

*Combines Investigation Act*

**Mr. Benidickson:** Would the minister allow it to stand?

**Mr. Fulton:** No, I do not want to allow it to stand.

**Mr. Pickersgill:** Is the minister quite sure he can speak for all his followers?

**Mr. Fulton:** I said I am prepared to accept it.

**Mr. Pickersgill:** The minister also said, "rather than divide the committee".

**Mr. Fulton:** If I felt the amendment were wrong I would put forward the reasons because I know that reasons always appeal to Conservatives rather than to Liberals.

**Mr. Pickersgill:** I just wanted to underline the arrogant implication in the minister's words, that if he accepted it there would be no division in the committee.

**Mr. Fulton:** That is just the way you waste time.

**The Chairman:** I understand the minister would like this matter to stand?

**Mr. Fulton:** No, my suggestion was that since I could really see no harm in it, I would be prepared to recommend that it be accepted. I find it is not always good to accept an amendment on short notice, but if we have made a mistake I might have to come back tomorrow and move that a certain part of it be rescinded. I do not believe that would be necessary.

**The Chairman:** I do not know if this course would be feasible if the amendment is carried. The only thing I can do now is to ask the committee if the amendment is carried. Shall the amendment carry?

Amendment (Mr. Howard) agreed to.

**The Chairman:** Shall the clause as amended carry?

**Mr. McIlraith:** There is one very small point that I want to clarify with the minister. In the committee's amendment it sought to return to the bill a portion of the definition which had been left out of the bill as submitted to the house on second reading. I note at the end of that paragraph, as contained in the amendment of the committee the words, "under the Patent Act or any other act of the parliament of Canada", are used. The section of the act which was sought to be returned to the bill reads, "under the Patent Act or under any other statute of Canada". I am not familiar with any difference in meaning, and I wonder if the minister would suggest what the difference is?

[Mr. Howard.]

**Mr. Fulton:** I am told that there is no difference, but that this is current drafting terminology.

**Mr. Howard:** There is another point I should like to raise on clause 1. Here again there was some discussion about this in committee between the minister, myself and other members. This has to do with the definition in paragraph (a), the definition of "article". The definition now reads:

(a) "article" means an article or commodity that may be the subject of trade or commerce;

Our discussion, which I do not intend to enter into, again revolved around whether the act applied to what we classified as the service industry, not the service industries which would be dealing in the distributive field, distributing materials, but the field in which a service only would be involved. So far as we are aware there is only one reference to this question in the act and that is section 32 (1) (c) relating to the price of insurance upon persons or property. It is considered that insurance is not a material thing in the sense that we normally refer to articles; it is, in fact, a service. It was thought that perhaps this definition of "article" might be expanded to cover the so-called service industries in order that they would be brought within the ambit of the bill itself.

I thought perhaps one or two comparisons might be drawn in this regard. For instance, while my wife and I have not had to worry about diapers for children for a while, I understand that there are people who provide a service by supplying diapers. This service may be provided in two ways. The first method is by someone calling at the house and selling her disposable diapers. These are used once and then thrown away. Since it is a material article that the individual is selling, his operations are covered by the bill and if he contravenes the law or engages in a conspiracy to set the price of these disposable diapers he may be subject to prosecution.

Another manner in which this service is provided is to have a laundryman call and pick up the soiled diapers in exchange for which he gives the housewife clean diapers. The diapers may be the property of the housewife, and if the launderer makes an agreement with another launderer to fix the price for the service of laundering the diapers, then he may be outside the ambit of this particular legislation. If, of course, the laundry is using diapers which the laundry owns and merely exchanging them or renting them to the housewife, then the launderer comes within the legislation. There is this conflict.

Another case in point with regard to people belonging to a union is what I think is a most open and blatant conspiracy to raise