

*Crown Corporations*

answers: This Crown corporation is not an agent of Her Majesty. So, Parliament is only empowered to allocate the taxpayers' money for financing that corporation, very often for financing losses. On the other hand, the minister hides behind the law and states he cannot answer. This same Crown corporation, protected by rules relating to Parliament, has special status as far as competition is concerned, in other words, CBC is not treated in the same way under the regulatory or civil laws as Telemedia or any other broadcasting corporation in the private sector. So the law is not the same to every corporation.

This bill therefore, most specifically, is intended to have the Crown corporations pay municipal taxes just like other companies. Our politicians, as others were before them are prone to announce, with a lot of promotional effort, that they are going to locate such and such a department in some municipality. That it will be a huge project, a large investment. But what they do not say, Mr. Speaker, is that the investment will bring next to nothing in municipal taxes to the municipality concerned. Why? The reason is it enjoys special treatment.

The bill is also intended so that in cases of bankruptcy, Crown corporations be paid on the same footing as other firms, without any special priority. I find it unfair that an individual lose in a bankruptcy, after a public creditor of the bankrupt company has been repaid by the receiver. It seems to me, Mr. Speaker, this is discriminatory; Crown corporations have much more financial strength to defend their interests and retain lawyers than the individual.

Third, this bill is intended so that Crown corporations have no special priority in the field of patents. I will here refer to the case *Formea Chemicals Limited vs Polymer Corporation Limited*.

Here also, there is special treatment to the Crown corporation. This is tantamount to saying that the government, through its embodiments the Crown corporations, is above the laws of Parliament.

Fourth, if this bill is passed it would allow *mandamus* proceedings to be taken against a Crown corporation as if it were a private company, which is not yet the case today.

The CBC people who were teased by the hon. member for Témiscamingue (Mr. Caouette) reproached him his parliamentary immunity. The Crown company, to whom they belong, Mr. Speaker also enjoys a special status in that connection. It is precisely that status which I would like to abolish in the case of Crown corporations. There is no reason whatever for which these people should not be treated on an equal footing with any other citizen.

Fifth, this bill proposes that criminal laws apply to government enterprises as well as to private companies. Mr. Speaker, one thing is obvious: it is imperative that we stop once for all in every sector referred to in the bill to grant privileged status to Crown corporations.

In other words, this bill aims at subjecting public corporations to private law and at withdrawing the privileges they now enjoy under public law. All this follows from the five points that I mentioned earlier.

The principle I am concerned with is this one: When the state has business dealings, it must be submitted to the same statutes as businessmen, otherwise, Mr. Speaker, it will compete dishonestly with the other private businesses

[Mr. Fortin.]

of Canada. When the government protects Crown corporations and puts them in a kind of ivory tower while allowing them to compete against private enterprise, from that moment on, Mr. Speaker, there no longer is legal or honest competition. This is why I very sincerely hope that this bill, that I submit with good intentions, without any political partisanship and in the interest of Canadians, will be passed by the House of Commons and not be buried at the first reading stage like bills of this type usually are. I hope very sincerely that the House will agree to submit the bill to the Committee on Finance, Trade and Economic Affairs.

Mr. Speaker, if we pass this bill at the stage of second reading, we could go on to another issue and at the same time show that we are interested in studying matters in depth, by allowing the committee to examine this bill. However, if we apply the rules of procedure and go on talking to bury this bill on first reading, consideration of this bill will be postponed indefinitely. This will happen simply because the bill was introduced by a member of the opposition. Mr. Speaker, I believe that members on this side of the House can have ideas as valuable as those on the other side and that the committee should have at least the opportunity to study this bill without necessarily committing itself to accept it.

[English]

Mr. Gilbert Parent (St. Catharines): Mr. Speaker, in itself the Crown corporation is a bit of an orphan in the strictly technical sense that it is half government and half private enterprise. We seem to be perpetually baffled by this hybrid, and we are not sure about the extent to which it should be politically accountable. We all tend, I suspect, to say that it should be accountable when it is doing something we dislike, and to say that it should be independent when it is doing something we like. For example, the Canadian Broadcasting Corporation decides to switch one of its two Toronto radio stations from English-language to French-language programming. Toronto MPs, for whom French-Canadians represent a tiny minority, are furious. One of them says the CBC should be under our thumb. They want the government to order the decision reversed.

● (1710)

Let me give another example. Air Canada decides to buy an American aircraft, parts of which will be built near Toronto, and not to buy a French aircraft, parts of which would have been built in Montreal. Montreal MPs demand that the government reverse Air Canada's decision. Toronto MPs think Air Canada should make independent decisions. So, whom are you to please?

I have no simple formula to suggest by way of a Christmas present for Canada's Crown corporations. Certainly we cannot turn the country over to the technocrats and let them run it as they see fit. But neither should we force these companies to make their decisions in response to the wayward gusts of political pressure.

It seems to me that everyone, and especially members of parliament, ought to recognize a few ground rules. Purely technical decisions should be left to the technical experts employed for that purpose. Technical decisions with political implications should normally be made on the