

Private Members' Business

telephone subscribers who do not wish to receive unsolicited messages.

I want to remind you, Mr. Speaker, that my particular bill calls for only a fine of up to \$200 and does not include any kind of incarceration whatsoever.

There is also an environmental angle as opposed to the harassment and the cost angle. One basic tenet of environmentalism and the efficient use of resources is that those who use resources should be the ones to pay for them. Thus there is incentive to conserve and to use paper products more efficiently.

Unsolicited facsimile advertising shifts the cost of resource-use, paper, electricity and mechanical wear and tear, away from advertisers, reducing the incentive for efficiency.

Moreover, the end product, almost invariably destined for our overloaded waste disposal system, is chemically treated and cannot be recycled with technology currently in use in Canada.

There are at least two suggestions as to why this bill should not be considered and let me deal with them. The first is that limits on unsolicited fax mail violate free speech. Nobody can force someone to buy a book or newspaper that they do not want and yet this is not seen as a limit on free speech.

This is the one medium requiring the recipient to bear directly a major portion of the cost of advertising. Speaking of freedom and choices, there is no choice for the recipient when junk mail comes through the machine.

The second argument may be that this is a basic tool in modern advertising. Taking it away puts businesses at a competitive disadvantage. On the contrary, it puts them on that level playing field businesses find so attractive. Besides there are some things more important than competitive advantage. This is an issue of equality.

Let me go back to my bill for a moment because there are two key elements in it. One refers to "unrequested facsimile communication". Those of us who have fax machines have them for a reason, to send and receive information.

If we are in the business of communicating with others via fax, we do not want our machines tied up by an unsolicited fax message, selling us something or other, perhaps the menu at the local restaurant, unsolicited.

Those machines are important business tools and should not be used frivolously.

The key part is the unrequested part. Manufacturers who wish to use facsimiles to inform customers of new products can make prior arrangements with those companies to receive fax messages dealing with the sale of goods or services. That is all that is required, a courtesy call to the potential recipient to see if they are willing to receive information via facsimile on new products that are available. I think in a lot of cases, people would say yes to selected suppliers.

The other part is the element that says, "advertising for sale any goods or service". That is very specific, very clear. It is not talking about faxing a letter to a minister dealing with a subject matter; not preventing faxing of a letter to a company requesting information, but specifically banning advertising for sale any goods or services.

I think the matter is worthy of study and implementation. I just want to make two final comments. One of the responsibilities of members of the House of Commons is to anticipate problems, to not wait until a problem has developed into an issue; to not wait until there are people pounding on our doors demanding some protection.

Our job is to anticipate, and where we have information to suggest that there is a change in society. We are in an ever-evolving society particularly when it comes to technology. We should anticipate problems and provide the administrators of our law with the tools in order to protect people who are being abused by what is currently legal activity.

I would urge my colleagues in the House of Commons to consider the positive aspects of this bill, to agree to support the motion and refer it to a legislative committee so that we can put on the books a law that protects the owners of facsimile machines from unsolicited junk mail being sent to them at the recipients' expense. I appreciate the opportunity to address my bill and I look forward to the comments of other hon. members.

The Acting Speaker (Mr. DeBlois): On a point of order, the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons.

Mr. Cooper: Mr. Speaker, there have been discussions among the parties and the members of the House, and I am sure that you will find that there is unanimous