

*Combines Investigation Act*

We are confronted today, as the house has been in previous years, with this stop gap amendment. It has been brought up three or four times over the years—a patchwork moratorium protecting the fishing industry of British Columbia from a threat or a smear which I believe should never have been made in the first place. In effect, for several years the workers in the whole fishing industry of British Columbia have had a gun pointed in their direction by this legislation, basically because the workers in that industry, like the workers in so many industries, have decided to bargain collectively for rates and working conditions. I really think the government should, at this time, as has been suggested by the hon. member for Vancouver Centre (Mr. Nicholson) put an end to a situation which is becoming farcical and take steps to remove this blot upon the fishing industry of British Columbia. Possibly an amendment should be proposed removing the time limits which appear in the bill before us. If we do have to vote in favour of this measure, I hope it will be for the last time, and that steps will be taken shortly to remove this smear against the fishing industry of this country.

**Mr. Nicholson:** Mr. Speaker, I would be prepared—

**Mr. Speaker:** With the Speaker in the chair, the hon. member is permitted to speak only once.

**Mr. R. W. Prittie (Burnaby-Richmond):** I do not wish to be repetitious, and I shall not go over any of the ground covered by the hon. member for Vancouver Centre and the hon. member for New Westminster. However, the riding of Burnaby-Richmond does contain a great many of the people concerned. One of the greatest fishing ports in the nation is in the riding and, for the benefit of the minister I should like to add my voice to those of the two hon. members who have just spoken. We should like to see this disability removed at once. We are very concerned about it, and we think it is a little ridiculous that this question should come up each year.

**Mr. Jack Davis (Coast-Capilano):** Mr. Speaker, the fishing industry in British Columbia which is one of our main sources of income is at the moment under a legal cloud. The combines commission has questioned the legality of these annual negotiations between the fishermen, who might be regarded, in one sense, as the employees of an industry, and the cannery operating companies. This practice of conducting negotiations has been going on for a long time—the hon. member for Vancouver Centre has mentioned 60 years.

[Mr. Mather.]

Surely, an exception must be made. This practice must be legalized. I believe we must think in terms of the revenue to the fishermen being a sort of wage which is fixed annually. The fishermen have a legitimate objective. I should like to see these negotiations made legal for all time, not subject to an annual review. This can only be done by an appropriate extension of the legislation under the Combines Investigation Act.

**Mr. S. P. Ryan (Spadina):** Mr. Speaker, with respect to the possibility of amending the proposal before us, I should like to say that such a tradition has been built up with respect to the situation in British Columbia that there should, in my view, be a special and permanent extension made to take care of the situation. I am pleased, therefore, to move, seconded by the hon. member for Coast-Capilano (Mr. Davis)—

**Mr. Speaker:** Order. The hon. member for Coast-Capilano having spoken cannot second.

**Mr. Ryan:** Seconded, then, by the hon. member for Brant-Haldimand (Mr. Pennell) that an amendment be made to this bill. I would refer you, Mr. Speaker, to line 3 of the last paragraph of clause No. 1 of the bill before us. I should like to move that the following words be struck out after the word "fish"—

**Mr. Speaker:** Order. I could tell the hon. member immediately that his motion is out of order because he is amending a particular clause and anticipating the committee stage.

**Mr. Frank Howard (Skeena):** Mr. Speaker, I have a few comments to make on second reading because, included among my interests over the years, have been fisheries matters and matters relating to conspiracies and the like in restraint of trade.

It was originally thought by many that the present section 4 of the Combines Investigation Act was sufficient to protect unions, workmen and employees from the effects of certain provisions of the act when they conducted their collective bargaining to establish wages, hours and working conditions for themselves.

Section 4 of the act says:

Nothing in this act shall be construed to apply to combinations of workmen or employees for their own reasonable protection as such workmen or employees.

However, as is usually the case with statutes, it is oftentimes discovered that the intent parliament had when it enacted a particular statute has been clouded and lost when it comes to the time to apply it. That has been the case, I submit, in this instance in that the initial investigation was engaged in contrary to the desire of the people who