

Public Bills

Quebec City and Edmonton, we have been given wording that would provide *carte blanche*. It says in effect that the phrase "Parliament Hill" can be used without offending this law anywhere in Canada except in the national capital region.

Someone in the other place suggested that some of the Senators were making too much out of this issue, and I do not want him to say we are doing the same thing here. I recognize that in practical terms no hotel in Smiths Falls or in Manitou, Manitoba, or in Swift Current, Saskatchewan, is likely to want to use the name "Parliament Hill", but if we are legislating to protect the use of this phrase I think we should do it for the whole of Canada and not just for the national capital region. I recognize also that the learned member for Grenville-Carleton has applied his legal talents to the other change being made in the bill, namely, in paragraph (c) of clause 1, and that he is satisfied that because we will now use as the wording for paragraph (c) the language, "in association with a commercial establishment providing services" that we will be protected against a hotel, a restaurant or a pool hall taking that name anywhere in Canada.

I also know that my hon. friend from Grenville-Carleton is not the only person learned in the law and that lawyers have a way of finding loopholes. I would be afraid that some lawyer defending some outfit which wanted to use this name would make something out of the fact that in paragraph 1(a) Parliament said you cannot use the phrase "Parliament Hill" but the only place in which you cannot use it to describe a property is the national capital region.

• (1640)

I think Their Honours, who are supposed to be capable of sober second thought and of looking things over, did a clumsy job on this thing. I have no objection to their desire to protect the rights of the National Assembly of Quebec who sit in Quebec City, or the rights of the members of the Legislative Assembly of Alberta who sit in Edmonton, but it seems to me that it could have been done in a much neater way. The wording we now have seems to suggest that we are making a law prohibiting the use of the phrase "Parliament Hill" on the understanding that that prohibition applies only in this national capital region.

I think Mr. McIlraith's bill, since we can call him by his name now that he is no longer a member of this House, was a good one and I was happy to second it. It was passed unanimously. I wish Their Honours had taken a little more time and had come up with a less clumsy way of coping with the problem that was presented to them.

Our procedure for handling amendments made by the other place is very awkward; there is really no chance to move an amendment or a subamendment. We are dealing with this with Mr. Speaker in the chair, not in committee of the whole. We are stuck with it unless we want to have a conference of managers of the two Houses. That would be making too much of a fuss; it would be carrying the thing a bit far, so I suppose all I can do is record my opposition and at least say "On division" to the passing of this amendment. As between the bill as it stood and the bill as it came back from the Senate, I would rather have it as it stood, although I would have been quite happy to

[Mr. Knowles (Winnipeg North Centre).]

accept an amendment to clause 3 along the lines I indicated.

In any case, I hope it is clear from what has been said on the pages of the *Hansard* of this House that we mean what Mr. McIlraith meant when he brought in the bill—that we want to protect the use of the phrase "Parliament Hill" against commercial exploitation not only in the national capital region but anywhere in Canada.

Mr. Lloyd Francis (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, I think the debate this afternoon has been particularly interesting. I followed the remarks of my colleague, the hon. member for Grenville-Carleton (Mr. Blair) and my good friend the hon. member for Winnipeg North Centre (Mr. Knowles) very closely. I must confess that I am quite impressed with the argument of the hon. member for Winnipeg North Centre. He points out that the effect of the amendment before us is to limit clause 1(a) to the national capital region. This raises a broader question as to possible designation of any number of other areas outside the national capital region, which is clearly contrary to the expressed intent of this bill. It also raises the second question of whether there are limitations, in any geographic sense, imposed in paragraphs (b) and (c). My lay opinion of the wording would be to say no to that, but there may well be a question raised about it.

There are times, Mr. Speaker, when all of us, with the best intentions in the world, rise very sincerely to protect the symbols of our nation. There is the question of the protection, for example, of "O Canada" and at other times in this place we have had debates to prevent its use as a commercial. The measures to designate and develop Canada Day fall in the same category of the preservation of symbols.

There are times, however, Mr. Speaker, when we have to keep a sense of humour about things. For instance, clause 1(b) prohibits the use of the words "Parliament Hill" to identify any goods, merchandise, wares or articles for commercial use or sale". I presume that leaves us in the position where we can allow the use of "Parliament Sauce" to continue, but there could be no "Parliament Hill Sauce" ever designated, promoted or otherwise offered for sale in Canada. There is a real question of whether we are doing things in such a way that it is on occasion going beyond the limits of what is in fact practicable and enforceable. The penalty provided is that an offence is "punishable on summary conviction".

Mr. Speaker, it is with some reluctance that I shall vote for the bill, not because I do not agree with its general purpose but because I have reservations, as expressed by the hon. member for Winnipeg North Centre, about whether the amendments that have been proposed will really achieve the purpose in mind. On balance, I am going to support the bill—I can hardly do otherwise—but I cannot help but strongly express the wish that there were a procedure for consultation more frequently used between the other place and this House when there is a difference of opinion in respect of a bill and when amendments are offered. I understood such a provision exists but has fallen into disuse. In the period that I have been in this House I cannot recall its ever being implemented.