

*Summer Recess*

not exist. Yet, as I pointed out in question period yesterday, Donald Macdonald, in an interview on CBC last Monday, replied in answer to a question as follows:

... all the Canadian producers or in the case of Gulf Minerals and all the essential Canadian producers at that time were told that there was government policy to maintain a floor price on uranium for export and were required to participate.

What was the situation? There were a number of companies which were apprehensive about joining the cartel and they were not apprehensive about making the profits that they saw they could make. What they were apprehensive about was not only the litigation that they could foresee when they had lawyers like Bud Estey, but they were worried about what the effect would be in the United States. It should be remembered that the agreement apparently did not apply to Canada, in the United States. Counsel for all these uranium producers had the foresight to understand that when prices are fixed internationally, they will become the world price domestically.

Companies were compelled to join this cartel because otherwise they would not get uranium export licences. That is why they were compelled. Certainly Steven Roman made that clear after charges were laid, and the former minister agreed to it when he said they were "required to participate". Yet the Attorney General of Canada (Mr. Chrétien) says, "What you have done is you have violated the laws of Canada on the basis of reasonable information and belief," and launches a prosecution.

I do not know whether that shocks hon. members opposite as it shocks me. I want to know how a Canadian Crown corporation can be a named, indicted conspirator, how a Canadian corporation can be charged. We know that any corporation is just a veil. There are people behind it who make the decisions.

I have the indictment before me and I must ask many questions to which the government will not give the answers for the people of Canada. For example, the conspiracy occurred in Ottawa. That is in the indictment; that is what the Attorney General has alleged. The unlawful agreement—I am not talking about the agreement that happened in the boardroom but about the unlawful agreement that forms the substance of the conspiracy—that happened in Ottawa, up until 1978. We know that the regulations only applied until 1975.

What series of circumstances occurred between 1975 and 1978? The Minister of Justice has not been forthright about this, and there has been absolutely no statement whatsoever with respect to it. I cannot believe the stonewalling on the part of the minister. Like a broken record he gives the same answers day after day. He has quite properly made the assertion that he wants independent legal advice. No one could ever fault him for that. He has said that on the basis of that legal advice, charges were laid and that he acceded to those. No one could fault him for that.

One thing that the minister owes the House of Commons, however, is an answer to why charges were laid against some people and why other charges were not laid on the basis of the investigation. We could clear this up very easily, Mr. Speaker. Let me tell you how it could be done.

If the gag regulations were rescinded, then we could look at the document and we would know exactly what happened. That is not the case, however.

On May 26 the Prime Minister (Mr. Trudeau) said in this House that the underpinnings for the gag regulations remain the same, that is, to protect Canadian companies against American litigation. I should like to ask the Minister of Justice what American litigation is pending now. That answer was given before charges were laid. We know that Denison Mines has settled its lawsuit and Rio Algom has settled its lawsuit, so what litigation is still pending? What is the purpose of this muzzling of the Parliament of Canada so that it does not know what is going on? Can any member of the House on the other side give any factual justification why, in 1981, these regulations should stand?

I pose a further question, Mr. Speaker. The hon. member for Lincoln (Mr. Mackasey) has said that every accused is entitled to a fair trial. Nobody can dispute that, Mr. Speaker, but part of a fair trial is provided for in the Criminal Code where it says that every accused is entitled to a full answer in defence.

As a full answer in defence, we know that Gulf Oil and many of the other defendants have in the vaults of McCarthy & McCarthy 40,000 documents which they are unable to use at the moment. Is it fair to their defence or to the defence of any other accused to have these regulations which will prevent the defendants from getting a fair trial. What possible purpose do they serve? The minister does not want to tell us exactly what happened. Innuendos have been flying around; there is no doubt about that. That is natural in view of this government's refusal to tell the people of Canada exactly what happened in this totally sordid mess.

● (1800)

Now that the horse is out of the barn, the Minister of Consumer and Corporate Affairs (Mr. Ouellet) has put proposals for amending the Combines Investigation Act before interested people in Canada. One of the factors that he considers important is found on page 19 of those amending proposals respecting the Combines Investigation Act. Many hon. members on the other side might be surprised to see that the minister is recommending a ban on participation in international cartels to the people of Canada. The reason given is this:

This proposed provision is designed to cover situations where domestic competitors make agreements or arrangements with foreign competitors which restrict exports from Canada or imports into Canada or otherwise adversely affect competition in Canada. As part of the conspiracy law, it would be a criminal law provision. The increasing concentration in world trade has given rise to concerns over the dangers of the cartellization of world trade and a number of countries have taken action recently against international cartels which not only affect prices in those countries but also their trade performance.

The hon. member for St. John's East (Mr. McGrath) and I have been asking questions of the Minister of Justice in the last few days concerning this cartel. Mr. David Henry, now one of the most respected jurists in this country, occupied Mr. Bertrand's former position. Obviously there was a fear during