The lawyers will be happy. The designers, the persons the Bill is supposed to protect, will not.

If our designers are astute enough to know about the obligation to register under the Industrial Design Act, will they receive as much legal protection for their design as they would have obtained under copyright? I am advised that the answer is no. First, the length of protection for industrial design is a maximum of 10 years. It is considerably longer for copyright, as we well know. Second, the remedies for infringement provided for in Section 15 of the Industrial Design Act, that is, the injunction, are not as extensive as will now be available under the new Copyright Bill.

One would have thought that since Bill C-60 chose to shift registrations to the Industrial Design Act, for designs which are manufactured in quantity, rather than the Copyright Act, the least the Government could have done would be to amend substantially the Industrial Design Act which is itself decades old and inadequate. But, no, while the Government has sought to bring non-controversial parts of the Copyright Act up to date with Bill C-60, the same Bill proposes only one amendment to Section 2, that is, the definition section of the Industrial Design Act, an Act which in itself is over 100 years old.

I recognize the difficulties and the differences in opinion, but once having decided to amend this Act, I think we should do it right, do it thoroughly and do it now.

How are the two Acts to work in a complementary fashion when one of them is being brought into the 1980s and the other is left to languish in the past? In my books, I give the Government only half marks. Having identified the problem that exists on the inter-relationship between these two statutes, the Government's Bill fails to deal adequately with the problem.

It is suggested that necessary amendments to the Industrial Design Act could be brought in under phase two of the copyright legislation which has yet to be tabled in the House. But who knows if we will ever see phase two of the legislation during this Parliament? Phase two may prove to be as illusive a subject as the introduction of phase two of the sales tax reform proposed by the Minister of Finance (Mr. Wilson).

I have some additional concerns with respect to the new Clause 46(3) of the Bill. That clause sets out certain kinds of products which will be afforded copyright protection, notwithstanding the Industrial Design Act. For example, is it fair that the creator of cartoon characters which are covered by copyright, will lose copyright protection, and that is the Mickey Mouse characters and so on from Walt Disney? They will lose copyright protection and only be covered by industrial design protection for a maximum of 10 years once the design is imprinted on a T-shirt? I would suspect that during legislative committee hearings into this Bill, some groups will wish to come before us to suggest that their particular type of manufactured product should be added to Clause 46(3) so as to receive copyright protection.

With respect to the retroactivity portions of Clause 24 of the Bill, I am always wary of such clauses and will invite the closest scrutiny in legislative committee. I am indebted, however to officials of the Department of Consumer and Corporate Affairs who have explained the mischief with which the section is designed to deal. I hope they will not catch more fish in this retroactive net than is absolutely necessary.

Copyright is an essential freedom. It has an important role to play in the culture and economy of our country. It is not a restrictive concept. It is, rather, one which promotes the free flow of knowledge. Without copyright, any book, painting, or musical composition, for example, could freely be copied and its creators would not be entitled to any benefit such as royalties from the creation of their work. Obviously, an author would have little incentive to produce any original works if others could, without authorization, copy those works and benefit from so doing.

Thus protecting works by copyright enables creators to profit from their creations. Copyright encourages and provides incentive for artists to continue to create works to be part of the growth of Canadian culture, the development of which we all encourage.

I would like to say in conclusion that copyright is an essential right which must follow the trends and technology of a society like any other basic right. I hope that will be the outcome of this amendment.

**Ms. Lynn McDonald (Broadview—Greenwood):** Mr. Speaker, I am very pleased to have the opportunity today to speak on Bill C-60, the very long-awaited amendments on copyright legislation. We are dealing with a Bill which dates back to 1924, the last Act, which has been scarcely modified since then and, of course, there have been enormous changes in the intervening years which have necessitated a new Bill.

I had the pleasure of working on the Subcommittee on Copyright, and of hearing submissions from experts, from artists and from cultural workers across the country. I very much enjoyed the learning experience in finding out the very particular problems that changed technologies have made for our artists and which have necessitated this new legislation. I regret that not more of the recommendations of the subcommittee have been included in this Bill. This is rather a timid Bill. It includes the most non-contentious of the items on which we worked and a lot more remains to be done.

Nonetheless, I compliment the Government for finally bringing in the Bill. I am certainly going to co-operate in seeing that it gets passed today on second reading and gets to committee for some further study, not that we would anticipate a lengthy period in committee for a subject which has been so very much studied by committee, by departmental task forces and by experts over the years.

The Subcommittee on Copyright entitled its report: "A Charter of Rights for Creators". Certainly our approach was to give creators full credit to ensure that their economic rights,