

to Motion numbered 7. Perhaps it is best that that might promote vigorous discussion. I did give some indication we had given some thought concerning the fact it attempts to amend the penalty provision rather than amending the definition of the offences themselves. That would seem to make a connection with the amending statute. However, there is the possibility of arguing, as has been put forward, that since the amending statute does not specifically amend that clause, there should be some discussion about whether that is procedurally acceptable. In any event, like all other clauses, the discussion on the procedural acceptability ought to be left until we call the amendments one at a time.

Mr. Rodriguez, seconded by Mr. Leggatt, 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 9 by striking out line 18 on page 9 and substituting therefor “mission of inquiry or a parliamentary committee charged with any such”.

After debate thereon, the question being put on the motion, it was negatived, on division.

Mr. Rodriguez, seconded by Mr. Leggatt, 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 12 by adding thereto, immediately after line 31 on page 13 the following subsections:

“(5) The Attorney General of Canada, for the benefit of any persons or class of persons who have suffered loss or damage, or who allege that they have suffered loss or damage, as a result of

(a) conduct that is contrary to any provision of Part V, or

(b) the failure of any person, or persons, to comply with an order of the Commission or a court under this Act,

shall be empowered to commence and maintain any action or proceeding on their behalf, as provided in subsection (1).

(6) Any judgment in an action maintained as a class action under subsection (5), whether or not favourable to that class, shall include and describe those whom the court finds to be members of that class.”.

And debate arising thereon;

[At 5.00 o'clock p.m., Private Members' Business was called pursuant to Standing Order 15(4)]

(Public Bills)

Orders Nos. 8, 34, 4, 10 and 24 having been called were allowed to stand at the request of the government.

The Order being read for the second reading and reference to the Standing Committee on Justice and Legal Affairs of Bill C-233, An Act to amend the Canada Evidence Act (incriminating statements);

Mr. Orlikow, seconded by Mr. Rodriguez, moved,—That the Bill be now read a second time and referred to the Standing Committee on Justice and Legal Affairs.

And debate arising thereon;

The hour for Private Members' Business expired.

Consideration was resumed at the report stage of 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, as reported (with amendments) from the Standing Committee on Finance, Trade and Economic Affairs.

Debate was resumed on the motion of Mr. Rodriguez, seconded by Mr. Leggatt,—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 12 by adding thereto, immediately after line 31 on page 13 the following subsections:

“(5) The Attorney General of Canada, for the benefit of any persons or class of persons who have suffered loss or damage, or who allege that they have suffered loss or damage, as a result of

(a) conduct that is contrary to any provision of Part V, or

(b) the failure of any person, or persons, to comply with an order of the Commission or a court under this Act,

shall be empowered to commence and maintain any action or proceeding on their behalf, as provided in subsection (1).

(6) Any judgment in an action maintained as a class action under subsection (5), whether or not favourable to that class, shall include and describe those whom the court finds to be members of that class.”.

After further debate, the question being put on the motion, it was negatived, on division.