

Crown Corporations

only outfit in the country capable of providing Canada with a complete, coast-to-coast broadcasting network.

It has made many mistakes, and will make more. At present it acts as if it were having trouble cultivating original Canadian tastes, hobbling some of its brighter and more creative minds, to the point that a number of them have moved on elsewhere. Nevertheless, it remains to this day our one source of all-Canadian communication.

I wish to make one more point. It is for the people of Canada to have priority in considerations of bankruptcy. If Crown corporations were indeed put in the hands of private industry, the people of Canada would not be able to recoup any losses therein in the order of priority which now exists in the Crown Corporations Act of our country.

Mr. John M. Reid (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, the hon. member for Lotbinière (Mr. Fortin) has brought forward a bill of some interest and some importance. It is a very short bill with only one clause. The clause is terribly deceiving. It says, and I quote:

Notwithstanding any other Act, the Crown corporations specified in Schedule D of the Financial Administration Act are not agents of Her Majesty.

Certainly nothing could be more straightforward or unsuspecting. However, in the tradition of the hon. member for Winnipeg North Centre (Mr. Knowles), the hon. member for Lotbinière, who is also a House leader, has brought back one of those tortuous constructions with tremendous implications in the way in which Crown corporations would be treated in the House of Commons by the Canadian people.

That one little clause, according to the explanatory notes, would have a number of effects. It would put Crown corporations on the same level as private companies. First, it would make public enterprises liable to municipal taxation in the same manner as private companies. Second, in any bankruptcy, public enterprises would be paid as other companies are, without any preferential rights being given to them. Third, public enterprises would not enjoy any preferential rights in respect of patents. Fourth, *mandamus* proceedings might be taken against a Crown corporation as if it were a private company. Lastly, criminal laws would apply to government enterprises as they do to private companies.

In his explanatory notes the hon. member goes on to make the point that the purpose of the bill is to render Crown corporations subject to private law and to take away their privileges under public law. He says that when the state carries on business, it must consent to be governed by business laws.

I am not going to deal with the legal and technical details. My colleague from Vancouver has kindly consented to do that. He is a lawyer and I am not. I think it appropriate that a lawyer provide the necessary detailed legal information. I want to concern myself with a number of other aspects of Crown corporations.

I remind the House that back in the good old days, on January 29, 1973, the hon. member for Lotbinière brought forward a motion which also dealt with Crown corporations. At that time he wanted to have a special committee of inquiry on Crown corporations exercising financial,

[Mr. Parent.]

commercial or industrial activities. This committee would study the various acts establishing Crown corporations. It would deal with the Crown Corporations Act, the Financial Administration Act and all other laws concerning Crown corporations. It would recommend to the House the adoption of a law regarding federal public enterprises. In addition, if that was not sufficient the committee would also study the following subjects without restrictions, and I quote:

(a) the legal rules pertaining to the employees of such corporations (b) their financial structure (c) the way in which they are financed (d) government control over said corporations . . .

[Translation]

Mr. Fortin: Mr. Speaker, I rise on a point of order and I will help my colleague, the Parliamentary Secretary to the President of the Privy Council (Mr. Reid), to kill my bill by using some of his time.

Mr. Speaker, I also rise on a point of order because the Parliamentary Secretary to the President of the Privy Council is now referring to another motion under my name on the order paper and not to Bill C-216 now before us. It does not really bother me to have my bill killed, because everybody knows it is usual in this House, but not this way at least.

[English]

Mr. Peters: Mr. Speaker, I rise on a point of order to draw to your attention that there is no quorum and to move adjournment of the House.

The Acting Speaker (Mr. Penner): I will ask the clerk at the Table to count the House.

And there being only nineteen members present, including the Acting Speaker (Mr. Penner):

The Acting Speaker (Mr. Penner): There being 18 members in the House, the House is adjourned. I do now leave the chair until eight o'clock this evening.

Mr. Knowles (Winnipeg North Centre): Until two o'clock tomorrow.

The Acting Speaker (Mr. Penner): This is private members' hour and there is some question about the adjournment. If the House will be patient, Mr. Speaker will be consulted and a decision rendered.

[Translation]

Mr. Fortin: Mr. Speaker, I rise on a point of order.

I too know all about the standing order, but because of that move on the part of the NDP I am beginning to worry about the bill I just supported. I should like to ask the Chair for an assurance of being able to reintroduce my bill at the first opportunity.

[English]

The Acting Speaker (Mr. Penner): I thank the hon. member for that point of order. That will, of course, be considered in due course.

Mr. Reid: On the point of order, Mr. Speaker, I tend to agree with the hon. member. I think it unfair for reasons outside the purposes of private members' hour, namely, the bill we were considering in normal House time—