

sons, which Maclean's is satisfied had nothing to do with his ability, business judgment or honesty.

With his background, McGrath has no trouble getting job interviews with, he says, 12 different firms. In some instances he was told he was hired—but there was always a final rejection. He couldn't find out why. Then a Sarnia-based businessman offered him a job, and McGrath told him, "I don't know what it is, but something is wrong. I've had a dozen jobs offered and then withdrawn". The man called on the McGraths a few days later. He brought a personnel file compiled by a large firm that specializes in such reporting.

That report quoted unnamed previous colleagues as saying McGrath had been fired. The reason given was the unspecified charge of "loose morals".

I will not read any further, but it turns out that the information was totally false, totally erroneous. The reverse was true. As a matter of fact, he had been offered a promotion at the time he resigned, but this had seriously affected his whole life. After this gentleman had shown him the file, he tried to obtain agreement from the credit agency to have a look at the file, only to be denied it. Ironically, the gentleman who showed him the file did so at great risk because he was breaking the agreement with the credit agency by divulging that information. Furthermore, the same gentleman withdrew the very job offer which resulted in the file being divulged. The whole life of that man was altered drastically. I do not know what became of him, but I hope he has been successful. I understand he graduated from law school and probably is now a very successful lawyer. He has served us all well by having the courage to come forward to tell us what happened to him, to document what can happen to all of us and what does happen to many of us even though we never have the opportunity to know about it.

The bill before the House goes a long way toward providing the kind of privacy and protection from irresponsible credit reporting that has been brought down by the Ontario legislature. This bill will provide that kind of privacy right across Canada. It will protect Canadians from trafficking in false and misleading credit information. It will protect Canadians from having damaging information retained on their credit files, information that is no longer relevant. In other words, it will apply the principle of statutory limitation. It has a number of very good areas of consumer protection.

● (1720)

I am not naïve enough, Mr. Speaker, to think this bill will pass today. It merely serves as a vehicle for some of us to put forward our views on this matter, and to express our concern about it. But perhaps some day it could be the subject of further investigation and study by a parliamentary committee, and perhaps even the subject of legislation by a government that expresses concern for the privacy of Canadians, the same kind of concern that was embodied in the wiretapping bill. Perhaps that concern can be carried forward to produce this type of legislation to provide protection to Canadians against irresponsible credit reporting.

**Mr. H. T. Herbert (Vaudreuil):** Mr. Speaker, I do not have major issue to take with the remarks just made by the hon. member for St. John's East (Mr. McGrath), but I do feel that in this short debate there are a few points that

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should be underlined. I want to start by looking at some of the provisions in the bill itself.

For example in clause 8(3), concerning the permissible purposes of reports, it is important to read that it provides: To a person which it has reason to believe (a) intends to use the information in connection with a credit transaction involving the consumer on whom the information is to be furnished and involving the . . . review . . . of an account of, the consumer;

or alternatively for review we can substitute:

—or collection of the account of, the consumer;

On these two points I have some doubts in my mind as to their adequacy, and believe there should be a considerable expansion of the intent. I feel that they leave themselves open to considerable misuse if allowed to pass in their present form, and I just want to draw this to the attention of the hon. member.

I also want to draw attention to clause 14(5), about which I also have reservations. It reads:

Except as provided in sections 20 and 21, no consumer shall have any claim against or bring any action or proceeding in the nature of defamation, invasion of privacy, or negligence with respect to the reporting of information against any consumer reporting agency, any user of information, or any person who furnishes information to a consumer reporting agency, based on information disclosed pursuant to section 13, 14 or 19, except as to false information furnished with malice or wilful intent to injure such consumer.

My reservation here is the simple one that the statements may in themselves be correct but not necessarily complete. We are all aware of what can be done with a half statement. Again, I am concerned lest there should be room here for misinterpretation because of insufficient or inadequate reporting of information.

There is one other point I want to underline, stemming from my study of the bill, and that concerns clause 15 dealing with the procedure in case of disputed accuracy. My concern is with clause 15(1) where it reads:

If the completeness or accuracy item of any information contained in his file is disputed by a consumer—

And further down the page in subclause (3) it again refers to "disputed by the consumer." My concern is that the item itself has to be disputed and not the total impact, not the effect of the report on the person reading same.

Just for a moment I wish to turn, as the hon. member did, to what has happened in the provincial field. In the statement of findings of the Consumer Affairs Conference held at Charlottetown, P.E.I., from September 10 to September 12 this year, it was reported that several of the provinces have already legislated in this area, and they advise that the procedure is working out reasonably well. It was felt that the Manitoba legislation was attractive but the Manitoba delegates pointed out that medical information was exempted in the act, as was qualified privilege, and they felt that further consideration might be given to those areas.

The provinces of British Columbia, Alberta and Prince Edward Island indicated that legislation was under active consideration and was expected to be finalized within the next year. The New Brunswick delegates claimed that they had established a satisfactory arrangement with the credit reporting agencies in their province whereby they allow persons to see their own files and, as a result, the