

Combines Investigation Act

business but who is prevented from expanding. I feel that these circumstances should be looked at also.

Then I posed other questions to the minister. I point out that these provisions just affect a combine of companies in Canada and relate to their specific effect on Canadian consumers. Since we are thinking in terms of the export market in which we run up against international cartels, I wonder whether some examination should be made of this aspect of the matter. I understand there was an extensive examination and study made in 1945 under the Department of Labour of the effect of international cartels on Canada, and the relationship of international cartels to the domestic market. This has been the subject also of extensive study under the United Nations and by international conferences, and is an extremely complex subject.

This is something which would require a bit of examination and study because of the variety of effects that can accrue to a nation from the operation of international cartels. These cartels can affect our imports; they can affect our exports, the amount we export and the price at which we export, whether or not the companies are subsidiaries of other companies which are in international cartels.

This is another phase of an extremely broad and complicated problem that I think requires a great deal of examination. However, in this regard I wonder what effect, if any, this proposed amendment would have. Would it allow a relationship between a Canadian company or a conspiracy between a Canadian company and an international cartel owing to the fact that imports into Canada that compete with articles of some of the Canadian companies engaged in this conspiracy are cut off or decreased. What is the fact in that regard? I think this is an important matter.

We are not saying that any one of these companies, if you are talking about the fishing industry, is part of an international cartel. I do not think so. I would think perhaps the aluminum industry is part of an international cartel system on aluminum and allied products. I should like to have these questions answered by the minister before we proceed to consider giving final passage to this bill. Although some of these matters may be considered to be rather minor—that is whether one word should be another word—nevertheless in the long range view, when we are drafting legislation—and this is what we are doing in effect; even though somebody else may have drafted it, still the house must consider it—I think we should give careful consideration in order to ensure that the words contained in that legislation mean as closely as possible, if not precisely, what we

[Mr. Howard.]

want them to mean. While they may be small matters, nevertheless I think they have some importance and should be cleared up.

Mr. Fulton: I think my hon. friend makes the mistake still of attempting to equate a provision dealing with industry in the export trade exactly or precisely with a provision dealing with industry entirely in the domestic market. It is because he makes that mistake, if he does not mind my making the suggestion, that he falls into the error of saying that the words used in this provision should be precisely similar to the words used in the other provision, namely subsections 2 and 3 where they appear earlier in the section.

The problem of export trade is of an entirely different nature from that of companies engaged in domestic business and the same words are therefore not necessarily applicable. To try to use the same words and to make them applicable would be to require us to torture and twist them so that they would fit into situations where they would not fit. For instance, my hon. friend complains because here we use the words "volume of export" instead of "quantity and quality of exports". The reason is obvious. We are concerned here only with the quantity. It would surely be ridiculous to make it an offence for exporters to change the quality of their exports when the requirements of the export market might dictate that they should change the quality of their exports. It is for that precise reason that we have confined it to the word "volume".

With regard to the omission of the word "expanding" in subsection 3 where my hon. friend complains because we have said only "restrict any person from entering into the business" instead of "entering into or expanding the business", may I point out that the problem of expansion has been covered where we think it should be covered, namely in subsection (a) above, where we have provided in general that the benefit of the section is not available if the arrangement has resulted or is likely to result in a reduction or limitation in the volume of exports of an article. It is also covered in part in subsection (b). I think in fact that subsection (b) also clearly covers the complaint that was raised in the circumstances alluded to.

Those are some specific answers to the question asked, but in general the answer is that the situation of the export trade is different from the situation of industry engaged entirely in domestic operations. Therefore the words that are applicable to the one are by no means applicable or suitable in a provision dealing with the other.

Mr. McIlraith: Hon. members on the government side have spoken in rather