

Combines Investigation Act

95,000 members have passed a resolution calling for many of the things I have listed in this amendment. For example, the Consumers Association of Canada last summer passed a resolution calling on the Minister of Consumer and Corporate Affairs to make it a legal practice that pricing be clearly placed on items consumers contemplate purchasing. The consumers of Canada as represented by that association are calling upon the minister to implement many similar proposals.

All we received during the meetings of the committee, and in this House, have been promises that some of these things will come in the next phase of the bill. It is always next year or the next phase of the bill. One has only to look at the history of this bill to see that next year is indeed a hollow promise, and has been since 1971. In 1971 it came in as phase one and phase two together. The government was going to do this as well as look at monopolies, vertical integration, interlocking directorships, and so on, but the corporate sector howled so furiously that the government decided to split the bill and bring forward its more innocuous part, which is here today.

Here we are, at the end of 1975. It took four years to get this part of the bill to the House. Can you imagine how long it will take before phase two comes before the House? Who is the minister kidding when he says we will have phase two next year? Don't forget all the flack that is put up when an attempt is made to move in on monopolies in this country; yet all we keep getting is that next year, or in the next phase, the government will consider these things. How easy it is to say to the people of Canada that there will be a freeze on wages; how easy that is to implement. But according to the minister it is difficult to start moving in the marketplace and telling companies that they shall operate in a certain manner for the benefit of consumers. Surely, Mr. Minister, if we can do one we can do the other. Surely, it is not unreasonable to expect that from the minister who calls himself the minister of consumer affairs. But it must be remembered it is "consumer and corporate affairs." We often forget that part, and I wonder if he really is not the minister of corporate affairs rather than of consumer affairs.

● (1630)

These amendments are not radical by any stretch of the imagination. They are not amendments which emanate just from this party, but from every interested consumer group in the country, and as a result there is wide support for them. As the minister has admitted, he will not be embarking upon a new area; many provinces have legislated many parts of this kind of proposal, so he will be strengthening their hand.

I appeal once again to the good sense of members on all sides of the House to support this amendment.

Mr. F. A. Philbrook (Halton): Mr. Speaker, I would like to address myself to motion No. 20, starting with a few general remarks. As a member of the finance and industry committee, I spent more of my time on the competition bill, Bill C-2, last session than on any other piece of work. In addition to many committee meetings, I and my Liberal colleagues spent many hours preparing for these discussions. That time was well spent and was a credit to the

[Mr. Rodriguez.]

Minister of Consumer and Corporate Affairs (Mr. Ouellet) as well as his parliamentary secretary at that time.

The competition bill is not only important; it is extraordinarily challenging. Free enterprise is one of the most important elements of our mixed economy and our democratic way of life, and competition is one of the most important elements of free enterprise. Both are normal features of Liberal philosophy. However, every man's freedom encroaches on the freedom of every other man and, ironically, the more effectively a man competes, the more he tends to eliminate competition.

Thus, we have seen great powers develop in our type of society. We have seen freedom and free enterprise eroded by itself. Competition, the lifeblood of our way of life, has eliminated competition, because not all competitors are equal and not all competitors play by the spirit of the rules. Freedom and opportunity are sacrificed to efficiency and power. Thus, we must have a balance in both freedom and competition. Ideally, the market forces would safeguard this balance and government intervention would be unnecessary. But, unfortunately, it has not always worked out this way in practice and necessary legislation has resulted. Such necessary legislation is also a normal feature of Liberal philosophy.

Market forces are delicate and complex and very difficult to replace with a set of rules. But public opinion has decreed that there is no longer enough competition in the marketplace, no longer the best combination of high quality and low prices, whether for goods or services. Public pressure has decreed that the government must get involved, be the arbiter in the marketplace, protect the consumer; and not only protect the consumer but also the small competitor, the typical Canadian businessman.

As detail after detail of such legislation is examined, as witness after witness states his case, some general problems begin to emerge with this type of legislation. Firstly, much of it has to be left in generalities because it is a physical impossibility to cover all possible case examples which might occur. Secondly, there is a grey area in the middle of each ruling where only experienced and wise judgment can begin to cope with the right balance between protecting the interests of all parties involved—the customer, the big business, the small business. Thirdly, in many aspects of the legislation the fine line is crossed from the original intention of assuring healthy competition to the related and worthy area of protecting the customer from the businessman. For clarity, these sections should perhaps have been part of a consumer protection bill rather than a competition bill. Indeed, some aspects of the legislation might even suggest the need for a businessman's protection bill.

These aspects of the bill which tend more to protect the consumer or individual than to protect competition include perhaps foreign laws and directives, conspiracy relating to professional and amateur sport, misleading advertising, materially misleading warranty or guarantee, double-ticketing, pyramid selling, referral selling, bargain prices, bait-and-switch selling, sale above the advertised price, promotional contests and price maintenance. However, it may be argued that to whatever extent these tactics are able to deceive the customer or individual, there is also a potential to gain some market advantage