

licence is not obtainable on reasonable terms and conditions.

Could the honourable gentleman give us an idea of what he considers to be "not obtainable on reasonable terms and conditions"?

Senator Frith: I will be dealing with this when I speak to the next order. However, that is the problem. One can see, I hope, from what I said, that there should be negotiations for a licence. The negotiations take place between the users, which in this case will be the educational institutions, and the collectives, and they will be negotiating a licence. The problem I see with Bill S-8 is that it will say: they do not have to get a licence, if they can say it is "not obtainable on reasonable terms and conditions." The question is, and I will have quite a bit to say about this, who decides what is reasonable?

If one says to the user, "If you do not think the terms are reasonable, you can go ahead and break the law and not get a licence." Why would they then negotiate? They would just say, "Sorry, I do not think that is reasonable". You would never get anywhere with negotiations, if one side is able to say that they do not think the other is reasonable, and, thereby, can get away without a licence.

That is a good question on which to leave the matter, as we adjourn the debate on this wintry afternoon.

Senator Bosa: Does Senator Frith not have a specific example to give us, so that we could learn what is meant by "on reasonable terms and conditions"?

Senator Frith: Yes, I can give you an example. Let us suppose that Senator Bosa, who has experience in the insurance business, has the rights to a certain area for a company. No one is able to represent that company in that area other than himself unless he licenses them. Suppose they come to him and they say, "Senator Bosa, I would like everything east of Yonge Street". Senator Bosa then says, "All right, it will cost you so much". They then say, "I don't think that's reasonable, so I am going to go ahead and do it anyway". Is that a good example?

Senator Bosa: It is.

Senator Frith: I move the adjournment of the debate.
On motion of Senator Frith, debate adjourned.

BUSINESS OF THE SENATE

Hon. C. William Doody (Deputy Leader of the Government): I move that all remaining Orders stand and that the Senate do now adjourn.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Senate adjourned until tomorrow at 2 p.m.
