

As he has very clearly explained, it has been a difficult situation. I notice that we are only asked to extend it for a further 18 months, and I am wondering whether those responsible for this legislation are being a little optimistic or if any solution is in sight.

I listened with interest to the remarks of Senator Roebuck. I do not think it is as clear cut as he makes it seem, or as he sees it to be. I know little about the fisheries of British Columbia, but I am fairly well acquainted with the fisheries of the Atlantic coast and I understand that their situation is the same. I can say that the primary producer, the men who actually went out and caught the fish, were usually the ones who had the most difficult time making a living. They are the ones who received the least return; they were the weak link. Fishermen had to go out and fish in all kinds of weather. Unless those who operated the fish plants would buy the catch, what could the fishermen do with it? Throw it overboard. Their bargaining power has been weak, and perhaps by co-operating together, or combining together, these fishermen would be able to better their lot, not for the purpose of increasing the price to the consumer but to get a larger share of the profit. Actually, I do not believe it should cost the consumer more, but in any event a greater share of the consumer dollar should go to the man who actually has to go out and catch the fish, rather than to those who process, distribute and sell it.

So far as I am concerned, this legislation should be passed to enable them to try to work out a solution to the problem which exists.

Hon. Mr. Roebuck: Honourable senators, may I just add a word? I did not intend to criticize the gentleman who sponsored the bill. He gave us a fine and frank explanation of it, and I congratulate him.

It is the bill I am criticizing, and if I may add to what I said with regard to the setting aside of competition, the Criminal Code says "unduly limiting competition". This is the defence of the accused when a bona fide case is presented in court. If these people do not propose to "unduly" limit competition, they do not need this legislation. It is only because of the outrageous character of their agreements, of their combines, of their violation of the Code, that they desire to have the Code and the combines legislation set aside.

Hon. Daniel A. Lang: Honourable senators—

The Hon. the Speaker: I must inform honourable senators that if the honourable Senator Lang speaks now it will have the effect of closing the debate.

Hon. Mr. Lang: Honourable senators, arising out of some of the honourable Senator Roebuck's remarks, I thought perhaps I should mention one underlying consideration which I did not refer to originally in connection with this bill.

I am advised that this intergovernmental committee, which is expected to report very shortly, making recommendations, is also very seriously concerned about conservation in these fishing grounds. The amounts and the nature of the catch to be taken each year are very important factors in the operation of the industry, to ensure its long-term preservation. When this committee reports, it is anticipated that many of its recommendations will be involved in this area.

The moratorium now sought to be granted will bring to further public scrutiny these considerations.

Motion agreed to and bill read second time.

THIRD READING

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

Hon. Mr. Lang: With leave of the Senate, now.

Hon. Mr. Roebuck: I do not consent to it. I move that the bill be referred to the Standing Committee on Banking and Commerce.

Speaking to my motion, there is no hurry to have this legislation passed at this time. These men do not fish in the winter; the fishing is done in the spring, in the usual run of the salmon. So there is no reason for pushing this through by setting aside our rules of procedure and passing this legislation peremptorily, to which I object so strongly. When have we ever set aside provisions of the Criminal Code in the interests of individuals? That is what I said the last time a similar measure came before us. It is unprecedented in that regard. True, it is not unprecedented in this particular case, because we have done this two or three times before, but that does not mean it is not generally unprecedented. Who can remember our ever setting aside the provisions of the Criminal Code for the convenience of any individuals who desire to violate it? I do not see any reason whatsoever for passing it now. We will be back after the Christmas holidays, in the new year. There will be plenty of time to do anything that it is shown to us it is necessary to do prior to the spring run.

I therefore move that the bill be referred to the Standing Committee on Banking and Commerce—if somebody will second it.