

Patent Act

because they certainly call for support on the part of the Canadian public which I am sure understands the role of the Senate in this particular instance.

Mr. Heap: Mr. Speaker, the Hon. Member for Davenport (Mr. Caccia) has given a very thorough account of the legislative concerns in this Bill, particularly of the detailed work that was done by the Senate in its recent amendments. The rationale he has given for those amendments is that the Senate tried to incorporate into the Bill the Government's stated goals.

The Government has stated today and on other occasions that Canadian laws are far out of line with laws of countries in western Europe. Would the Hon. Member compare this Bill as it would be amended by the Senate with laws in countries in western Europe of which he is aware, particularly the principle of requiring a performance by the companies that receive the benefit of increased prices and so on?

Mr. Caccia: Mr. Speaker, forgive me if I detect in the question by the Hon. Member for Spadina (Mr. Heap) an implied support for the role of the Senate in its amendments, which I welcome. If I misread him, then I will withdraw that.

I feel that it is important in the evolution of our own laws to consider what is being done in other jurisdictions in the evolution of our own laws, but not to the extent of copying what we feel may not be advantageous to Canadians at large. In that sense, I understand we have been the envy of the world because of our legislation on intellectual property, particularly in the case of drugs.

Of course, it becomes a debate on ideology, but I am sure the Member for Spadina shares my view that when it comes to matters of health, I do not see why the intellectual properties of a drug should be extended for an unreasonable length of time. In the end, we are talking about human health and it is human health that needs to be protected. The almighty dollar has no role to play in that question.

In a perfect world, I would like to think that once a discovery is made it belongs to the whole world and not just to a few who want to make a fortune on that discovery. Unfortunately, the world does not function in such clear-cut patterns and therefore we must draw the line somewhere.

In my judgment, the legislation we have had since 1969, and the proposals of the Eastman report draw a sensible balance between the requirements of maintaining a certain degree of incentives for multinationals and implementing within a reasonable time the requirement to open that intellectual property to the public so as to permit the production of generic drugs at a much lower cost. That seems to me to be a very fine Canadian, small "I" liberal compromise.

● (1830)

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I sort of got provoked into saying a few words about this Bill for the umpteenth time. I want to say that I detect very clearly in this

Bill that what has happened since the mid-1970s is that federal and provincial Governments have become anti-consumer. I recall the days when Ron Basford and the present Hon. Member for Windsor West (Mr. Gray) were Ministers of Consumer and Corporate Affairs and attempted to bring in competition policies. It took a long time. There was a corporate resilience that fought—

Mr. Caccia: Resistance.

Mr. Rodriguez: No, resilience. They used every trick in the book to fight any changes to the consumer laws of this country so as to prevent fair treatment of consumers. Eventually, because there was a mood in the country of consumers and consumer groups, competition policy was brought in. We are now into a cycle. What we have now is an anti-consumer Government.

Bill C-22 is further evidence of the anti-consumer mentality of government Members. I am not one who comes here to praise the other place. God knows, I would never stand in my place and praise the other place. However, I want to say that what I have been reading is tantamount to treason coming from the Minister of Consumer and Corporate Affairs (Mr. Andre) when he speaks about the crustacean denizens of the other place. It is tantamount to treason.

Mr. Nickerson: Mr. Speaker, I rise on a point of order. When things are described as being tantamount to treason, surely nothing could be more unparliamentary than accusing Members of this House or the other House of anything even approximating a treasonable nature. I would ask if the Hon. Member might reconsider those remarks.

Mr. Rodriguez: I think that Hon. Member ought to sit down and put his head under the desk.

Mr. McCurdy: He doesn't know which end is up.

Mr. Rodriguez: I have the evidence. This is what the Minister of Consumer and Corporate Affairs said about the other place:

I would sooner lose this Bill and any one of a number of Bills than acquiesce to the principle that we have a bunch of unelected Liberals exercising veto power over the elected Government of Canada. That principle ought to offend anyone.

He goes on to say:

If we were starting with a clean slate and putting a government together in Canada and someone suggested we should have an appointed body that has the same powers as the elected body that is answerable to no one, the members of which stay till 75, I mean, you'd be laughed at, you'd be ridiculed.

That was not said by Stanley Knowles. That was said by the Minister of Consumer and Corporate Affairs. In a radio interview the Minister said: "You know General Pinochet would not suggest that for Chile". That is the Minister of Consumer and Corporate Affairs criticizing those who sit in the other place. I have no question of the criticism. It just seems to me that it is phoney because on the other hand, the Prime Minister has been appointing Tories to that place like he