses be called was defeated by a vote of seven to three. The committee also voted to report the bill without amendment.

Senator Lang is convinced that this is merely an intrusion by the Government into a dispute between two

[Hon. Mr. Connolly (Ottawa West).]

commercial interests. Again with respect, that is not a fair interpretation of this bill. The minister made it clear that there were broad principles involved. One was the principle of the whole revision of the Copyright Act. One of the very good reasons he gave was that the revision of the Copyright Act should be *in toto*, not on a piecemeal basis.

Hon. Mr. Flynn: As is done by this bill.

Hon. Mr. Grosart: That was the point he made. I would not agree that this is in that category, but that is another argument.

It is not only the interest of the radio broadcasters and record manufacturers that are involved. It so happens that the major interests involved are those of the authors and composers of music in Canada. At the moment they have the exclusive right to the performing rights in practice. The purpose of this bill is to reserve that exclusive right, which is their main source of living, to the original owners of the copyright under the Copyright Act.

A third point made by the minister, which I mention to indicate there is a principle involved, was that the rights sought by the group of record companies are not granted to record companies in the United States. The minister made the point very strongly that we should not grant rights to record companies in Canada, the majority of whom are American, to collect certain fees in Canada and export the bulk of them, although there were assurances that this would not happen. Under United States law they cannot collect such fees in the United States.

Those are some indications of the principles involved, which take this bill far beyond the narrow scope suggested by Senator Lang. I have to admit that the antagonists and protagonists who appeared before the committee largely represented these two interests. However, the minister made it very clear that a much larger principle was involved.

Hon. Mr. Flynn: Honourable senators, I am very happy that Senator Grosart has indicated how difficult the problem posed by this bill is by saying that not only the interests of record manufacturers are involved, but the interests of many others. However, I do not wish to go into this, because we do not have the report of the committee before us. If we had the report of the committee, all honourable senators would be able to assess the situation and would discover that other people are very much interested in it, namely, the performers, who presently have no rights, except that they are indirectly protected by the rights given to record manufacturers. I suggest to Senator Grosart that this is a much larger group than that of the composers or authors.

What was made quite clear in the committee is that the Copyright Act should be overhauled in its entirety and not refashioned in a piecemeal way, as is the case with this legislation. We are not able to make a definite judgment, and that is why I am uneasy about this bill, and why I feel, like Senator Lang, that we are not really in a position to deal with it at this time. We will be asking