

*Competition Tribunal Act*

responsible". Setting this as a condition seriously weakens the ability to implement the type of action which will be required to deal with a situation involving a major conglomerate acquiring that type of economic power.

Furthermore, as we have pointed out, the question of a tribunal is a very interesting one. Will it really work the way it is intended to work when it has part-time judges and part-time lay people appointed by the Government? I suppose they will be subjected to some sort of Order in Council review by a parliamentary committee. Nevertheless, they will be working without full-time resources and capacity.

This also raises an interesting question with respect to the inherent latent potential for some conflicts of interest. Take the case of a private sector person who belongs to the right kind of clubs. He will talk to his friends who are part of a milieu which gives him a certain feeling of compatability. Is this the type of person we want judging his peers? I suppose one can say that there is nothing more dominating in pure human behavioural terms than peer pressure, whether it is found within a teenage gang or a group of business people sitting around a table at the Albany Club or the Manitoba Club. I am not saying that this is something malevolent. It is not. It is simply a matter of acquiring the coloration of one's environment, to put it politely. This will draw people out of this type of environment. In effect it will be saying to them: "Judge your peers. You tell them they have to divest themselves of hundreds of millions of dollars worth of assets". I ask Hon. Members: Does that give us the confidence that the tribunal will have the zeal and intensity to come to grips with conditions which we all know are taking place and which will continue?

I believe that unless this Bill is substantially amended and strengthened, the signal which will emerge from the Parliament of Canada to all those people out there who have legions of lawyers and accountants poring over their account books to see what the next raid can be and who can be the next victim is that it is business as usual. The message will be: "There is a licence, folks". Without a policy and some type of legislative commitment, the signal being sent out of these hallowed halls is a very weak one indeed. It does not carry with it the type of strong and deliberate belief that Parliament is deeply concerned with the economic make-up and structure of the country. It does not carry with it the belief that there should be competition in a real sense, that is, within sectors. Therefore, the response will be: "We have a licence to do what we want".

I would like to add a further consideration which I did not hear mentioned in either the speech of the Minister or his Parliamentary Secretary. We are now proposing to negotiate with the United States a free trade Bill. The major priority of the United States is in the area of technology and services. The Americans have stated time and time again that their major objective in these trade negotiations will be to have a complete and open market in the area of high technology and services, which includes the financial world. It includes a host of sectors of our economy which heretofore have been subject to

regulation because we felt that it was in the best interests of Canada to maintain a fairly strong level of Canadianization in those industries.

As Members of Parliament what we must recognize is how this competition Bill meets with the requirement to ensure that there is not a whole new era of intra-corporation management, collusion and rearrangement. We know that our economy is dominated by a high level of foreign ownership. We know that our economy suffers from a series of decisions made in intra-corporate trade and investment. These are matters which never reach the public view because they are conducted between corporations, carried out in head offices in Pittsburg, London or Atlanta. What we have to look at clearly is putting together a demand for a total "open sesame" in terms of trade and the services industry. There must also be demands to weaken or eliminate the sort of intellectual property copyright laws. There must be a competition Act. What is really being opened up is the potential for major international corporate decisions which will be totally unaccountable to any national body. There will be no form of accountability to Parliament, or to our courts, or to any legitimate body which can hold these corporations responsible for their decisions.

What does the competition legislation say about these types of practices? Absolutely nothing. If the Prime Minister (Mr. Mulroney) gets his way and there is a total economic free trade in the area of services and high technology, how will we be able to prevent large scale corporate decision making being made outside our boundaries? This may impact on our trade, our jobs and our investment. One of the few areas potentially available to us is in the area of competition legislation. I see absolutely no preparation, no consideration, of that whatsoever. Thus here we are launching into one of the most significant historical economic decisions in the history of the country and we are not arming ourselves properly for it.

There have been major discussions in the United Nations with respect to establishing a code for trans-national behaviour. The same type of thing is taking place in the European Economic Community. What is being prepared for us by the Government in order to respond to that condition? Absolutely nothing. There has been no preparation, no looking at the potential. Yet we are being told that the Bill before us is the answer to all our concerns.

I say to Members of the House that we must look carefully at the competition Bill and ask ourselves how it will ensure a level of accountability under the new regime which this Government is practising. If this is not done then we had better go back to the drawing board and take another look, otherwise it will not do the job.

Of course we can say this measure is an improvement over old practices. The real test and standard is how it will meet the realities of today. How will it meet the restructuring of our economy? How will it meet the real fundamental changes which could occur under the proposed free trade? How will it meet the economic political power which is being brought together by these amalgamations in order to protect, defend