

*Combines Investigation Act*

I am not going to say any word which would indicate that I prejudge that situation or the answer to that question. I would only say that when we have the report of the commission and possibly—if this should be the case and if it should go to court—the decision of the court, then depending on that report and/or that decision it will be necessary for consideration to be given to the question which may be stated in these terms. If it is decided as a matter of policy that this type of bargaining activity is desirable and should be allowed to continue unfettered by the Combines Investigation Act, then consideration will have to be given to the question of whether or not some appropriate legislative action should be taken by either the provincial or federal authorities, as the case may be, to ensure that the arrangements that it is desired as a matter of policy to allow to continue should be allowed to continue under the protection of whatever legislative umbrella may at that time be thought to be appropriate and in accordance with proper policy.

I do not think I could usefully add very much more at this time without being in danger of prejudging the case or of suggesting some commitment which at the present time it would be improper for me to make. I will only say that it seems to us that the wisest course—indeed the sensible course on all counts—is to introduce the present provision by virtue of which whatever has been done in the past may be continued in the present and for the two-year period ending on December 31, 1960, without any possibility of prejudice to any party, whether it be the union or the companies, notwithstanding whatever may be the finding of the commission or the decision of the court, if legal proceedings are instituted. In that way I think we are preserving the status quo without any possibility of penalty or prejudice. This will give all parties, including the governments, time to take a good look at the situation and decide what is the sensible course to follow in the light of the situation that may be disclosed following the finding of the commission.

Another question with which I should deal is that of the proposal which my hon. friend said he would like to have moved as an amendment. I appreciate his intention in this matter, but I think I should point out to him that such an amendment would not answer the situation because it would not take care of the case of the companies; although I am not saying that the case of the companies is right or wrong.

Here we have a situation where there is bargaining between the U.F.A.W.U. and the companies. I do not think we can take care

of that situation by saying the unions only are protected because then the unions would have protection, but the companies which have to be parties to the same agreement which may be contrary to the act, would not be protected. So that if we adopted the amendment of my hon. friend, which merely covers the union, it would not protect the companies if they decide to continue those negotiations in the interim period during which we are trying to protect all parties.

**Mr. Howard:** Mr. Chairman, the lucid and detailed explanation and argument of the minister in regard to the two questions I submitted should be considered. However, at this time I should like to deal with the question of confining it to a geographic area. The minister says he has not been able to discover a condition existing in Canada similar to that which exists in British Columbia in so far as the collective bargaining processes are concerned. I do not know. That may be true. I am sure it is correct that such a situation does not exist at the moment.

But there is this possibility which might arise. In as much as the government and the minister are intending to allow certain processes to take place in British Columbia, notwithstanding what they may have been doing in the past, I believe we should consider this possibility. It may arise this year or next year some time that in the fishing industry in some other part of Canada they will develop a union similar to the U.F.A.W.U. which might carry on negotiations under the collective bargaining processes in the same manner as does the U.F.A.W.U. with the fishing association of British Columbia. If that condition does arise then I believe we would be well advised to take cognizance of the possibility of it existing, and perhaps the words "in British Columbia" in the two instances where they appear should be removed. It will not be upsetting anything, and it will be guaranteeing some sort of legislative protection to other people in similar activities in other parts of Canada in case the condition does arise.

**Mr. Fulton:** I think I can dispose of my hon. friend's concern by saying it is scarcely likely that the combines branch would institute and press another inquiry into a similar situation if one exists, or if one should arise, until this inquiry is finally disposed of. I make that comment as minister. I think it is scarcely likely that such an inquiry would be pressed until this one is disposed of. At that time we will have to decide how to deal with such situations wherever they may exist in Canada.

[Mr. Fulton.]