

Supply—Secretary of State

Mr. Eastham did not like it because he was sitting on the bench, and under the regulations of the soccer league he could not talk to another soccer club.

There is no combine in the Canadian hockey world, I would have you know. There is no combine; there is no trust. I say to you there is only an agreement. But in England just recently this soccer player was not allowed to play for Newcastle United. He just sat on the bench because he was held under what is called the retention clause. Other clubs were willing to pay him more money to play for them since Newcastle was not using him, but Newcastle said: You are our property, do as you are told, sit on the bench.

So Mr. Eastham who, thank God, has a little more intelligence than his predecessors in the soccer world, decided to go to court. He took the Newcastle United Football Club Limited into court on the ground that he was being held in restraint of trade and could not offer his abilities to other teams. On July 4 Mr. Justice Wilberforce of the chancery division held that the action of the soccer club with regard to this player was in restraint of trade and that the player was entitled to make whatever deal he could with owners of other clubs, wherever he might wish to go.

There is another interesting point about the decision of Mr. Justice Wilberforce and hon. members will be interested in this. I am going to refer to page 144 of The All England Law Reports which I got out of the parliamentary library, it having been received by the library on September 5, 1963. From page 144 I read the following:

The maximum weekly wage for a full time player is fixed at £20 during a playing season and £17 during the off season—and I repeat that I refer to the date of the writ—and there are fixed bonuses for television—

Hockey players, professional football players, professional baseball players, the jockeys who ride in the big races, and professional golfers are in a state of ferment at the present time. The most popular feature on television in the United States, Canada and Great Britain is sporting events but the players are not being recompensed a cent for performing on all the television screens throughout the country. We know that tremendous sums are paid to clubs in order that games may be televised, but this money does not seep down to the players.

The judgment of Mr. Justice Wilberforce in the British chancery division is important because I can assure hon. members that legal action is going to be taken in Canada and the United States in the not distant future by these unorganized professional athletes in hockey, baseball, football and golf and by the jockeys who ride the horses.

[Mr. Cowan.]

Mr. Nowlan: Marbles.

Mr. Cowan: They maintain they are entitled to payment for their service and the entertainment they provide in these various sporting events. There is a very interesting thing in the estimates of the Secretary of State. On pages 386 and 387 there is a vote, "copyright and industrial designs division including a contribution to the international office for the protection of literary and artistic works". Here we are making arrangements to pay for literary and artistic works that may be reproduced. We can all remember how people howled when ASCAP came into being and began to demand that radio stations should pay every time they played a record. You will remember how the radio stations raised particular Ned on that score, and said they had bought the record and therefore they could play it. The musicians maintained that the playing of the record robbed them of work because people were using records when they should have hired live musicians. ASCAP was formed, and since then a certain percentage of money is paid by radio stations and anybody else using records for public entertainment into a fund of the musicians protective union.

We have copyright laws to protect writers, we have ASCAP to protect musicians. I say that the professional athletes are entertaining and are entitled to the same protection. They are demanding that the games in which they play shall go on closed circuit television either to homes or to theatres.

It is all right to sit back and say that the world series turns a tremendous sum of money into the pension fund of the players. Here is this morning's *Globe and Mail* and on the front page we can read about the big football game to be played in Chicago on December 29 between the Chicago Bears and the New York Giants. In the second paragraph there is this statement:

Pete Rozelle, N.F.L. commissioner, said yesterday the reasons for this included the smaller capacity of Wrigley field compared with Yankee stadium and the fact there will be a \$450,000 slice from T.V.-radio receipts earmarked for the player pension fund—

Hon. members may sit back and say that \$450,000 for the player pension fund is tremendous, but the players are not satisfied. They know that if there is closed circuit television throughout the United States and parts of Canada they will get more money for the players' pension fund by that means than they will ever get from the free television broadcasting of sporting events. I say that the C.B.C. should be inquiring into the remuneration of these players who are appearing on our television screens. A year ago I asked the government of the day how