The second concern with respect to a super priority scheme is that there is no guarantee whatsoever that payment to the wage earner would be made promptly. In many instances it would mean protracted legal hassles and disputes before such payments were in fact made. When dealing with workers who have to pay bills on an ongoing, day-to-day, week to week basis, obviously promptness of payment is essential.

Another difficulty is the problem with the administration of this proposal, for example, the allocation of the burden of super priority among various secured creditors. The courts would no doubt be clogged with bitter disputes over the relative burden to be shared by the creditors. Also, while those arguments are taking place, workers once again receive nothing whatsoever.

The final and major concern with respect to the super priority concept is that it may very well have the opposite impact from that which is suggested by the Minister, that is, to reduce the credit which is available in labour-intensive industries and to motivate credit-granting institutions, banks in particular, to pull the plug that much earlier on a firm. That would drive the firm into bankruptcy and throw the workers out of work before they might otherwise lose their jobs.

The clear and unequivocal conclusion of the Landry Committee to which I previously referred—and I might say, it is rare indeed when a committee made up of representatives of the CLC and the banking community are able to agree strongly on a proposal—was that a wage insurance scheme would be the most appropriate way to proceed. That does not mean that we would not be prepared to accept some kind of super priority scheme as an interim measure; but certainly the establishment of a wage insurance scheme such as those which have been successful in a number of other countries—France, West Germany and the United Kingdom—is one of the major amendments which we will be proposing to this important legislation.

I would like to deal very briefly with a couple of other important concerns that we have with the legislation. I will not take the full time allotted to me because I know that my colleagues, the Hon. Member for Humboldt-Lake Centre (Mr. Althouse) and the Hon. Member for Prince Albert (Mr. Hovdebo), would like to have some time to deal with the serious concerns that our Party has with respect to the silence of this legislation on the important question of bankruptcies which are facing farmers and fishermen in Canada. There are record levels of bankruptcies facing the farming community, fishermen and women across the country. Both of my hon. colleagues from Humboldt-Lake Centre and from Prince Albert have been outspoken and have worked very hard to urge the Government to take action on this. The Government should have moved a long time ago with respect to this important question.

Of course, what we are proposing, in essence, is that there be some sort of orderly, formal process whereby heavily indebted producers and farmers can obtain some relief from the threat of losing their farms and their livelihoods as a result of their inability to meet their obligations. This process should include the ability of the courts to step in if the producer is not satisfied that his or her position is being adequately addressed on a purely voluntary creditor basis. The Private Members' Bill which has been studied by the Finance Committee for some time certainly went a long way in that direction. I know that my colleagues will be dealing at greater length with these serious concerns. There must be speedy and effective action on this important question regarding the protection of farmers and fishermen in the event of bankruptcy.

One other major area of concern which has arisen since the tabling of Bill C-12 in this House, and indeed since the tabling of the follow-up Bill, Bill C-17, is the possibility that bankruptcy can be used as a mechanism by the business community to scuttle effectively collective agreements which are in effect. I would like to take a moment or two to explain why we believe there must be amendments to Bill C-17 to ensure that this does not become a reality in Canada.

In the United States, a recent Supreme Court decision has been described by representatives of the building trades in particular, as well as other labour representatives, as licence to use bankruptcy laws to destroy collective bargaining agreements. Effectively, what the United States Supreme Court held was that a bankruptcy court could free a company from its union contracts without requiring any proof whatsoever that the contracts threatened the survival of the company. All the company had to do was to show that the contracts constituted a financial burden. I would note, for example, Continental Airlines in the United States which, on the advent of deregulation, cancelled its union contracts after filing bankruptcy petitions. The pilots went on strike. Continental now has strike-breakers flying planes at something like 55 per cent of the original contract wage. There have already been steps taken in the United States Congress to reverse the effect of this very damaging Supreme Court decision.

I intend to propose amendments in committee to this piece of legislation which will make it very clear that bankruptcy laws must not be used as a mechanism to break collective agreements in Canada. We want to ensure that the decision of the United States Supreme Court is not reflected in Canadian legislation. The provisions of Bill C-17, particularly those dealing with commercial arrangements, still leave the possibility open that bankruptcy might be used effectively as a mechanism to avoid collective agreements. That is fundamentally unacceptable to Members of the New Democratic Party.

One of the major areas of concern in the small business community in Canada is the question of receiverships. Certainly there is an improvement in this Bill with respect to the handling of receiverships and the obligation of receivers. But there are only six clauses in the Bill concerning the obligations of receivers. I would suggest that the Bill does not go far enough to ensure the full accountability of receivers for the handling of firms under their custodianship. Again, we will be proposing amendments in committee to strengthen the protection of the assets of a company which has been brought under receivership. For every bankruptcy in Canada, statistics show that there are at least two receiverships.