

Foreign Extraterritorial Measures Act

on bended knees before the American Government. For Pete's sake, Mr. Chairman! We had the example of the back-in provision under the National Energy Program. We are well aware that the American Government and big American companies influenced this Government, but what I am asking is whether this Government has any influence on the American Government since they are supposed to be such great friends. Will this Government make use of this great friendship or is it just a one-way friendship which allows the Americans to ask what they want while we have to protect ourselves with this little Bill C-14?

We have no authority or influence on the American Government. This is what the Members opposite say in their bill: We are going to resist as well as we can, even though it might be uncalled for; we shall accept that this legislation remain as the sword of Damocles over the heads of the administrators of American branch companies in Canada, because the Act will still exist. Mr. Chairman, I do not understand why the Minister of Justice and Attorney General of Canada (Mr. Crosbie) and the Secretary of State for External Affairs (Mr. Clark) do not have more guts not only to protect themselves before this House, but also to go to the United States and advise them of the situation.

Instead of just saying nice things when he made his speech in New York, I think the Prime Minister of Canada (Mr. Mulroney) should have said: "Of course, we are open for business, but there are some things that we find unacceptable, and one of them is extraterritoriality." Otherwise, his approach to Canada-US relations may be simply what he has done in the past, which is to keep the Americans happy and follow their orders. This is what the Minister of Justice (Mr. Crosbie) seems to be doing.

[English]

Mr. Crosbie: Mr. Chairman, if the hon. gentleman does not like this Bill, let him vote against it. If the hon. gentleman does not want to give Canada some muscle to deal with attempts by foreign countries to impose legislation with an extraterritorial effect on us, then I say to him that he should vote against the Bill. Let him show his true colours. That is all he has to do. We do not just talk a great game. We are not the Government that has been in power in Canada for most of the time since 1945. We were not the Government that came into power at a time when Canadian trade with the United States was not what it is now. It has now increased from something around 60 per cent of our foreign trade to 75 per cent. It was under the hon. gentleman's Government that we have become so dependent for our prosperity on the United States of America. But we are better at managing the relationship than the Liberals were. Even though we can get on much better with the Americans, we are still going to adopt, if the House and the majority agree, legislation that will give us some powers to counteract any of their attempts to impose legislation with an extraterritorial effect on us.

As far as the American attitude toward Canadian policies in energy or whatever is concerned, they did not attempt to pass any legislation with an extraterritorial effect. We agreed with many of the points they made. The hon. gentleman's Government wrecked the oil and gas industry of Canada because of its stupid and obtuse policy. The Liberal Government brought an industry in western Canada that was leading the country in economic growth and prosperity to its knees with its stupid confiscatory, retroactive legislation, a retroactive back-in and all the rest of it. We are still suffering the ill effects of that.

Mr. Waddell: The retroactive back-in was not in Alberta.

Mr. Crosbie: The retroactive back-in was in federal lands.

Mr. Gauthier: Canada Lands.

Mr. Crosbie: The answer to the hon. gentleman is to put his money where his mouth is, vote for the Bill and let us get this legislation under way.

Mr. Kaplan: Mr. Chairman, Members in my own caucus do intend to vote for this Bill. This legislation is virtually identical to legislation introduced on the Order Paper by the former Government. If the Opposition of that day had been as constructive and positive as the Opposition of this day proposes to be, this Bill would have been legislation many years ago.

Some Hon. Members: Oh, oh!

Mr. Kaplan: There is something more to it than that, Mr. Chairman. It is not good legislation to bring forward when an antitrust action is proceeding before the courts in the United States against some entity and orders are being delivered across our border for implementation against interests which can be affected by the Government of Canada. Occasionally in the past, to my recollection as a Parliamentary Secretary and then as a Minister, some of the times when it was convenient to bring the Bill forward because of the parliamentary timetable, it was not exactly appropriate to bring it forward because of ongoing litigation initiated by the American Government.

I take it that the legislation is being brought forward by the Government now, although the Minister may not know it, because it is perhaps a quiet time in the antitrust field in the United States. This may well be a time when the legislation can be brought forward without reflecting upon any particular litigation or the activities of any particular corporation. I am glad to hear that this is a quiet time. In that spirit I am prepared to see the legislation move forward.

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I wish the Government were bringing forward some of its own legislation. I know its Members were elected with very great expectations. It surprises me somewhat that they began by bringing forward Bill after Bill introduced by the former Government rather than the legislation which they should have considered as being part of their own mandate.