

Combines Investigation Act

the Governor in Council shall, but otherwise as provided under section 55 of the Supreme Court Act, refer all questions of law and fact concerning the constitutionality of section 31.1 and PART IV.1 and every provision of such section and such PART to the Supreme Court;

(b) until the Supreme Court has certified to the Governor in Council its opinion upon each such question, no provision of such section or such PART shall come into force at the time of commencement provided therefor under this Act or the Interpretation Act and then only to the extent, if any, such provision is in the opinion of the Court within the legislative authority of the Parliament of Canada;

(c) the attorney general of each province shall be notified of the hearing under this subsection in order that he may be heard if he thinks fit."

The Acting Speaker (Mrs. Morin): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mrs. Morin): All those in favour of the motion will please say yea.

Hon. Marcel Lambert (Edmonton West): Madam Speaker, this particular motion by my colleague brings into play the constitutionality of some sections of the act. As far as I recall, and if Your Honour would refer back to the records, I believe there was some question raised by Mr. Speaker regarding this particular section and its acceptability. I believe this was the same question put by Mr. Speaker in respect of the acceptability of the amendment.

● (2120)

I do not in any way want to spoil my colleague's amendment, but I think one should proceed with a clean record. I am subject to error here, but I want to say that this bill has been brought on before negotiations had been completed with the minister. I thought my negotiations with him in respect of certain amendments were such that they will be acceptable, but they have to be brought over. In any event, if Your Honour is prepared to rule that his amendment is all right, then that is fine, but it seems to me that one should look at this.

[Translation]

The Acting Speaker (Mrs. Morin): Order, please. The hon. member for Edmonton West (Mr. Lambert) has expressed some reservations about the procedure used for this amendment.

Mr. Lambert (Edmonton West): It was not I, but the Chair, that raised the question a few moments ago. I simply want to check what the Chair has said about the amendments being studied.

[English]

Mr. Forrestall: Madam Speaker, I wonder if I might draw your attention to the difficulty members in the Chamber are currently having in hearing the interpretation from the booth over in the corner. Perhaps if the interpreter could speak up a little bit we might follow more clearly.

[Mr. Stevens.]

[Translation]

The Acting Speaker (Mrs. Morin): It would seem that the Chair has some reservations about Motion No. 6. If the House agrees, perhaps we might move to Motion No. 7.

[English]

Is it agreed that we move to Motion No. 7 until the Speaker rules on Motion No. 6?

Some hon. Members: Agreed.

Mr. Stevens: Madam Speaker, Motion No. 6 being in my name I would suggest that it be stood and that the House go to Motion No. 7. I would like the opportunity to speak to the jurisdictional and procedural position of Motion No. 6., but in the meantime I would suggest that we stand six and go to seven.

The Acting Speaker (Mrs. Morin): That is what I just asked. Is it agreeable to the House that we move to Motion No. 7 and let Motion No. 6 stand?

Some hon. Members: Agreed.

Mr. John Rodriguez (Nickel Belt) moved:

—That Bill C-2, An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code, be amended in Clause 14 by adding immediately after line 8 on page 24 the following paragraph:

"is guilty of an indictable offence and is liable to a fine of \$1,000,000.00, or to imprisonment for five years, or to both if in the case of an individual or individuals, and to a fine of \$1,000,000.00 in the case of a corporation."

He said: Madam Speaker, when we are dealing with these welfare corporate bums we must deal with them quickly so they do not completely emasculate us.

Of all the offences against the consumer in Canada there is no more despicable offence than that of collusion with the intent to price fix and to rook the Canadian consumer for all he is worth; in other words, to milk him and bilk him. That kind of collusion in respect of milking the Canadian public in no way compares with what is often referred to as the people who rip off unemployment insurance and the welfare system, because they may do this to the extent of \$60 a week, \$55 a week or even \$35 a week, but when these corporations take the Canadian public to the cleaners we are talking in terms of millions of dollars.

I should like now to put on the record for the benefit of members here what the minister said when I introduced the amendment in the finance committee. I quote from the committee minutes at page 54:20 of June 2:

MR. OUELLET: Yes, Mr. Chairman, first of all I want to say that this amendment will, in fact, increase the penalty under Section 32 on conspiracy, of the Combines Investigation Act.

I have been on record on many occasions complaining about judges not giving harsh enough sentences. I find it very difficult now to oppose this amendment because obviously I think this type of offence, especially conspiracy, may be the most difficult and the most severe offence. If the legislator increases the sentence under which a person could be liable to imprisonment from two years to five years, it would be an indication that the legislator really means something. It will be a sort of indication to the court that the legislator wants more severe sentences. I, therefore, have no objection to accepting this amendment if it is the will of the committee.