

Combines Investigation Act

session, which might indeed mean that we would pass a bill in a form which was not the best form that such legislation could take. While I recognize, therefore, that to delay the bill would be a matter of real concern to the small businesses of this country and the organizations which speak for them, I would ask the house, and will ask those organizations and others concerned in the matter, to believe that their interests may well be better served by giving a little further time for reflection on the legislation which has now taken concrete form, in the hope that in the interim we may receive further constructive suggestions and in the belief that those suggestions will help us to bring in legislation which will be the best we can devise to meet the problems that I have discussed. Therefore I would ask the house for its consent, when we get into committee, to move that the first three clauses be deleted.

I announce it now as the firm intention of the government to re-introduce the legislation at the next session. I do not say that it will be in exactly the same form because we will be considering the suggestions which are made in the interim, as I am sure they will be, by small business organizations themselves as well as by others. But I do announce now that it is the firm intention of the government to re-introduce legislation along these lines at the next session and to proceed with and deal with that legislation at that session.

Mr. Speaker, I realize that a motion to delete clauses 1, 2 and 3 is in effect an expanded negative and would therefore not normally be in order; but it seems to me to be the neatest way to deal with the problem which confronts us, if the house itself agrees with me that it would be a wise course to defer consideration of those three clauses at this time. I will not ask for the deletion of clause 4, because for reasons which perhaps I can discuss better in committee it is, I consider, urgent that we enact clause 4 so as to take care of the situation in British Columbia in the fishing industry which would result if we did not bring in this exemption from the operation of the act for a two-year period. It is on that basis, therefore, Mr. Speaker, that I would ask the house to consent to second reading at this time on the understanding that I will ask one of my colleagues to move in committee that the bill be amended by the deletion of the first three clauses.

Hon. L. B. Pearson (Leader of the Opposition): Mr. Speaker, the course which has been proposed by the minister seems to us in the circumstances to be a sensible one.

[Mr. Fulton.]

We will agree to second reading on the understanding that that course will be followed in committee.

Mr. Frank Howard (Skeena): Mr. Speaker, that represents our position with respect to the proposal made by the minister, which appears to be a commendable attitude at this stage in view of the importance of the legislation itself. I would suggest, though, that the minister in re-introducing amendments to the Combines Investigation Act and the Criminal Code in so far as combines are concerned, attempt to have the legislation drafted for introduction as early as possible at the next session. I would also ask him to consider having the bill itself referred to perhaps the banking and commerce committee in order that a little more exhaustive study may be given to it than could be given in committee of the whole.

Motion agreed to, bill read the second time and the house went into committee thereon, Mr. Sevigny in the chair.

On clause 1—*Misrepresentations as to ordinary price.*

Mr. Fulton: Mr. Chairman, in accordance with the undertaking I gave on debate on second reading, I would ask one of my colleague to move that clauses 1, 2 and 3 of Bill No. C-70 be deleted, and that clause 4 be renumbered clause 1 of the bill.

Mr. Churchill moved the following amendment:

That clauses 1, 2 and 3 be deleted and that clause 4 be renumbered as clause 1.

Motion (Mr. Churchill) agreed to.

On clause 4 (renumbered 1)—*Application of acts to fishing agreements.*

Mr. Howard: Mr. Chairman, I would like to make a comment or two on clause 1, because of the particular effect it will have on the situation in British Columbia so far as the fishing industry is concerned. I suggest that it has always been the understanding that the present section 4 of the Combines Investigation Act and the particular subsection in one part of the Criminal Code which says this shall not apply to employees or workmen afforded reasonable protection in themselves and always has been construed, in any event to mean that fishermen on the west coast bargaining through their union with the fisheries association or with the fishing companies have been excluded from the provisions of the act. It certainly came as quite a shock to the native brotherhood of British Columbia, and to two or three other organizations of fishermen as well as to the companies themselves, that they should have been